

ARIZONA DEPARTMENT OF TRANSPORTATION

Environmental Planning

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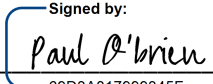
Environmental Assessment Re-evaluation

for

US 95, Imperial Dam Road to Aberdeen Road

Federal Project No. 095-B(219)T

ADOT Project No. 095 YU 043 F0605 01C

Approved By:  Signed by:
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Date: 9/17/2024

This Environmental Assessment Reevaluation has been prepared in accordance with provisions and requirements of Chapter 1, Title 23 USC; 23 CFR 771.129(c) relating to the implementation of the National Environmental Policy Act of 1969. 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 date June 25, 2024, and executed by FHWA and ADOT.

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1. Project Information

1.1. Introduction

This formal project re-evaluation has been prepared consistent with Arizona Department of Transportation (ADOT) Environmental Assessment (EA) and Environmental Impact Statement (EIS) Guidance and Federal Highway Administration (FHWA) Re-evaluations Guidance.

In October 2006, ADOT and FHWA completed an EA to widen the US 95 corridor between Avenue 9E and Aberdeen Road (FHWA Federal Aid Number STP-95-B(879), ADOT Project Number 095 YU 032 H4599 01L), which divided the project area into a southern section and a northern section. The current project is within the northern section. The US 95, Imperial Dam Road to Aberdeen Road, widening project has been re-evaluated pursuant to 23 CFR 771.129 because more than five years have passed since the date of the EA approval and several regulatory procedures and requirements have been revised, as listed in *Section 2.1.3*, since the original EA was approved in 2006.

1.2. Approved EA

The project limits fall within the project area of the Final EA for the US 95, Avenue 9E – Aberdeen project (FHWA Federal Aid Number STP-95-B(879), ADOT Project Number 095 YU 032 H4599 01L). A Finding of No Significant Impact (FONSI) was approved on October 19, 2006.

There is no prior EA Re-evaluation(s) within the current project area.

1.3. Project Description

1.3.1. Location

The project is located between milepost (MP) 43.4 to MP 55.0 on US 95, approximately 17 miles northeast of the City of Yuma and approximately 60 miles south of Interstate 10 (I-10) in Yuma County, Arizona (see **Attachment B**).

1.3.2. Scope of Work

The project would widen US 95 from a two-lane undivided roadway to a four-lane divided highway from MP 43.4 to MP 48.1. The project would include installing barbed wire game fence along ADOT Right-of-Way (ROW) from approximately MP 43.5 to approximately MP 55. This would include constructing two new bridges for a new tank crossing.

The major features of the project in this EA Re-Evaluation include:

- Constructing two new 12-foot-wide southbound lanes east of US 95 from MP 45.8 to MP 48.1.
- Reconstructing the existing US 95 roadway to two new northbound lanes from MP 45.8 to MP 48.1.
- Constructing two new 12-foot-wide northbound lanes, west of US 95 from MP 43.4 to MP 45.8.
- Reconstructing the existing US 95 roadway to two new southbound lanes from MP 43.5 to MP 45.8.

- Extending and/or removing & reconstructing existing culverts along US 95, as needed.
- Installing new culverts along US 95, as needed.
- Reconstructing the intersections at Aberdeen Road, Martinez Lake Road, and Imperial Dam Road.
- Relocating the existing at-grade tank crossing and modifying it to a grade separated northbound and southbound tank crossing.
- Constructing new utilities or relocating existing utilities as needed.
- Reconstructing pavement at crossroads & turnouts.
- Removal, deposition, and reconfiguration of fill material.
- Installing signage and pavement markings, as needed.
- Replacing existing and constructing new roadway lighting.
- Installing erosion control measures and stormwater basins, as needed.
- Installing roadway lighting at intersections
- Trimming and/or removing vegetation, as needed.
- Seeding disturbed areas, as needed.
- Installing new 5-foot-tall barbed wire game fence along ADOT ROW.
- Conducting geotechnical testing and utility potholing in advance of project construction, as needed.
- Installing advanced traffic control signage as needed. Advanced traffic control signage may extend outside of the project limits defined above.

