

# Appendix A: Coordination & Scoping

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13-Aug-19	Cooperating Agency Invitation for the I-10, I-17 (Split) to SR202L (Santan) Project	U.S. Army Corps of Engineers	ADOT	Agency Coordination
23-Jul-19	NH-010 C(220)T 010 MA 149 F0072 01D I-10, I-17 (Split) to SR202L (Santan)	ADOT	U.S. Army Corps of Engineers	Agency Coordination
1-Apr-19	Scoping Comments for the Environmental Assessment for the I-10/I-17 (split) to SR-202L (Santan) Improvement Project, Maricopa County, Arizona	U.S. EPA	ADOT	Scoping
1-Apr-19	NH-010-C(220)T / 010 MA 150 F0072 01D / I-10, I-17 (Split) to SR202L (Santan)	Valley Metro	ADOT	Scoping
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22-Feb-19	I-10, I-17 (Split) to SR202L (Santan)	ADOT	Agencies and stakeholders listed in Table V-1 in the Draft EA	Scoping
30-Sep-19	010-C(220)T / TRACS NO. 010 MA 161 F0072 01D / I-10, I-17, SR 202L (Santan) Continueing Section 106 Consultation "adverse effect"	ADOT	SHPO	Section 106
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4-Sep-19	010-C(220)T; TRACS 010 MA 161 F0072 01D; I-10 I-17 to SR 202L Initial Section 106 Consultation dated August 1, 2019	SRP	ADOT	Section 106
30-Aug-19	10-C(220)T TRACS No. 010 MA 161 F0072 01D I-10, I-17 to SR 202L (Santan) Continuing Section 106 Consultation "adverse effect"	ADOT	SHPO + Consulting Parties*	Section 106
15-Aug-19	10-C(220)T TRACS No. 010 MA 161 F0072 01D I-10, I-17 to SR 202L (Santan) Continuing Section 106 Consultation "adve	Pueblo Grande Museum	ADOT	Section 106
13-Aug-19	10-C(220)T TRACS No. 010 MA 161 F0072 01D I-10, I-17 to SR 202L (Santan) Continuing Section 106 Consultation "adverse effect" Geotechnical Investigations Attachment 6	City of Chandler	ADOT	Section 106
12-Aug-19	I-10, Jct.I-17 to SR2021 (Sacaton)	The Hopi Tribe	ADOT	Section 106
9-Aug-19	10-C(220)T TRACS No. 010 MA 161 F0072 01D I-10, I-17 to SR 202L (Santan) Continuing Section 106 Consultation "adverse effect" Geotechnical Investigations Attachment 6 Section 4(f)	SHPO	ADOT	Section 106
2-Aug-19	010-C(220)T TRACS No. 010 MA 161 F0072 01D I-10, I-17 to SR 202L (Santan)	White Mountain Apache Tribe	ADOT	Section 106
1-Aug-19	10-C(220)T TRACS No. 010 MA 161 F0072 01D I-10, I-17 to SR 202L (Santan) Continuing Section 106 Consultation "adverse effect" Geotechnical Investigations Attachment 6	Bureau of Reclamation	ADOT	Section 106
1-Aug-19	10-C(220)T TRACS No. 010 MA 161 F0072 01D I-10, I-17 to SR 202L (Santan) Continuing Section 106 Consultation "adve	ADOT	SHPO + Consulting Parties*	Section 106
1-Jul-19	Section 4(f) Applicability/Exception Form - Concurrence	City of Phoenix	ADOT	Section 4(f)
5-Jun-19	Section 4(f) Applicability/Exception Form - Concurrence	City of Tempe	ADOT	Section 4(f)
18-Jun-19	Preliminary Jurisdictional Determination	U.S. Army Corps of Engineers	ADOT	PJD

\*Consulting parties include Bureau of Reclamation, City of Chandler, City of Phoenix, City of Tempe, Salt River Project, Town of Guadalupe, Ak-Chin Indian Community, Gila River Indian Community, Hopi Tribe, Pascua Yaqui Tribe, Salt River Pima-Maricopa Indian Community, Tohono O'odham Nation, Tonto Apache Tribe, White Mountain Apache Tribe, and Yavapai-Apache Nation

Agency Coordination



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT  
3636 NORTH CENTRAL AVENUE SUITE 900  
PHOENIX, AZ 85012-1939

August 13, 2019

SUBJECT: Cooperating Agency Invitation for the I-10, I-17 (Split) to SR202L (Santan) Project

Mr. Paul O'Brien, P.E.  
Environmental Planning Administrator  
Arizona Department of Transportation  
1611 W. Jackson St., MD EM02  
Phoenix, Arizona 85007

Dear Mr. O'Brien:

I am responding to your letter dated July 23, 2019 inviting the U.S. Army Corps of Engineers (Corps) to participate as a Cooperating Agency in the preparation of an Environmental Assessment (EA) for proposed improvements along Interstate 10 (I-10) between the Interstate 17 (I-17) Split system interchange and the State Route 202L (SR202L) system interchange in metropolitan Phoenix, Maricopa County, Arizona (Corps File Number SPL-2019-00178). The Arizona Department of Transportation (ADOT), which has assumed the Federal Highway Administration's responsibilities under the National Environmental Policy Act pursuant to 23 U.S.C. 327 and a Memorandum of Understanding executed on April 16, 2019, is the lead agency for this EA.

Since the proposed project may impact waters of the United States, a permit under Section 404 of the Clean Water Act may be required. Therefore, we accept ADOT's invitation to participate in the EA as a Cooperating Agency. We expect to provide input on the project's purpose and need, range of alternatives, and impacts analysis as it relates to the Corps' jurisdiction. However, our participation should not be interpreted as a guarantee of permit issuance.

Thank you for the invitation to participate in this EA. The point of contact for the Corps regarding this project is Mr. Jesse Rice, Project Manager in the Regulatory Division's Arizona Branch. If you have questions, you may contact him at (602) 230-6854 or [Jesse.M.Rice@usace.army.mil](mailto:Jesse.M.Rice@usace.army.mil).

Sincerely,

LANGLEY.MICHAEL.  
WAYNE.1216496864

Digitally signed by  
LANGLEY.MICHAEL.WAYNE.1216  
496864  
Date: 2019.08.13 14:58:29 -07'00'

Michael Langley  
Senior Project Manager  
Regulatory Division



**Environmental Planning**

**Douglas A. Ducey**, Governor  
**John S. Halikowski**, Director  
**Dallas Hammit**, Deputy Director for  
Transportation/State Engineer

July 23, 2019

Ms. Sally Diebolt  
Chief  
Arizona Regulatory Branch  
U.S. Army Corps of Engineers  
3636 N. Central Avenue, Suite 760  
Phoenix, AZ 85012-1936

Subject: NH-010 C(220)T  
010 MA 149 F0072 01D  
I-10, I-17 (Split) to SR202L (Santan)

Dear Ms. Diebolt:

The Arizona Department of Transportation (ADOT) is preparing an Environmental Assessment (EA) for the section of Interstate 10 (I-10) between the I-17 Split system interchange, and the State Route (SR) 202L Santan/South Mountain Freeway system interchange, including the traffic interchanges of I-10/SR 143 (Hohokam Expressway) and I-10/US 60 (Superstition Freeway) in Metropolitan Phoenix. The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated April 16, 2019 executed by the Federal Highway Administration and ADOT.

The proposed project would involve construction of capacity and operational improvements in the I-10 corridor. The Preferred Alternative for this project encroaches upon the Salt River 100-year floodplain and the Tempe Drain. As your agency has jurisdiction with respect to Section 404 of the Clean Water Act, we are requesting you to be a Cooperating Agency.

Your agency's involvement would include the area of water quality under your jurisdiction. No direct writing or analysis by your agency will be necessary for the document's preparation. To assist your interagency cooperation, we will 1) invite you to coordination meetings; 2) consult with you on any relevant technical studies (including Jurisdictional Delineation and 404 permitting needs); and 3) provide you with project information.

We expect the EA process will satisfy your NEPA requirements, including those related to alternatives, environmental consequences, and mitigation. Further, we intend to utilize the EA and subsequent FONSI as the basis for necessary permit applications.

Scoping



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

April 1, 2019

Arizona Department of Transportation  
c/o WSP Attn: Anthony Scolaro  
1230 W. Washington Street, Suite 405  
Tempe, AZ 85201

Subject: Scoping Comments for the Environmental Assessment for the I-10/I-17 (Split) to SR-202L  
(Santan) Improvement Project, Maricopa County, Arizona

Dear Mr. Scolaro:

The U.S. Environmental Protection Agency (EPA) has reviewed the February 22, 2019 notice requesting comments on the Federal Highway Administration (FHWA) and Arizona Department of Transportation (ADOT) decision to prepare an Environmental Assessment (EA) for proposed improvements to the segment of Interstate 10 from the I-10/I-17 (Split) interchange to the Loop 202 (SR-202L) Santan Freeway. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508) and Section 309 of the Clean Air Act.

EPA appreciates the opportunity to comment on preparation of the EA. When the EA is released for public review, please send information on where the document is available online. If you have any questions, please feel free to contact me at (415) 947-3554 or [mulvihill.carolyn@epa.gov](mailto:mulvihill.carolyn@epa.gov).

Sincerely,

A handwritten signature in dark ink, reading "Carolyn Mulvihill", is positioned below the word "Sincerely,".

Carolyn Mulvihill  
Environmental Review Section

Enclosures: EPA's Detailed Comments

cc: Michelle Ogburn, Arizona Department of Transportation  
Rebecca Yedlin, Federal Highway Administration

**EPA SCOPING COMMENTS ON THE I-10/I-17 SPLIT TO SR-202L (SANTAN) IMPROVEMENT PROJECT,  
MARICOPA COUNTY, ARIZONA, APRIL 1, 2019**

The Environmental Assessment (EA) should consider a full range of design options to reduce environmental impacts to the greatest extent feasible. Specifically, EPA recommends that the EA consider design options that maximize the use of existing facilities, including features such as congestion pricing, high occupancy toll lanes, and improved transit services. EPA supports the inclusion of high occupancy vehicle lanes in the proposed project.

**Air Quality**

The EA should discuss the potential air quality impacts of this project, resulting from both potential construction activities and operation. The project is located in a federally designated nonattainment area for particulate matter smaller than 10 microns (PM<sub>10</sub>) and ozone, and in a maintenance area for carbon monoxide (CO). Because of the area's nonattainment and maintenance status, it is important to reduce emissions of CO and particulate matter from this project to the maximum extent. Also, since the project area is in nonattainment, transportation conformity applies, so a PM<sub>10</sub> project level conformity analysis is needed if the project is deemed a Project of Air Quality Concern and a CO hot spot analysis is required.

***Recommendations:***

- Provide a detailed discussion of ambient air conditions (baseline or existing conditions), National Ambient Air Quality Standards (NAAQS), and criteria pollutant nonattainment and maintenance areas.
- Include a thorough analysis of impacts (including cumulative and indirect impacts) from the construction and operation of the proposed project. Include monitoring data, any anticipated exceedances of NAAQS, and estimates of all criteria pollutant emissions.
- Discuss potential air quality impacts in the context of conformity requirements and associated state implementation plans. The EA should demonstrate that the project is included in a conforming transportation plan and a transportation improvement program and that the emissions from both the construction and the operational phases of the project conform to the applicable State Implementation Plans, if appropriate, and do not cause or contribute to violations of the NAAQS.
- Disclose available information about the health risks associated with emissions, sensitive receptors in the vicinity of the project area, and how the proposed project will affect current emission levels. Include information about current emissions along with anticipated emissions at interim and full build phases of the proposed improvements.
- Describe specific commitments to mitigate emissions that will prevent degradation of air quality and reduce health impacts. Include an estimate of the air quality benefits and reduced health effects that result from each mitigation measure proposed in the EA. Identify any specific mitigation measures considered for sensitive populations (including schools, daycare facilities, hospitals, elderly care facilities, etc.).

***Construction Emissions***

The EA should include a Construction Emissions Mitigation Plan for fugitive dust and diesel particulate matter (DPM) and this plan should be adopted in the Finding of No Significant Impact (FONSI). EPA recommends that the best available control measures for all pollutants be implemented, including those listed below.

#### *Fugitive Dust Source Controls:*

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate. Operate water trucks or consider other options for stabilization of soil and disturbed surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

#### *Mobile and Stationary Source Controls:*

- Reduce use, trips, and unnecessary idling from heavy equipment.
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification, where applicable, levels and to perform at verified standards applicable to retrofit technologies. Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications.
- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- If practicable, lease new equipment meeting the most stringent of applicable federal standards, commit to using the best available emissions control technologies on all equipment, and where appropriate use alternative fuels such as natural gas and electric.
- Utilize EPA-registered particulate traps and other appropriate controls where suitable to reduce emissions of DPM and other pollutants.

#### *Administrative controls:*

- Coordinate with appropriate air quality agencies to identify a construction schedule to minimize cumulative impacts from multiple development and construction projects in the region, if feasible, to minimize cumulative impacts.
- Identify all commitments to reduce construction emissions and update the air quality analysis to reflect additional air quality improvements that would result from adopting specific air quality measures.
- Identify where implementation of mitigation measures is rejected based on economic infeasibility.
- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking. (Suitability of control devices is based on: whether there is reduced normal availability of the construction equipment due to increased downtime and/or power output, whether there may be significant damage caused to the construction equipment engine, or whether there may be a significant risk to nearby workers or the public.)
- Develop a construction traffic and parking management plan that minimizes traffic interference and maintains traffic flow.
- Identify sensitive receptors in the project area, such as children, elderly, schools, and hospitals, and specify the means by which you will minimize impacts to these populations. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.

### ***Mobile Source Air Toxics***

Given the developed nature of the project area and the existence of both residential and commercial property adjacent to the existing roadways, it is likely that there are sensitive receptors close enough to the roadways to experience MSAT impacts. Many studies have measured elevated concentrations of pollutants emitted directly by motor vehicles near large roadways. These elevated concentrations generally occur within approximately 200 meters of the road, although the distance may vary depending on traffic and environmental conditions. A large number of recent studies have examined the association between living near major roads and different adverse health effects. For a thorough review of near-roadway monitoring studies, see Section 3.1.3 of EPA's *Regulatory Impact Analysis: Control of Hazardous Air Pollutants from Mobile Sources*.<sup>1</sup>

#### ***Recommendations:***

- EPA recommends that FHWA and ADOT perform an analysis of potential MSAT impacts to determine potential localized impacts to sensitive receptors, and inform avoidance, minimization, and mitigation options. When considering appropriate and useful levels of this analysis, EPA recommends that FHWA and ADOT consider the following:
  - The likelihood of impact and potential magnitude of the effect, including both the magnitude of emissions and the proximity of emissions to potential residential and sensitive receptors, such as schools, hospitals, day care facilities, and nursing homes;
  - The severity of existing conditions;
  - Whether the project is controversial and whether air toxics concerns have been raised by the public for this project or for other projects in the area in the past;
  - Whether there is a precedent for analysis for projects of this type, either under NEPA or other environmental laws; and
  - Whether the analysis could be useful for distinguishing between design options, informing design changes, or targeting mitigation.
- Include a combination of the following methods, depending upon the factors discussed above: qualitative discussion, quantification of emissions, toxicity-weight emissions, dispersion modeling, and risk assessment. At a minimum, include:
  - A map indicating the location of residences and sensitive receptors near the project (for example, within 1,000 feet);
  - Analysis of MSAT emissions to determine potential exposure for the identified residences and sensitive receptors; and
  - Specific mitigation measures or design changes for any impacts to each sensitive receptor location identified.

### **Environmental Justice**

Executive Order 12898 addresses Environmental Justice in minority and low-income populations. *Promising Practices for Environmental Justice Methodologies in NEPA Reviews* (March 2016) is a compilation of methodologies from current agency practices identified by the NEPA Committee of the Federal Interagency Working Group on Environmental Justice. The document focuses on the consideration of environmental justice issues through NEPA processes and provides recommendations on applying EJ methodologies that have been established in federal NEPA practice.

#### ***Recommendations:***

- Consider *Promising Practices for EJ Methodologies in NEPA Reviews* when developing the environmental justice analysis.

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<sup>1</sup> <http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OAR-2005-0036-1168>

- The EA should include a description of the area of potential impact used for the analysis and provide the source of demographic information.
- Define potential environmental justice concerns, including any environmental justice issues raised during scoping meetings. Discuss the key issues where environmental justice is potentially a concern, such as relocation, air quality, noise, vibration, access to property, pedestrian safety, etc.
- Define the reference community and the affected community. The definitions are used to analyze whether there are disproportionately high and adverse human health or environmental impacts by comparing the impacts to the affected community with the impacts to the reference community.
- Disclose whether the project will result in a disproportionate and adverse impact on minority or low-income populations. Ensure this conclusion is reported consistently throughout the EA. This statement should be supported by sufficient information for the public to understand the rationale for the conclusion.
- Propose appropriate mitigation if disproportionately high and adverse impacts on minority or low-income populations are likely to result from the proposed action.

### **Water and Wetlands Resources**

The scoping notice states that the proposed project will include widening the I-10 bridge over the Salt River and extending or replacing cross drain channels and culverts. These activities may involve impacts to water bodies and wetlands. Potential impacts may be direct, from construction and use of the facility, or indirect and cumulative. The assessment of impacts to waters should be of an appropriate scope and detail to identify sensitive areas or aquatic systems with functions highly susceptible to change. EPA recommends that the following information be included in the EA for the assessment of existing conditions and environmental consequences of the proposed project.

#### ***Recommendations:***

- Include a classification of waters and the geographic extent of waters and any adjacent riparian areas in the project area.
- Characterize the functional condition of waters and any adjacent riparian areas.
- Describe the extent and nature of stream channel alteration, riverine corridor continuity, and buffered tributaries.
- Identify all protected resources with special designations and waters within state, local, and federal protected lands. Additional steps should be taken to avoid and minimize impacts to these areas.
- Include wildlife species that could reasonably be expected to use waters or associated riparian habitat and sensitive plant taxa that are associated with waters or associated riparian habitat.
- Characterize the hydrologic linkage to any impaired water bodies and identify any Clean Water Act 303(d) listed impaired water bodies that exist in the project area.
- Address potential direct and indirect, or secondary, impacts and identify specifically how each of the following impacts will be minimized or avoided:
  - changes in hydrology and sediment transport capacity;
  - increases in impervious surfaces and the corresponding increases in the volume and velocity of polluted stormwater;
  - decreases in water quality from the impairment of floodplain and ecosystem functions including water filtration, groundwater recharge, and flood attenuation;
  - disruption of hydrological and ecological connectivity; and
  - decreases in biodiversity and ecosystem stability.

### ***On-site Avoidance and Minimization Strategies***

FHWA and ADOT should explore on-site alternatives to avoid or minimize impacts to waters. Typically, transportation projects can accomplish this by: (1) using spanned crossings, arch crossings, or oversized buried box culverts over drainages to encourage continuity of sediment transport and hydrological processes, and wildlife passage; (2) moving alignments to avoid impacts to wetlands and waterways; and (3) establishing and maintaining adequate buffers away from aquatic resources. The EA should identify any on-site measures and modifications that will reduce impacts to waters and wetland resources.

### ***Impacts to Clean Water Act Section 404 Waters***

Discharges of dredged or fill material into waters of the United States require authorization by the U.S. Army Corps of Engineers under Clean Water Act (CWA) Section 404. The Federal Guidelines at 40 CFR Part 230 promulgated under CWA Section 404 (b)(1) provide substantive environmental criteria that must be met to permit such discharges into waters of the United States. These criteria require a permitted discharge to: (1) be the least environmentally damaging practicable alternative (LEDPA); (2) avoid causing or contributing to a violation of a state water quality standard; (3) avoid jeopardizing a federally listed species or adversely modifying designated critical habitat for a federally listed species; (4) avoid causing or contributing to significant degradation of the waters of the United States; and (5) mitigate for unavoidable impacts to waters. EPA recommends integrating NEPA and CWA Section 404 requirements in the development of the EA.

### **Cumulative Impact Analysis**

Cumulative impacts are defined in CEQ's NEPA regulations as the impact on the environment that results from the incremental impact of the action when added to the other past, present, and reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes such actions (40 CFR 1508.7). These actions include both transportation and non-transportation activities. The cumulative impact analysis should consider non-transportation projects such as large-scale developments and approved urban planning projects that are reasonably foreseeable and are identified within city and county planning documents.

The cumulative impact analysis for the project provides an opportunity to identify potential large, landscape-level regional impacts, as well as potential large-scale mitigation measures. The analysis should examine landscape-level impacts to all sensitive resources on a regional scale and guide potential avoidance and minimization measures, while focusing design and mitigation efforts.

### ***Recommendations:***

- Conduct a thorough cumulative impact assessment, including a complete list of reasonably foreseeable actions, including non-transportation projects. EPA recommends use of the California Department of Transportation (Caltrans)'s cumulative impacts guidance at [http://www.dot.ca.gov/ser/cumulative\\_guidance/purpose.htm](http://www.dot.ca.gov/ser/cumulative_guidance/purpose.htm). The guidance is relevant to highway projects outside of California.
- For each resource analyzed:
  - Identify the current condition of the resource as a measure of past impacts. For example, the percentage of wetlands lost to date.
  - Identify the trend in the condition of the resource as a measure of present impacts. For example, the health of the resource is improving, declining, or stasis.
  - Identify the future condition of the resource based on an analysis of the cumulative impacts of reasonably foreseeable projects or actions added to existing conditions and current trends.

- Assess with specific measures, the contribution of the impact from the project to the long term health of the resource.
- Disclose the parties that would be responsible for avoiding, minimizing, and mitigating adverse impacts.
- Identify landscape-level opportunities to avoid and minimize impacts, including working with other entities.

### **Growth-Related Impacts**

EPA is concerned about the potential indirect impacts (40 CFR Part 1508.8(b)) of this project. Improved access may induce growth on surrounding lands. A growth-related impact analysis assists with compliance requirements of NEPA by considering environmental consequences as early as possible and providing a well-documented and sound basis for decision making.

The May 2006 *Guidance for Preparers of Growth-related, Indirect Impact Analyses* ([http://www.dot.ca.gov/ser/Growth-related IndirectImpactAnalysis/gri\\_guidance.htm](http://www.dot.ca.gov/ser/Growth-related%20IndirectImpactAnalysis/gri_guidance.htm)) developed jointly by Caltrans, FHWA, and EPA, provides an approach to developing a growth-related impact analysis. The Guidance is relevant to highway projects outside of California. After the potential for growth is identified, the Guidance recommends assessing if growth-related impacts affect resources of concern.

#### ***Recommendations:***

- Identify if the project will affect the location and/or timing of planned growth in the area. Specifically, the analysis should identify the potential resources that may be affected by the increased “zone of influence” associated with interchanges and impacts on resources outside of the right-of-way.
- Identify the types of resources that are likely to occur in geographic areas that may be affected by growth. If it is determined that there will be no or insignificant impacts to resources of concern, then document the process and report the results. EPA recommends following the Step-by-Step Approach for Conducting the Analysis in Chapter 6 of the Caltrans Guidance.
- Include a discussion of mitigation strategies to reduce impacts if adverse impacts cannot be avoided or minimized. Section 6.3 of the Guidance provides an approach to address mitigation for growth-related impacts.



101 N. 1st Ave. Suite 1400  
Phoenix, AZ 85003  
valleymetro.org  
602.253.5000

April 1, 2019

Michelle Ogburn  
ADOT Environmental Planning  
1230 W. Washington Street Suite 405  
Tempe, AZ 85281

RE: NH-010-C (220)  
010 MA 150 F0072 OLD  
I-10, I-17, (Spilt) to SR202L (Santan)

Dear Ms. Ogburn:

Valley Metro appreciates the opportunity to review the Arizona Department of Transportation (ADOT) proposal for the I-10, I-17 (Split) to SR202L (Santan) Improvement Project. After careful review of the proposal, it appears that current bus operations will not be affected permanently by the completion of the project. Valley Metro Express buses use I-10, I-17, SR202, and US60 for operations serving commuters on weekdays. Valley Metro Local buses also utilize Broadway Road, Southern Avenue, Baseline Road, Elliot Road, Ray Road, Chandler Boulevard, and 48th Street for local bus service seven days a week. Because both of these operations will be impacted by construction activity, Valley Metro would like to stay informed about schedules and activities during construction to help Valley Metro mitigate any effects temporary construction may have on operations.

Valley Metro is interested in the details of any accompanying surface street plans for this project that could affect existing stops or routing on any of the surface streets listed above.

Further, for this and any other freeway improvement project, Valley Metro is interested in exploring opportunities to consider park and ride lots on remnant parcels resulting from ADOT land acquisition; and along with that opportunity to configure such locations for optimal bus access to the freeways.

Throughout this project, please do not hesitate to reach out to Valley Metro for coordination purposes. I can be reached at 602-322-4420 or [wgrote@valleymetro.org](mailto:wgrote@valleymetro.org).

Sincerely,

A handwritten signature in blue ink that reads 'Wulf Grote'.

Wulf Grote  
Director, Capital & Service Development  
Valley Metro

c: John Farry, Valley Metro  
Dave Moody, Valley Metro



April 1, 2019

Arizona Department of Transportation  
C/O WSP  
Anthony Scolaro  
1230 W. Washington St, Ste 405  
Tempe AZ 85201

Re: NH-010-C(220)T  
010 MA 150 F0072 01D  
I-10, I-17 (Split) to SR202L (Santan)

Mr Scolaro:

City of Chandler thanks Arizona DOT's request to provide input on the Environmental Assessment (EA) evaluation of the Interstate 10 project from I-17 (Split) to SR202L (Santan). For many years we have collaborated with the Arizona DOT to advance system operations, and be part of the operations focused partnership. Please see below comments for consideration in the EA scope of the project.

1. The recurring morning rush hour congestion that occurs on westbound I-10 from Chandler Blvd to Ray Rd should be evaluated with the proposed project. We recommend below improvements that can alleviate the merging operations and improve safety in the area.
  - Extend westbound SR202L direct connector up to Ray Rd and provide an AASHTO lane merge.
  - Provide auxiliary lane between Chandler Blvd and Ray Rd.
  - Provide two-lane exit to Ray Rd.
  - Provide two-lane exit to Warner Rd.
2. Review existing bike and pedestrian facilities at the traffic interchanges of Chandler Blvd and Ray Rd and provide continuity.
3. Freeway Management System/Arterial Traffic Operations:
  - City requests implementation of the technology improvements as recommended in the MAG Spine Corridor Master Plan (Chapter 7, Technology considerations) that includes

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PO Box 4008  
Chandler, Arizona 85244-4008

**Transportation & Development  
Traffic Engineering**  
Telephone (480) 782-3471  
Fax (480) 782-3415  
www.chandleraz.gov

Location  
215 East Buffalo Street  
Chandler, Arizona 85225

implementation of arterial detection, CCTV, Way Finding and DMS at interchanges, and arterial improvements that will support the Integrated Corridor Management for I-10.

