

Social and Economic Considerations, including Environmental Justice Technical Memorandum and Grand-35 Project Mitigation Plan

Volume 2 of 2: Grand-35 Project Mitigation Plan

**US 60 (Grand Avenue)/35th Avenue/Indian School Road
Traffic Intersection Improvements
Maricopa County, Arizona**

May 2024

Federal Aid No. 060-B(227)T
ADOT (TRACS) No. F0272 01L



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for
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1. INTRODUCTION

This Project Mitigation Plan was prepared to support the Environmental Assessment and the Design Concept Report (DCR) for the US 60 (Grand Avenue)/35th Avenue/Indian School Road Traffic Intersection Improvements project (Grand-35). Throughout the study process, the Arizona Department of Transportation (ADOT) engaged the public in a comprehensive outreach effort targeting the businesses and residences affected by the project to provide project information and obtain their input on project impacts and relocation issues. ADOT developed this plan based on the environmental impact analysis as well as input received from affected business owners, property owners, and community members. The goal of this plan is to communicate effort ADOT will undertake as part of the required acquisition process to minimize and mitigate construction-related impacts, and outline the additional efforts ADOT will provide to traditionally unrecognized groups, like employees and individuals experiencing homelessness. Chapter 4 of this plan provides a consolidated outline of responsibilities and timeframes for these efforts.

In addition to the minimization and mitigation strategies described in this plan, the project includes other measures developed to address adverse effects. These mitigation measures are described in Chapter 3 of this Final Environmental Assessment.

The Grand-35 project will result in temporary and permanent impacts to the surrounding community, with many of the specific property impacts occurring in the immediate vicinity of the reconstructed intersection. Impacts include a number of full property acquisitions that will result in business and residential displacements, partial property acquisitions to accommodate new connector roads or narrow slivers of new right-of-way, and properties whose driveways access from Indian School Road, 35th Avenue, or Grand Avenue would be altered.

2. RIGHT-OF-WAY IMPACTS AND PROPERTY ACQUISITION

The Grand-35 project will require the acquisition of privately held properties. Based on preliminary design, approximately 74 parcels would be impacted due to the right-of-way footprint or loss of direct access to elevation change along 35th Avenue and Indian School Road, resulting in approximately 60 businesses and 5 single family homes being displaced. The actual number of properties, businesses, and homes will be adjusted as engineering design advances.

2.1 Mitigation Provided under the Uniform Relocation Act

Acquisition of right-of-way will be undertaken by ADOT in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (49 CFR 24) (Uniform Act), as amended in 1987, ADOT Right-of-Way Procedures Manual (ADOT 2018), and FHWA guidance:

- ADOT's Right-of-Way Procedures Manual contains the procedures ADOT employs to comply with the Uniform Act and federal and state real estate laws and regulations. The manual meets the requirements of 23 CFR 710.201(c) and complies with Title VI of the Civil Rights Act. It is available online at https://apps.azdot.gov/files/row/manuals/Right_of_Way_Acquisition_Manual.pdf.

- The rights of owners of real property to be acquired for a federally funded program or project are explained in a brochure entitled Acquiring Real Property for Federal and Federal-aid Programs and Projects, available online at https://www.fhwa.dot.gov/real_estate/publications/your_rights/rights2014.pdf.
- The requirements for relocation assistance are explained in a brochure entitled Relocation, Your Rights and Benefits as a Displaced Person under the Federal Relocation Assistance Program, available online at https://www.fhwa.dot.gov/real_estate/uniform_act/acquisition/acquisition.pdf.

In accordance with the rules set forth in the Uniform Act, ADOT would provide just compensation for all property acquired for the Grand-35 project. Any individual, family, or business displaced by the project will be offered relocation assistance services for the purpose of locating a suitable replacement property.

During the study process, ADOT has engaged with many of the affected business owners, homeowners, and tenant occupants. Their specific concerns and issues will be addressed through ADOT's federally compliant policies regarding the determination of just compensation and comprehensive program of advisory services and relocation assistance benefits, such as:

- Once the environmental review process is complete, ADOT will initiate the right-of-way acquisition process. ADOT will notify property owners if their property, or a portion of it, needs to be acquired. One of the first steps will be a property appraisal to determine fair market value of the property and establish the just compensation to be offered to the property owner for the property needed. If ADOT is only acquiring a part of the property, there may be damages or benefits to the remaining property. Any allowable damages or benefits will be reflected in the just compensation amount. If a property owner does not agree with the determined valuation, ADOT will consider any supplemental valuation information that is provided for the compensation amount.
- ADOT will assign each individual, family, or business displaced by the project a relocation counselor to help and advise them through the process to be sure they fully understand all their rights and receive their maximum benefits. Their goal is to be of service to the displaced individual, family, or business owner, and assist them in any way possible. The relocation counselor will interview them to find out their needs and replacement site requirements, and explain relocation services and payments in accordance with their eligibility.
- Any individual, family, or business displaced by the project will be offered relocation assistance services for the purposes of locating a suitable replacement property. Non-owner residential and business tenants that are leasing the real property to be acquired are also eligible for relocation benefits, which may include moving, site search, and reimbursement to replace property.
- For displaced individuals and families, the initial interview with their relocation counselor will be to explain eligibility and determine housing needs and desires, as well as what assistance they need during the relocation process.
 - ADOT will provide current listings of comparable properties, and transportation will be offered to inspect housing referrals.
 - ADOT will reimburse moving costs and certain moving-related expenses, such as packing and unpacking of personal property, disconnecting and reconnecting household appliances, temporary storage of personal property, insurance while property is in storage or transit, and transfer or reconnection of utilities.

- ADOT provides relocation benefits to eligible tenants. Tenants who were in occupancy 90 days or more prior to the initiation of negotiations may be eligible for a rental assistance payment or a downpayment.
 - ADOT can provide counseling or help to get assistance from other sources as a means of minimizing hardships in adjusting to their new location.
 - In addition to the acquisition price paid for the property, ADOT may make supplemental payment for costs necessary to purchase a comparable / replacement dwelling. A supplemental payment may consist of a price differential if the replacement dwelling costs more than their current dwelling, increased mortgage interest cost if the interest rate on their new mortgage exceeds that of their present mortgage, and incidental expenses such as recording fees and other closing costs.
 - As special needs or issues arise, ADOT will make every effort to secure the services of other agencies that have trained personnel who have the expertise to assist the displaced individual or family. An individual with a disability will be provided the assistance needed to locate and move to a replacement dwelling or site, and may be eligible for improvements to the replacement dwelling to fit their needs.
- ADOT will work with the owners of displaced businesses to determine their needs and replacement site requirements, and explain relocation services and payments in accordance with their eligibility.
 - Business owners or tenants may be paid for moving costs. Related expenses, such as personal property losses, expenses in finding a replacement site, and reestablishment of the business, may also be reimbursable.
 - Owners of tenant businesses are eligible for relocation benefits, which may include moving, site search, and reimbursement to replace property. Business reestablishment benefits can cover increased cost in operations, modifications to the new site, and changes to make it rentable.

2.2 Mitigation for Displaced Property Owners and Tenants

During the acquisition process, property owners will be provided a relocation counselor to help and advise them through the process. As the right-of-way acquisition process progresses, the ADOT relocation counselor will make sure the affected property owners and tenants fully understand their rights and receive their maximum benefits. If it is identified through the process that the expertise of trained personnel with social services provided by other public and private agencies in the community is needed, ADOT will assist with connecting the owners and tenants to the services of those agencies and organizations.

The Selected Alternative will require the displacement of five single-family homes along West Monterosa Street, in the Indian Gardens neighborhood. There are a total of eight homes on the existing West Monterosa Street cul-de-sac, and preliminary design incorporates measures to restore access to the three remaining homes and avoid their acquisition. ADOT will conduct further targeted engagement with the homeowners and/or occupants to evaluate the impacts of final design, and will consider design refinements and additional measures to minimize or mitigate project impacts.

2.3 Mitigation for Affected Employees and Employers

The project will affect employees at displaced and relocated businesses, as well as businesses that will be affected by construction. To address the effects of displaced businesses on employment, ADOT will coordinate with the City of Phoenix and other community business

support organizations to connect affected employees with the appropriate support services and programs.

ADOT's relocation counselors will work closely with displaced businesses throughout the right-of-way acquisition process to connect employees affected by employment loss due to closed or relocated businesses with appropriate support resources, services, and information. Through ADOT's Business Assistance Program described in more detail in Section 3.1, ADOT will work to connect business owners and employees affected by construction-related impacts with appropriate support resources, services, and information.

The City of Phoenix has a range of programs, services, and information that could be leveraged to support employers and employees affected by the project. The Invest in Phoenix website (<https://www.investinphoenix.com>) compiles information on community and economic development initiatives, such as small business assistance resources, programs focused on supporting businesses with employee retention, and services supporting job seekers.

3. TEMPORARY CONSTRUCTION-RELATED IMPACTS

Full closures of 35th Avenue are anticipated to be required during construction of the new roadway, roadway embankment, and bridges. While the closure will likely be limited to a small segment of 35th Avenue between roughly West Clarendon Avenue and West Glenrosa Avenue, it could last up to six months in duration. Lane restrictions and closures on US 60 (Grand Avenue) will be minimized to the extent possible, but short-term closures of US 60 (Grand Avenue) will likely be required when the segment of the existing Indian School Bridge over US 60 (Grand Avenue) is removed, and when the segment of the new bridges over US 60 (Grand Avenue) is constructed.