1.3.3. Schedule

Construction is anticipated to start in summer 2025 and last approximately 14 months.

2. Environmental Considerations

Resources have been re-evaluated based on elapsed time, design, ROW or regulatory changes since the previously approved FONSI.

2.1. Changes

The following changes have been introduced since the 2006 Final EA.

2.1.1. Substantial Design Changes

There have been no substantial design changes from the Final EA. The tank crossing was moved approximately 0.2 miles to the south off of private land leased by Yuma Proving Grounds (YPG) and onto land owned by YPG. Updates to the intersection design at Imperial Dam Road, Martinez Lake Road, and Aberdeen Road were made based on stakeholder recommendations and to reduce vehicle crashes. Additional Temporary Construction Easements (TCEs) on land owned by YPG are needed for the construction of the new tank crossing and utility relocation and improvements.

2.1.2. Right-of-Way Changes

The project would occur within and adjacent to existing ADOT ROW easement through private land and lands owned by YPG. In the 2006 Final EA, the Selected Alternative required a total of 84 acres

of new ROW for the total project. The current project would require approximately 46.4 acres of new ROW, of which approximately 8.2 acres have not been previously evaluated. Approximately 18.8 acres of TCEs would be required to construct the new tank crossing, reconstruct intersections, and perform utility improvements for overhead powerlines. These TCEs were not evaluated in the 2006 Final EA.

2.1.3. Regulatory Changes

The following applicable regulatory changes have occurred since the EA.

Environmental Justice

- The Department of Transportation (DOT) issued an Updated Environmental Justice Order 5610.2(a) on May 2, 2012 and revised May 16, 2021 [56102(c)].
- The FHWA issued order 6640.23A FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations on June 14, 2012, which cancelled the FHWA Order 6640.23 FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1998).
- In April 2023, Executive Order (EO) 14096—Revitalizing Our Nation’s Commitment to Environmental Justice for All, was enacted. The new EO did not rescind the 1994 EO 12898, which the FHWA is implementing through the current Department of Transportation (DOT) Order 5610.2C and FHWA Order 6640.23A. The FHWA is evaluating the requirements of the new EO, and implementation under the current DOT and FHWA orders will continue until the FHWA provides further guidance regarding the implementation of the new EO 14096.
- In July 2023, ADOT released Environmental Justice Analysis Procedures for Environmental Planning’s supplemental procedures for ensuring compliance with requirements for the state’s transportation projects related to EO 12898.

NEPA

- The 327 NEPA Assignment Memorandum of Understanding (MOU) was signed by FHWA and ADOT on April 16, 2019 and renewed on June 25, 2024.

Biological Resources

- The monarch butterfly (*Danaus plexippus*) was listed as a candidate species on the Endangered Species list on December 17, 2020.
- The yellow-billed cuckoo (*Coccyzus americanus*) was listed as threatened on the Endangered Species list on October 3, 2014.
- The Sonoran Desert tortoise (*Gopherus morafkai*) Candidate Conservation Agreement was signed by ADOT on May 27, 2015.

Water Resources

- The Environmental Protection Agency (EPA) and the Corps amended the Code of Federal Regulations (CFR) to conform the definition of “Waters of the US” to the 2023 *Sackett v. EPA* Supreme Court decision. The amendment removed the significant nexus standard from the

tributaries provision, the adjacent wetlands provision, the interstate lakes provision, and ponds, streams or wetlands not otherwise identified in the definition. The final rule went into effect on September 8, 2023.

Noise

- Pursuant to updates to 23 CFR 772, ADOT published Noise Abatement Requirements in May 2017.