- Review the available storage on entrance ramps of Chandler Blvd and Ray Rd for ramp metering.
  - Review traffic signal timing and phasing sequence at I-10/Ray Rd and I-10/Chandler Blvd traffic interchanges. Evaluate the opportunities to minimize the queue spillbacks, delays on the arterial streets.
  - City requests ADOT to share the fiber infrastructure and provide physical connectivity to City fiber network on I-10 and SR202L to provide redundant paths to City fiber network.
4. Please involve City of Chandler in the coordination of maintenance of traffic during construction, freeway closures and detours.

We look forward to contribute towards the project and thanks for the opportunity to provide input. Please feel free to reach me if you have further questions.

Sincerely,



Dana Alvidrez PE, PTOE  
City Transportation Engineer  
City of Chandler

c: Michelle Ogburn, CEM  
Environmental Planner II  
Arizona Department of Transportation  
Environmental Planning



## City of Phoenix

OFFICE OF THE CITY MANAGER

March 29, 2019

Arizona Department of Transportation c/o WSP  
Attention: Anthony Scolaro  
1230 West Washington Street, Suite 405  
Tempe, Arizona 85201

Re: Broadway Curve  
NH-010-C(220)T  
010 MA 150 F0072 01D  
I-10, I-17 (Split) to SR202L (Santan)

Dear Mr. Scolaro:

The City of Phoenix appreciates the opportunity to review the Arizona Department of Transportation (ADOT) proposal for the I-10, I-17 (Split) to SR202L (Santan) Improvement Project ("Broadway Curve"). The City requests regular meetings with the ADOT project team to ensure open communication and collaboration throughout the project. The City will initiate an ADOT briefing with each impacted City department to more thoroughly discuss affected municipal operations and community impacts.

After reviewing ADOT's February 22, 2019 letter, the City offers the following comments:

### Aviation

- Sky Harbor International Airport is one of the leading economic engines for the State of Arizona. The City of Phoenix Aviation Department is completing a PHX master plan update that recommends significant improvement of the regional transportation system surrounding the Sky Harbor International Airport. The Aviation Department requests that ADOT review these recommendations and ensure that the subject project will not adversely affect the plan's recommendations.
- The Aviation Department is concerned by the significant traffic impacts that will be created during construction. Of significant concern is any closure or restriction at SR-143 and the 24<sup>th</sup> Street ramp. The traffic impacts could adversely affect airport public access and operations. Consequently, careful coordination between ADOT, its contractors, and the City is necessary to minimize or avoid these impacts.
- All ADOT improvements must conform to FAA airspace requirements, and the improvements may not increase the amount or height of obstruction hazards already present in the project area.

Public Transit

- The City of Phoenix Public Transit Department and Valley Metro operate a number RAPID, Express, and Local buses that will be impacted by the construction activity. Close coordination with the City will be critical to mitigate any effects construction may have on operations.

Street Transportation, Planning and Development Services, and Water Services

- The Street Transportation, Planning and Development Services and Water Services Departments will be submitting technical provisions to be included as part of the project proposal. These City technical provisions will include requirements for roadway closures, TRAC permitting, City review times, fees for permits, services, and inspections, and design standards.

The City of Phoenix looks forward to partnering with ADOT on this important regional project. Please direct all City communication to me. I can be reached by mobile phone at 602-738-5920 or email at [tom.remes@phoenix.gov](mailto:tom.remes@phoenix.gov).

Sincerely,



Tom Remes  
City of Phoenix  
Freeway Coordination Manager

c: Mario Paniagua, City of Phoenix Deputy City Manager  
Amy Ritz, ADOT Project Manager

**Scolaro, Anthony J.**

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**From:** Nicolaas Swart - MCDOTX <nicolaasswart@mail.maricopa.gov>  
**Sent:** Friday, March 29, 2019 3:45 PM  
**To:** Scolaro, Anthony J.  
**Subject:** I-10, I-17 to SR202L - Comments

NH-010-C(220)T  
010 MA 150 F0072 01D  
I-10, I17 (Split) to SR202L (Santan)

Dear Mr. Scolaro.

Thank you for the opportunity to provide comments on the above mentioned project. At this time MCDOT does not have any comments.

**Nicolaas Swart P.E.**  
*Division Manager*  
Transportation Systems Management  
O: 602.506.0599 ▪ C: 602.723.6762  
[Maricopa County Department of Transportation](#)  
2901 W. Durango Street ▪ Phoenix, AZ 85009  
[nicolaasswart@mail.maricopa.gov](mailto:nicolaasswart@mail.maricopa.gov)



**Maricopa County**  
Department of Transportation



March 27, 2019

Arizona Department of Transportation  
% Anthony Scolaro  
1230 W. Washington, St. Suite 405  
Tempe, AZ 85201

Re: Review of the I-10, I-17 (Split) to SR202L (Santan) Widening and Improvement project

Dear Mr. Scolaro:

The Arizona Game and Fish Department (Department) reviewed your Project Evaluation Request dated February 26, 2019, regarding the proposed road widening and improvements to a segment of Interstate 10 from I-101/I17 (Split) to the Loop 202 in Phoenix, and Ahwatukee, Arizona.

Based on the information provided, the Department offers the following general recommendations:

- If work will take place underneath the bridges, or if materials from the bridge deck replacement could seep through the bridges and affect the underside, please determine if these bridges are structurally suitable to provide day and/or night time roosting habitat for bats (refer to Page 7 of the Bridge Guidelines below); bats may use structures seasonally, so evidence of bat use, such as guano, should also be evaluated. If construction takes place during the breeding season, impacts could occur to a maternity colony of bats, if present. If necessary, bat surveys should be conducted on structurally suitable bridges prior to any work on or immediately adjacent to the bridge; surveys should be scheduled far in advance of proposed work to allow for schedule modification to avoid disruption of maternity roosts during the breeding season, and again immediately prior to construction. If the project will impact a roosting feature, roost friendly designs should be incorporated into the design plans to replace loss of roosting habitat. Refer to the *Guidelines for Bridge Construction or Maintenance to Accommodate Fish & Wildlife Movement and Passage*, for additional guidance on bats as appropriate.

<https://www.azgfd.com/PortalImages/files/wildlife/planningFor/wildlifeFriendlyGuidelines/BridgeGuidelines.pdf>

The Department understands that ADOT will comply with the Arizona Native Plant Law for any ground disturbing activities, efforts will be made to minimize ground disturbance, and all temporarily disturbed land will be re-seeded to minimize erosion. In addition, the Department understands that, in accordance with ADOT Environmental Planning Group's (EPG's) guidelines, invasive species and the Migratory Bird Treaty Act (MBTA) will be addressed within the proposed project's biological report, if applicable.

azgfd.gov | 602.942.3000

5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086

**GOVERNOR:** DOUGLAS A. DUCEY **COMMISSIONERS:** CHAIRMAN, JAMES S. ZIELER, ST. JOHNS | ERIC S. SPARKS, TUCSON | KURT R. DAVIS, PHOENIX  
LELAND S. "BILL" BRAKE, ELGIN | JAMES E. GOUGHNOUR, PAYSON **DIRECTOR:** TY E. GRAY **DEPUTY DIRECTOR:** TOM P. FINLEY

Thank you for the opportunity to review this project. Attached is a report created for you on Arizona's Online Environmental Review Tool which provides general recommendations and additional contact information. If you have any questions regarding this letter, please contact me at (623) 236-7222, and visit our website for additional guidelines at <https://www.azgfd.com/wildlife/planning/wildlifeguidelines/>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Cavalcant', with a stylized flourish at the end.

Andrew Cavalcant  
Project Evaluation Program Specialist, Habitat Branch  
Arizona Game and Fish Department

cc: Ginger Ritter, Project Evaluation Program Supervisor  
Kelly Wolff, Habitat Program Manager, Region VI  
Michelle Ogburn, ADOT Environmental Planning Group

AGFD# M19-02284717

## Scolaro, Anthony J.

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**From:** LeeAnne Lockwood <LLockwood@AZDPS.GOV>  
**Sent:** Tuesday, March 26, 2019 4:19 PM  
**To:** Scolaro, Anthony J.  
**Cc:** Christopher Hemmen; Eric Anspach; Jason Covert; Jason Gibbs; Stuart McGuffin  
**Subject:** NH-010-C(220)T / 010 MA 150 F0072 01D / I-10, I-17 (Split) to SR202L (Santan)

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good afternoon,

AZ DPS has no concerns regarding the above-referenced project. However, there was a request by the Metro South Commander for diagrams of the highways as they are currently, along with the proposed changes, if at all possible.

Thank you,

LeeAnne Lockwood, #10114  
Executive Assistant, Highway Patrol Division  
Arizona Department of Public Safety  
2102 W. Encanto Blvd., MD 1340  
Phoenix, AZ 85009  
Office: 602.223.2354  
[llockwood@azdps.gov](mailto:llockwood@azdps.gov)



**Scolaro, Anthony J.**

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**From:** Yedlin, Rebecca (FHWA) <Rebecca.Yedlin@dot.gov>  
**Sent:** Friday, March 08, 2019 9:38 AM  
**To:** Michelle Ogburn; Scolaro, Anthony J.  
**Cc:** Lirange, Aryan (FHWA); Hansen, Alan (FHWA)  
**Subject:** I-10, I-17 to SR 202 - Scoping Letter Response

I received the scoping letter for the above referenced project on February 25, 2019 and have the following comments in response.

The letter, specifically on pages 2-3, outlines a very specific scope of work and limits the input requested regarding said scope. This is in conflict with the requirements of the scoping phase of an Environmental Assessment. Scoping is an early and open process involving the public, tribes, and agencies, to determine the breadth of issues to be addressed, identify alternatives, confirm the study area, and allow for input on the project purpose and need. While the purpose and need seems to be described on page 1, the limitation on the request for input based on the way the information is presented on pages 2-3 does not indicate to the recipients that other alternatives could be evaluated or that they can provide suggestions on other needs to be evaluated as part of this EA process. The letter should have been written to encourage input on all aspects of scoping so that the purpose and need, as well as all possible alternatives could be presented in the NEPA document after being fairly evaluated and considered.

I've been made aware that similar limitations in the scope of the project were presented at the project scoping meeting and given as responses to questions asked of the public in attendance. This is another issue from a process standpoint. Unfortunately this is true even after the various comments I provided on the scoping meeting presentation regarding the predecisional nature of the information being presented and that it was not in line with the NEPA requirements for the scoping phase of a project.

FHWA acknowledges the fact that ADOT will obtain NEPA Assignment in the next month or so and that this project will be assigned. Having said that, FHWA would encourage ADOT to make sure that their NEPA practice is in line with accepted the NEPA process and that project scoping is not pre-decisional in nature.

Thanks, Rebecca

Rebecca Yedlin  
Environmental Coordinator  
Federal Highway Administration Arizona Division  
4000 N Central Ave, Ste#1500  
Phoenix, AZ 85012  
602.382.8979

## **Scolaro, Anthony J.**

---

**From:** Graham, Julie - SJHMC <Julie.Graham@DignityHealth.org>  
**Sent:** Thursday, March 07, 2019 3:44 PM  
**To:** Scolaro, Anthony J.  
**Subject:** I-10/ I-17 (split) to SR202L improvement project

Hi Anthony,

Dignity Health received a letter from Michelle Ogburn re: the I-10/ I-17 (split) to SR202L improvement project addressed to our CEO, Mark Slyter. Thank you for the communication.

We don't have any comments but wondering if you can put my name on the distribution list for the project going forward?

Thank you for your help, Julie

**Julie Graham**

Director, External Affairs

**Dignity Health - Arizona Service Area**

**Arizona General Hospital | Barrow Neurological Institute | Chandler Regional Medical Center | Dignity Health Medical Group | Mercy Gilbert Medical Center | St. Joseph's Hospital and Medical Center | St. Joseph's Westgate Medical Center**

3555 S. Val Vista Drive

Gilbert, AZ 85297

480.728.9970 (O)

480.294.3008 (M)

602.798.0778 (F)

[Julie.Graham@DignityHealth.org](mailto:Julie.Graham@DignityHealth.org)

Need a doctor? Call ResourceLink at 480.728.5414

Caution: This email is both proprietary and confidential, and not intended for transmission to or receipt by any unauthorized persons. If you believe that it has been received by you in error, do not read any attachments. Instead, kindly reply to the sender stating that you have received the message in error. Then destroy it and any attachments. Thank you.

**Scolaro, Anthony J.**

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**From:** Twilling, Shannon D - (twilling) <twilling@email.arizona.edu>  
**Sent:** Wednesday, March 06, 2019 3:11 PM  
**To:** Scolaro, Anthony J.  
**Subject:** ADOT Tracs No 101 MA 150 F0072 01D

Hello Mr. Scolaro,

Thank you for providing Arizona State Museum the opportunity to review the proposed I-10/I-17 split project. We have no comments at this time. Please note, while the invitation to the public meeting on 2/26/2019 was appreciated, the letter was not received by our office until 2/27/2019. We would appreciate more advanced notice regarding future meetings.

Thanks,  
Shannon Twilling

**Shannon Twilling, M.A.**

Research Specialist  
Arizona Antiquities Act Permits Office

**Arizona State Museum | The University of Arizona**

1013 E University Blvd | PO Box 210026

Tucson, AZ 85721-0026

(520) 621-2096 | 621-2976 FAX

[www.statemuseum.arizona.edu](http://www.statemuseum.arizona.edu)

[www.facebook.com/arizonastatemuseum](https://www.facebook.com/arizonastatemuseum)

[www.twitter.com/azstatemuseum](https://www.twitter.com/azstatemuseum)



U.S. Department of Homeland Security  
FEMA Region IX  
1111 Broadway, Suite 1200  
Oakland, CA. 94607-4052



March 6, 2019

Anthony Scolaro, WSP  
Arizona Department of Transportation (ADOT)  
1230 W. Washington Street, Suite 405  
Tempe, Arizona 85201

Dear Mr. Scolaro:

This is in response to your request for comments regarding preparation of an Environmental Assessment (EA) of proposed improvements to a segment of Interstate 10 (I-10) from the (-10/I-17 (Split) Traffic Interchange (TI) (Milepost [MP] 149.) to the Loop 202 (SR202L) Santan Freeway (MP 160.9).

Please review the current effective Flood Insurance Rate Maps (FIRMs) for the County of Maricopa (Community Number 040037), Maps revised November 4, 2015 and various cities in the County. Please note that the Cities of Phoenix, Tempe, Chandler, and Town of Guadalupe, Maricopa County, Arizona are participants in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.
- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any **development** must not increase base flood elevation levels. **The term development means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

Anthony Scolaro, WSP. ADOT

Page 2

March 6, 2019

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at <http://www.fema.gov/business/nfip/forms.shtm>.

**Please Note:**

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The Phoenix floodplain manager can be reached by calling Ray Dovalina, Street Transportation Director, at (602) 262-4026. The Tempe floodplain manager can be reached by calling Gregg Kent, P.E., Principal Civil Engineer, at (480) 350-8371. The Chandler floodplain manager can be reached by calling Daniel Cook, Transportation Manager, at (480) 782-3403. The Guadalupe floodplain manager can be reached by calling Jim Ricker, Public Works Department, at (480) 505-5380. The Maricopa County floodplain manager can be reached by calling C. Scott Vogel, P.E., Chief Engineer and General Manager, at (602) 506-4771.

If you have any questions or concerns, please do not hesitate to call Patricia Rippe of the Mitigation staff at (510) 627-7015.

Sincerely,



Gregor Blackburn, CFM, Branch Chief  
Floodplain Management and Insurance Branch

cc:

Ray Dovalina, Street Transportation Director, City of Phoenix  
Gregg Kent, P.E., Principal Civil Engineer, City of Tempe  
Daniel Cook, Transportation Manager, City of Chandler  
Jim Ricker, Public Works Department, Town of Guadalupe  
C. Scott Vogel, P.E., Chief Engineer and General Manager, Maricopa County  
Brian Cosson, State Coordinator, Arizona Department of Water Resources  
Patricia Rippe, Senior Compliance Officer, DHS/FEMA Region IX  
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

**Scolaro, Anthony J.**

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**From:** Mogel, Angela <amogel@blm.gov>  
**Sent:** Friday, March 01, 2019 3:50 PM  
**To:** Scolaro, Anthony J.  
**Cc:** Rick Selbach; Edward Kender; Goodlow, JoAnn; Benedict Parsons; James Andersen  
**Subject:** ADOT Project I-10, I-17 (Split) to SR202L (Santan) - Letter to BLM Dated Feb. 22, 2019

Hello Ms. Ogburn and Mr. Scolaro,

This is in reply to your recent letter regarding the subject project. Per our 2008 Memorandum of Understanding between ADOT, BLM and FHWA, you should contact the appropriate Bureau of Land Management (BLM) Field Office, for early project coordination for both Title 23 (FHWA) or non-Title 23 projects (BLM authority) involving BLM lands. For this project the local office is the BLM Lower Sonoran Field Office and the Field Manager is Ed Kender. When you contact them, please provide a detailed map that specifically shows the BLM lands that are proposed for your project and identify any rights-of-way issued by the BLM that may need to be amended. We note that your letter states the project "would occur within the existing ADOT right-of-way (ROW) and ADOT easements across Bureau of Reclamation land." However, there is no specific mention in the letter that the project involves BLM lands. It appears that most of the lands in this vicinity are not under BLM ownership or management. A cursory review of our records show that the BLM does manage some reversionary interests, mineral estate and/or ROW administration (BLM Right-of-Way No. AZA 9289), within portions of Sections 17 and 18, T. 1 N., R. 4 E., Gila & Salt River Meridian, AZ. We are forwarding your letter to the Field Office but they will need a detailed map showing the BLM lands, or BLM interest in lands, and they will also need to know whether the project is a Title 23 or non-Title 23 project. If BLM lands are involved, they may also need detailed construction plans. Please provide this information so that they can provide you with any comments, concerns or issues on the proposed project. For your information, below is the office contact information for the BLM Field Office.

BUREAU OF LAND MANAGEMENT | Lower Sonoran Field Office  
21605 North 7th Avenue  
Phoenix, AZ 85027-2929

**Hours:**

M-F 7:30 a.m. - 4:30 p.m.

[blm\\_az\\_pdo@blm.gov](mailto:blm_az_pdo@blm.gov)

**Phone:** 623-580-5500

**Fax:** 623-580-5580

Thank you,  
Angela Mogel

Angela Mogel  
AZ Realty Program Lead

U.S. Bureau of Land Management  
Arizona State Office  
One North Central Avenue, Suite 800  
Phoenix, AZ 85004-4427  
Phone: 602-417-9536  
Email: [amogel@blm.gov](mailto:amogel@blm.gov)

**Scolaro, Anthony J.**

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**From:** david\_hurd@nps.gov on behalf of IMRextrev, NPS <imrextrev@nps.gov>  
**Sent:** Thursday, February 28, 2019 1:53 PM  
**To:** Scolaro, Anthony J.  
**Subject:** I-10, I-17 (Split) to SR202L (Santan)

Dear Mr. Scolaro,

The National Park Service (NPS) would like to thank you for the opportunity to be involved in your project. The NPS has reviewed this project and has no comment at this time.

Regards,  
National Park Service  
Intermountain Region External Review Team  
Serving MT, UT, WY, CO, AZ, NM, OK, TX  
[imrextrev@nps.gov](mailto:imrextrev@nps.gov)



February 22, 2019

Mr. David Hawes  
Hassayampa Field Office Manager  
Bureau of Land Management  
21605 North 7th Avenue  
Phoenix, Arizona 85027-2929

Re: NH-010- C(220)T  
010 MA 150 F0072 01D  
I 10, I-17 (Split) to SR202L (Santan)

Dear Mr. Hawes:

The Arizona Department of Transportation (ADOT), in cooperation with the Federal Highway Administration (FHWA), is preparing an Environmental Assessment (EA) of proposed improvements to a segment of Interstate 10 (I-10) from the I-10/I-17 (Split) Traffic Interchange (TI) (Milepost [MP] 149.5) to the Loop 202 (SR202L) Santan Freeway (MP 160.9). This letter is a request for comments, concerns, or issues relevant to the project.

The purpose of the I-10, I-17 (Split) to SR202L (Santan) Improvement Project is to enhance operational characteristics as well as mobility of regional and local traffic.

Traffic demand is causing the I-10 corridor and adjacent local arterial street system to become increasingly congested during the morning and evening peak travel periods. Future traffic volume projections indicate the congestion will continue to worsen, causing further travel delays and increased travel times for those using the I-10 corridor. Increased congestion on I-10 will cause travelers to divert their trips to other freeway corridors and the local arterial street system, causing these transportation facilities to become increasingly congested as well. Improvements to the I-10 corridor are necessary to increase the freeway capacity and help alleviate increased levels of traffic congestion on all components of the overall transportation system in the project area.

The goal of this proposed project is to increase the capacity of the I-10 corridor in accordance with the approved regional and local transportation plans. This project would also seek to optimize the traffic operations within the corridor for the projected Design Year 2040 traffic demand, to retain local access at existing traffic interchanges, and to minimize or mitigate impacts the improvements could have on the surrounding community.

The proposed project is located in ADOT's Central District within the cities of Phoenix, Tempe, and Chandler, and the Town of Guadalupe, in Maricopa County, Arizona (see enclosed Figures 1 and 2). The project also includes the segment of State Route (SR) 143 (Hohokam Expressway) from just south of the south bank of the Salt River (MP 001.3) south to Broadway Road (MP 000.25-), and US60 (Superstition Freeway) from Hardy Drive (MP 173.0) west to I-10 (MP 172.0). The cadastral location for this project is Township 1 North, Range 3 East, portions of Sections 14, 23, and 24; Township 1 North, Range 4 East, portions of Sections 17, 18, 19, 20, 29, 32, and 33; and Township 1 South, Range 4 East, portions of Sections 5, 8, 17, 20, and 29.

## **Construction Scope of Work**

The project scope would consist of widening and restriping I-10 within the project limits to add general-purpose (GP) lanes, high-occupancy vehicle (HOV) lanes, and auxiliary (AUX) lanes; constructing collector-distributor (C-D) roads, reconstructing the I-10 system interchange with SR143 to include direct HOV access between SR143 and I-10 to and from the east, and improving the I-10 system interchange with US60. Construction of the proposed project would include the following:

- Widening the I-10 bridge over the Salt River;
- Reconfiguring the I-10/40th Street TI as a standard diamond interchange;
- Removing the existing 48th Street and Broadway Road bridges over I-10;
- Constructing new bridges to carry 48th Street and Broadway Road over I-10;
- Constructing new bridges and structures as needed to accommodate roadway elements at the reconfigured system interchanges, SR143, and elsewhere within the project limits;
- Constructing new pedestrian bridges over I-10 at Alameda Drive and the Western Canal;
- Widening the Guadalupe Road bridge over I-10 to accommodate a multi-use path;
- Milling the existing I-10 pavement within the project limits and replacing it with new pavement and striping;
- Installing retaining walls;
- Extending or replacing cross drain channels and culverts;
- Constructing storm water detention basins within the project limits;
- Removing and replacing existing guardrail and barrier throughout the project limits, as needed;
- Removing and replacing chain link fence throughout the project limits;
- Installing and/or upgrading Freeway Management System (FMS) facilities within the project limits, including dynamic message signs (DMS) and structures;
- Installing new light poles in the I-10 median and relocating existing light poles, as needed;
- Removing and replacing existing traffic signals throughout the project limits, as needed;
- Removing existing signs and placing new signs;
- Removing existing object markers and milepost markers and placing new markers;
- Painting existing infrastructure within the project limits, as needed;
- Applying aesthetic treatments to new infrastructure to complement existing;
- Relocating utilities;
- Clearing and grubbing vegetation within the existing right-of-way;
- Landscaping areas disturbed by construction, as needed; and
- Controlling noxious weeds within the project limits mechanically, chemically, or manually.

Project construction is currently planned to begin the summer of 2021, with an expected duration of 36 months. Traffic control would be used to minimize impacts on motorists and pedestrians while allowing for construction. Access to residences and businesses would be maintained throughout construction. The project would occur within the existing ADOT right-of-way (ROW) and ADOT easements across Bureau of Reclamation land. Approximately 10.6 acres of new ROW requires anticipated to be necessary to construct the project, as well as temporary construction easements (TCEs). Some right-of-way acquisition for this project has already occurred. No additional residential displacements are anticipated.

## **Capacity and Operational Changes**

The proposed project would widen existing I-10 to the outside between 24th Street and Ray Road. The existing Salt River bridge would be widened to accommodate 7 general purpose (GP) lanes and 2 high-occupancy vehicle (HOV) lanes in both directions to 32nd Street. The west end of the bridge would flare to accommodate proposed future reconstruction of the I-10/I-17 system interchange. Between 32nd Street and the I-10 system interchange with US60, I-10 would have a basic 6 GP lane and 2 HOV lane typical section, with auxiliary (AUX) lanes added in each direction between interchanges and at collector-distributor (CD) roadway connections. South of Baseline Road, two GP lanes would be added in the eastbound direction to Elliot Road (6 GP lanes and 1 HOV lane) and one GP lane in the westbound (5 GP lanes and 1 HOV lane). Between Elliot Road and Ray Road, one GP lane would be added in each direction (4 GP lanes and 1 HOV lane). HOV buffers would be eliminated throughout the project length.

The SR143, Broadway Road, and 48th Street interchanges would be reconstructed and connected to the proposed CD roads. The eastbound CD road would begin as the direct connection from southbound SR143 to eastbound I-10 with the addition of the Broadway Road eastbound on-ramp and extending to Baseline Road, providing access to US60, I-10, and Baseline Road. The westbound CD road would run between Baseline Road and 40th Street, providing access to Broadway Road, SR143, 48th Street (north), University Drive, and 40th Street. A direct HOV connection between SR143 and I-10 to and from the east would also be added.

Access to I-10 eastbound from 24th, 32nd, and 40th Streets would be maintained. SR143 southbound and the Broadway Road on-ramp would access I-10 eastbound via the proposed eastbound CD road. Traffic from University Drive would no longer access I-10 eastbound via SR143, but would continue south on 48th Street to eastbound Broadway Road to access I-10 eastbound as described above. University Drive traffic could also access I-10 eastbound from the 40th Street and 32nd Street TIs.

Baseline Road and SR143 southbound would access I-10 westbound via the proposed westbound CD road. A new ramp from US60 westbound would also connect directly to the westbound CD road. On ramps from 40th Street and Broadway Road westbound would provide direct access to I-10 westbound.

The interchanges at 40th Street and US60 would be modified. The existing loop on-ramp from 40th Street southbound to I-10 eastbound would be eliminated, and the I-10 eastbound off-ramp to 40th Street relocated. In addition, the I-10 westbound to US60 eastbound ramp would be widened.

This letter serves as our agency's invitation to review the proposed project based upon the scope of work outlined above. If you or others in your agency have any specific concerns, suggestions or recommendations pertaining to this specific proposed project, please let us know. This may include information on future development, general plans, or capital improvement projects that would be affected, to name a few.

You are invited to attend a public meeting to learn about the current Environmental Assessment, discuss potential improvements, provide your input, and ask questions. The meeting will be held on Tuesday, February 26, 2019 at the Rio Salado Conference Center, 2323 W. 14th Street, Tempe, AZ 85281. The meeting format will be an open house from 5:30 to 7:30 p.m., with a presentation at 6:00 p.m.