3.1 Mitigation for Temporary Business Impacts

To address potential construction-related impacts on the businesses along 35th Avenue and Indian School Road and their employees, ADOT in coordination with the contractor will develop and implement a Business Assistance Program during construction that will support businesses within the project vicinity, provide assistance with messaging and marketing for businesses, and evaluate traffic control measures on a routine basis through a Construction Advisory Board (CAB). ADOT's Business Assistance Program will also work to connect business owners affected by construction-related impacts with appropriate resources, services, and information.

The CAB will be composed of residents, property owners, and business representatives from the community within the project area. The CAB will act as liaisons between the ADOT project contractor and the community, and evaluate the performance of the ADOT contractor's efforts to minimize impacts to the community during construction.

3.2 Mitigation for Temporary Community Impacts

ADOT will continue to engage with the community and business owners throughout final design and construction. During final design, traffic control specifications will be developed and more detailed consideration given to the design of access changes. The traffic control specifications and the design of access changes will be shared with the public, and the community and business owners will have an opportunity to provide input on how to minimize or mitigate impacts to local access and circulation during construction. ADOT is committed to maintaining

business access throughout construction. With the exception of temporary, short-term closures (less than three hours), driveway access to all businesses will be maintained throughout construction. If a property has multiple driveways, at least one will remain open at all times.

Coordination for this project has included representatives from the City of Phoenix Community Action Response Engagement Services (CARES), a program that involves staff from different City departments to provide a coordinated response for neighborhoods and individuals experiencing homelessness. ADOT will continue to work with Phoenix CARES throughout final design and construction to respond to reports of individuals and families experiencing homelessness and encampments in the vicinity of construction.

ADOT, supported by the City, will work to proactively identify individuals and families experiencing homelessness in the vicinity of construction. If there are persons experiencing homelessness in the vicinity of construction, ADOT will coordinate with the City to implement established strategies to offer services and clear the construction zone. ADOT and the City will communicate project information and construction prior to the start of construction, and notify them of the need to vacate the construction right-of-way. Once contact is made with persons experiencing homelessness, the City will work to determine their clients' needs and connect them with community-based services and direct them to the appropriate resources. Services provided include emergency shelter, outreach and engagement, Veteran navigation, case management, and rapid rehousing, which provides short-term rental assistance (City of Phoenix 2021b).

Public review of the Draft EA also indicated concern from nearby residents that the project could create new areas where those experiencing homelessness will seek refuge in or transition through neighborhoods. Reducing impacts to surrounding communities and neighborhoods is also a component of the City's long-term plan for combatting homelessness in the community. The City's goal is to maintain a healthy and safe right-of-way and public space, and an encampment cleanup program through the Phoenix CARES program has been created to assist with this goal. Community members can utilize the Phoenix at Your Service (PAYS) website and newsletter inserted into the City Services Bill to obtain contact information on reporting homeless activity and concerns, as well as abandoned encampments.

4. TRACKING REQUIREMENTS AND RESPONSIBILITIES

Table 1 summarizes specific actions that will be taken to implement the mitigation strategies outlined above, and their general timeline during final design and construction.

Table 1. Implementation Plan for Mitigation Strategies to Address Project Impacts

Mitigation Strategy	Responsible Parties	Timeline ^a	Actions to be Taken
Mitigation Strategies for Impacts to Displaced Businesses and Residences			
Provide compensation and relocation assistance in accordance with the Uniform Act, ADOT ROW Procedures Manual, and relevant FHWA guidance.	ADOT Right of Way (ROW) Group	Start of Final Design and ROW acquisition process (summer 2024) through the end of final design and right-of-way acquisition process (2025)	<ul style="list-style-type: none"> ADOT ROW: Assign each displaced business a relocation counselor and provide advisory services throughout the acquisition and relocation process and ensure they fully understand their rights. Offer relocation assistance services and relocation benefits. Ensure they receive maximum benefits.
Support business owners during the transition of relocating their businesses to a new location.	ADOT Project Team ^b	Start of Final Design and ROW acquisition process (summer 2024) through the end of construction (2027)	<ul style="list-style-type: none"> ADOT ROW: Identify businesses that will relocate and their specific concerns regarding the transition to and reestablishment at the replacement location. Maximize benefits provided under the Uniform Act. Provide information on issues not addressed under Uniform Act benefits to the project team. ADOT Project Team: Coordinate with City of Phoenix and other small business organizations to identify appropriate support programs and services that could benefit businesses that are relocating. ADOT Project Team: Provide information on programs and services available to the affected business owners. ADOT Project Team: Provide information on programs and services available to the affected business owners.
Evaluate final design impacts to the Monterosa Street cul-de-sac and conduct further outreach, as needed.	ADOT Project Team ^b	Start of Final Design and ROW acquisition process (summer 2024) through the end of final design and right-of-way acquisition process (2025)	<ul style="list-style-type: none"> ADOT Project Team: Conduct further targeted engagement with the property owners and/or occupants on Monterosa Street cul-de-sac to inform final design. Consider design refinements to minimize and mitigate project impacts.