2.2. Environmental Resources Requiring no Further Analysis

The following resources were included in the EA; however, they were not affected by changes in regulation or design changes since the time of the FONSI:

- Section 4(f)
- Utilities
- Visual Resources
- Effect on Standards for Rangeland Health
- Material Sources and Waste Materials
- Energy

The re-evaluation of impacts was not conducted for these resources and environmental considerations.

2.3. Affected Environmental Resources

The following resource areas were identified for study as part of this EA re-evaluation due to changes in design or regulatory conditions:

2.3.1. Land Ownership, Jurisdiction, and Land Use

The 2006 Final EA stated that the Selected Alternative would require approximately 84 acres of new ROW for both the southern and northern sections. The ROW would be acquired from YPG, Bureau of Land Management (BLM), Arizona State Land Department (ASLD), and private land. ROW required from federal agencies such as BLM and YPG would not be purchased, and an appropriate real estate easement would be retained in perpetuity. No residential or commercial structures would be acquired. Land use in the northern segment was primarily undeveloped desert and agriculture. These impacts would have a minor negative effect on the current land use. Existing uses and access would be maintained to the surrounding lands. However, acquired lands would be converted from their existing land use to transportation land use.

The current project would require approximately 46.4 acres of new ROW, of which approximately 8.2 acres have not been previously evaluated. Approximately 18.8 acres of TCEs would be required to construct the new tank crossing, reconstruct intersections, and perform utility improvements for overhead powerlines. Approximately 4.9 acres of ROW and approximately 2.5 acres of TCEs would be acquired from private land, approximately 0.1 acre of ROW and 0.6 acre of TCE would be acquired from Yuma County, and the remaining 41.4 acres of ROW and 15.7 acres of TCEs would be

acquired from YPG. Land would not be purchased from YPG, instead a real estate easement would be retained in perpetuity.

Similar to the 2006 Final EA, the current project would have minor impacts to land use by converting existing land uses to a transportation corridor. No impacts would result on the surrounding land uses or access. No impacts are anticipated to land ownership or jurisdiction.

Based on the updated analysis conducted in this EA Re-evaluation, the findings of the 2006 Final EA are determined to remain valid.

2.3.2. Social and Economic Resources

Community Resources and Economics

The 2006 Final EA found that there would be no impacts to community services such as schools, libraries, churches, or emergency services.

The current project would continue to have no impacts to community services. The primary industry in the surrounding area is agriculture and military. The US 95 corridor is primarily used by the local community and those traveling through the area for recreation and tourism. Short term impacts may result from increased traffic congestion during construction, however, this would be mitigated by maintaining traffic in both directions and maintaining access to adjacent properties. The current project would have the same long-term benefits by increasing corridor capacity and maintaining access to surrounding facilities. The current project also benefits from improved intersection design which will reduce vehicle collisions.

Based on the updated analysis conducted in this EA Re-evaluation the findings of the 2006 Final EA have been determined to remain valid.

Socioeconomic Characteristics

The current project collected demographic data in a 2-mile buffer surrounding the project area, called the Analysis Area, as shown in **Attachment C**. A 2-mile buffer was used because the project is within a sparsely populated, rural area. Data from the U.S. Census Bureau's 2022 American Community Survey (ACS) 5-Year Estimates were collected at the Census Tract and Block Group level. A total of three Census Tracts and three Block Groups were included in the analysis. The collected demographics were compared to data collected for Arizona, Yuma County, the closest communities of Yuma and YPG, and the 2006 Final EA.

Disability

The Americans with Disabilities Act of 1990 (ADA)¹ stipulates that people with disabilities be involved in developing and improving public services. In highway planning, collaboration with persons with disabilities is essential in considering whether infrastructure modifications are needed

¹ Americans with Disabilities Act of 1990, 42 U.S.C. 12101.

to make the Disabled or handicapped populations are defined as any person who has a physical or mental impairment that substantially limits one or more major life activities.