Please submit your comments or concerns by April 1, 2019 to ADOT c/o WSP, ATTN: Anthony Scolaro, 1230 W. Washington St., Suite 405, Tempe, AZ 85201, by telephone at 480.449.4939, and via e-mail at [anthony.scolaro@wsp.com](mailto:anthony.scolaro@wsp.com). Thank you for your time and assistance.

Sincerely,



Michelle Ogburn, CEM  
Environmental Planner II  
ADOT Environmental Planning

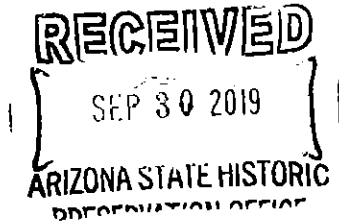
Enclosures

c: Aryan Lirange, FHWA  
Anthony Scolaro, WSP

## Section 106

September 30, 2019

In Reply Refer To:



010-C(220)T  
TRACS No. 010 MA 161 F0072 01D  
I-10, I-17 to SR 202L (Santan)  
Continuing Section 106 Consultation  
"adverse effect"  
Section 4(f)

Dr. David Jacobs, Compliance Specialist  
State Historic Preservation Office  
1100 West Washington Street  
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Arizona Department of Transportation (ADOT) is proposing improvements to a segment of Interstate 10 (I-10) from the I-10/Interstate 17 (I-17) traffic interchange to the State Route (SR) 202L Santan Freeway in Maricopa County, Arizona. An environmental assessment (EA) is currently being drafted that compares a build alternative to a no-build option. The project would occur within ADOT-owned right-of-way (ROW); on land owned by the cities of Chandler, Tempe, and Phoenix; on Town of Guadalupe land; and on private lands. Additionally, the Salt River Project has easement within the project footprint.

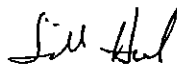
The project qualifies for federal funds and, as such, constitutes a federal undertaking subject to review under Section 106 of the National Historic Preservation Act. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated April 16, 2019 and executed by the Federal Highway Administration and ADOT.

Previous consultation identified the consulting parties and the area of potential effects (APE), outlined the general scope of work, outlined previous investigations, identified 11 archaeological sites within the APE, identified 10 historic age properties within the project footprint, provided a built environment report for review and comment, resulted in an "adverse effect" finding, and provided Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects in lieu* of using a project-specific programmatic agreement to resolve adverse effects. This consultation also identified two sites, AZ T:12:47(ASM), a prehistoric habitation site, and AZ U:9:48(ASM), a multicomponent site, as National Register of Historic Places eligible under Criterion D, indicated that they would be adversely affected by project activities, and determined that mitigation of these sites would consist of testing and data recovery (Powell [ADOT] to Jacobs [SHPO] August 1, 2019; SHPO concurrence 9 August 2019).

In accordance with Section 4(f) and its implementing regulations in 23 CFR 774, ADOT finds that the archaeological sites AZ T:12:47(ASM) and AZ U:9:48(ASM) have minimal value for preservation in place and are importantly chiefly because of what can be learned through data recovery. Because your office previously concurred with a finding of adverse effect and the determination to conduction testing and data recovery at these two sites, ADOT is determining, in accordance with 23 CFR 774.13(b) that the sites AZ T:12:47(ASM) and AZ U:9:48 (ASM) are not Section 4(f) properties.

Based on the above, ADOT has determined that a finding of "adverse effect" remains appropriate for this project. Please review the information provided in this letter. If you agree with ADOT's continuing finding of effect, please indicate your concurrence by signing below. If you have any questions or concerns, please contact Jill Heilman at 602.712.6371 or at [jheilman@azdot.gov](mailto:jheilman@azdot.gov).

Sincerely,



Jill Heilman

Historic Preservation Team Lead



Signature for SHPO Concurrence

010-C(220)T



Date



Preserving America's Heritage

September 12, 2019

Ms. Jill Heilman  
Historic Preservation Team Lead  
Environmental Planning  
1611 W. Jackson, EM02  
Phoenix, AZ 85007

Ref: *Proposed Road Widening/Improvement Project from Interstate 10 (I-10) / Interstate 17 (I-17)  
Traffic Interchange to the State Route (SR) 202L Santan Freeway in Maricopa County, Arizona  
ACHPConnect Log Number: 014310*

Dear Ms. Heilman:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Programmatic Agreement (PA), developed in consultation with the Arizona State Historic Preservation Officer (SHPO) and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the PA and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Ms. Sarah Stokely at (202) 517-0224 or by email at [sstokely@achp.gov](mailto:sstokely@achp.gov).

Sincerely,

LaShavio Johnson  
Historic Preservation Technician  
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637  
Phone: 202-517-0200 • Fax: 202-517-6381 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)



# GILA RIVER INDIAN COMMUNITY

POST OFFICE BOX 2193, SACATON, AZ 85147

## TRIBAL HISTORIC PRESERVATION OFFICE

(520) 562-7162  
Fax: (520) 562-5083

September 12, 2019

Kris Powell  
Cultural Resource Program Manager  
Environmental Planning Group  
Arizona Department of Transportation  
1611 W. Jackson Street, MD EM02  
Phoenix, Arizona 85007-3213

RE: 010-C(220)T, TRACS No. MA 161 F0072 01D, Interstate 10 (I-10), Interstate 17 (I-17) to State Route 202 Loop (SR 202L [Santan]), Initial Section 106 Consultation, Geotechnical Investigations, Attachment 6, Adverse Effect

Dear Ms. Powell,

The Gila River Indian Community Tribal Historic Preservation Office (GRIC-THPO) has received a consultation letter addressed to David Jacobs of the Arizona Historic Preservation Office, dated August 1, 2019. The Arizona Department of Transportation (ADOT) is proposing improvements segments of I-10 from the I-17 traffic interchange to the SR 202L, Phoenix, Maricopa County, Arizona. The proposed improvements would include widening of I-10, construction of additional travel lanes, bridge modifications, drainage improvements, installation of management system facilities, dynamic message system signs, landscaping, fencing, light system upgrades, and geotechnical investigations. The undertaking has been designated as a design-build project and actual project design will begin after the preparation of an Environmental Assessment (EA) and only if the build option is chosen in final EA.

The proposed project area has been archaeologically assessed and 11 previously documented archaeological sites have been located within the project area: 1) AZ T:12:47(ASM) is identified as a prehistoric habitation site which is considered Register eligible. The ADOT is proposing a finding of adverse effect and is recommending archaeological testing and data recovery for this property; 2) AZ T:12:19(PG) is identified as a prehistoric habitation site. The site Register eligibility status is undetermined. The ADOT is proposing archaeological extent testing at this property; 3) AZ T:12:137(ASM) is identified as a prehistoric habitation site which is considered Register eligible. The ADOT is proposing archaeological extent testing at this property; 4) AZ U:9:26(ASM) is identified as a prehistoric habitation site. The site Register eligibility status is undetermined. The ADOT is proposing archaeological eligibility testing for this property; 5) AZ U:9:186(ASM) is identified as a prehistoric artifact scatter and a canal. The site Register eligibility status is undetermined. The ADOT is proposing archaeological eligibility testing for this property; 6) AZ U:9:12(PG) is identified as a prehistoric sherd scatter. The site Register eligibility status is undetermined. The ADOT is proposing archaeological extent testing at this property; 7) AZ U:9:75(ASM) is identified as prehistoric canal channels. The site Register eligibility status is undetermined. The ADOT is proposing archaeological eligibility testing for

this property; 8) AZ U:9:79(ASM) is identified as a historic artifact scatter which is not considered Register eligible; 9) AZ U:9:77(ASM) is identified as a historic artifact scatter which is not considered Register eligible; 10) AZ U:9:76(ASM) is identified as a prehistoric artifact scatter. The site Register eligibility status is undetermined. The ADOT is proposing archaeological eligibility testing for this property; 11) AZ U:9:48(ASM) is identified as a Hohokam, Euroamerican, and Yaqui Village which is considered Register eligible. The ADOT is proposing a finding of adverse effect and is recommending archaeological testing and data recovery for this property; 12) AZ U:9:9(ASM) is identified as a prehistoric agricultural area. The site Register eligibility status is undetermined. The ADOT is proposing archaeological eligibility testing for this property;; 13) AZ U:9:16(ASM) is identified as a prehistoric artifact scatter which is not considered a Register eligible property; 14) AZ U:9:17(ASM) is identified as a prehistoric artifact scatter which is not considered a Register eligible property; and 15) 18 prehistoric canal alignments which are projected to cross the project area. The Register eligibility status of these canals is undetermined. The ADOT is proposing archaeological monitoring for the projected canal alignments.

The archaeological assessment has identified *Nanakmel Kii* (Bat's House) within the project area. *Nanakmel Kii* (Bat's House) is also identified as Bell Butte which is on the east side of I-10 near the Broadway Curve, Tempe, Maricopa County, Arizona. *Nanakmel Kii* (Bat's House) is considered a Register Eligible Traditional Cultural Property (TCP). The ADOT advises that the butte will not be affected by this undertaking. The GRIC-THPO identifies *Nanakmel Kii* (Bat's House) as a Traditional Cultural Property as defined in Bulletin 38 (National Register Bulletin 38, Guidelines for Evaluating and Documenting Traditional Cultural Properties; 1990 Revised 1992; 1998). The ADOT is recommending a finding of no adverse effect for this TCP.

The ADOT has also sponsored a historic building and structure inventory of the project area. The inventory identified and documented ten (10) in-use or abandoned historic properties that could be potentially impacted by project construction: 1) Historic canal laterals within the project area have been determined by the ADOT as not Register eligible; 2) The Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD) is listed on the National Register. The SRPD&CSHD will not be affected by this undertaking. The ADOT is proposing a finding of no adverse effect; 3) The Western Canal which is considered a Register eligible property which will not be affected by this undertaking. The ADOT is proposing a finding of no adverse effect; 4) The Highline Canal which is considered a Register eligible property which will not be affected by this undertaking. The ADOT is proposing a finding of no adverse effect; 5) The 48<sup>th</sup> Street Drain is a historic canal which is considered a Register eligible property. The drain will not be affected by this undertaking. The ADOT is proposing a finding of no adverse effect; 6) The Double Butte Cemetery is identified as a historic cemetery and the Pioneer Section of the cemetery is considered Register eligible. The cemetery will not be affected by this undertaking; 7) Twin Buttes/Bell Butte Cemetery is the indigent cemetery located south of buttes. The cemetery is not considered Register eligible; 8) The Guadalupe Historic District is located within the Town of Guadalupe within lands managed by the Pascua Yaqui Indian Tribe. The district is considered a Register eligible and will be affected by this undertaking. The ADOT is proposing a finding of no adverse effect; 9) The Maricopa and Phoenix Railroad is located within the project area and is not considered a Register eligible property; and 10) AZ U:9:66(ASM) is identified as the Fort McDowell to Maricopa Wells Road. The road is not considered Register eligible.

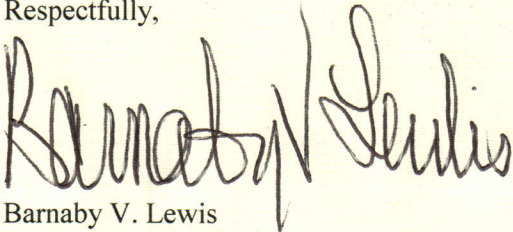
The ADOT is seeking concurrence for report adequacy, with determinations of Register eligibility, for the use of Attachment 6 of the Statewide Section 106 Programmatic Agreement for Federal-Aid Project instead of a project specific programmatic agreement (PA), with recommendations that additional archaeological surveys are not required, and with ADOT

findings of project effect. The GRIC-THPO is requesting additional information regarding the potential use of Section 4(f) findings per the auspices of the Department of Transportation Act (implementing regulations found at 23 CFR 774). Are any of the historic properties considered as *preservation in place* properties? Will a **de minimis** finding of impact be applied to any of the properties? We are requesting notification and additional consultation if the ADOT intends to use Section 4(f) processes for this undertaking. The GRIC-THPO is requesting the opportunity to review and comment on findings proposed by the ADOT under the auspices of Section 4(f).

The GRIC-THPO acknowledges the receipt of ADOT's consultation letter. We defer from concurring with findings of project effect until we receive additional information regarding the use and findings of Section 4(f) for this undertaking. The determinations of Register eligibility at this time, appear to be acceptable. The use of Section 6 of the Statewide PA as a substitute for a project specific PA is adequate. We do understand that the project areas are located in an urban developed environment and additional archaeological survey would not be effective. We cautiously agree that additional archaeological survey is not required, but as the project proceeds, we reserve the right to recommend additional archaeological survey if warranted. We will also defer from concurring with geotechnical investigation pending receipt of the requested information. The GRIC-THPO will continue to participate in the consultation process for this undertaking. The proposed project area is within the ancestral lands of the Four Southern Tribes (Gila River Indian Community; Salt River Pima Maricopa Indian Community; Ak-Chin Indian Community and the Tohono O'odham Nation). The GRIC-THPO defers to the Salt River Pima Maricopa Indian Community as lead in the consultation process for the project areas located north of Baseline Road, Phoenix, Maricopa County, Arizona. The GRIC-THPO also defers to the Pascua Yaqui Tribe in matters regarding the Guadalupe Historic District, Guadalupe, Maricopa County, Arizona.

If you should have any questions please do not hesitate to contact me or Archaeological Compliance Specialist Larry Benallie, Jr. at 520-562-7162.

Respectfully,

A handwritten signature in dark ink, appearing to read "Barnaby V. Lewis". The signature is fluid and cursive, with the first name being the most prominent.

Barnaby V. Lewis  
Tribal Historic Preservation Officer  
Gila River Indian Community



Biological and Cultural Resource Services  
Mail Station PAB359  
P.O. Box 52025  
Phoenix, AZ 85072-2025

Kris Powell, M.A., RPA  
Cultural Resources Program Manager  
Arizona Department of Transportation (ADOT)  
1611 W Jackson St  
Phoenix, AZ 85007

September 4, 2019

RE: 010-C(220)T; TRACS 010 MA 161 F0072 01D; I-10 I-17 to SR 202L  
Initial Section 106 Consultation dated August 1, 2019

Dear Ms. Powell,

On behalf of Salt River Project (SRP), I thank you for the opportunity to review and comment on the scope of work and inventory of historic-age building and structures within the I-10 I-17 to SR 202L Area of Potential Effects (APE). As you are aware, the APE crosses the Western Canal and the Highline Canal Lateral, which are active irrigation facilities under the jurisdiction of the U.S. Bureau of Reclamation (Reclamation) and are operated and maintained by SRP. The APE also intersects several SRP electrical transmission, distribution, and other infrastructure rights-of-way.

SRP concurs with ADOT's determination that the undertaking will result in an "adverse effect," that the provisions to resolve adverse effects described in Attachment 6 of the ADOT Programmatic Agreement are appropriate, and that no new cultural resources inventory survey is warranted.

SRP does not concur with the assessment that the Tempe 48<sup>th</sup> Street Drain is eligible for National Register of Historic Places under Criteria A and C. SRP concurs with the remainder of the determinations of eligibility cited in the letter.

SRP does not concur that the inventory report titled *Section 106 Built Environment Determinations or Eligibility and Assessment of Effects*, Second Submittal dated July 2019 (Foell and others 2019) is adequate. We offer the following comments on the report:

1. The report discusses and assesses water transmission (main) canals and water distribution (lateral) canals as if they are a single structure. SRP's main canals are eligible for and listed in the National Register under Criterion A as components of the SRP Diversion and Conveyance System Historic District. Reclamation has identified approximately 60 historic open lateral canals and two piped canals, none of which are within the APE, for preservation. The remainder of SRP's open and piped lateral canals are not National Register eligible, nor do they contribute to the Historic District.

2. Information pertaining to the location of historical laterals associated with the abandoned Salt River Valley Canal, Grand Canal, and San Francisco Canal lateral were derived from the AZSITE on-line mapping system but are attributed to historical Reclamation Service maps dating to 1904. A comparison of the AZSITE data to these maps shows that AZSITE does not accurately depict the historical system. The authors should consult the original source instead of relying on AZSITE. Also, many of these laterals have been abandoned, backfilled, or destroyed, although a few of these have been piped and are still in use. Many of these laterals could have been eliminated as surface structures by consulting publically-available historical aerials, by checking ADOT as-builts and utility drawings, and through field survey. Abandoned laterals, if any evidence of them exists, are more appropriately addressed as archaeological phenomena.
3. A portion of the structure identified as the San Francisco Canal lateral in the APE is the historical location of the San Francisco Canal main line. Portions of the San Francisco Canal lateral beyond the APE are identified as historic lateral canals to be preserved, however portions within the APE are piped and not considered to be eligible.
4. On page 8 of the report, the table discussing determination of effects pursuant to 36 CFR 800 lists "no effect." This should be revised to reflect the current term used in regulation – "no historic properties affected."
5. The report includes historic property inventory forms for 44 other buildings and structures, all of which are recommended as ineligible. These are not discussed in the consultation letter.

Please do not hesitate to reach out to me (602.236.2804 or [Rick.Anduze@srpnet.com](mailto:Rick.Anduze@srpnet.com)) or Daniel Garcia (602.236.2336 or [Dan.Garcia@srpnet.com](mailto:Dan.Garcia@srpnet.com)) with any questions or concerns.

Cordially,



(Daniel Garcia for) Rick Anduze  
Senior Cultural Resources Management Specialist

August 1, 2019

In Reply Refer To:

010-C(220)T  
TRACS No. 010 MA 161 F0072 01D  
I-10, I-17 to SR 202L (Santan)  
Initial Section 106 Consultation  
“adverse effect”  
Geotechnical Investigations  
Attachment 6

Mr. Richard A. Anduze, Archaeologist  
Salt River Project  
M.S. PAB 359 P.O. Box 52025  
Phoenix, Arizona 85072-2025

Dear Mr. Anduze:

The Arizona Department of Transportation (ADOT) is proposing improvements to a segment of Interstate 10 (I-10) from the I-10/Interstate 17 (I-17) traffic interchange to the State Route (SR) 202L Santan Freeway in Maricopa County, Arizona. An environmental assessment (EA) is currently being drafted that compares a build alternative to a no-build option. The build alternative being studied is located in Sections 14, 23, and 24 of Township 1 North (T1N), Range 3 East (R3E); Sections 17, 18, 19, 20, 29, 32, and 33 of T1N, R4E; and Sections 5, 8, 17, 20, and 29 of T1S, R4E of the Gila and Salt River Base Line and Meridian as depicted on the Guadalupe, Tempe, and Phoenix, Arizona, US Geological Survey 7.5-minute topographic quadrangles. The project would occur within ADOT-owned right-of-way (ROW); on land owned by the cities of Chandler, Tempe, and Phoenix; on Town of Guadalupe land; and on private lands. Additionally, the Salt River Project has easement within the project footprint. Consulting parties for this project are ADOT, the Arizona State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the City of Chandler, the City of Phoenix, the City of Tempe, the Salt River Project, the Town of Guadalupe, the Ak-Chin Indian Community, the Gila River Indian Community (GRIC), the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation. For this undertaking, GRIC and SRPMIC are co-leads for the Four Southern Tribes.

The project qualifies for federal funds and, as such, constitutes a federal undertaking subject to review under Section 106 of the National Historic Preservation Act. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated April 16, 2019 and executed by the Federal Highway Administration and ADOT.

The I-10 widening is a design-build project, which means that at this time the build alternative is comprised of a schematic footprint and general scope items, but actual design would not begin

until after the EA is finalized and only if the build option is selected with a Finding of No Significant Impact (FONSI) in the Final EA. The proposed improvements of the build alternative would involve widening and restriping I-10 within the project limits to add general-purpose lanes, high-occupancy vehicle lanes, and auxiliary lanes; constructing collector-distributor roads, reconstructing and improving I-10 interchanges along this segment of I-10; construction of and modifications to bridges; various drainage improvements; installing and upgrading freeway management system facilities and dynamic message system (DMS) signs within the project limits; landscaping; and other components such as fencing, utilities, traffic markers, geotechnical investigations, and lighting system upgrades.

### **Area of Potential Effects (APE)**

If the build option is selected, it is estimated that temporary construction easements (TCEs) would be required from adjacent, private landowners including 19 TCEs along either side of I-10 between 40<sup>th</sup> Street and Ray Road, 1 TCE along 48<sup>th</sup> Street, 1 TCE along SR143, 2 TCEs along US 60. Additionally, areas of new ROW would include 18 parcels along I-10 between University Drive and Guadalupe Road, 1 parcel along 48<sup>th</sup> Street, and 4 parcels along SR143. The area of potential effects (APE) for the project would include the existing I-10 ROW from milepost (MP) 150 to MP 161.71, the I-10 / I-17 traffic interchange (TI) near MP 150, 1.4 miles of existing SR143 ROW from its intersection with I-10 north, 1.45 miles of existing US 60 ROW from MP 172-173.5, up to 2,000 feet along cross roads north and south of their intersections with I-10, and the areas of TCEs and new ROW. Finally, visual intrusions would be possible in the vicinity of the DMS signs, thus, the indirect APE includes a ¼ mile buffer around each proposed DMS location.

### **Project Area Investigations**

The existing I-10 and US 60 ROW previously was assessed for cultural resources by Carter and Burgess, Inc., as reported in *A Cultural Resources Assessment for the Interstate 10 Corridor Improvement Study Between Mileposts 147.5 and 161, Including Portions of Interstate 17 (MP 194–195.5), State Route 143 (MP 0–2), and US 60 (MP 172–173), Maricopa County, Arizona* (Laine and Montero 2006). SHPO previously concurred with the adequacy of the report and site eligibility (Bowler [ADOT] to Jacobs [SHPO] September 11, 2006; SHPO concurrence September 13, 2006).

The existing SR143 ROW previously was assessed for cultural resources by Carter and Burgess, Inc., as reported in *A Class I Cultural Resources Inventory of Approximately 9.7 Miles for the Extended Limits of the Interstate 10 Corridor Improvement Study, Including Portions of Interstate 10, Interstate 17, and State Route 143, Maricopa County, Arizona* (Stubing 2003). SHPO previously concurred with the adequacy of the report (Jacobs [SHPO] to Neustadt [ADOT]; September 13, 2006).

Small portions of the APE have not been surveyed for cultural resources; however, the project area as a whole is highly urbanized with underground utilities, pavement, and landscaping and thus, new archaeological survey is unwarranted.

## Geotechnical Investigations

Geotechnical investigations would be required within existing ADOT-owned ROW and would consist of drilling 32 borings between four and ten inches in diameter and with depths ranging from 10-160 feet. The area of disturbance for the geotechnical portion of the project includes the access route to each bore hole and a 20 foot diameter around each bore hole where the drill rig and support trucks would park. Per review of the boring location plans, none of the proposed bore holes or their accompanying access routes are located within buffered archaeological site boundaries or within buffered projections of prehistoric canal alignments.

## Archaeological Resources

Eleven previously recorded archaeological sites have been recorded within the current APE. Four sites previously were determined not eligible for the National Register of Historic Places (NRHP) and the remainder either were determined NRHP eligible or are unevaluated. Eighteen unevaluated prehistoric canal alignments also are projected to cross the project footprint or are immediately adjacent. Finally, because the area has been subjected to heavy urbanization, site boundaries are not always well defined within the project vicinity. Three sites, AZ T:12:19(PG), AZ T:12:137(ASM), and AZ U:9:12(PG) are adjacent to the APE and may require eligibility and/or boundary testing once the project design is finalized. These resources are detailed in the table below.

**Table 1. Archaeological Sites within the APE**

No.	Site Number	Site Type	Eligibility	Impacts
1	AZ T:12:47 (ASM)	Prehistoric habitation site	Determined eligible, Criterion D	Direct
2	AZ T:12:19(PG)	Prehistoric habitation site	Unevaluated	Possible
3	AZ T:12:137(ASM)	Prehistoric habitation site	Determined eligible, Criterion D	Possible
4	AZ U:9:26(ASM)	Prehistoric habitation site	Unevaluated	Direct
5	AZ U:9:186(ASM)	Prehistoric artifact scatter and canal	Unevaluated	Direct
6	AZ U:9:12(PG)	Prehistoric sherd scatter	Unevaluated	Possible
7	AZ U:9:75(ASM)	Prehistoric canal channels	Unevaluated	Direct
8	AZ U:9:79(ASM)	Historic artifacts scatter	Determined not eligible	N/A
9	AZ U:9:77(ASM)	Historic artifacts scatter	Determined not eligible	N/A
10	AZ U:9:76(ASM)	Prehistoric artifact scatter	Unevaluated	Direct
11	AZ U:9:48 (ASM)	Hohokam, Euroamerican, Yaqui village	Determined eligible, Criterion D	Direct
12	AZ U:9:9(ASM)	Prehistoric agricultural area	Unevaluated	Direct
13	AZ U:9:16 (ASM)	Prehistoric artifact scatter	Determined not eligible	N/A
14	AZ U:9:17 (ASM)	Prehistoric artifact scatter	Determined not eligible	N/A
15	None	18 Prehistoric canal alignments	Unevaluated	Direct

## Traditional Cultural Property (TCP)

Bat's Home is a TCP that ADOT has determined is NRHP eligible under Criteria A and D per conversations with SRPMIC and the GRIC Tribal Historic Preservation Officers. No direct impacts would occur to this property. Bat's Home is within the visual APE for the project; visual impacts are based on a strong contrast with the surrounding landscape. The property's visual setting contains numerous modern intrusions of various sizes and heights. Specifically, the property's setting already encompasses I-10 with 14 lanes of traffic including on- and off- ramps, overhead signage, and lighting that is approximately 2/3 of the height of the butte that contains Bat's Home; commercial buildings to the north, residential buildings to the south, and a resort, ball parks, and additional buildings to the east. The addition of a lane, DMS signs, a barrier wall to prevent falling rock from extending onto the roadway, and a possible reconfiguration of on- and/or off-ramps would not provide a strong contrast to the existing landscape. Hence, the visual impact to the property would be minimal. Thus, there would be no adverse effect to this property.

## Historic-age Resources

Because of the potential for visual effects, a historic building and structure inventory recently was completed. The inventory, entitled *Section 106 Built Environment Determinations of Eligibility and Assessment of Effects* (Foell et al. 2019) is enclosed for your review and comment.

In total, ten in-use or abandoned historic era properties are within the proposed project footprint. Historic-age laterals identified in the report as associated with the Salt River Valley Canal, the Grand Canal, the San Francisco Canal, the Western Canal, and the Highline Canal are unassessed as part of this undertaking and may or may not be extant; however, pursuant to the 2013 *Revised Programmatic Agreement (PA) Regarding Historic Preservation Treatment for the Salt River Project System of Historic Main Canals, Laterals, and Associated Features Operated and Maintained by the Salt River Project for the Bureau of Reclamation*, Reclamation has designated intact laterals for preservation; all other open and piped lateral canals are not considered to be NRHP-eligible. None of the laterals within the current project footprint are included in the 2013 Open Lateral Inventory. Thus, ADOT has determined that the laterals within the current project footprint are neither individually eligible for the NRHP nor contributing elements to any of the above-mentioned canal systems.