Mitigation Strategy	Responsible Parties	Timeline ^a	Actions to be Taken
Mitigation Strategies for Employment Impacts at Displaced Businesses			
Identify employment opportunities for employees that lose their jobs at displaced businesses that do not relocate	ADOT Project Team ^b	Start of Final Design and ROW acquisition process (summer 2024) through the end of construction (2027)	<ul style="list-style-type: none"> ADOT ROW: Identify businesses that closing entirely and not relocating, and provide information to the ADOT Project Team. ADOT Project Team: Coordinate with City of Phoenix and other small business organizations to identify appropriate support programs and services that could benefit the affected employees ADOT Project Team: Provide information on programs and services available to the affected employees.
Support employee retention or recruitment efforts for businesses that relocate	ADOT Project Team ^b	Start of Final Design and ROW acquisition process (summer 2024) through the end of final design and right-of-way acquisition process (2025)	<ul style="list-style-type: none"> ADOT ROW: Identify businesses that will relocate, and provide information to the ADOT Project Team ADOT Project Team: Coordinate with City of Phoenix and other small business organizations to identify appropriate support programs and services ADOT Project Team: Provide information on programs and services available to the affected employer and/or employees.

Mitigation Strategy	Responsible Parties	Timeline ^a	Actions to be Taken
Mitigation Strategies for Construction-Related Impacts to Businesses and the Community			
<p>Work closely with businesses affected by construction closures and delays to implement a Business Assistance Program that will give business owners and managers useful tools and information to use throughout project construction</p>	<p>ADOT Project Team, ^b Contractor</p>	<p>Start of Final Design and ROW acquisition process (summer 2024) through the end of construction (2027)</p>	<ul style="list-style-type: none"> ADOT Project Team and Contractor: Develop a Business Assistance Program to be implemented during construction that will convey traffic control measures and provide assistance with messaging and marketing to facilitate business access. Identify businesses affected by construction closures and detours that have concerns regarding employee retention or recruitment, and provide information on available support programs and services available. ADOT Project Team and Communications: Facilitate sharing further information on design with businesses and the community
<p>Conduct public involvement during final design to share more project information and solicit public input on a variety of issues, such as how impacts to local access and circulation during construction could be minimized or mitigated.</p>	<p>ADOT Project Team ^b</p>	<p>Start of Final Design and ROW acquisition process (summer 2024) through the end of final design and right-of-way acquisition process (2025)</p>	<ul style="list-style-type: none"> ADOT Design: Develop traffic control specifications that will be shared with the public, and consider refinements to those specifications based on public input. Include in the specifications requirements regarding early notification to the public to communicate changes to the traffic control plan during construction. ADOT Communications: Hold a public meeting once the project has reached 60% design. Facilitate sharing traffic control specifications with the public for their input on how impacts to local access and circulation could be minimized or mitigated. Facilitate sharing further information on permanent changes to local access and circulation as design is refined and finalized. ADOT Project Team: Coordinate with the City of Phoenix to implement established strategies to engage with persons experiencing homelessness in the vicinity of the construction zone.

Mitigation Strategy	Responsible Parties	Timeline ^a	Actions to be Taken
Evaluate traffic control measures on a routine basis through a Construction Advisory Board (CAB)	ADOT Project Team ^b , Contractor	Throughout construction (2025 - 2027)	<ul style="list-style-type: none"> • ADOT Design: Work with the Contractor to assemble a CAB comprised of business owners and community members affected by construction activities in the project area. • Contractor: Meet with the CAB on a routine basis to answer questions, address issues, and evaluate the effectiveness of traffic control management. • CAB: Provide recommendations to the ADOT Project Team on whether the Contractor is following the traffic control specifications, communicating them effectively, and addressing any concerns proactively.
Maintain access to parks and recreation areas in the project area throughout construction, including Cielito Park and the Grand Canal trail.	ADOT Project Team ^b , Contractor	Start of Final Design and ROW acquisition process (summer 2024) through construction (2025-2027)	<ul style="list-style-type: none"> • ADOT Design: Consider access to parks and recreation areas in development of traffic control specifications. • ADOT Project Team and Contractor: Provide maintained access to parks and recreation areas, in accordance with the traffic control specifications developed for the project.

^a Estimated timelines are subject to change based on design requirements, agency schedules, and other considerations that arise as the project progresses through detailed final design and construction.

^b ADOT Project Team is comprised of Environmental Planning, Project Management Group, ROW Group, Communications, and the design team.

5. REFERENCES

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