ACS 5-year estimates (2018-2022) were not available at the Block Group level and only Census Tract data were used. Study geographies had approximately the same percentage of disabled populations as the comparison geographies with a range of 12.7 to 22.0 percent. The highest disabled population percentage was found within YPG. The current data is slightly lower than what was found in the 2006 Final EA of 22.4 percent.

Elderly

Elderly populations are defined as any person who is age 65 or older. Two Block Groups had significantly higher percentage of elderly populations when compared to Yuma, YPG, Yuma County and Arizona. One Block Group had a majority elderly population accounting for 71.6 percent of the population. YPG had no reported elderly population. The current data is in line with what was found in the 2006 Final EA of 40.5 percent.

Female Head of Household

Female Householders are defined as a female head-of-household with no spouse present and with at least one person under the age of 18. Most of the study geographies and YPG did not report any female householders. Only one Block Group had any reported female householders accounting for 7.7% which was lower than the comparison geographies. The values found in the 2006 Final EA were also low at 3.5 percent.

Limited English Proficiency

Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, requires recipients of Federal financial assistance to provide language services (oral or written) to ensure meaningful access for any language, upon request. Limited English Proficiency (LEP) is a term used to describe individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English. Identification of LEP persons is informative for the purpose of devising appropriate strategies for meaningful public involvement and ensuring access pursuant to this Executive Order.

The Department of Transportation Safe Harbor Stipulation states that written translations must be provided to any language group that exceeds 5% of the population or has 1,000 individuals, whichever is less. Two Census Tracts met the 5% threshold for Spanish. One Census Tract also met the 5% threshold for Russian, Polish, or other Slavic language. The 2006 Final EA did not collect data for LEP populations.

Based on the updated Socioeconomic analysis conducted in this EA Re-evaluation the findings of the 2006 Final EA have been determined to remain valid.

2.3.3. Environmental Justice

Executive Order (EO) 12898 on Environmental justice requires “the fair treatment and meaningful involvement of all people, particularly minority and low-income populations, in the environmental decision-making process.” All of ADOT’s projects that include Federal funding follow the NEPA process, which is an environmental decision-making process. The United States Department of Transportation (USDOT) Order 5610.2(a)² and Federal Highway Administration (FHWA) Order 6640.23A³ require compliance with Executive Order 12898. This includes the full and fair participation by all potentially affected communities in the transportation decision-making process.

An adverse effect is a significant individual or cumulative human health or environmental effects (e.g., the displacement of a household structure or business as a requirement to build a project). A disproportionately high and adverse effect on minority and low-income populations means that an adverse effect is:

- Is predominantly borne by a minority population and/or a low-income population or
- Will be suffered by the minority populations and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the nonminority population and/or non-low-income population.

A minority or low-income population is defined by FHWA as any readily identifiable group of low-income or minority persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FHWA program, policy, or activity.

DOT and FHWA define (5) minority groups as follows:

- Black (a person having origins in any of the black racial groups of Africa).
- Hispanic or Latino (a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race).
- Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent).
- American Indian and Alaskan Native (a person having origins in any of the original people of North America, South America, including Central America, and who maintains cultural identification through tribal affiliation or community recognition).
- Native Hawaiian or Other Pacific Islander (people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands).

Minority and low-income population data were collected for the same 2-mile analysis area as the socioeconomic demographics. The same three Census Tracts and Block Groups were analyzed and compared to data collected for Arizona, Yuma County, Yuma, YPG and the 2006 Final EA. Detailed data tables are provided below in **Table 1** through **Table 2**.

² Department of Transportation. Updated Environmental Justice Order 5610.2(a). (May 2, 2012).

³ Federal Highway Administration. FHWA Order 6640.23A. (June 14, 2012).