**Table 2. Historic-age Resources within the Proposed Project Footprint**

No.	Resource	Site Type	Eligibility	Impacts
1	Historic canal laterals	Historic canal laterals	Herein determined not individually eligible, non-contributing to respective systems	N/A
2	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	Historic irrigation features	Listed, Criterion A	None
3	Western Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSHD	None

No.	Resource	Site Type	Eligibility	Impacts
4	Highline Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSHD	None
5	48 <sup>th</sup> Street Drain	Historic canal	Herein determined eligible, Criteria A and C	None
6	Double Butte Cemetery	Historic cemetery (Pioneer Section)	Listed, Criterion A	None
7	Twin Buttes/Bell Butte Cemetery	Historic cemetery	Determined not eligible	N/A
8	Guadalupe Historic District	Historic district	Herein determined eligible, Criteria A, C, and D	Direct
9	Maricopa and Phoenix Railroad	Historic railroad	Determined not eligible	N/A
10	AZ U:9:86(ASM) Ft. McDowell to Maricopa Wells Road	Historic road	Determined non-contributing within the APE	N/A

The Salt River Project Diversion and Conveyance System Historic District is listed on the NRHP under Criterion A and is comprised of ten contributing structures and two contributing buildings. The Western and Highline canals, which are located in the current APE, are contributing elements to the district and previously have been determined NRHP eligible under Criterion A per the 2013 PA mentioned above. There would be no direct impacts to the canals and the proposed nearby freeway improvements, including road widening, ramp upgrades, striping, and utility work, would not cause additional visual intrusions to the setting of these canals; therefore, the project would not adversely affect the Western Canal, the Highline Canal, or the Salt River Project Diversion and Conveyance System Historic District.

The 48<sup>th</sup> Street Drain, colloquially known as the Tempe Drain, is an approximately three-mile-long surficial drainage feature built in 1923. Portions of the drain have been realigned, thus losing their integrity of location, but an approximate 2.4 miles of the drain remains in the original location and is NRHP eligible under Criterion A for its association with early twentieth-century irrigation at a time when the Salt River Project made significant improvements to water storage and irrigation infrastructure. It also is eligible under Criterion C as an early irrigation feature demonstrating the diversion-conveyance system constructed to remove water from, rather than irrigate, the Salt River Valley. Because of its realignment, the portion of the drain within the project footprint is non-contributing to the property as a whole. However, it is likely that one or more TCE would be required from the eligible stretch of canal. The proposed undertaking would not affect the 48<sup>th</sup> Street Drain's integrity of location, design, materials, workmanship, feeling, or association and would not cause additional visual intrusions to the setting of the drain.

The Double Butte Cemetery Pioneer Section is listed on the NRHP under Criterion A. The property is outside of the proposed construction footprint, thus, there would be no direct impacts to the cemetery. Project activities are limited to areas nearest to noncontributing features of the cemetery and proposed landscaping would provide screening from roadway elements. Therefore, there would be no effect to the Pioneer Section of the Tempe Double Butte Cemetery.

The Guadalupe Historic District is located within the Town of Guadalupe and includes a central plaza and church complex surrounded by an organized street grid with single-story residences. The district is eligible under Criterion A for its association with the Yaqui people

who sought safety in the United States and their continued traditions, under Criterion C for the architectural merit exhibited in Santa Lucia Pascua Yaqui Temple and Our Lady of Guadalupe Catholic Church, as a cultural landscape that exhibits traditional building forms and materials in the housing, as well as religious practices as represented by the two sacred buildings and plaza; and under Criterion D for its potential to yield information about indigenous building techniques and materials since intensive investigations may reveal original materials and construction methods that have been covered by modern materials, alterations, and additions. The project footprint incorporates a corner of the district where a manhole may require relocation. This action would not alter any of the characteristics of the district that make it NRHP eligible. Additionally, nearby bridge widening activities and proposed DMS signage would cause no more visual intrusion into the district than the existing bridge and roadside billboards. Thus, there would be no adverse effect to the Guadalupe Historic District.

**Table 3. Effects Assessment and Treatment of Eligible or Unassessed Properties**

No.	Site Number	Effect	Treatment
1	AZ T:12:47 (ASM)	Adverse effect	Testing/Data Recovery
2	AZ T:12:19(PG)	Unknown	Boundary Testing
3	AZ T:12:137(ASM)	Unknown	Boundary Testing
4	AZ U:9:26(ASM)	Unknown	Eligibility Testing
5	AZ U:9:186(ASM)	Unknown	Eligibility Testing
6	AZ U:9:12(PG)	Unknown	Boundary Testing
7	AZ U:9:75(ASM)	Unknown	Eligibility Testing
8	AZ U:9:76(ASM)	Unknown	Eligibility Testing
9	AZ U:9:48 (ASM)	Adverse effect	Testing/Data Recovery
10	AZ U:9:9(ASM)	Unknown	Eligibility Testing
11	Prehistoric canal alignments	Unknown	Monitoring
12	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	No adverse effect	None
13	Western Canal	No adverse effect	None
14	Highline Canal	No adverse effect	None
15	48th Street Drain	No adverse effect	None
16	Double Butte Cemetery	No Effect	None
17	Guadalupe Historic District	No adverse effect	None
18	Bat's Home	No adverse effect	None

If the build alternative is selected, the undertaking would have an adverse effect on historic properties. ADOT recommends that the provisions set forth in Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects* are appropriate for resolving any potential adverse effects for this project. A copy of Attachment 6 is enclosed to assist you in your review.

Please review the information provided in this letter and the enclosed report. If you find the report adequate, agree with ADOT's eligibility recommendations, agree with the use of

Attachment 6 *in lieu* of using a project-specific programmatic agreement, agree that no new survey would be required, and agree with the project finding of effect, please indicate your concurrence by signing below. If you have any questions or concerns, please contact Jill Heilman at 602.712.6371 or at [jheilman@azdot.gov](mailto:jheilman@azdot.gov).

Sincerely,

A handwritten signature in blue ink that reads "Kris Powell". The signature is fluid and cursive, with the first name "Kris" and last name "Powell" clearly distinguishable.

Kris Powell, MA RPA  
Cultural Resources Program Manager

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Signature for SRP Concurrence  
010-C(220)T

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Date

Enclosures



August 30, 2019

In Reply Refer To:

010-C(220)T  
TRACS No. 010 MA 161 F0072 01D  
I-10, I-17 to SR 202L (Santan)  
Continuing Section 106 Consultation  
“adverse effect”

Dr. David Jacobs, Compliance Specialist  
State Historic Preservation Office  
1100 West Washington Street  
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Arizona Department of Transportation (ADOT) is proposing improvements to a segment of Interstate 10 (I-10) from the I-10/Interstate 17 (I-17) traffic interchange to the State Route (SR) 202L Santan Freeway in Maricopa County, Arizona. An environmental assessment (EA) is currently being drafted that compares a build alternative to a no-build option. The build alternative being studied is located in Sections 14, 23, and 24 of Township 1 North (T1N), Range 3 East (R3E); Sections 17, 18, 19, 20, 29, 32, and 33 of T1N, R4E; and Sections 5, 8, 17, 20, and 29 of T1S, R4E of the Gila and Salt River Base Line and Meridian as depicted on the Guadalupe, Tempe, and Phoenix, Arizona, US Geological Survey 7.5-minute topographic quadrangles.

The project qualifies for federal funds and, as such, constitutes a federal undertaking subject to review under Section 106 of the National Historic Preservation Act. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated April 16, 2019 and executed by the Federal Highway Administration and ADOT.

The project would occur within ADOT-owned right-of-way (ROW); on land owned by the cities of Chandler, Tempe, and Phoenix; on Town of Guadalupe land; and on private lands. Additionally, the Salt River Project has easement within the project footprint. Consulting parties for this project are ADOT, the Arizona State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the City of Chandler, the City of Phoenix, the City of Tempe, the Salt River Project, the Town of Guadalupe, the Ak-Chin Indian Community, the Gila River Indian Community (GRIC), the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation. For this undertaking, GRIC and SRPMIC are co-leads for the Four Southern Tribes. Consultation was initiated on August 1, 2019 and is currently ongoing.

If the build option is selected in the ongoing EA, it is estimated that temporary construction easements (TCEs) would be required from adjacent, private landowners including 19 TCEs

along either side of I-10 between 40<sup>th</sup> Street and Ray Road, 1 TCE along 48<sup>th</sup> Street, 1 TCE along SR143, 2 TCEs along US 60. Additionally, areas of new ROW would include 18 parcels along I-10 between University Drive and Guadalupe Road, 1 parcel along 48<sup>th</sup> Street, and 4 parcels along SR143. The area of potential effects (APE) for the project would include the existing I-10 ROW from milepost (MP) 150 to MP 161.71, the I-10 / I-17 traffic interchange (TI) near MP 150, 1.4 miles of existing SR143 ROW from its intersection with I-10 north, 1.45 miles of existing US 60 ROW from MP 172-173.5, up to 2,000 feet along cross roads north and south of their intersections with I-10, and the areas of TCEs and new ROW. Finally, visual intrusions would be possible in the vicinity of the DMS signs, thus, the indirect APE includes a ¼ mile buffer around each proposed DMS location.

ADOT is contacting you to provide a more detailed description of the APE. Please note that the APE remains unchanged and was accurately depicted in the built environment report *Section 106 Built Environment Determinations of Eligibility and Assessment of Effects* (Foell *et al.* 2019) that was enclosed for your review and comment in the August 1, 2019 consultation. ADOT wants to explicitly note that as shown in Figure 1 of the report, the APE includes a half mile buffer around the SR143 / I-10 interchange for visual effects. Again, this does not constitute a change to the APE, but rather a clarification of the depiction in Figure 1. Please review the information provided in this letter. If you have any questions or concerns, please contact Jill Heilman at 602.712.6371 or at [jheilman@azdot.gov](mailto:jheilman@azdot.gov).

Sincerely,

A handwritten signature in blue ink that reads "Kris Powell". The signature is fluid and cursive, with the first name "Kris" and last name "Powell" clearly distinguishable.

Kris Powell, MA RPA  
Cultural Resources Program Manager

August 1, 2019

In Reply Refer To:

010-C(220)T  
TRACS No. 010 MA 161 F0072 01D  
I-10, I-17 to SR 202L (Santan)  
Initial Section 106 Consultation  
“adverse effect”  
Geotechnical Investigations  
Attachment 6

Ms. Laurene Montero  
City of Phoenix Archaeologist  
Pueblo Grande Museum  
4619 E. Washington Street  
Phoenix, Arizona 85034

Dear Ms. Montero:

The Arizona Department of Transportation (ADOT) is proposing improvements to a segment of Interstate 10 (I-10) from the I-10/Interstate 17 (I-17) traffic interchange to the State Route (SR) 202L Santan Freeway in Maricopa County, Arizona. An environmental assessment (EA) is currently being drafted that compares a build alternative to a no-build option. The build alternative being studied is located in Sections 14, 23, and 24 of Township 1 North (T1N), Range 3 East (R3E); Sections 17, 18, 19, 20, 29, 32, and 33 of T1N, R4E; and Sections 5, 8, 17, 20, and 29 of T1S, R4E of the Gila and Salt River Base Line and Meridian as depicted on the Guadalupe, Tempe, and Phoenix, Arizona, US Geological Survey 7.5-minute topographic quadrangles. The project would occur within ADOT-owned right-of-way (ROW); on land owned by the cities of Chandler, Tempe, and Phoenix; on Town of Guadalupe land; and on private lands. Additionally, the Salt River Project has easement within the project footprint. Consulting parties for this project are ADOT, the Arizona State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the City of Chandler, the City of Phoenix, the City of Tempe, the Salt River Project, the Town of Guadalupe, the Ak-Chin Indian Community, the Gila River Indian Community (GRIC), the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation. For this undertaking, GRIC and SRPMIC are co-leads for the Four Southern Tribes.

The project qualifies for federal funds and, as such, constitutes a federal undertaking subject to review under Section 106 of the National Historic Preservation Act. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated April 16, 2019 and executed by the Federal Highway Administration and ADOT.

The I-10 widening is a design-build project, which means that at this time the build alternative is comprised of a schematic footprint and general scope items, but actual design would not begin until after the EA is finalized and only if the build option is selected with a Finding of No Significant Impact (FONSI) in the Final EA. The proposed improvements of the build alternative would involve widening and restriping I-10 within the project limits to add general-purpose lanes, high-occupancy vehicle lanes, and auxiliary lanes; constructing collector-distributor roads, reconstructing and improving I-10 interchanges along this segment of I-10; construction of and modifications to bridges; various drainage improvements; installing and upgrading freeway management system facilities and dynamic message system (DMS) signs within the project limits; landscaping; and other components such as fencing, utilities, traffic markers, geotechnical investigations, and lighting system upgrades.

### **Area of Potential Effects (APE)**

If the build option is selected, it is estimated that temporary construction easements (TCEs) would be required from adjacent, private landowners including 19 TCEs along either side of I-10 between 40<sup>th</sup> Street and Ray Road, 1 TCE along 48<sup>th</sup> Street, 1 TCE along SR143, 2 TCEs along US 60. Additionally, areas of new ROW would include 18 parcels along I-10 between University Drive and Guadalupe Road, 1 parcel along 48<sup>th</sup> Street, and 4 parcels along SR143. The area of potential effects (APE) for the project would include the existing I-10 ROW from milepost (MP) 150 to MP 161.71, the I-10 / I-17 traffic interchange (TI) near MP 150, 1.4 miles of existing SR143 ROW from its intersection with I-10 north, 1.45 miles of existing US 60 ROW from MP 172-173.5, up to 2,000 feet along cross roads north and south of their intersections with I-10, and the areas of TCEs and new ROW. Finally, visual intrusions would be possible in the vicinity of the DMS signs, thus, the indirect APE includes a ¼ mile buffer around each proposed DMS location.

### **Project Area Investigations**

The existing I-10 and US 60 ROW previously was assessed for cultural resources by Carter and Burgess, Inc., as reported in *A Cultural Resources Assessment for the Interstate 10 Corridor Improvement Study Between Mileposts 147.5 and 161, Including Portions of Interstate 17 (MP 194–195.5), State Route 143 (MP 0–2), and US 60 (MP 172–173), Maricopa County, Arizona* (Laine and Montero 2006). SHPO previously concurred with the adequacy of the report and site eligibility (Bowler [ADOT] to Jacobs [SHPO] September 11, 2006; SHPO concurrence September 13, 2006).

The existing SR143 ROW previously was assessed for cultural resources by Carter and Burgess, Inc., as reported in *A Class I Cultural Resources Inventory of Approximately 9.7 Miles for the Extended Limits of the Interstate 10 Corridor Improvement Study, Including Portions of Interstate 10, Interstate 17, and State Route 143, Maricopa County, Arizona* (Stubing 2003). SHPO previously concurred with the adequacy of the report (Jacobs [SHPO] to Neustadt [ADOT]; September 13, 2006).

Small portions of the APE have not been surveyed for cultural resources; however, the project area as a whole is highly urbanized with underground utilities, pavement, and landscaping and thus, new archaeological survey is unwarranted.

## Geotechnical Investigations

Geotechnical investigations would be required within existing ADOT-owned ROW and would consist of drilling 32 borings between four and ten inches in diameter and with depths ranging from 10-160 feet. The area of disturbance for the geotechnical portion of the project includes the access route to each bore hole and a 20 foot diameter around each bore hole where the drill rig and support trucks would park. Per review of the boring location plans, none of the proposed bore holes or their accompanying access routes are located within buffered archaeological site boundaries or within buffered projections of prehistoric canal alignments.

## Archaeological Resources

Eleven previously recorded archaeological sites have been recorded within the current APE. Four sites previously were determined not eligible for the National Register of Historic Places (NRHP) and the remainder either were determined NRHP eligible or are unevaluated. Eighteen unevaluated prehistoric canal alignments also are projected to cross the project footprint or are immediately adjacent. Finally, because the area has been subjected to heavy urbanization, site boundaries are not always well defined within the project vicinity. Three sites, AZ T:12:19(PG), AZ T:12:137(ASM), and AZ U:9:12(PG) are adjacent to the APE and may require eligibility and/or boundary testing once the project design is finalized. These resources are detailed in the table below.

**Table 1. Archaeological Sites within the APE**

No.	Site Number	Site Type	Eligibility	Impacts
1	AZ T:12:47 (ASM)	Prehistoric habitation site	Determined eligible, Criterion D	Direct
2	AZ T:12:19(PG)	Prehistoric habitation site	Unevaluated	Possible
3	AZ T:12:137(ASM)	Prehistoric habitation site	Determined eligible, Criterion D	Possible
4	AZ U:9:26(ASM)	Prehistoric habitation site	Unevaluated	Direct
5	AZ U:9:186(ASM)	Prehistoric artifact scatter and canal	Unevaluated	Direct
6	AZ U:9:12(PG)	Prehistoric sherd scatter	Unevaluated	Possible
7	AZ U:9:75(ASM)	Prehistoric canal channels	Unevaluated	Direct
8	AZ U:9:79(ASM)	Historic artifacts scatter	Determined not eligible	N/A
9	AZ U:9:77(ASM)	Historic artifacts scatter	Determined not eligible	N/A
10	AZ U:9:76(ASM)	Prehistoric artifact scatter	Unevaluated	Direct
11	AZ U:9:48 (ASM)	Hohokam, Euroamerican, Yaqui village	Determined eligible, Criterion D	Direct
12	AZ U:9:9(ASM)	Prehistoric agricultural area	Unevaluated	Direct
13	AZ U:9:16 (ASM)	Prehistoric artifact scatter	Determined not eligible	N/A

No.	Site Number	Site Type	Eligibility	Impacts
14	AZ U:9:17 (ASM)	Prehistoric artifact scatter	Determined not eligible	N/A
15	None	18 Prehistoric canal alignments	Unevaluated	Direct

### Traditional Cultural Property (TCP)

Bat's Home is a TCP that ADOT has determined is NRHP eligible under Criteria A and D per conversations with SRPMIC and the GRIC Tribal Historic Preservation Officers. No direct impacts would occur to this property. Bat's Home is within the visual APE for the project; visual impacts are based on a strong contrast with the surrounding landscape. The property's visual setting contains numerous modern intrusions of various sizes and heights. Specifically, the property's setting already encompasses I-10 with 14 lanes of traffic including on- and off- ramps, overhead signage, and lighting that is approximately 2/3 of the height of the butte that contains Bat's Home; commercial buildings to the north, residential buildings to the south, and a resort, ball parks, and additional buildings to the east. The addition of a lane, DMS signs, a barrier wall to prevent falling rock from extending onto the roadway, and a possible reconfiguration of on- and/or off-ramps would not provide a strong contrast to the existing landscape. Hence, the visual impact to the property would be minimal. Thus, there would be no adverse effect to this property.

### Historic-age Resources

Because of the potential for visual effects, a historic building and structure inventory recently was completed. The inventory, entitled *Section 106 Built Environment Determinations of Eligibility and Assessment of Effects* (Foell *et al.* 2019) is enclosed for your review and comment.

In total, ten in-use or abandoned historic era properties are within the proposed project footprint. Historic-age laterals identified in the report as associated with the Salt River Valley Canal, the Grand Canal, the San Francisco Canal, the Western Canal, and the Highline Canal are unassessed as part of this undertaking and may or may not be extant; however, pursuant to the 2013 *Revised Programmatic Agreement (PA) Regarding Historic Preservation Treatment for the Salt River Project System of Historic Main Canals, Laterals, and Associated Features Operated and Maintained by the Salt River Project for the Bureau of Reclamation*, Reclamation has designated intact laterals for preservation; all other open and piped lateral canals are not considered to be NRHP-eligible. None of the laterals within the current project footprint are included in the 2013 Open Lateral Inventory. Thus, ADOT has determined that the laterals within the current project footprint are neither individually eligible for the NRHP nor contributing elements to any of the above-mentioned canal systems.

**Table 2. Historic-age Resources within the Proposed Project Footprint**

No.	Resource	Site Type	Eligibility	Impacts
1	Historic canal laterals	Historic canal laterals	Herein determined not individually eligible, non-contributing to respective	N/A

No.	Resource	Site Type	Eligibility	Impacts
			systems	
2	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	Historic irrigation features	Listed, Criterion A	None
3	Western Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSHD	None
4	Highline Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSHD	None
5	48 <sup>th</sup> Street Drain	Historic canal	Herein determined eligible, Criteria A and C	None
6	Double Butte Cemetery	Historic cemetery (Pioneer Section)	Listed, Criterion A	None
7	Twin Buttes/Bell Butte Cemetery	Historic cemetery	Determined not eligible	N/A
8	Guadalupe Historic District	Historic district	Herein determined eligible, Criteria A, C, and D	Direct
9	Maricopa and Phoenix Railroad	Historic railroad	Determined not eligible	N/A
10	AZ U:9:86(ASM) Ft. McDowell to Maricopa Wells Road	Historic road	Determined non-contributing within the APE	N/A

The Salt River Project Diversion and Conveyance System Historic District is listed on the NRHP under Criterion A and is comprised of ten contributing structures and two contributing buildings. The Western and Highline canals, which are located in the current APE, are contributing elements to the district and previously have been determined NRHP eligible under Criterion A per the 2013 PA mentioned above. There would be no direct impacts to the canals and the proposed nearby freeway improvements, including road widening, ramp upgrades, striping, and utility work, would not cause additional visual intrusions to the setting of these canals; therefore, the project would not adversely affect the Western Canal, the Highline Canal, or the Salt River Project Diversion and Conveyance System Historic District.

The 48<sup>th</sup> Street Drain, colloquially known as the Tempe Drain, is an approximately three-mile-long surficial drainage feature built in 1923. Portions of the drain have been realigned, thus losing their integrity of location, but an approximate 2.4 miles of the drain remains in the original location and is NRHP eligible under Criterion A for its association with early twentieth-century irrigation at a time when the Salt River Project made significant improvements to water storage and irrigation infrastructure. It also is eligible under Criterion C as an early irrigation feature demonstrating the diversion-conveyance system constructed to remove water from, rather than irrigate, the Salt River Valley. Because of its realignment, the portion of the drain within the project footprint is non-contributing to the property as a whole. However, it is likely that one or more TCE would be required from the eligible stretch of canal. The proposed undertaking would not affect the 48<sup>th</sup> Street Drain's integrity of location, design, materials, workmanship, feeling, or association and would not cause additional visual intrusions to the setting of the drain.

The Double Butte Cemetery Pioneer Section is listed on the NRHP under Criterion A. The property is outside of the proposed construction footprint, thus, there would be no direct impacts to the cemetery. Project activities are limited to areas nearest to noncontributing features of the

cemetery and proposed landscaping would provide screening from roadway elements. Therefore, there would be no effect to the Pioneer Section of the Tempe Double Butte Cemetery.

The Guadalupe Historic District is located within the Town of Guadalupe and includes a central plaza and church complex surrounded by an organized street grid with single-story residences. The district is eligible under Criterion A for its association with the Yaqui people who sought safety in the United States and their continued traditions, under Criterion C for the architectural merit exhibited in Santa Lucia Pascua Yaqui Temple and Our Lady of Guadalupe Catholic Church, as a cultural landscape that exhibits traditional building forms and materials in the housing, as well as religious practices as represented by the two sacred buildings and plaza; and under Criterion D for its potential to yield information about indigenous building techniques and materials since intensive investigations may reveal original materials and construction methods that have been covered by modern materials, alterations, and additions. The project footprint incorporates a corner of the district where a manhole may require relocation. This action would not alter any of the characteristics of the district that make it NRHP eligible. Additionally, nearby bridge widening activities and proposed DMS signage would cause no more visual intrusion into the district than the existing bridge and roadside billboards. Thus, there would be no adverse effect to the Guadalupe Historic District.

**Table 3. Effects Assessment and Treatment of Eligible or Unassessed Properties**

No.	Site Number	Effect	Treatment
1	AZ T:12:47 (ASM)	Adverse effect	Testing/Data Recovery
2	AZ T:12:19(PG)	Unknown	Boundary Testing
3	AZ T:12:137(ASM)	Unknown	Boundary Testing
4	AZ U:9:26(ASM)	Unknown	Eligibility Testing
5	AZ U:9:186(ASM)	Unknown	Eligibility Testing
6	AZ U:9:12(PG)	Unknown	Boundary Testing
7	AZ U:9:75(ASM)	Unknown	Eligibility Testing
8	AZ U:9:76(ASM)	Unknown	Eligibility Testing
9	AZ U:9:48 (ASM)	Adverse effect	Testing/Data Recovery
10	AZ U:9:9(ASM)	Unknown	Eligibility Testing
11	Prehistoric canal alignments	Unknown	Monitoring
12	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	No adverse effect	None
13	Western Canal	No adverse effect	None
14	Highline Canal	No adverse effect	None
15	48th Street Drain	No adverse effect	None
16	Double Butte Cemetery	No Effect	None
17	Guadalupe Historic District	No adverse effect	None
18	Bat's Home	No adverse effect	None

If the build alternative is selected, the undertaking would have an adverse effect on historic properties. ADOT recommends that the provisions set forth in Attachment 6 (Resolving Adverse

Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects* are appropriate for resolving any potential adverse effects for this project. A copy of Attachment 6 is enclosed to assist you in your review.

Please review the information provided in this letter and the enclosed report. If you find the report adequate, agree with ADOT's eligibility recommendations, agree with the use of Attachment 6 *in lieu* of using a project-specific programmatic agreement, agree that no new survey would be required, and agree with the project finding of effect, please indicate your concurrence by signing below. If you have any questions or concerns, please contact Jill Heilman at 602.712.6371 or at [jheilman@azdot.gov](mailto:jheilman@azdot.gov).

Sincerely,



Kris Powell, MA RPA  
Cultural Resources Program Manager



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Signature for PGM Concurrence  
010-C(220)T

8/15/2019

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Date

Enclosures

ecc:

Ms. Rebecca Hill, Associate Archaeologist [rebecca.hill@phoenix.gov](mailto:rebecca.hill@phoenix.gov) (w/enclosure)



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT**  
**3636 NORTH CENTRAL AVENUE SUITE 900**  
**PHOENIX, AZ 85012-1939**

August 13, 2019

SUBJECT: Cooperating Agency Invitation for the I-10, I-17 (Split) to SR202L (Santan) Project

Mr. Paul O'Brien, P.E.  
Environmental Planning Administrator  
Arizona Department of Transportation  
1611 W. Jackson St., MD EM02  
Phoenix, Arizona 85007

Dear Mr. O'Brien:

I am responding to your letter dated July 23, 2019 inviting the U.S. Army Corps of Engineers (Corps) to participate as a Cooperating Agency in the preparation of an Environmental Assessment (EA) for proposed improvements along Interstate 10 (I-10) between the Interstate 17 (I-17) Split system interchange and the State Route 202L (SR202L) system interchange in metropolitan Phoenix, Maricopa County, Arizona (Corps File Number SPL-2019-00178). The Arizona Department of Transportation (ADOT), which has assumed the Federal Highway Administration's responsibilities under the National Environmental Policy Act pursuant to 23 U.S.C. 327 and a Memorandum of Understanding executed on April 16, 2019, is the lead agency for this EA.