Minority Populations

Minority populations were identified using the *No-Threshold* analysis methodology as defined in *Promising Practices for EJ Methodologies in NEPA Reviews*⁴. The 2022 ACS 5-Year Estimates show that BGs in the Analysis Area are predominantly White alone ranging from 81.8 to 98.7 percent (see **Table 1**). However, two Census Tracts are comprised by minority populations with 53.6 and 52.1 percent, respectively. Similarly, Yuma and Yuma County are also predominately minority with 69.4 and 70.8 percent, respectively. Primarily, minority populations identified as Hispanic or Latino. The data is in line with what was found in the 2006 Final EA.

Table 1. Minority Populations by Census Tract and Block Group, Summary

Geography*	Total Population	Non-Minority (White alone)		Minority Total	
	#	#	%	#	%
Census Tract 109.14	573	266	46.4%	307	53.6%
Block Group 1	159	157	98.7%	2	1.3%
Census Tract 112.04	1,863	1,593	85.5%	270	14.5%
Block Group 2	656	567	86.4%	89	13.6%
Census Tract 121	1,020	489	47.9%	531	52.1%
Block Group 1	336	275	81.8%	61	18.2%
Block Group Total	1,151	999	86.8%	152	13.2%
2006 Final EA	12,300	10,101	82.1%	2,199	17.9%
Yuma	96,314	29,464	30.6%	66,850	69.4%
Yuma Proving Grounds	313	256	81.8%	57	18.2%
Yuma County	204,374	59,640	29.2%	144,734	70.8%
Arizona	7,172,282	3,801,121	53.0%	3,371,161	47.0%

Source: U.S. Census Bureau, 2022 American Community Survey 5-Year Estimates, Table B03002

Note: *Only census tracts and block groups within 2 miles of the project area were included in the analysis.

In accordance with ADOT Environmental Planning Environmental Justice guidelines⁵, low-income populations were defined based on a comparison of the median income to the Department of Health and Human Services (HHS) poverty guidelines for a family of four. The HHS poverty guideline for 2024 was \$31,200⁶. The study geographies and comparison geographies have median income above the poverty guideline. No low-income populations have been identified in the analysis area (see **Table 2**). The 2006 Final EA did not collect data for median income.

⁴ EPA. 2016. *Promising Practices for EJ Methodologies in NEPA Reviews*. Accessed at https://www.epa.gov/sites/default/files/2016-05/documents/iwg_promising_practices_final_5-16-2016.pdf

⁵ ADOT. 2023. *Environmental Justice Analysis Procedures*. Accessed at <https://azdot.gov/sites/default/files/2023-08/environmental-justice-analysis-procedures-july-2023.pdf>

⁶ Department of Health and Human Services (HHS). 2024. 2024 Poverty Guidelines 48 Contiguous States. Accessed at <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>

Table 2. Median Income by Census Tract and Block Group

Geography*	Median Income	Income Below Poverty Guideline**
Census Tract 109.14	\$51,065	No
Block Group 1	\$75,750	No
Census Tract 112.04	\$63,958	No
Block Group 2	\$54,555	No
Census Tract 121	\$68,750	No
Block Group 1	\$111,296	No
Block Group Average	\$80,534	No
Yuma	\$59,312	No
Yuma Proving Grounds	\$111,481	No
Yuma County	\$56,439	No
Arizona	\$72,581	No

Source: U.S. Census Bureau, 2022 American Community Survey 5-Year Estimates, Table B19013.

Note: *Only census tracts and block groups within 2 miles of the project area were included in the analysis.

**The HHS poverty guideline for a family of four in 2024 was \$31,200.

Additional data on poverty status based on the US Census Bureau's definition for poverty was collected to provide a detailed count of persons in poverty to compare to the 2006 Final EA. If a family's total income is less than the family's threshold then the family and every member in it are considered in poverty. The study geographies were similar to the comparison geographies and did not show a large percentage of low-income populations, which is consistent with the conclusions based on median income data presented in **Table 2**. The data is in line with what was found in the 2006 Final EA.

Based on the updated Environmental Justice analysis conducted in this EA Re-evaluation these findings have been determined to remain valid.