Since the proposed project may impact waters of the United States, a permit under Section 404 of the Clean Water Act may be required. Therefore, we accept ADOT's invitation to participate in the EA as a Cooperating Agency. We expect to provide input on the project's purpose and need, range of alternatives, and impacts analysis as it relates to the Corps' jurisdiction. However, our participation should not be interpreted as a guarantee of permit issuance.

Thank you for the invitation to participate in this EA. The point of contact for the Corps regarding this project is Mr. Jesse Rice, Project Manager in the Regulatory Division's Arizona Branch. If you have questions, you may contact him at (602) 230-6854 or [Jesse.M.Rice@usace.army.mil](mailto:Jesse.M.Rice@usace.army.mil).

Sincerely,

**LANGLEY.MICHAEL.**  
**WAYNE.1216496864**

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Date: 2019.08.13 14:58:29 -07'00'

Michael Langley  
Senior Project Manager  
Regulatory Division



Environmental Planning

An Arizona Management System Agency

Douglas A. Ducey, Governor

John S. Halikowski, Director

August 1, 2019

In Reply Refer To:

010-C(220)T

TRACS No. 010 MA 161 F0072 01D

I-10, I-17 to SR 202L (Santan)

Initial Section 106 Consultation

"adverse effect"

Geotechnical Investigations

Attachment 6

Mr. Paul Young, Principal Engineer  
Public Works Dept.  
City of Chandler  
Mail Stop 407 / P.O. Box 4008  
Chandler, Arizona 85244-4008

Dear Mr. Young:

The Arizona Department of Transportation (ADOT) is proposing improvements to a segment of Interstate 10 (I-10) from the I-10/Interstate 17 (I-17) traffic interchange to the State Route (SR) 202L Santan Freeway in Maricopa County, Arizona. An environmental assessment (EA) is currently being drafted that compares a build alternative to a no-build option. The build alternative being studied is located in Sections 14, 23, and 24 of Township 1 North (T1N), Range 3 East (R3E); Sections 17, 18, 19, 20, 29, 32, and 33 of T1N, R4E; and Sections 5, 8, 17, 20, and 29 of T1S, R4E of the Gila and Salt River Base Line and Meridian as depicted on the Guadalupe, Tempe, and Phoenix, Arizona, US Geological Survey 7.5-minute topographic quadrangles. The project would occur within ADOT-owned right-of-way (ROW); on land owned by the cities of Chandler, Tempe, and Phoenix; on Town of Guadalupe land; and on private lands. Additionally, the Salt River Project has easement within the project footprint. Consulting parties for this project are ADOT, the Arizona State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the City of Chandler, the City of Phoenix, the City of Tempe, the Salt River Project, the Town of Guadalupe, the Ak-Chin Indian Community, the Gila River Indian Community (GRIC), the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation. For this undertaking, GRIC and SRPMIC are co-leads for the Four Southern Tribes.

The project qualifies for federal funds and, as such, constitutes a federal undertaking subject to review under Section 106 of the National Historic Preservation Act. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated April 16, 2019 and executed by the Federal Highway Administration and ADOT.

The I-10 widening is a design-build project, which means that at this time the build alternative is comprised of a schematic footprint and general scope items, but actual design would not begin

until after the EA is finalized and only if the build option is selected with a Finding of No Significant Impact (FONSI) in the Final EA. The proposed improvements of the build alternative would involve widening and restriping I-10 within the project limits to add general-purpose lanes, high-occupancy vehicle lanes, and auxiliary lanes; constructing collector-distributor roads, reconstructing and improving I-10 interchanges along this segment of I-10; construction of and modifications to bridges; various drainage improvements; installing and upgrading freeway management system facilities and dynamic message system (DMS) signs within the project limits; landscaping; and other components such as fencing, utilities, traffic markers, geotechnical investigations, and lighting system upgrades.

### **Area of Potential Effects (APE)**

If the build option is selected, it is estimated that temporary construction easements (TCEs) would be required from adjacent, private landowners including 19 TCEs along either side of I-10 between 40<sup>th</sup> Street and Ray Road, 1 TCE along 48<sup>th</sup> Street, 1 TCE along SR143, 2 TCEs along US 60. Additionally, areas of new ROW would include 18 parcels along I-10 between University Drive and Guadalupe Road, 1 parcel along 48<sup>th</sup> Street, and 4 parcels along SR143. The area of potential effects (APE) for the project would include the existing I-10 ROW from milepost (MP) 150 to MP 161.71, the I-10 / I-17 traffic interchange (TI) near MP 150, 1.4 miles of existing SR143 ROW from its intersection with I-10 north, 1.45 miles of existing US 60 ROW from MP 172-173.5, up to 2,000 feet along cross roads north and south of their intersections with I-10, and the areas of TCEs and new ROW. Finally, visual intrusions would be possible in the vicinity of the DMS signs, thus, the indirect APE includes a ¼ mile buffer around each proposed DMS location.

### **Project Area Investigations**

The existing I-10 and US 60 ROW previously was assessed for cultural resources by Carter and Burgess, Inc., as reported in *A Cultural Resources Assessment for the Interstate 10 Corridor Improvement Study Between Mileposts 147.5 and 161, Including Portions of Interstate 17 (MP 194–195.5), State Route 143 (MP 0–2), and US 60 (MP 172–173), Maricopa County, Arizona* (Laine and Montero 2006). SHPO previously concurred with the adequacy of the report and site eligibility (Bowler [ADOT] to Jacobs [SHPO] September 11, 2006; SHPO concurrence September 13, 2006).

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Small portions of the APE have not been surveyed for cultural resources; however, the project area as a whole is highly urbanized with underground utilities, pavement, and landscaping and thus, new archaeological survey is unwarranted.

## Geotechnical Investigations

Geotechnical investigations would be required within existing ADOT-owned ROW and would consist of drilling 32 borings between four and ten inches in diameter and with depths ranging from 10-160 feet. The area of disturbance for the geotechnical portion of the project includes the access route to each bore hole and a 20 foot diameter around each bore hole where the drill rig and support trucks would park. Per review of the boring location plans, none of the proposed bore holes or their accompanying access routes are located within buffered archaeological site boundaries or within buffered projections of prehistoric canal alignments.

## Archaeological Resources

Eleven previously recorded archaeological sites have been recorded within the current APE. Four sites previously were determined not eligible for the National Register of Historic Places (NRHP) and the remainder either were determined NRHP eligible or are unevaluated. Eighteen unevaluated prehistoric canal alignments also are projected to cross the project footprint or are immediately adjacent. Finally, because the area has been subjected to heavy urbanization, site boundaries are not always well defined within the project vicinity. Three sites, AZ T:12:19(PG), AZ T:12:137(ASM), and AZ U:9:12(PG) are adjacent to the APE and may require eligibility and/or boundary testing once the project design is finalized. These resources are detailed in the table below.

**Table 1. Archaeological Sites within the APE**

No.	Site Number	Site Type	Eligibility	Impacts
1	AZ T:12:47 (ASM)	Prehistoric habitation site	Determined eligible, Criterion D	Direct
2	AZ T:12:19(PG)	Prehistoric habitation site	Unevaluated	Possible
3	AZ T:12:137(ASM)	Prehistoric habitation site	Determined eligible, Criterion D	Possible
4	AZ U:9:26(ASM)	Prehistoric habitation site	Unevaluated	Direct
5	AZ U:9:186(ASM)	Prehistoric artifact scatter and canal	Unevaluated	Direct
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7	AZ U:9:75(ASM)	Prehistoric canal channels	Unevaluated	Direct
8	AZ U:9:79(ASM)	Historic artifacts scatter	Determined not eligible	N/A
9	AZ U:9:77(ASM)	Historic artifacts scatter	Determined not eligible	N/A
10	AZ U:9:76(ASM)	Prehistoric artifact scatter	Unevaluated	Direct
11	AZ U:9:48 (ASM)	Hohokam, Euroamerican, Yaqui village	Determined eligible, Criterion D	Direct
12	AZ U:9:9(ASM)	Prehistoric agricultural area	Unevaluated	Direct
13	AZ U:9:16 (ASM)	Prehistoric artifact scatter	Determined not eligible	N/A
14	AZ U:9:17 (ASM)	Prehistoric artifact scatter	Determined not eligible	N/A
15	None	18 Prehistoric canal alignments	Unevaluated	Direct

## Traditional Cultural Property (TCP)

Bat's Home is a TCP that ADOT has determined is NRHP eligible under Criteria A and D per conversations with SRPMIC and the GRIC Tribal Historic Preservation Officers. No direct impacts would occur to this property. Bat's Home is within the visual APE for the project; visual impacts are based on a strong contrast with the surrounding landscape. The property's visual setting contains numerous modern intrusions of various sizes and heights. Specifically, the property's setting already encompasses I-10 with 14 lanes of traffic including on- and off- ramps, overhead signage, and lighting that is approximately 2/3 of the height of the butte that contains Bat's Home; commercial buildings to the north, residential buildings to the south, and a resort, ball parks, and additional buildings to the east. The addition of a lane, DMS signs, a barrier wall to prevent falling rock from extending onto the roadway, and a possible reconfiguration of on- and/or off-ramps would not provide a strong contrast to the existing landscape. Hence, the visual impact to the property would be minimal. Thus, there would be no adverse effect to this property.

## Historic-age Resources

Because of the potential for visual effects, a historic building and structure inventory recently was completed. The inventory, entitled *Section 106 Built Environment Determinations of Eligibility and Assessment of Effects* (Foell *et al.* 2019) is enclosed for your review and comment.

In total, ten in-use or abandoned historic era properties are within the proposed project footprint. Historic-age laterals identified in the report as associated with the Salt River Valley Canal, the Grand Canal, the San Francisco Canal, the Western Canal, and the Highline Canal are unassessed as part of this undertaking and may or may not be extant; however, pursuant to the 2013 *Revised Programmatic Agreement (PA) Regarding Historic Preservation Treatment for the Salt River Project System of Historic Main Canals, Laterals, and Associated Features Operated and Maintained by the Salt River Project for the Bureau of Reclamation*, Reclamation has designated intact laterals for preservation; all other open and piped lateral canals are not considered to be NRHP-eligible. None of the laterals within the current project footprint are included in the 2013 Open Lateral Inventory. Thus, ADOT has determined that the laterals within the current project footprint are neither individually eligible for the NRHP nor contributing elements to any of the above-mentioned canal systems.

**Table 2. Historic-age Resources within the Proposed Project Footprint**

No.	Resource	Site Type	Eligibility	Impacts
1	Historic canal laterals	Historic canal laterals	Herein determined not individually eligible, non-contributing to respective systems	N/A
2	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	Historic irrigation features	Listed, Criterion A	None
3	Western Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSHD	None

No.	Resource	Site Type	Eligibility	Impacts
4	Highline Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSHD	None
5	48 <sup>th</sup> Street Drain	Historic canal	Herein determined eligible, Criteria A and C	None
6	Double Butte Cemetery	Historic cemetery (Pioneer Section)	Listed, Criterion A	None
7	Twin Buttes/Bell Butte Cemetery	Historic cemetery	Determined not eligible	N/A
8	Guadalupe Historic District	Historic district	Herein determined eligible, Criteria A, C, and D	Direct
9	Maricopa and Phoenix Railroad	Historic railroad	Determined not eligible	N/A
10	AZ U:9:86(ASM) Ft. McDowell to Maricopa Wells Road	Historic road	Determined non-contributing within the APE	N/A

The Salt River Project Diversion and Conveyance System Historic District is listed on the NRHP under Criterion A and is comprised of ten contributing structures and two contributing buildings. The Western and Highline canals, which are located in the current APE, are contributing elements to the district and previously have been determined NRHP eligible under Criterion A per the 2013 PA mentioned above. There would be no direct impacts to the canals and the proposed nearby freeway improvements, including road widening, ramp upgrades, striping, and utility work, would not cause additional visual intrusions to the setting of these canals; therefore, the project would not adversely affect the Western Canal, the Highline Canal, or the Salt River Project Diversion and Conveyance System Historic District.

The 48<sup>th</sup> Street Drain, colloquially known as the Tempe Drain, is an approximately three-mile-long surficial drainage feature built in 1923. Portions of the drain have been realigned, thus losing their integrity of location, but an approximate 2.4 miles of the drain remains in the original location and is NRHP eligible under Criterion A for its association with early twentieth-century irrigation at a time when the Salt River Project made significant improvements to water storage and irrigation infrastructure. It also is eligible under Criterion C as an early irrigation feature demonstrating the diversion-conveyance system constructed to remove water from, rather than irrigate, the Salt River Valley. Because of its realignment, the portion of the drain within the project footprint is non-contributing to the property as a whole. However, it is likely that one or more TCE would be required from the eligible stretch of canal. The proposed undertaking would not affect the 48<sup>th</sup> Street Drain's integrity of location, design, materials, workmanship, feeling, or association and would not cause additional visual intrusions to the setting of the drain.

The Double Butte Cemetery Pioneer Section is listed on the NRHP under Criterion A. The property is outside of the proposed construction footprint, thus, there would be no direct impacts to the cemetery. Project activities are limited to areas nearest to noncontributing features of the cemetery and proposed landscaping would provide screening from roadway elements. Therefore, there would be no effect to the Pioneer Section of the Tempe Double Butte Cemetery.

The Guadalupe Historic District is located within the Town of Guadalupe and includes a central plaza and church complex surrounded by an organized street grid with single-story residences. The district is eligible under Criterion A for its association with the Yaqui people

who sought safety in the United States and their continued traditions, under Criterion C for the architectural merit exhibited in Santa Lucia Pascua Yaqui Temple and Our Lady of Guadalupe Catholic Church, as a cultural landscape that exhibits traditional building forms and materials in the housing, as well as religious practices as represented by the two sacred buildings and plaza; and under Criterion D for its potential to yield information about indigenous building techniques and materials since intensive investigations may reveal original materials and construction methods that have been covered by modern materials, alterations, and additions. The project footprint incorporates a corner of the district where a manhole may require relocation. This action would not alter any of the characteristics of the district that make it NRHP eligible. Additionally, nearby bridge widening activities and proposed DMS signage would cause no more visual intrusion into the district than the existing bridge and roadside billboards. Thus, there would be no adverse effect to the Guadalupe Historic District.

**Table 3. Effects Assessment and Treatment of Eligible or Unassessed Properties**

No.	Site Number	Effect	Treatment
1	AZ T:12:47 (ASM)	Adverse effect	Testing/Data Recovery
2	AZ T:12:19(PG)	Unknown	Boundary Testing
3	AZ T:12:137(ASM)	Unknown	Boundary Testing
4	AZ U:9:26(ASM)	Unknown	Eligibility Testing
5	AZ U:9:186(ASM)	Unknown	Eligibility Testing
6	AZ U:9:12(PG)	Unknown	Boundary Testing
7	AZ U:9:75(ASM)	Unknown	Eligibility Testing
8	AZ U:9:76(ASM)	Unknown	Eligibility Testing
9	AZ U:9:48 (ASM)	Adverse effect	Testing/Data Recovery
10	AZ U:9:9(ASM)	Unknown	Eligibility Testing
11	Prehistoric canal alignments	Unknown	Monitoring
12	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	No adverse effect	None
13	Western Canal	No adverse effect	None
14	Highline Canal	No adverse effect	None
15	48th Street Drain	No adverse effect	None
16	Double Butte Cemetery	No Effect	None
17	Guadalupe Historic District	No adverse effect	None
18	Bat's Home	No adverse effect	None

If the build alternative is selected, the undertaking would have an adverse effect on historic properties. ADOT recommends that the provisions set forth in Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects* are appropriate for resolving any potential adverse effects for this project. A copy of Attachment 6 is enclosed to assist you in your review.

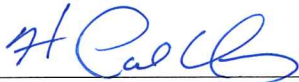
Please review the information provided in this letter and the enclosed report. If you find the report adequate, agree with ADOT's eligibility recommendations, agree with the use of

Attachment 6 *in lieu* of using a project-specific programmatic agreement, agree that no new survey would be required, and agree with the project finding of effect, please indicate your concurrence by signing below. If you have any questions or concerns, please contact Jill Heilman at 602.712.6371 or at [jheilman@azdot.gov](mailto:jheilman@azdot.gov).

Sincerely,



Kris Powell, MA RPA  
Cultural Resources Program Manager



Signature for Chandler Concurrence  
010-C(220)T



Date

Enclosures



Timothy L. Nuvangyaoma  
CHAIRMAN

Clark W. Tenakhongva  
VICE-CHAIRMAN

August 12, 2019

Kris Powell, Cultural Resources Program Manager  
Arizona Department of Transportation, Environmental Planning Group  
1611 W. Jackson Street, MD EM02  
Phoenix, Arizona 85007-3213

Re: I-10, Jct.I-17 to SR 2021 (Sacaton)

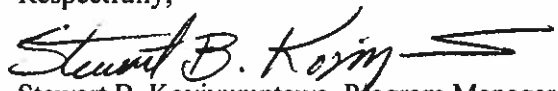
Dear Ms. Powell,

Thank you for your correspondence dated August 1, 2019, regarding the Arizona Department of Transportation (ADOT) proposing improvements to a segment of Interstate 10 from the I-17 traffic interchange to State Route 2021 Santan Freeway in Maricopa County. The Hopi Tribe claims ancestral and cultural affiliation to earlier identifiable cultural groups in Arizona, including the Hohokam cultural group in southern Arizona. The Hopi Cultural Preservation Office supports the identification and avoidance of our ancestral sites and Traditional Cultural Properties, and we consider the archaeological sites of our ancestors to be Traditional Cultural Properties. Therefore we appreciate ADOT's continuing solicitation of our input and your efforts to address our concerns.

The Hopi Cultural Preservation Office understands seven National Register eligible or unevaluated archaeological sites and 18 unevaluated prehistoric canal segments have been identified in the area of potential effect. Data recovery is proposed at sites AZ T:12:47, described as a habitation, and AZ U:9:48 (ASM), described as a village, testing is proposed at eight prehistoric sites, generally described as habitations and artifact scatters, and monitoring is proposed for the canal segments. Therefore, we concur that this proposal will adversely affect cultural resources significant to the Hopi Tribe, including the disturbance of human remains.

And therefore we request continuing consultation on this proposal including being provided with copies of the draft treatment plan and report for review and comment. If you have any questions or need additional information, please contact Terry Morgart at the Hopi Cultural Preservation Office. Thank you again for your consideration.

Respectfully,

  
Stewart B. Koyiyumptewa, Program Manager  
Hopi Cultural Preservation Office

xc: Arizona State Historic Preservation Office



Environmental Planning

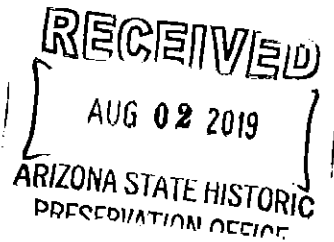
2019-0367 (149727)

An Arizona Management System Agency

Douglas A. Ducey, Governor  
John S. Hallikowski, Director

August 1, 2019

In Reply Refer To:



010-C(220)T  
TRACS No. 010 MA 161 F0072 01D  
I-10, I-17 to SR 202L (Santan)  
Initial Section 106 Consultation  
"adverse effect"  
Geotechnical Investigations  
Attachment 6  
Section 4(f)

Dr. David Jacobs, Compliance Specialist  
State Historic Preservation Office  
1100 West Washington Street  
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Arizona Department of Transportation (ADOT) is proposing improvements to a segment of Interstate 10 (I-10) from the I-10/Interstate 17 (I-17) traffic interchange to the State Route (SR) 202L Santan Freeway in Maricopa County, Arizona. An environmental assessment (EA) is currently being drafted that compares a build alternative to a no-build option. The build alternative being studied is located in Sections 14, 23, and 24 of Township 1 North (T1N), Range 3 East (R3E); Sections 17, 18, 19, 20, 29, 32, and 33 of T1N, R4E; and Sections 5, 8, 17, 20, and 29 of T1S, R4E of the Gila and Salt River Base Line and Meridian as depicted on the Guadalupe, Tempe, and Phoenix, Arizona, US Geological Survey 7.5-minute topographic quadrangles. The project would occur within ADOT-owned right-of-way (ROW); on land owned by the cities of Chandler, Tempe, and Phoenix; on Town of Guadalupe land; and on private lands. Additionally, the Salt River Project has easement within the project footprint. Consulting parties for this project are ADOT, the Arizona State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the City of Chandler, the City of Phoenix, the City of Tempe, the Salt River Project, the Town of Guadalupe, the Ak-Chin Indian Community, the Gila River Indian Community (GRIC), the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation. For this undertaking, GRIC and SRPMIC are co-leads for the Four Southern Tribes.

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### Traditional Cultural Property (TCP)

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In total, ten in-use or abandoned historic era properties are within the proposed project footprint. Historic-age laterals identified in the report as associated with the Salt River Valley Canal, the Grand Canal, the San Francisco Canal, the Western Canal, and the Highline Canal are unassessed as part of this undertaking and may or may not be extant; however, pursuant to the 2013 *Revised Programmatic Agreement (PA) Regarding Historic Preservation Treatment for the Salt River Project System of Historic Main Canals, Laterals, and Associated Features Operated and Maintained by the Salt River Project for the Bureau of Reclamation*, Reclamation has designated intact laterals for preservation; all other open and piped lateral canals are not considered to be NRHP-eligible. None of the laterals within the current project footprint are included in the 2013 Open Lateral Inventory. Thus, ADOT has determined that the laterals within the current project footprint are neither individually eligible for the NRHP nor contributing elements to any of the above-mentioned canal systems.

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1	Historic canal laterals	Historic canal laterals	Herein determined not individually eligible, non-contributing to respective systems	N/A
2	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	Historic irrigation features	Listed, Criterion A	None
3	Western Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSHD	None
4	Highline Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSHD	None
5	48 <sup>th</sup> Street Drain	Historic canal	Herein determined eligible, Criteria A and C	None
6	Double Butte Cemetery	Historic cemetery (Pioneer Section)	Listed, Criterion A	None
7	Twin Buttes/Bell Butte Cemetery	Historic cemetery	Determined not eligible	N/A
8	Guadalupe Historic District	Historic district	Herein determined eligible, Criteria A, C, and D	Direct
9	Maricopa and Phoenix Railroad	Historic railroad	Determined not eligible	N/A
10	AZ U:9:86(ASM) Ft. McDowell to Maricopa Wells Road	Historic road	Determined non-contributing within the APE	N/A

The Salt River Project Diversion and Conveyance System Historic District is listed on the NRHP under Criterion A and is comprised of ten contributing structures and two contributing buildings. The Western and Highline canals, which are located in the current APE, are contributing elements to the district and previously have been determined NRHP eligible under Criterion A per the 2013 PA mentioned above. There would be no direct impacts to the canals and the proposed nearby freeway improvements, including road widening, ramp upgrades, striping, and utility work, would not cause additional visual intrusions to the setting of these canals; therefore, the project would not adversely affect the Western Canal, the Highline Canal, or the Salt River Project Diversion and Conveyance System Historic District.

The 48<sup>th</sup> Street Drain, colloquially known as the Tempe Drain, is an approximately three-mile-long surficial drainage feature built in 1923. Portions of the drain have been realigned, thus losing their integrity of location, but an approximate 2.4 miles of the drain remains in the original location and is NRHP eligible under Criterion A for its association with early twentieth-century irrigation at a time when the Salt River Project made significant improvements to water storage and irrigation infrastructure. It also is eligible under Criterion C as an early irrigation feature demonstrating the diversion-conveyance system constructed to remove water from, rather than irrigate, the Salt River Valley. Because of its realignment, the portion of the drain within the project footprint is non-contributing to the property as a whole. However, it is likely that one or more TCE would be required from the eligible stretch of canal. The proposed undertaking would not affect the 48<sup>th</sup> Street Drain's integrity of location, design, materials, workmanship, feeling, or association and would not cause additional visual intrusions to the setting of the drain.

The Double Butte Cemetery Pioneer Section is listed on the NRHP under Criterion A. The property is outside of the proposed construction footprint, thus, there would be no direct impacts to the cemetery. Project activities are limited to areas nearest to noncontributing features of the cemetery and proposed landscaping would provide screening from roadway elements. Therefore, there would be no effect to the Pioneer Section of the Tempe Double Butte Cemetery.

The Guadalupe Historic District is located within the Town of Guadalupe and includes a central plaza and church complex surrounded by an organized street grid with single-story residences. The district is eligible under Criterion A for its association with the Yaqui people who sought safety in the United States and their continued traditions, under Criterion C for the architectural merit exhibited in Santa Lucia Pascua Yaqui Temple and Our Lady of Guadalupe Catholic Church, as a cultural landscape that exhibits traditional building forms and materials in the housing, as well as religious practices as represented by the two sacred buildings and plaza; and under Criterion D for its potential to yield information about indigenous building techniques and materials since intensive investigations may reveal original materials and construction methods that have been covered by modern materials, alterations, and additions. The project footprint incorporates a corner of the district where a manhole may require relocation. This action would not alter any of the characteristics of the district that make it NRHP eligible. Additionally, nearby bridge widening activities and proposed DMS signage would cause no more visual intrusion into the district than the existing bridge and roadside billboards. Thus, there would be no adverse effect to the Guadalupe Historic District.

**Table 3. Effects Assessment and Treatment of Eligible or Unassessed Properties**

No.	Site Number	Effect	Treatment
1	AZ T:12:47 (ASM)	Adverse effect	Testing/Data Recovery
2	AZ T:12:19(PG)	Unknown	Boundary Testing
3	AZ T:12:137(ASM)	Unknown	Boundary Testing
4	AZ U:9:26(ASM)	Unknown	Eligibility Testing
5	AZ U:9:186(ASM)	Unknown	Eligibility Testing
6	AZ U:9:12(PG)	Unknown	Boundary Testing
7	AZ U:9:75(ASM)	Unknown	Eligibility Testing
8	AZ U:9:76(ASM)	Unknown	Eligibility Testing
9	AZ U:9:48 (ASM)	Adverse effect	Testing/Data Recovery
10	AZ U:9:9(ASM)	Unknown	Eligibility Testing
11	Prehistoric canal alignments	Unknown	Monitoring
12	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	No adverse effect	None
13	Western Canal	No adverse effect	None
14	Highline Canal	No adverse effect	None
15	48th Street Drain	No adverse effect	None
16	Double Butte Cemetery	No Effect	None
17	Guadalupe Historic District	No adverse effect	None
18	Bat's Home	No adverse effect	None

If the build alternative is chosen, TCEs likely would be required along the Tempe Drain and relocation of a manhole may be required within the Guadalupe Historic District. These Temporary Occupancies of the Drain and the Historic District would be an exception under Section 4(f) of the Transportation Act of 1966, as amended, because the following conditions would be met:

- The land use would be of short duration, less than the duration of the project as a whole
- There would be no change in ownership of the land
- The scope of the work would be minor
- There would be no temporary or permanent adverse changes to the activities, features, or attributes of the property
- The land would be fully restored to a condition at least as good as prior to the project

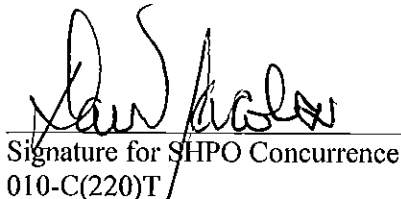
If the build alternative is selected, the undertaking would have an adverse effect on historic properties. ADOT recommends that the provisions set forth in Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects* are appropriate for resolving any potential adverse effects for this project. A copy of Attachment 6 is enclosed to assist you in your review.

Please review the information provided in this letter and the enclosed report. If you find the report adequate, agree with ADOT's eligibility recommendations, agree with the use of Attachment 6 *in lieu* of using a project-specific programmatic agreement, agree that the TCEs along the Tempe Drain and the possible relocation of the manhole within the Guadalupe Historic District do not rise to the level of a use under Section 4(f), agree that no new survey would be required, and agree with the project finding of effect, please indicate your concurrence by signing below. If you have any questions or concerns, please contact Jill Heilman at 602.712.6371 or at [jheilman@azdot.gov](mailto:jheilman@azdot.gov).

Sincerely,



Kris Powell, MA RPA  
Cultural Resources Program Manager



Signature for SHPO Concurrence  
010-C(220)T

9 AUG 19  
Date

Enclosures



# White Mountain Apache Tribe

Office of Historic Preservation

PO Box 1032

Fort Apache, AZ 85926

Ph: (928) 338-3033 Fax: (928) 338-6055

**To:** Kris Powell, ADOT MA RPA Cultural Resources Program Manger

**Date:** August 02, 2019

**Re:** 010-C(220)T TRACS No. 010 MA 161 F0072 01D I-10, I-17 to SR 202L (Santan)

.....

The White Mountain Apache Tribe Historic Preservation Office appreciates receiving information on the project, dated August 01, 2019 . In regards to this, please attend to the following statement below.

Thank you for allowing the White Mountain Apache tribe the opportunity to review and respond to the proposed highway improvements to a segment of Interstate 10 from Interstate 17 traffic interchange to the State Route 202L Santan Freeway, in Maricopa County, Arizona. We find the report to be adequate and agree with the proposed recommendations. Considering, we've determined the proposed plans will ***"Not have Adverse Effect"*** on the White Mountain Apache tribe's historic properties and/or traditional cultural properties.

Thank you for your continued collaborations in protecting and preserving places of cultural and historical importance. No further consultation will be necessary.

Sincerely,

*Mark T. Altaha*

White Mountain Apache Tribe – THPO  
Historic Preservation Office



Environmental Planning

*An Arizona Management System Agency*

Douglas A. Ducey, Governor

John S. Halikowski, Director

August 1, 2019

In Reply Refer To:

010-C(220)T

TRACS No. 010 MA 161 F0072 01D

I-10, I-17 to SR 202L (Santan)

Initial Section 106 Consultation

"adverse effect"

Geotechnical Investigations

Attachment 6

Mr. Sean Heath, Chief  
Environmental Resource Management Division Chief  
Phoenix Area Office  
Bureau of Reclamation  
6150 West Thunderbird Road  
Glendale, Arizona 85306

Dear Mr. Heath:

The Arizona Department of Transportation (ADOT) is proposing improvements to a segment of Interstate 10 (I-10) from the I-10/Interstate 17 (I-17) traffic interchange to the State Route (SR) 202L Santan Freeway in Maricopa County, Arizona. An environmental assessment (EA) is currently being drafted that compares a build alternative to a no-build option. The build alternative being studied is located in Sections 14, 23, and 24 of Township 1 North (T1N), Range 3 East (R3E); Sections 17, 18, 19, 20, 29, 32, and 33 of T1N, R4E; and Sections 5, 8, 17, 20, and 29 of T1S, R4E of the Gila and Salt River Base Line and Meridian as depicted on the Guadalupe, Tempe, and Phoenix, Arizona, US Geological Survey 7.5-minute topographic quadrangles. The project would occur within ADOT-owned right-of-way (ROW); on land owned by the cities of Chandler, Tempe, and Phoenix; on Town of Guadalupe land; and on private lands. Additionally, the Salt River Project has easement within the project footprint. Consulting parties for this project are ADOT, the Arizona State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the City of Chandler, the City of Phoenix, the City of Tempe, the Salt River Project, the Town of Guadalupe, the Ak-Chin Indian Community, the Gila River Indian Community (GRIC), the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation. For this undertaking, GRIC and SRPMIC are co-leads for the Four Southern Tribes.

The project qualifies for federal funds and, as such, constitutes a federal undertaking subject to review under Section 106 of the National Historic Preservation Act. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated April 16, 2019 and executed by the Federal Highway Administration and ADOT.

The I-10 widening is a design-build project, which means that at this time the build alternative is comprised of a schematic footprint and general scope items, but actual design would not begin until after the EA is finalized and only if the build option is selected with a Finding of No Significant Impact (FONSI) in the Final EA. The proposed improvements of the build alternative would involve widening and restriping I-10 within the project limits to add general-purpose lanes, high-occupancy vehicle lanes, and auxiliary lanes; constructing collector-distributor roads, reconstructing and improving I-10 interchanges along this segment of I-10; construction of and modifications to bridges; various drainage improvements; installing and upgrading freeway management system facilities and dynamic message system (DMS) signs within the project limits; landscaping; and other components such as fencing, utilities, traffic markers, geotechnical investigations, and lighting system upgrades.

### **Area of Potential Effects (APE)**

If the build option is selected, it is estimated that temporary construction easements (TCEs) would be required from adjacent, private landowners including 19 TCEs along either side of I-10 between 40<sup>th</sup> Street and Ray Road, 1 TCE along 48<sup>th</sup> Street, 1 TCE along SR143, 2 TCEs along US 60. Additionally, areas of new ROW would include 18 parcels along I-10 between University Drive and Guadalupe Road, 1 parcel along 48<sup>th</sup> Street, and 4 parcels along SR143. The area of potential effects (APE) for the project would include the existing I-10 ROW from milepost (MP) 150 to MP 161.71, the I-10 / I-17 traffic interchange (TI) near MP 150, 1.4 miles of existing SR143 ROW from its intersection with I-10 north, 1.45 miles of existing US 60 ROW from MP 172-173.5, up to 2,000 feet along cross roads north and south of their intersections with I-10, and the areas of TCEs and new ROW. Finally, visual intrusions would be possible in the vicinity of the DMS signs, thus, the indirect APE includes a ¼ mile buffer around each proposed DMS location.

### **Project Area Investigations**

The existing I-10 and US 60 ROW previously was assessed for cultural resources by Carter and Burgess, Inc., as reported in *A Cultural Resources Assessment for the Interstate 10 Corridor Improvement Study Between Mileposts 147.5 and 161, Including Portions of Interstate 17 (MP 194–195.5), State Route 143 (MP 0–2), and US 60 (MP 172–173), Maricopa County, Arizona* (Laine and Montero 2006). SHPO previously concurred with the adequacy of the report and site eligibility (Bowler [ADOT] to Jacobs [SHPO] September 11, 2006; SHPO concurrence September 13, 2006).

The existing SR143 ROW previously was assessed for cultural resources by Carter and Burgess, Inc., as reported in *A Class I Cultural Resources Inventory of Approximately 9.7 Miles for the Extended Limits of the Interstate 10 Corridor Improvement Study, Including Portions of Interstate 10, Interstate 17, and State Route 143, Maricopa County, Arizona* (Stubing 2003). SHPO previously concurred with the adequacy of the report (Jacobs [SHPO] to Neustadt [ADOT]; September 13, 2006).

Small portions of the APE have not been surveyed for cultural resources; however, the project area as a whole is highly urbanized with underground utilities, pavement, and landscaping and thus, new archaeological survey is unwarranted.

## Geotechnical Investigations

Geotechnical investigations would be required within existing ADOT-owned ROW and would consist of drilling 32 borings between four and ten inches in diameter and with depths ranging from 10-160 feet. The area of disturbance for the geotechnical portion of the project includes the access route to each bore hole and a 20 foot diameter around each bore hole where the drill rig and support trucks would park. Per review of the boring location plans, none of the proposed bore holes or their accompanying access routes are located within buffered archaeological site boundaries or within buffered projections of prehistoric canal alignments.

## Archaeological Resources

Eleven previously recorded archaeological sites have been recorded within the current APE. Four sites previously were determined not eligible for the National Register of Historic Places (NRHP) and the remainder either were determined NRHP eligible or are unevaluated. Eighteen unevaluated prehistoric canal alignments also are projected to cross the project footprint or are immediately adjacent. Finally, because the area has been subjected to heavy urbanization, site boundaries are not always well defined within the project vicinity. Three sites, AZ T:12:19(PG), AZ T:12:137(ASM), and AZ U:9:12(PG) are adjacent to the APE and may require eligibility and/or boundary testing once the project design is finalized. These resources are detailed in the table below.

**Table 1. Archaeological Sites within the APE**

No.	Site Number	Site Type	Eligibility	Impacts
1	AZ T:12:47 (ASM)	Prehistoric habitation site	Determined eligible, Criterion D	Direct
2	AZ T:12:19(PG)	Prehistoric habitation site	Unevaluated	Possible
3	AZ T:12:137(ASM)	Prehistoric habitation site	Determined eligible, Criterion D	Possible
4	AZ U:9:26(ASM)	Prehistoric habitation site	Unevaluated	Direct
5	AZ U:9:186(ASM)	Prehistoric artifact scatter and canal	Unevaluated	Direct
6	AZ U:9:12(PG)	Prehistoric sherd scatter	Unevaluated	Possible
7	AZ U:9:75(ASM)	Prehistoric canal channels	Unevaluated	Direct
8	AZ U:9:79(ASM)	Historic artifacts scatter	Determined not eligible	N/A
9	AZ U:9:77(ASM)	Historic artifacts scatter	Determined not eligible	N/A
10	AZ U:9:76(ASM)	Prehistoric artifact scatter	Unevaluated	Direct
11	AZ U:9:48 (ASM)	Hohokam, Euroamerican, Yaqui village	Determined eligible, Criterion D	Direct
12	AZ U:9:9(ASM)	Prehistoric agricultural area	Unevaluated	Direct
13	AZ U:9:16 (ASM)	Prehistoric artifact scatter	Determined not eligible	N/A
14	AZ U:9:17 (ASM)	Prehistoric artifact scatter	Determined not eligible	N/A
15	None	18 Prehistoric canal alignments	Unevaluated	Direct

## Traditional Cultural Property (TCP)

Bat's Home is a TCP that ADOT has determined is NRHP eligible under Criteria A and D per conversations with SRPMIC and the GRIC Tribal Historic Preservation Officers. No direct impacts would occur to this property. Bat's Home is within the visual APE for the project; visual impacts are based on a strong contrast with the surrounding landscape. The property's visual setting contains numerous modern intrusions of various sizes and heights. Specifically, the property's setting already encompasses I-10 with 14 lanes of traffic including on- and off- ramps, overhead signage, and lighting that is approximately 2/3 of the height of the butte that contains Bat's Home; commercial buildings to the north, residential buildings to the south, and a resort, ball parks, and additional buildings to the east. The addition of a lane, DMS signs, a barrier wall to prevent falling rock from extending onto the roadway, and a possible reconfiguration of on- and/or off-ramps would not provide a strong contrast to the existing landscape. Hence, the visual impact to the property would be minimal. Thus, there would be no adverse effect to this property.

## Historic-age Resources

Because of the potential for visual effects, a historic building and structure inventory recently was completed. The inventory, entitled *Section 106 Built Environment Determinations of Eligibility and Assessment of Effects* (Foell *et al.* 2019) is enclosed for your review and comment.

In total, ten in-use or abandoned historic era properties are within the proposed project footprint. Historic-age laterals identified in the report as associated with the Salt River Valley Canal, the Grand Canal, the San Francisco Canal, the Western Canal, and the Highline Canal are unassessed as part of this undertaking and may or may not be extant; however, pursuant to the 2013 *Revised Programmatic Agreement (PA) Regarding Historic Preservation Treatment for the Salt River Project System of Historic Main Canals, Laterals, and Associated Features Operated and Maintained by the Salt River Project for the Bureau of Reclamation*, Reclamation has designated intact laterals for preservation; all other open and piped lateral canals are not considered to be NRHP-eligible. None of the laterals within the current project footprint are included in the 2013 Open Lateral Inventory. Thus, ADOT has determined that the laterals within the current project footprint are neither individually eligible for the NRHP nor contributing elements to any of the above-mentioned canal systems.

**Table 2. Historic-age Resources within the Proposed Project Footprint**

No.	Resource	Site Type	Eligibility	Impacts
1	Historic canal laterals	Historic canal laterals	Herein determined not individually eligible, non-contributing to respective systems	N/A
2	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	Historic irrigation features	Listed, Criterion A	None
3	Western Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSHD	None

No.	Resource	Site Type	Eligibility	Impacts
4	Highline Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSDH	None
5	48 <sup>th</sup> Street Drain	Historic canal	Herein determined eligible, Criteria A and C	None
6	Double Butte Cemetery	Historic cemetery (Pioneer Section)	Listed, Criterion A	None
7	Twin Buttes/Bell Butte Cemetery	Historic cemetery	Determined not eligible	N/A
8	Guadalupe Historic District	Historic district	Herein determined eligible, Criteria A, C, and D	Direct
9	Maricopa and Phoenix Railroad	Historic railroad	Determined not eligible	N/A
10	AZ U:9:86(ASM) Ft. McDowell to Maricopa Wells Road	Historic road	Determined non-contributing within the APE	N/A

The Salt River Project Diversion and Conveyance System Historic District is listed on the NRHP under Criterion A and is comprised of ten contributing structures and two contributing buildings. The Western and Highline canals, which are located in the current APE, are contributing elements to the district and previously have been determined NRHP eligible under Criterion A per the 2013 PA mentioned above. There would be no direct impacts to the canals and the proposed nearby freeway improvements, including road widening, ramp upgrades, striping, and utility work, would not cause additional visual intrusions to the setting of these canals; therefore, the project would not adversely affect the Western Canal, the Highline Canal, or the Salt River Project Diversion and Conveyance System Historic District.

The 48<sup>th</sup> Street Drain, colloquially known as the Tempe Drain, is an approximately three-mile-long surficial drainage feature built in 1923. Portions of the drain have been realigned, thus losing their integrity of location, but an approximate 2.4 miles of the drain remains in the original location and is NRHP eligible under Criterion A for its association with early twentieth-century irrigation at a time when the Salt River Project made significant improvements to water storage and irrigation infrastructure. It also is eligible under Criterion C as an early irrigation feature demonstrating the diversion-conveyance system constructed to remove water from, rather than irrigate, the Salt River Valley. Because of its realignment, the portion of the drain within the project footprint is non-contributing to the property as a whole. However, it is likely that one or more TCE would be required from the eligible stretch of canal. The proposed undertaking would not affect the 48<sup>th</sup> Street Drain's integrity of location, design, materials, workmanship, feeling, or association and would not cause additional visual intrusions to the setting of the drain.

The Double Butte Cemetery Pioneer Section is listed on the NRHP under Criterion A. The property is outside of the proposed construction footprint, thus, there would be no direct impacts to the cemetery. Project activities are limited to areas nearest to noncontributing features of the cemetery and proposed landscaping would provide screening from roadway elements. Therefore, there would be no effect to the Pioneer Section of the Tempe Double Butte Cemetery.

The Guadalupe Historic District is located within the Town of Guadalupe and includes a central plaza and church complex surrounded by an organized street grid with single-story residences. The district is eligible under Criterion A for its association with the Yaqui people who sought safety in the United States and their continued traditions, under Criterion C for

the architectural merit exhibited in Santa Lucia Pascua Yaqui Temple and Our Lady of Guadalupe Catholic Church, as a cultural landscape that exhibits traditional building forms and materials in the housing, as well as religious practices as represented by the two sacred buildings and plaza; and under Criterion D for its potential to yield information about indigenous building techniques and materials since intensive investigations may reveal original materials and construction methods that have been covered by modern materials, alterations, and additions. The project footprint incorporates a corner of the district where a manhole may require relocation. This action would not alter any of the characteristics of the district that make it NRHP eligible. Additionally, nearby bridge widening activities and proposed DMS signage would cause no more visual intrusion into the district than the existing bridge and roadside billboards. Thus, there would be no adverse effect to the Guadalupe Historic District.

**Table 3. Effects Assessment and Treatment of Eligible or Unassessed Properties**

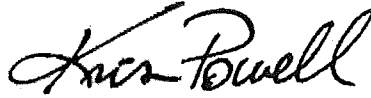
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8	AZ U:9:76ASM)	Unknown	Eligibility Testing
9	AZ U:9:48 (ASM)	Adverse effect	Testing/Data Recovery
10	AZ U:9:9(ASM)	Unknown	Eligibility Testing
11	Prehistoric canal alignments	Unknown	Monitoring
12	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	No adverse effect	None
13	Western Canal	No adverse effect	None
14	Highline Canal	No adverse effect	None
15	48th Street Drain	No adverse effect	None
16	Double Butte Cemetery	No Effect	None
17	Guadalupe Historic District	No adverse effect	None
18	Bat's Home	No adverse effect	None

If the build alternative is selected, the undertaking would have an adverse effect on historic properties. ADOT recommends that the provisions set forth in Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects* are appropriate for resolving any potential adverse effects for this project. A copy of Attachment 6 is enclosed to assist you in your review.

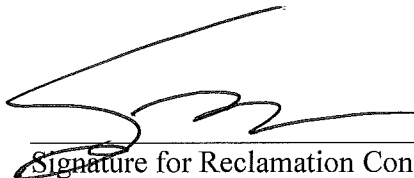
Please review the information provided in this letter and the enclosed report. If you find the report adequate, agree with ADOT's eligibility recommendations, agree with the use of Attachment 6 *in lieu* of using a project-specific programmatic agreement, agree that no new survey would be required, and agree with the project finding of effect, please indicate your

concurrence by signing below. If you have any questions or concerns, please contact Jill Heilman at 602.712.6371 or at [jheilman@azdot.gov](mailto:jheilman@azdot.gov).

Sincerely,



Kris Powell, MA RPA  
Cultural Resources Program Manager



Signature for Reclamation Concurrence  
010-C(220)T

8/1/19  
Date

Enclosures

ecc:

Mr. Dave Gifford, Archaeologist [dgifford@usbr.gov](mailto:dgifford@usbr.gov) (w/enclosure)

August 1, 2019

In Reply Refer To:

010-C(220)T  
TRACS No. 010 MA 161 F0072 01D  
I-10, I-17 to SR 202L (Santan)  
Initial Section 106 Consultation  
“adverse effect”  
Geotechnical Investigations  
Attachment 6  
Section 4(f)

Dr. David Jacobs, Compliance Specialist  
State Historic Preservation Office  
1100 West Washington Street  
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Arizona Department of Transportation (ADOT) is proposing improvements to a segment of Interstate 10 (I-10) from the I-10/Interstate 17 (I-17) traffic interchange to the State Route (SR) 202L Santan Freeway in Maricopa County, Arizona. An environmental assessment (EA) is currently being drafted that compares a build alternative to a no-build option. The build alternative being studied is located in Sections 14, 23, and 24 of Township 1 North (T1N), Range 3 East (R3E); Sections 17, 18, 19, 20, 29, 32, and 33 of T1N, R4E; and Sections 5, 8, 17, 20, and 29 of T1S, R4E of the Gila and Salt River Base Line and Meridian as depicted on the Guadalupe, Tempe, and Phoenix, Arizona, US Geological Survey 7.5-minute topographic quadrangles. The project would occur within ADOT-owned right-of-way (ROW); on land owned by the cities of Chandler, Tempe, and Phoenix; on Town of Guadalupe land; and on private lands. Additionally, the Salt River Project has easement within the project footprint. Consulting parties for this project are ADOT, the Arizona State Historic Preservation Office (SHPO), the Bureau of Reclamation (Reclamation), the City of Chandler, the City of Phoenix, the City of Tempe, the Salt River Project, the Town of Guadalupe, the Ak-Chin Indian Community, the Gila River Indian Community (GRIC), the Hopi Tribe, the Pascua Yaqui Tribe, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O’odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation. For this undertaking, GRIC and SRPMIC are co-leads for the Four Southern Tribes.

The project qualifies for federal funds and, as such, constitutes a federal undertaking subject to review under Section 106 of the National Historic Preservation Act. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated April 16, 2019 and executed by the Federal Highway Administration and ADOT.

The I-10 widening is a design-build project, which means that at this time the build alternative is comprised of a schematic footprint and general scope items, but actual design would not begin

until after the EA is finalized and only if the build option is selected with a Finding of No Significant Impact (FONSI) in the Final EA. The proposed improvements of the build alternative would involve widening and restriping I-10 within the project limits to add general-purpose lanes, high-occupancy vehicle lanes, and auxiliary lanes; constructing collector-distributor roads, reconstructing and improving I-10 interchanges along this segment of I-10; construction of and modifications to bridges; various drainage improvements; installing and upgrading freeway management system facilities and dynamic message system (DMS) signs within the project limits; landscaping; and other components such as fencing, utilities, traffic markers, geotechnical investigations, and lighting system upgrades.

### **Area of Potential Effects (APE)**

If the build option is selected, it is estimated that temporary construction easements (TCEs) would be required from adjacent, private landowners including 19 TCEs along either side of I-10 between 40<sup>th</sup> Street and Ray Road, 1 TCE along 48<sup>th</sup> Street, 1 TCE along SR143, 2 TCEs along US 60. Additionally, areas of new ROW would include 18 parcels along I-10 between University Drive and Guadalupe Road, 1 parcel along 48<sup>th</sup> Street, and 4 parcels along SR143. The area of potential effects (APE) for the project would include the existing I-10 ROW from milepost (MP) 150 to MP 161.71, the I-10 / I-17 traffic interchange (TI) near MP 150, 1.4 miles of existing SR143 ROW from its intersection with I-10 north, 1.45 miles of existing US 60 ROW from MP 172-173.5, up to 2,000 feet along cross roads north and south of their intersections with I-10, and the areas of TCEs and new ROW. Finally, visual intrusions would be possible in the vicinity of the DMS signs, thus, the indirect APE includes a ¼ mile buffer around each proposed DMS location.

### **Project Area Investigations**

The existing I-10 and US 60 ROW previously was assessed for cultural resources by Carter and Burgess, Inc., as reported in *A Cultural Resources Assessment for the Interstate 10 Corridor Improvement Study Between Mileposts 147.5 and 161, Including Portions of Interstate 17 (MP 194–195.5), State Route 143 (MP 0–2), and US 60 (MP 172–173), Maricopa County, Arizona* (Laine and Montero 2006). SHPO previously concurred with the adequacy of the report and site eligibility (Bowler [ADOT] to Jacobs [SHPO] September 11, 2006; SHPO concurrence September 13, 2006).

The existing SR143 ROW previously was assessed for cultural resources by Carter and Burgess, Inc., as reported in *A Class I Cultural Resources Inventory of Approximately 9.7 Miles for the Extended Limits of the Interstate 10 Corridor Improvement Study, Including Portions of Interstate 10, Interstate 17, and State Route 143, Maricopa County, Arizona* (Stubing 2003). SHPO previously concurred with the adequacy of the report (Jacobs [SHPO] to Neustadt [ADOT]; September 13, 2006).

Small portions of the APE have not been surveyed for cultural resources; however, the project area as a whole is highly urbanized with underground utilities, pavement, and landscaping and thus, new archaeological survey is unwarranted.

## Geotechnical Investigations

Geotechnical investigations would be required within existing ADOT-owned ROW and would consist of drilling 32 borings between four and ten inches in diameter and with depths ranging from 10-160 feet. The area of disturbance for the geotechnical portion of the project includes the access route to each bore hole and a 20 foot diameter around each bore hole where the drill rig and support trucks would park. Per review of the boring location plans, none of the proposed bore holes or their accompanying access routes are located within buffered archaeological site boundaries or within buffered projections of prehistoric canal alignments.

## Archaeological Resources

Eleven previously recorded archaeological sites have been recorded within the current APE. Four sites previously were determined not eligible for the National Register of Historic Places (NRHP) and the remainder either were determined NRHP eligible or are unevaluated. Eighteen unevaluated prehistoric canal alignments also are projected to cross the project footprint or are immediately adjacent. Finally, because the area has been subjected to heavy urbanization, site boundaries are not always well defined within the project vicinity. Three sites, AZ T:12:19(PG), AZ T:12:137(ASM), and AZ U:9:12(PG) are adjacent to the APE and may require eligibility and/or boundary testing once the project design is finalized. These resources are detailed in the table below.

**Table 1. Archaeological Sites within the APE**

No.	Site Number	Site Type	Eligibility	Impacts
1	AZ T:12:47 (ASM)	Prehistoric habitation site	Determined eligible, Criterion D	Direct
2	AZ T:12:19(PG)	Prehistoric habitation site	Unevaluated	Possible
3	AZ T:12:137(ASM)	Prehistoric habitation site	Determined eligible, Criterion D	Possible
4	AZ U:9:26(ASM)	Prehistoric habitation site	Unevaluated	Direct
5	AZ U:9:186(ASM)	Prehistoric artifact scatter and canal	Unevaluated	Direct
6	AZ U:9:12(PG)	Prehistoric sherd scatter	Unevaluated	Possible
7	AZ U:9:75(ASM)	Prehistoric canal channels	Unevaluated	Direct
8	AZ U:9:79(ASM)	Historic artifacts scatter	Determined not eligible	N/A
9	AZ U:9:77(ASM)	Historic artifacts scatter	Determined not eligible	N/A
10	AZ U:9:76(ASM)	Prehistoric artifact scatter	Unevaluated	Direct
11	AZ U:9:48 (ASM)	Hohokam, Euroamerican, Yaqui village	Determined eligible, Criterion D	Direct
12	AZ U:9:9(ASM)	Prehistoric agricultural area	Unevaluated	Direct
13	AZ U:9:16 (ASM)	Prehistoric artifact scatter	Determined not eligible	N/A
14	AZ U:9:17 (ASM)	Prehistoric artifact scatter	Determined not eligible	N/A

No.	Site Number	Site Type	Eligibility	Impacts
15	None	18 Prehistoric canal alignments	Unevaluated	Direct

### Traditional Cultural Property (TCP)

Bat's Home is a TCP that ADOT has determined is NRHP eligible under Criteria A and D per conversations with SRPMIC and the GRIC Tribal Historic Preservation Officers. No direct impacts would occur to this property. Bat's Home is within the visual APE for the project; visual impacts are based on a strong contrast with the surrounding landscape. The property's visual setting contains numerous modern intrusions of various sizes and heights. Specifically, the property's setting already encompasses I-10 with 14 lanes of traffic including on- and off- ramps, overhead signage, and lighting that is approximately 2/3 of the height of the butte that contains Bat's Home; commercial buildings to the north, residential buildings to the south, and a resort, ball parks, and additional buildings to the east. The addition of a lane, DMS signs, a barrier wall to prevent falling rock from extending onto the roadway, and a possible reconfiguration of on- and/or off-ramps would not provide a strong contrast to the existing landscape. Hence, the visual impact to the property would be minimal. Thus, there would be no adverse effect to this property.

### Historic-age Resources

Because of the potential for visual effects, a historic building and structure inventory recently was completed. The inventory, entitled *Section 106 Built Environment Determinations of Eligibility and Assessment of Effects* (Foell et al. 2019) is enclosed for your review and comment.