2.3.4. Cultural Resources

The assessment of potential effects on cultural resources relied on four surveys conducted for prior projects and a supplemental survey conducted to provide complete adequate coverage for the current widening project. The report of the supplemental survey provides more details about the information summarized here.

The four prior surveys identified 13 cultural resources in or adjacent to the area of potential effects (APE) that ADOT delineated for the project. Prior consultations determined 11 of those are not eligible for the National Register of Historic Places (NRHP) and do not warrant consideration for preservation. Historic US 95 is one of the previously determined NRHP-eligible resources but the

State Historic Preservation Office (SHPO) and ADOT previously determined that the segment in the APE of the current project lacks character defining features and does not contribute to the historical significance of the highway. A prehistoric archaeological site is the other cultural resource that prior consultations determined was NRHP eligible under Criterion D for its potential to yield important information about the prehistory of the region. The site consisted of a trail across desert pavement and a few associated flaked stone artifacts. The supplemental survey conducted for the project determined that after the original discovery of the site and a subsequent recording, construction activity destroyed the site, which was located almost entirely on a parcel of private land adjacent to US 95.

The supplemental survey identified an abandoned segment of historic US 95 that had not been previously recorded and three other previously unrecorded historical in-use roads that branch from US 95, including Imperial Dam Road, Martinez Lake Road, and Aberdeen Road.

Abandoned Segment of Historic US 95

Historic US 95 passes through the entire length of the APE as an in-use, two-lane highway, and nine abandoned segments of the highway were previously recorded in the APE. A road constructed in the 1920s or 1930s along what is now the US 95 corridor was designated SR 95 in 1951 and then US 95 in 1960. As a component of the historic state highway system developed between statehood (1912) and 1955 it is eligible for the NRHP under Criterion D but the segment in the APE does not warrant preservation because it does not contribute to the highway's historic significance. The Arizona statewide inventory of historic bridges determined that a bridge and box culvert in the APE lack the historical significance required to be NRHP eligible.

The supplemental survey identified a previously unrecorded abandoned segment of SR 95 on the west side of the in-use US 95 near MP 47 between the junctions with Martinez Lake Road and Aberdeen Road. Historic aerial photos indicate this segment was abandoned between 1954 and 1967. The northern end of this segment is west of the in-use US 95 and extends south from Aberdeen Road where it terminates at the edge of a wash. The supplemental survey documented the abandoned segment has a paved surface 23 feet wide, parts of the roadbed are raised as much as 4 feet above the surrounding terrain, and a 20-inch diameter pipe culvert with headwalls made of stacked boulders set in concrete is located south of Aberdeen Road.

Although US 95 is in an important motor vehicle transportation corridor established in the early twentieth century, the alignment of roads in the corridor has shifted over time and the highway was designated a state highway late in the development of the historic state highway system. The Project would ensure that the highway continues the historical use of the transportation corridor between Yuma and Quartzsite (and Interstate 8 and Interstate 10).

Historic Imperial Dam Road

A historical in-use segment of Imperial Dam Road enters the APE from the west and terminates at the intersection with US 95 at MP 44.1. This paved road segment provides access to YPG facilities, Imperial Dam, and recreational destinations along the Colorado River west of the highway. The road is visible on the earliest available aerial photo from 1947 and is first mapped on the 1955 Laguna

Dam, Arizona, USGS 7.5-minute quadrangle. The road segment in the APE is bordered by graded dirt shoulders. The road is well maintained with graded dirt shoulders and is heavily traveled. The road segment within the APE is not associated with a significant event or person, nor does it have engineering significance or potential to provide important information, and was determined to be ineligible for the NRHP.

Historic Martinez Lake Road

A historical in-use segment of Martinez Lake Road enters the APE from the west and terminates at an intersection with US 95 at MP 46.7. This paved road segment provides access to YPG facilities and recreational destinations along the Colorado River west of the highway. This road segment is not visible on a 1947 aerial photo but is visible on an aerial photo from 1953 and is first mapped on the 1955 Dome, Arizona, USGS 7.5-minute quadrangle. The road is well maintained with graded dirt shoulders and is heavily traveled. There is substantial additional disturbance due to off-road travel adjacent to the road.