In total, ten in-use or abandoned historic era properties are within the proposed project footprint. Historic-age laterals identified in the report as associated with the Salt River Valley Canal, the Grand Canal, the San Francisco Canal, the Western Canal, and the Highline Canal are unassessed as part of this undertaking and may or may not be extant; however, pursuant to the 2013 *Revised Programmatic Agreement (PA) Regarding Historic Preservation Treatment for the Salt River Project System of Historic Main Canals, Laterals, and Associated Features Operated and Maintained by the Salt River Project for the Bureau of Reclamation*, Reclamation has designated intact laterals for preservation; all other open and piped lateral canals are not considered to be NRHP-eligible. None of the laterals within the current project footprint are included in the 2013 Open Lateral Inventory. Thus, ADOT has determined that the laterals within the current project footprint are neither individually eligible for the NRHP nor contributing elements to any of the above-mentioned canal systems.

**Table 2. Historic-age Resources within the Proposed Project Footprint**

No.	Resource	Site Type	Eligibility	Impacts
1	Historic canal laterals	Historic canal laterals	Herein determined not individually eligible, non-contributing to respective systems	N/A
2	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	Historic irrigation features	Listed, Criterion A	None
3	Western Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSHD	None
4	Highline Canal	Historic canal	Determined eligible, Criterion A, contributor to the SRPD&CSHD	None
5	48 <sup>th</sup> Street Drain	Historic canal	Herein determined eligible, Criteria A and C	None
6	Double Butte Cemetery	Historic cemetery (Pioneer Section)	Listed, Criterion A	None
7	Twin Buttes/Bell Butte Cemetery	Historic cemetery	Determined not eligible	N/A
8	Guadalupe Historic District	Historic district	Herein determined eligible, Criteria A, C, and D	Direct
9	Maricopa and Phoenix Railroad	Historic railroad	Determined not eligible	N/A
10	AZ U:9:86(ASM) Ft. McDowell to Maricopa Wells Road	Historic road	Determined non-contributing within the APE	N/A

The Salt River Project Diversion and Conveyance System Historic District is listed on the NRHP under Criterion A and is comprised of ten contributing structures and two contributing buildings. The Western and Highline canals, which are located in the current APE, are contributing elements to the district and previously have been determined NRHP eligible under Criterion A per the 2013 PA mentioned above. There would be no direct impacts to the canals and the proposed nearby freeway improvements, including road widening, ramp upgrades, striping, and utility work, would not cause additional visual intrusions to the setting of these canals; therefore, the project would not adversely affect the Western Canal, the Highline Canal, or the Salt River Project Diversion and Conveyance System Historic District.

The 48<sup>th</sup> Street Drain, colloquially known as the Tempe Drain, is an approximately three-mile-long surficial drainage feature built in 1923. Portions of the drain have been realigned, thus losing their integrity of location, but an approximate 2.4 miles of the drain remains in the original location and is NRHP eligible under Criterion A for its association with early twentieth-century irrigation at a time when the Salt River Project made significant improvements to water storage and irrigation infrastructure. It also is eligible under Criterion C as an early irrigation feature demonstrating the diversion-conveyance system constructed to remove water from, rather than irrigate, the Salt River Valley. Because of its realignment, the portion of the drain within the project footprint is non-contributing to the property as a whole. However, it is likely that one or more TCE would be required from the eligible stretch of canal. The proposed undertaking would not affect the 48<sup>th</sup> Street Drain's integrity of location, design, materials, workmanship, feeling, or association and would not cause additional visual intrusions to the setting of the drain.

The Double Butte Cemetery Pioneer Section is listed on the NRHP under Criterion A. The property is outside of the proposed construction footprint, thus, there would be no direct impacts to the cemetery. Project activities are limited to areas nearest to noncontributing features of the cemetery and proposed landscaping would provide screening from roadway elements. Therefore, there would be no effect to the Pioneer Section of the Tempe Double Butte Cemetery.

The Guadalupe Historic District is located within the Town of Guadalupe and includes a central plaza and church complex surrounded by an organized street grid with single-story residences. The district is eligible under Criterion A for its association with the Yaqui people who sought safety in the United States and their continued traditions, under Criterion C for the architectural merit exhibited in Santa Lucia Pascua Yaqui Temple and Our Lady of Guadalupe Catholic Church, as a cultural landscape that exhibits traditional building forms and materials in the housing, as well as religious practices as represented by the two sacred buildings and plaza; and under Criterion D for its potential to yield information about indigenous building techniques and materials since intensive investigations may reveal original materials and construction methods that have been covered by modern materials, alterations, and additions. The project footprint incorporates a corner of the district where a manhole may require relocation. This action would not alter any of the characteristics of the district that make it NRHP eligible. Additionally, nearby bridge widening activities and proposed DMS signage would cause no more visual intrusion into the district than the existing bridge and roadside billboards. Thus, there would be no adverse effect to the Guadalupe Historic District.

**Table 3. Effects Assessment and Treatment of Eligible or Unassessed Properties**

No.	Site Number	Effect	Treatment
1	AZ T:12:47 (ASM)	Adverse effect	Testing/Data Recovery
2	AZ T:12:19(PG)	Unknown	Boundary Testing
3	AZ T:12:137(ASM)	Unknown	Boundary Testing
4	AZ U:9:26(ASM)	Unknown	Eligibility Testing
5	AZ U:9:186(ASM)	Unknown	Eligibility Testing
6	AZ U:9:12(PG)	Unknown	Boundary Testing
7	AZ U:9:75(ASM)	Unknown	Eligibility Testing
8	AZ U:9:76ASM)	Unknown	Eligibility Testing
9	AZ U:9:48 (ASM)	Adverse effect	Testing/Data Recovery
10	AZ U:9:9(ASM)	Unknown	Eligibility Testing
11	Prehistoric canal alignments	Unknown	Monitoring
12	Salt River Project Diversion and Conveyance System Historic District (SRPD&CSHD)	No adverse effect	None
13	Western Canal	No adverse effect	None
14	Highline Canal	No adverse effect	None
15	48th Street Drain	No adverse effect	None
16	Double Butte Cemetery	No Effect	None
17	Guadalupe Historic District	No adverse effect	None
18	Bat's Home	No adverse effect	None

If the build alternative is chosen, TCEs likely would be required along the Tempe Drain and relocation of a manhole may be required within the Guadalupe Historic District. These Temporary Occupancies of the Drain and the Historic District would be an exception under Section 4(f) of the Transportation Act of 1966, as amended, because the following conditions would be met:

- The land use would be of short duration, less than the duration of the project as a whole
- There would be no change in ownership of the land
- The scope of the work would be minor
- There would be no temporary or permanent adverse changes to the activities, features, or attributes of the property
- The land would be fully restored to a condition at least as good as prior to the project

If the build alternative is selected, the undertaking would have an adverse effect on historic properties. ADOT recommends that the provisions set forth in Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects* are appropriate for resolving any potential adverse effects for this project. A copy of Attachment 6 is enclosed to assist you in your review.

Please review the information provided in this letter and the enclosed report. If you find the report adequate, agree with ADOT's eligibility recommendations, agree with the use of Attachment 6 *in lieu* of using a project-specific programmatic agreement, agree that the TCEs along the Tempe Drain and the possible relocation of the manhole within the Guadalupe Historic District do not rise to the level of a use under Section 4(f), agree that no new survey would be required, and agree with the project finding of effect, please indicate your concurrence by signing below. If you have any questions or concerns, please contact Jill Heilman at 602.712.6371 or at [jheilman@azdot.gov](mailto:jheilman@azdot.gov).

Sincerely,

A handwritten signature in blue ink that reads "Kris Powell". The signature is fluid and cursive, with the first name "Kris" and last name "Powell" clearly distinguishable.

Kris Powell, MA RPA  
Cultural Resources Program Manager

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Signature for SHPO Concurrence  
010-C(220)T

---

Date

Enclosures

Section 4(f)



## Section 4(f) Applicability/Exceptions Form

Project Information	
Project Name: I-10, I-17 (Split) to SR202L (Santan)	Federal-aid Number: NH-010-C(220)T
ADOT Project Number: 010 MA 150 F0072 01D	NEPA Class of Action: EA
Approval MOU: <input type="checkbox"/> 23 U.S.C. 326	Project Administration: <input checked="" type="checkbox"/> ADOT
<input checked="" type="checkbox"/> 23 U.S.C. 327	<input type="checkbox"/> LPA

According to Title 23 Code of Federal Regulations (CFR) 774.17, a property afforded protection under Section 4(f) is defined as "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."

Section 4(f) requirements stipulate that the USDOT agencies may not approve the use of a Section 4(f) property unless there is no feasible and prudent alternative to the use of that land, and the proposed action includes all possible planning to minimize harm to the property resulting from such use, OR it is determined that the use of the property, including any measures to minimize harm committed to by the applicant, will have a *de minimis* impact on the property.

23 CFR §§ 774.11 and 774.13 identify applicability (exemptions and exceptions) to the requirement for Section 4(f) approval.

### **Project Description:**

(Provide a concise description of the proposed action.)

The Arizona Department of Transportation (ADOT), in coordination with the Maricopa Association of Governments (MAG) is preparing an Environmental Assessment (EA) document for proposed improvements to a segment of Interstate 10 (I-10) from the I-10/I-17 (Split) Traffic Interchange (TI) (Milepost [MP] 149.5) to the Loop 202

(SR202L) Santan Freeway (MP 160.9) The study area also includes the segment of State Route (SR) 143 from Broadway Road (MP 000.25-) north to just south of the south bank of the Salt River (MP 001.3), and US60

(Superstition Freeway) from I-10 (MP 172.0) east to Hardy Drive (MP 173.0) within the cities of Phoenix, Tempe, and Chandler, and the town of Guadalupe, Maricopa County, Arizona. The EA will be completed in accordance with the National Environmental Policy Act (NEPA) and other regulatory requirements.

The study area of the proposed I-10 improvements serves the growing communities in the south and east valley, downtown Phoenix metropolitan area, and other major employment centers. Traffic demand is causing the I-10 corridor and adjacent local arterial street system to become increasingly congested during the morning and evening peak travel periods. Future traffic volume projections indicate the congestion will continue to worsen, causing further travel delays and increased travel times for those using the I-10 corridor. The purpose of this proposed project is to improve travel time reliability and regional mobility, and address congestion on I-10 while maintaining local and multimodal access.

Improvements to this segment of I-10 have been considered over the past 30 years in the following transportation studies:

- Interstate 10 Corridor Refinement Study (1988)
- I-10 Corridor Improvement Study (2007)
- Spine Corridor Study (2014)
- Interstate 10 Near Term Improvements Study (2014)

Each of these previous studies systematically approached the development of viable improvement concepts and alternative options, through interdisciplinary team dialogues that included ADOT, FHWA, MAG, and agency



## Section 4(f) Applicability/Exceptions Form

stakeholders, as well as input obtained through public outreach.

The project will evaluate a build and no-build alternative for the improvements in this study area. The no-build alternative will be evaluated to provide the baseline comparison for the build alternative. If selected, the build alternative improvements would consist of widening and restriping I-10 within the project limits to add general-purpose (GP) lanes, high-occupancy vehicle (HOV) lanes, and auxiliary (AUX) lanes; constructing collector-distributor (C-D) roads, reconstructing and improving I 10 interchanges along this segment of I-10; construction of and modifications to bridges; various drainage improvements; installing and upgrading Freeway Management System (FMS) facilities and dynamic message signs (DMS) within the project limits; and other components such as fencing, utilities, traffic markers, and lighting systems.

The proposed build alternative would require additional right-of-way (ROW) and temporary construction easements (TCE) from private land owners within the study area. Any ROW and/or TCEs would be evaluated prior to construction.

### **Identification of Property:**

(List the property and provide a description of the property as per Chapter 6 of the Section 4(f) Manual. Include a map, photo(s), etc. as appropriate.)

Mountain Vista Park. This is a large park located in east Phoenix. Amenities include lighted basketball, a picnic area, playground, restrooms, lighted softball, lighted volleyball, grills, a ramada, lighted soccer, splash pad, lighted sand volleyball.

### **Official With Jurisdiction (OWJ) Over Property (if required):**

1. Identify agency with jurisdiction: City of Phoenix Parks and Recreation
2. Name and title of contact person at agency: Inger Erickson, Parks and Recreation Director

### **Determination of Applicability:**

Indicate which of the following apply (more than one may be applicable, indicate all that apply):

*Provide additional information regarding each checked item.*

### **23 CFR 774.11 - Applicability**

- ☐ 1. **Non-Section 4(f) Multi-use lands:** The project involves a multiple-use facility (state, federal, National Forest, large municipal-owned land, etc.) but does not impact an area that is managed for/functions specifically as a Section 4(f) property. *Requires OWJ concurrence.* No Applicability under 23 CFR 774.11(d)
- ☐ 2. **Reserved Transportation ROW or Joint Planning:** The project involves a property that is formally reserved for a future transportation facility before or at the same time a park, recreation area, or wildlife and waterfowl refuge is established, and concurrent or joint planning or development of the transportation facility and the Section 4(f) resource occurs. *Requires document of record.* No Applicability under 23 CFR 774.11(h) or (i)

### **23 CFR 774.13 - Exceptions**



## Section 4(f) Applicability/Exceptions Form

- ☐ 1. **Historic Transportation Facilities:** The project involves; common post-1945 concrete or steel bridges and culverts that are exempt from individual review under 54 U.S.C. 306108; improvement of railroad or rail transit lines that are in use or were historically used for the transportation of goods or passengers, including, but not limited to, maintenance, preservation, rehabilitation, operation, modernization, reconstruction, and replacement of railroad or rail transit line elements, except for certain bridges and stations; the maintenance, preservation, rehabilitation, operation, modernization, reconstruction; or replacement of historic transportation facilities that are on or eligible for the *National Register* and would not adversely affect the historic qualities of the facility that caused it to be on or eligible for listing and the official(s) with jurisdiction over the Section 4(f) resource have not objected to the Section 106 determination. (23 CFR 774.13(a))
- ☐ 2. **Archaeological Sites:** The project involves an archeological resource that is important chiefly because of what can be learned by data recovery and has minimal value for preservation in place. This exception applies both to situations where data recovery is undertaken and where the Administration decides, with agreement of the official(s) with jurisdiction, not to recover the resource; and the official(s) with jurisdiction over the Section 4(f) resource have been consulted and have not objected to the Administration finding in regard to the resource, data recovery and preservation in place. (23 CFR 774.13(b))
- ☐ 3. **Trails:** The project involves certain trails, paths, bikeways, and sidewalks where (1) the trail-related project is funded under the Recreational Trails Program (23 U.S.C. 206(h)(2)); (2) the trail is a national historic trail designated under the National Trails System Act (with the exception of segments that are historic sites) (16 U.S.C. 1241-1251); (3) the trail/path/bikeway/sidewalk occupies a transportation facility right-of-way and can be maintained somewhere within that right-of-way; or (4) the trail/path/bikeway/sidewalk is part of the local transportation system and functions primarily for transportation. (23 CFR 774.13(f))
- ☒ 4. **Enhancements:** The project involves transportation enhancement activities, transportation alternatives projects, or mitigation activities, where the use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection. (23 CFR 774.13(g))

The project would extend the Highline Lateral Canal Multi-Use Path on the east side of I-10, across the freeway into Mountain Vista Park. The pedestrian bridge across I-10 would remain entirely within ADOT right-of-way (ROW), and would connect to Mountain Vista Park via a sidewalk (see attached illustration). The sidewalk would cross into the park boundary and connect to the existing sidewalk adjacent to a parking lot. There would be no impact to parking. The ROW use for the new sidewalk in the park is approximately 1,700 square feet. This new connection would enhance access to the park and improve bike and pedestrian connectivity in the area. There would be temporary construction impacts in the area immediately surrounding the new sidewalk.

- ☐ 5. **Temporary Occupancy:** Temporary occupancy of land that is so minimal as to not constitute a use within the meaning of Section 4(f). Requires OWJ concurrence. (23 CFR 774.13(d))



## Section 4(f) Applicability/Exceptions Form

### Description of the Temporary Use:


(Describe the temporary occupancy including size, location, activity, duration, etc. including temporary construction easements (TCEs) as per Chapter 6 of the *Section 4(f) Manual*.)

### Criteria Determination:

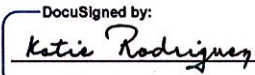
Based on adequate documentation, including mapping, verify that all of the following are true. **(If any of the items below are not true, the project would result in an actual use, and this form cannot be used.)** The OWJ must concur with the following for the project:

- ☒ Involves no permanent right-of-way acquisition or other change in ownership, and does not result in the retention of long-term or indefinite interests in the land for transportation purposes.
- ☒ Is of temporary duration; i.e. less than the time needed for construction of the project.
- ☒ Does not result in any permanent adverse physical impacts or interfere with the protected activities, features, or attributes which are important to the purposes or functions that qualify the property for protection under Section 4(f) on a temporary or permanent basis.
- ☒ Is minor in that the nature and magnitude of the changes to the Section 4(f) property will be minimal.
- ☒ Allows for full restoration of the Section 4(f) property to a condition at least as good as that which existed prior to the project.

**Concurrence** by official with jurisdiction over the Section 4(f) property:

 Name of Official with Jurisdiction: Tiger Erickson Signature of Official with Jurisdiction: Director	Date: 7/1/19
(Optional: other documentation such as letters, emails or meeting minutes may be used in replacement of signing this page) Check here if other documentation is included in the project file. <input type="checkbox"/>	

### Determination of Section 4(f) Applicability or Exceptions:

DocuSigned by:  E146E11965534A6... Environmental Planner: Katie Rodriguez	Date: 5/20/2019
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## Section 4(f) Applicability/Exceptions Form

DocuSigned by:

*Steven Olmsted*

9DE2E1E40EF342D...

Approved By: Steven Olmsted








Date: 5/22/2019

This form was developed with consideration that ADOT has been assigned the Federal Highway Administration's (FHWA) responsibilities under 23 U.S.C 327 for the Surface Transportation Project Delivery Program, also referred to as NEPA Assignment. The environmental review, consultation, and other actions required by Section 4(f) of the Department of Transportation Act are being carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding(s) executed by FHWA and ADOT on April 16, 2018.





# MOUNTAIN VISTA PARK

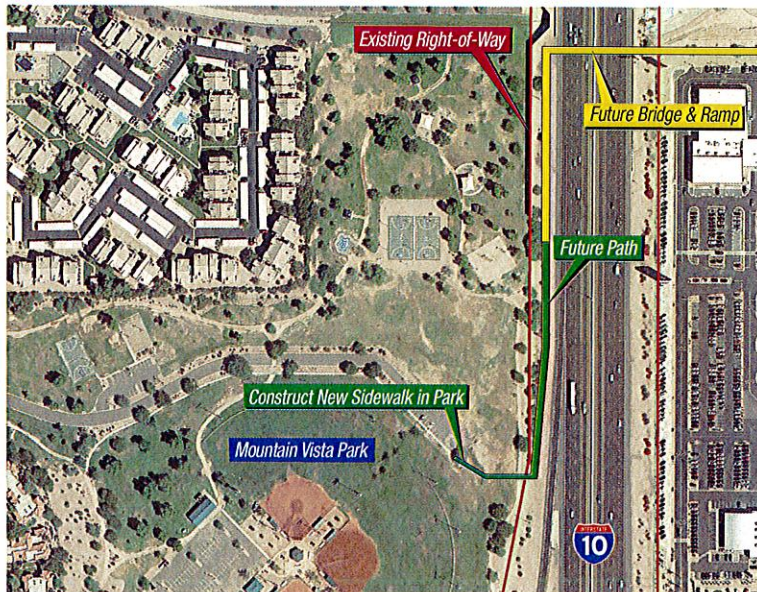
## MAP LEGEND:

-  I-10 Corridor Study Area (1/8 mile buffer)
-  Lake
-  River
-  Canal
-  Park/Recreation Area
-  Golf Course
-  City Boundary

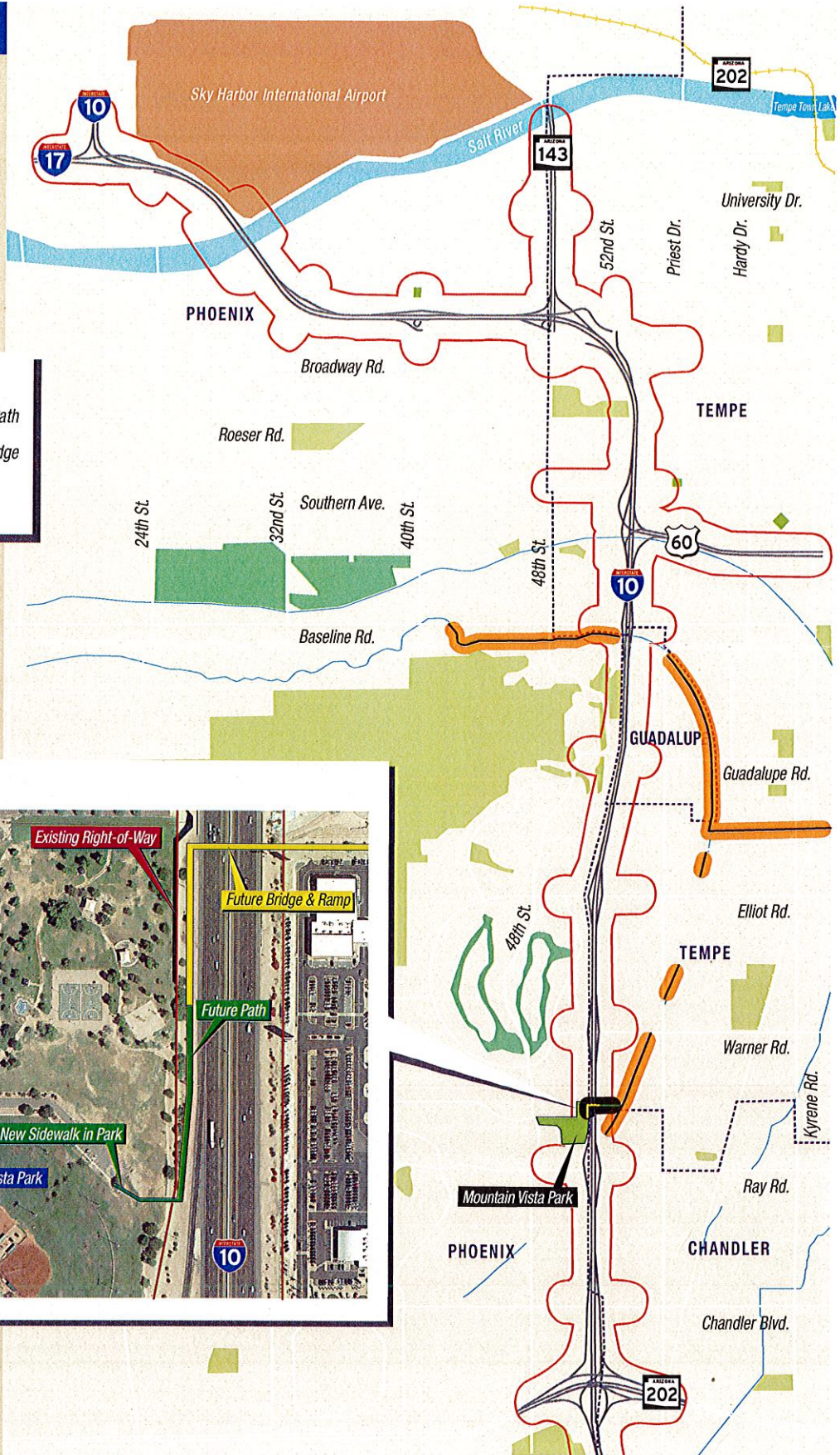
## LEGEND (MAIN MAP)

-  Highline Lateral Canal Multiuse Path
-  Proposed Path Extension and Bridge over I-10 to Mountain Vista Park (See Inset Map for Detail)

## INSET MAP



Scale in Miles  
0 0.5 1





## Section 4(f) Applicability/Exceptions Form

Project Information	
Project Name: I-10 , I-17 (Split) to SR202L (Santan)	Federal-aid Number: NH-010-C(220)T
ADOT Project Number: 010 MA 150 F0072 01D	NEPA Class of Action: EA
Approval MOU: <input type="checkbox"/> 23 U.S.C. 326	Project Administration: <input checked="" type="checkbox"/> ADOT
<input checked="" type="checkbox"/> 23 U.S.C. 327	<input type="checkbox"/> LPA

According to Title 23 Code of Federal Regulations (CFR) 774.17, a property afforded protection under Section 4(f) is defined as "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."

Section 4(f) requirements stipulate that the USDOT agencies may not approve the use of a Section 4(f) property unless there is no feasible and prudent alternative to the use of that land, and the proposed action includes all possible planning to minimize harm to the property resulting from such use, OR it is determined that the use of the property, including any measures to minimize harm committed to by the applicant, will have a *de minimis* impact on the property.

23 CFR §§ 774.11 and 774.13 identify applicability (exemptions and exceptions) to the requirement for Section 4(f) approval.

### Project Description:

(Provide a concise description of the proposed action.)

The Arizona Department of Transportation (ADOT), in coordination with the Maricopa Association of Governments (MAG) is preparing an Environmental Assessment (EA) document for proposed improvements to a segment of Interstate 10 (I-10) from the I-10/I-17 (Split) Traffic Interchange (TI) (Milepost [MP] 149.5) to the Loop 202

(SR202L) Santan Freeway (MP 160.9) The study area also includes the segment of State Route (SR) 143 from Broadway Road (MP 000.25-) north to just south of the south bank of the Salt River (MP 001.3), and US60

(Superstition Freeway) from I-10 (MP 172.0) east to Hardy Drive (MP 173.0) within the cities of Phoenix, Tempe, and Chandler, and the town of Guadalupe, Maricopa County, Arizona. The EA will be completed in accordance with the National Environmental Policy Act (NEPA) and other regulatory requirements.

The study area of the proposed I-10 improvements serves the growing communities in the south and east valley, downtown Phoenix metropolitan area, and other major employment centers. Traffic demand is causing the I-10 corridor and adjacent local arterial street system to become increasingly congested during the morning and evening peak travel periods. Future traffic volume projections indicate the congestion will continue to worsen, causing further travel delays and increased travel times for those using the I-10 corridor. The purpose of this proposed project is to improve travel time reliability and regional mobility, and address congestion on I-10 while maintaining local and multimodal access.

Improvements to this segment of I-10 have been considered over the past 30 years in the following transportation studies:

- Interstate 10 Corridor Refinement Study (1988)
- I-10 Corridor Improvement Study (2007)
- Spine Corridor Study (2014)
- Interstate 10 Near Term Improvements Study (2014)

Each of these previous studies systematically approached the development of viable improvement concepts and alternative options, through interdisciplinary team dialogues that included ADOT, FHWA, MAG, and agency



## Section 4(f) Applicability/Exceptions Form

stakeholders, as well as input obtained through public outreach.

The project will evaluate a build and no-build alternative for the improvements in this study area. The no-build alternative will be evaluated to provide the baseline comparison for the build alternative. If selected, the build alternative improvements would consist of widening and restriping I-10 within the project limits to add general-purpose (GP) lanes, high-occupancy vehicle (HOV) lanes, and auxiliary (AUX) lanes; constructing collector-distributor (C-D) roads, reconstructing and improving I 10 interchanges along this segment of I-10; construction of and modifications to bridges; various drainage improvements; installing and upgrading Freeway Management System (FMS) facilities and dynamic message signs (DMS) within the project limits; and other components such as fencing, utilities, traffic markers, and lighting systems.

The proposed build alternative would require additional right-of-way (ROW) and temporary construction easements (TCE) from private land owners within the study area. Any ROW and/or TCEs would be evaluated prior to construction.

### **Identification of Property:**

(List the property and provide a description of the property as per Chapter 6 of the Section 4(f) Manual. Include a map, photo(s), etc. as appropriate.)

Highline Canal Multi-Use Path. The path is located in west Tempe, and is a long, generally a ten-foot wide concrete and gravel path, suitable for pedestrian and bicycle use. Parts of the trail are lighted.

### **Official With Jurisdiction (OWJ) Over Property (if required):**

1. Identify agency with jurisdiction: City of Tempe Parks and Recreation
2. Name and title of contact person at agency: Craig Hayton, Parks and Recreation Director  
Robert Yabes, Principal Planner (Transportation)

### **Determination of Applicability:**

Indicate which of the following apply (more than one may be applicable, indicate all that apply):  
Provide additional information regarding each checked item.

### **23 CFR 774.11 - Applicability**

- ☐ 1. **Non-Section 4(f) Multi-use lands:** The project involves a multiple-use facility (state, federal, National Forest, large municipal-owned land, etc.) but does not impact an area that is managed for/functions specifically as a Section 4(f) property. *Requires OWJ concurrence.* No Applicability under 23 CFR 774.11(d)
- ☐ 2. **Reserved Transportation ROW or Joint Planning:** The project involves a property that is formally reserved for a future transportation facility before or at the same time a park, recreation area, or wildlife and waterfowl refuge is established, and concurrent or joint planning or development of the transportation facility and the Section 4(f) resource occurs. *Requires document of record.* No Applicability under 23 CFR 774.11(h) or (i)

### **23 CFR 774.13 - Exceptions**



## Section 4(f) Applicability/Exceptions Form

- ☐ 1. **Historic Transportation Facilities:** The project involves; common post-1945 concrete or steel bridges and culverts that are exempt from individual review under 54 U.S.C. 306108; improvement of railroad or rail transit lines that are in use or were historically used for the transportation of goods or passengers, including, but not limited to, maintenance, preservation, rehabilitation, operation, modernization, reconstruction, and replacement of railroad or rail transit line elements, except for certain bridges and stations; the maintenance, preservation, rehabilitation, operation, modernization, reconstruction, or replacement of historic transportation facilities that are on or eligible for the *National Register* and would not adversely affect the historic qualities of the facility that caused it to be on or eligible for listing and the official(s) with jurisdiction over the Section 4(f) resource have not objected to the Section 106 determination. (23 CFR 774.13(a))
- ☐ 2. **Archaeological Sites:** The project involves an archeological resource that is important chiefly because of what can be learned by data recovery and has minimal value for preservation in place. This exception applies both to situations where data recovery is undertaken and where the Administration decides, with agreement of the official(s) with jurisdiction, not to recover the resource; and the official(s) with jurisdiction over the Section 4(f) resource have been consulted and have not objected to the Administration finding in regard to the resource, data recovery and preservation in place. (23 CFR 774.13(b))
- ☐ 3. **Trails:** The project involves certain trails, paths, bikeways, and sidewalks where (1) the trail-related project is funded under the Recreational Trails Program (23 U.S.C. 206(h)(2)); (2) the trail is a national historic trail designated under the National Trails System Act (with the exception of segments that are historic sites) (16 U.S.C. 1241-1251); (3) the trail/path/bikeway/sidewalk occupies a transportation facility right-of-way and can be maintained somewhere within that right-of-way; or (4) the trail/path/bikeway/sidewalk is part of the local transportation system and functions primarily for transportation. (23 CFR 774.13(f))
- ☒ 4. **Enhancements:** The project involves transportation enhancement activities, transportation alternatives projects, or mitigation activities, where the use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection. (23 CFR 774.13(g))

The project would extend the existing path east of I-10 across I-10 (see attached illustration), eventually providing access to Mountain Vista Park on the west side of the freeway. Providing the new path extension and connecting it across the freeway would improve bicycle and pedestrian circulation in the area, and enhance recreational attributes of Highline Lateral Canal Multi-Use Path. Although there may be a temporary construction impact at the existing trail while the extension is built, it will not impact the public's access the existing trail during construction.

- ☐ 5. **Temporary Occupancy:** Temporary occupancy of land that is so minimal as to not constitute a use within the meaning of Section 4(f). Requires OWJ concurrence. (23 CFR 774.13(d))



## Section 4(f) Applicability/Exceptions Form

### Description of the Temporary Use:


(Describe the temporary occupancy including size, location, activity, duration, etc. including temporary construction easements (TCEs) as per Chapter 6 of the *Section 4(f) Manual*.)

### Criteria Determination:

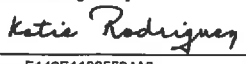
Based on adequate documentation, including mapping, verify that all of the following are true. **(If any of the items below are not true, the project would result in an actual use, and this form cannot be used.)** The OWJ must concur with the following for the project:

- ☒ Involves no permanent right-of-way acquisition or other change in ownership, and does not result in the retention of long-term or indefinite interests in the land for transportation purposes.
- ☒ Is of temporary duration; i.e. less than the time needed for construction of the project.
- ☒ Does not result in any permanent adverse physical impacts or interfere with the protected activities, features, or attributes which are important to the purposes or functions that qualify the property for protection under Section 4(f) on a temporary or permanent basis.
- ☒ Is minor in that the nature and magnitude of the changes to the Section 4(f) property will be minimal.
- ☒ Allows for full restoration of the Section 4(f) property to a condition at least as good as that which existed prior to the project.

Concurrence by official with jurisdiction over the Section 4(f) property:

<p>_____          Name of Official with Jurisdiction: CRAIG HAYTON          Signature of Official with Jurisdiction </p>	<p>Date: 6/5/2019</p>
<p><i>(Optional: other documentation such as letters, emails or meeting minutes may be used in replacement of signing this page) Check here if other documentation is included in the project file. <input type="checkbox"/></i></p>	

### Determination of Section 4(f) Applicability or Exceptions:

<p>DocuSigned by:            E146E11965534A8...          Environmental Planner: Katie Rodriguez</p>	<p>Date: 5/20/2019</p>
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## Section 4(f) Applicability/Exceptions Form

DocuSigned by:

*Steven Olmsted*

8DE2E1E40EF342D...

Approved By: Steven Olmsted

Date: 5/22/2019

This form was developed with consideration that ADOT has been assigned the Federal Highway Administration's (FHWA) responsibilities under 23 U.S.C 327 for the Surface Transportation Project Delivery Program, also referred to as NEPA Assignment. The environmental review, consultation, and other actions required by Section 4(f) of the Department of Transportation Act are being carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding(s) executed by FHWA and ADOT on April 16, 2018.

## Preliminary Jurisdictional Determination



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT**  
**3636 NORTH CENTRAL AVENUE SUITE 900**  
**PHOENIX, AZ 85012-1939**

June 18, 2019

SUBJECT: Preliminary Jurisdictional Determination

Audrey Navarro  
Arizona Department of Transportation  
Environmental Planning Group 1611 W. Jackson St.  
Phoenix, Arizona 85007

Dear Ms. Navarro:

I am responding to your request (File No. SPL-2019-00178) received on June 3, 2019 for a preliminary Department of the Army jurisdictional determination (JD) for the proposed I-10, I-17 (Split) to SR202L (Santan) Improvement Project (010 MA 150 F0072 01D) (Latitude: 33.250229, Longitude -112.00596) located within the city of Phoenix, Maricopa County, Arizona.

The Corps' evaluation process for determining whether a Department of the Army permit is needed involves two tests. If both tests are met, a permit would likely be required. The first test determines whether the proposed project is located within the Corps' geographic jurisdiction (i.e., it is within a water of the United States). The second test determines whether as proposed, the project involves a regulated activity under Corps' authority, i.e., Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, or Section 103 of the Marine Protection Research and Sanctuaries Act. The determination in this letter pertains only to the question of geographic jurisdiction.

Based on available information, I have preliminarily determined waters of the U.S. may be present on the proposed I-10, I-17 (Split) to SR202L (Santan) Improvement Project (010 MA 150 F0072 01D) site in the approximate locations noted on the enclosed map. The basis for this finding may be found on the enclosed Preliminary Jurisdictional Determination (JD) form. Preliminary JDs are non-binding indications of the presence of waters of the U.S., including wetlands, on a parcel. Preliminary JDs are advisory in nature and may not be appealed.

This determination was conducted to identify the extent of the Corps' Clean Water Act jurisdiction on the proposed I-10, I-17 (Split) to SR202L (Santan) Improvement Project (010 MA 150 F0072 01D) site identified in your request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

Thank you for participating in the regulatory program. If you have any questions, please contact Jesse Rice at (602) 230-6854 or via e-mail at [Jesse.M.Rice@usace.army.mil](mailto:Jesse.M.Rice@usace.army.mil). Please help me to evaluate and improve the regulatory experience for others by completing the [customer survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey) form at [http://corpsmapu.usace.army.mil/cm\\_apex/f?p=regulatory\\_survey](http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey).

Sincerely,

LANGLEY.MICHAEL.  
WAYNE.1216496864

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LANGLEY.MICHAEL.WAYNE.12164  
96864  
Date: 2019.06.18 09:35:32 -07'00'

Michael Langley  
Senior Project Manager  
Regulatory Division

Enclosures

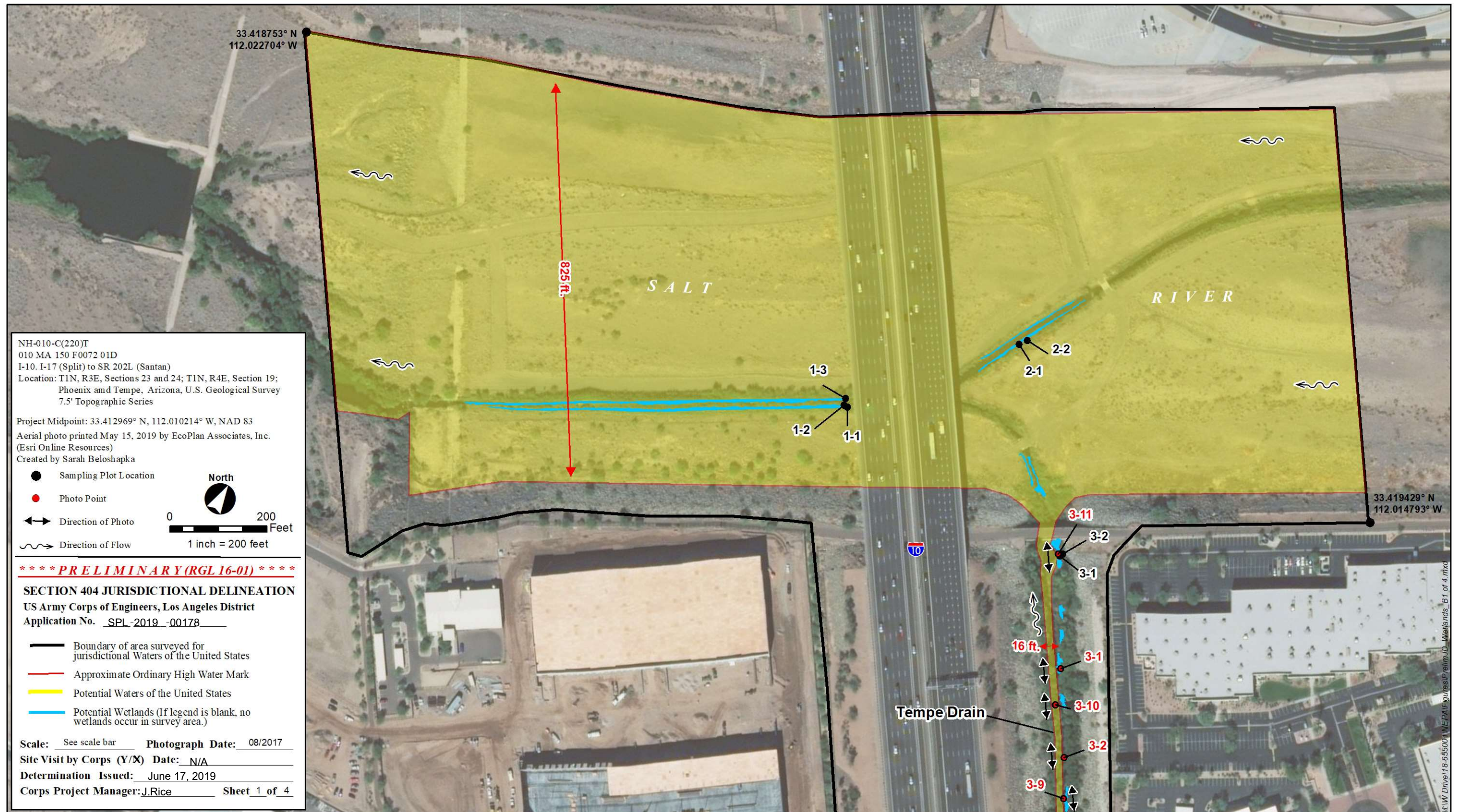


Figure B-1a. Proposed Waters of the United States Delineation with Wetlands (open water is yellow and wetlands are blue)

NH-010-C(220)T  
010 MA 150 F0072 01D  
I-10, I-17 (Split) to SR 202L (Santan)

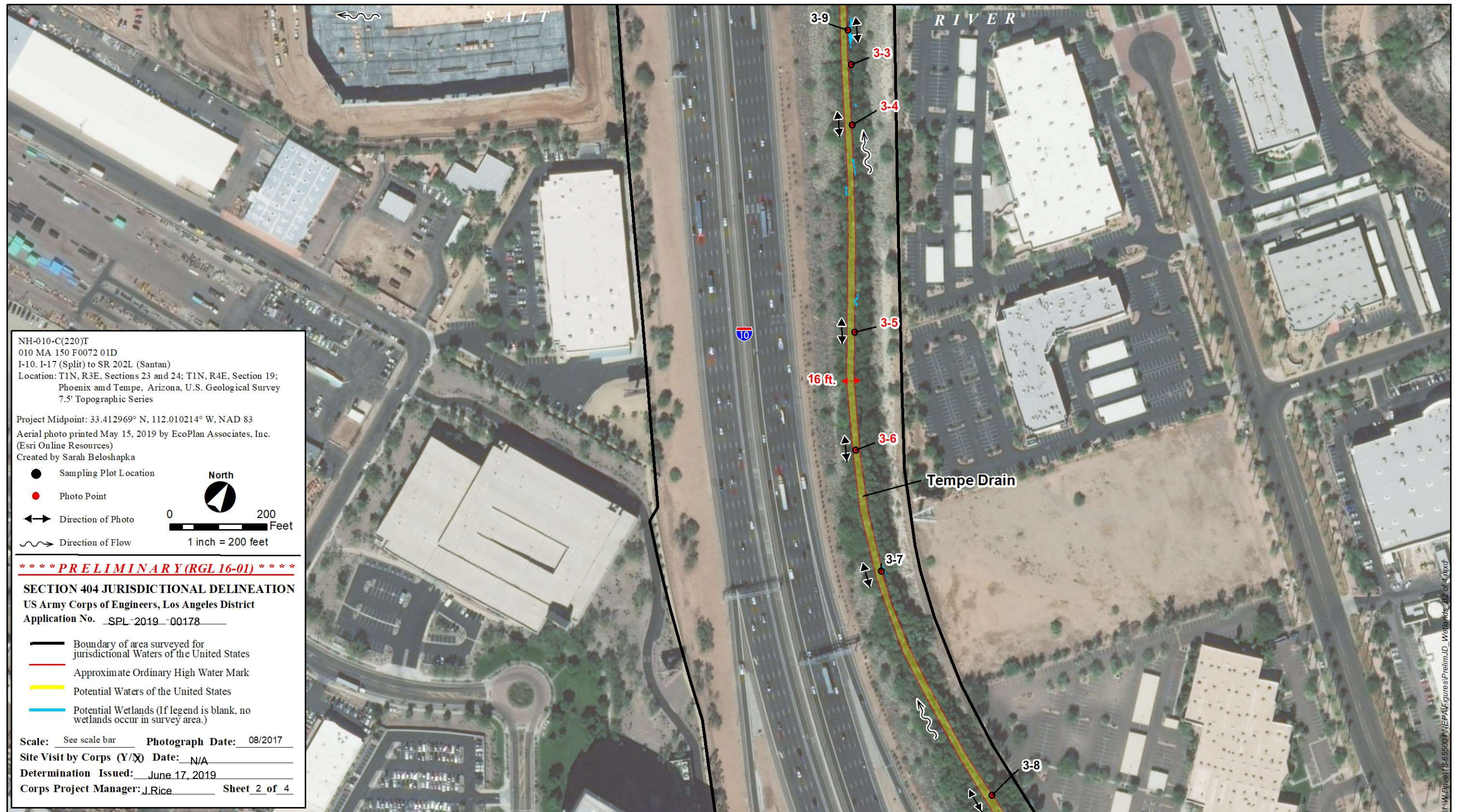


Figure B-1b. Proposed Waters of the United States Delineation with Wetlands (open water is yellow and wetlands are blue)

NH-010-C(220)T  
010 MA 150 F0072 01D  
I-10, I-17 (Split) to SR 202L (Santan)

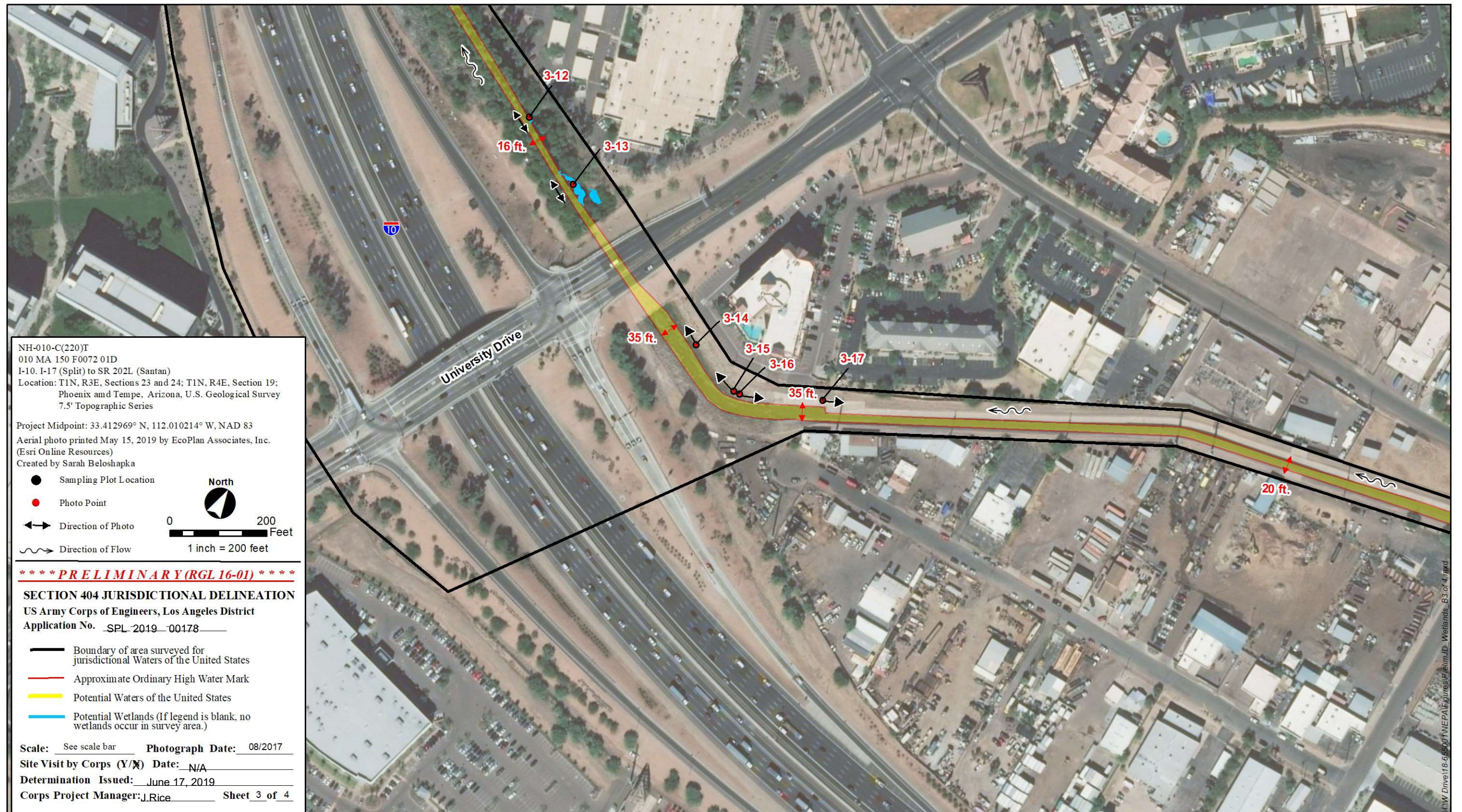


Figure B-1c. Proposed Waters of the United States Delineation with Wetlands (open water is yellow and wetlands are blue)

NH-010-C(220)T  
010 MA 150 F0072 01D  
I-10, I-17 (Split) to SR 202L (Santan)



Figure B-1d. Proposed Waters of the United States Delineation with Wetlands (open water is yellow and wetlands are blue)

NH-010-C(220)T  
010 MA 150 F0072 01D  
I-10, I-17 (Split) to SR 202L (Santan)

**Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM****BACKGROUND INFORMATION****A. REPORT COMPLETION DATE FOR PJD:** June 17, 2019**B. NAME AND ADDRESS OF PERSON REQUESTING PJD:** Audrey Navarro, ADOT, 1611 W. Jackson St., Phoenix, AZ 85007**C. DISTRICT OFFICE, FILE NAME, AND NUMBER:** LA District, I-10 Corridor Impr. Study, SPL-2019-00178**D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:****(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)**

State: AZ

County/parish/borough: Maricopa

City: Phoenix

Center coordinates of site (lat/long in degree decimal format):

Lat.: 33.250229N

Long.: -112.005996W

Universal Transverse Mercator: 405518mE; 3697920mN

Name of nearest waterbody: Salt River

**E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**☒ Office (Desk) Determination. Date: June 17, 2019☒ Field Determination. Date(s): December 27, 2018, and May 15, 2019 (Consultant)**TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.**

Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
Salt River	33.250660N	-112.010563W	0.20	Wetland	Section 404
Salt River	33.250660N	-112.010563W	38.94	Non-wetland	Section 404
Tempe Drain	33.245189N	-112.004770W	0.069	Wetland	Section 404
Tempe Drain	33.245189N	-112.004770W	4.70	Non-wetland	Section 404

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "*may be*" waters of the U.S. and/or that there "*may be*" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

**SUPPORTING DATA. Data reviewed for PJD (check all that apply)**

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

☒ Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:

Map: Project location maps, Floodplain map, Wetland Plant Communities maps, Proposed Waters arials, USFWS National Wetland Inventory map

☒ Data sheets prepared/submitted by or on behalf of the PJD requestor.

☐ Office concurs with data sheets/delineation report.

☐ Office does not concur with data sheets/delineation report. Rationale: \_\_\_\_\_.

☐ Data sheets prepared by the Corps: \_\_\_\_\_.

☐ Corps navigable waters' study: \_\_\_\_\_.

☐ U.S. Geological Survey Hydrologic Atlas: \_\_\_\_\_.

☐ USGS NHD data.

☐ USGS 8 and 12 digit HUC maps.

☒ U.S. Geological Survey map(s). Cite scale & quad name: 1 inch = 0.5 mile on the Phoenix (1982) quad.

☒ Natural Resources Conservation Service Soil Survey. Citation: AZ655.

☒ National wetlands inventory map(s). Cite name: USFWS National Wetlands Inventory Wetlands Map.

☐ State/local wetland inventory map(s): \_\_\_\_\_.

☒ FEMA/FIRM maps: 04013C2220L 10/16/2013; LOMR 13-09-3108P 10/17/2013.

☐ 100-year Floodplain Elevation is: \_\_\_\_\_.(National Geodetic Vertical Datum of 1929)

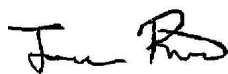
☒ Photographs: ☒ Aerial (Name & Date): ESRI 2019.

or ☒ Other (Name & Date): Ground Photographs December 27, 2018, and May 15, 2019.

☒ Previous determination(s). File no. and date of response letter: SPL-2006-01790-CJL; June 23, 2008.

☐ Other information (please specify): \_\_\_\_\_.

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**



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Date: 2019.06.17 15:46:36  
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Signature and date of  
Regulatory staff member  
completing PJD

DocuSigned by:  
*Andrey Navarro*  
F4C3889CBEDB40B...

5/23/2019

Signature and date of  
person requesting PJD  
(REQUIRED, unless obtaining  
the signature is impracticable)<sup>1</sup>

<sup>1</sup> Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

## NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant:	File Number: SPL-2019-00178	Date: JUNE 17, 2019
Attached is:	See Section below	
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input checked="" type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at [http://www.usace.army.mil/cecw/pages/reg\\_materials.aspx](http://www.usace.army.mil/cecw/pages/reg_materials.aspx) or Corps regulations at 33 CFR Part 331.

**A: INITIAL PROFFERED PERMIT:** You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

**B: PROFFERED PERMIT:** You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**C: PERMIT DENIAL:** You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

**D: APPROVED JURISDICTIONAL DETERMINATION:** You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

<ul style="list-style-type: none"> <li>• <b>APPEAL:</b> If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.</li> </ul>		
<p><b>E: PRELIMINARY JURISDICTIONAL DETERMINATION:</b> You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.</p>		
<p><b>SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT</b></p>		
<p><b>REASONS FOR APPEAL OR OBJECTIONS:</b> (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)</p>		
<p><b>ADDITIONAL INFORMATION:</b> The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.</p>		
<p><b>POINT OF CONTACT FOR QUESTIONS OR INFORMATION:</b></p>		
<p>If you have questions regarding this decision and/or the appeal process you may contact: Jesse Rice  Project Manager  U.S. Army Corps of Engineers  Los Angeles District  3636 North Central Avenue Suite 900  Phoenix, AZ 85012-1939  Phone: (602) 230-6854  Email: <a href="mailto:Jesse.M.Rice@usace.army.mil">Jesse.M.Rice@usace.army.mil</a></p>	<p>If you only have questions regarding the appeal process you may also contact: Thomas J. Cavanaugh  Administrative Appeal Review Officer  U.S. Army Corps of Engineers  South Pacific Division  450 Golden Gate Ave.  San Francisco, California 94102  Phone: (415) 503-6574  Fax: (415) 503-6646  Email: <a href="mailto:thomas.j.cavanaugh@usace.army.mil">thomas.j.cavanaugh@usace.army.mil</a></p>	
<p><b>RIGHT OF ENTRY:</b> Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.</p>		
<p>_____  Signature of appellant or agent.</p>	<p>Date:</p>	<p>Telephone number:</p>