About 3.6 miles northwest of the intersection of Martinez Lake Road and US 95, the current alignment of Martinez Lake Road was recorded as a segment of the Silver District Road and prior consultation determined the road was eligible for the NRHP under Criteria A and D. The Martinez Lake Road alignment deviates from the historic Silver District Road alignment about 2.5 miles west of the APE, and the segment in the APE is not part of the historic Silver District Road. The segment of Martinez Lake Road in the APE is not associated with a significant event or person, nor does it have engineering significance or potential to provide important information and was determined to be ineligible for the NRHP.

Historic Aberdeen Road

A historical in-use segment of Aberdeen Road enters the APE from the east, crosses US 95 at MP 47.3, and terminates where it intersects an earlier, abandoned alignment of US 95. Aberdeen Road is paved and used frequently east of US 95 to access YPG facilities. A gate restricts use of the road west of US 95.

This segment of Aberdeen Road is not present on a 1947 aerial photo but is visible on a 1953 aerial photo and is mapped on the 1955 Dome, Arizona, USGS 7.5-minute quadrangle. Historical aerial photos and maps document that at this location, US 95 used to be west of its current alignment, and Aberdeen Road branched east from that former alignment to provide access to YPG facilities and did not extend west of the highway.

The segment of Aberdeen Road between the current alignment of US 95 and the abandoned alignment of the highway to the west is not associated with a significant event or person, nor does it have engineering significance or potential to provide important information and was determined to be ineligible for the NRHP.

Isolated Finds

The supplemental survey found two isolated occurrences (IOs) of artifacts and an isolated historical in-use road feature. The IOs are not the types of cultural resources considered for inclusion in the NRHP.

IO 1 is a scatter of 16 items of historical domestic trash, including fragments of glass bottles and cans. Temporally diagnostic marks indicate the trash dates from about the 1940s to 1950s.

IO 2 is a prehistoric primary flake of dark yellow chert with dark green mottling. The flake has no evidence of use.

IO 3 is a segment of an unnamed historical in-use dirt road that crosses US 95 at MP 46.4. The road segment in the survey area is 26 to 38 feet wide and 275 feet long. This road appears to be used frequently to provide access between YPG facilities west and east of US 95. A concrete crossing of US 95 indicates tracked military vehicles use the road. A gate restricts access to the road west of the highway. The road segment is visible on the earliest available aerial photo from 1947, suggesting it dates to the mid-twentieth century.

In consultation with the SHPO and other interested parties, ADOT determined the project would have no adverse effect on NRHP-listed or eligible properties.

Section 106 Consultation

ADOT initiated consultation with Ak-Chin Indian Community, Arizona State Museum (ASM), Cocopah Indian Tribe, Colorado River Indian Tribes, Fort McDowell Indian Community, Fort Mojave Indian Tribe, Fort Yuma Quechan Tribe, Gila River Indian Community, Hopi Tribe, Pueblo of Zuni, Salt River Pima-Maricopa Indian Community, SHPO, Tohono O'odham Nation (TON) (lead for Four Southern Tribes), Yavapai Apache Nation, Yavapai-Prescott Indian Tribe, Yuma County, and YPG on a finding of "no adverse effect" on April 22, 2024. Responses were received from ASM (May 27, 2024), the Hopi Tribe (May 1, 2024), SHPO (April 30, 2024), SRPMIC (April 30, 2024), TON (April 24, 2024), YAN (April 22, 2024 – no comments or concerns), YPG (May 21, 2024), and Yuma County (April 22, 2024). Additional consultation was required due to the addition of TCEs for utility relocation and improvements which ADOT initiated on July 22, 2024. Responses were received from the Cocopah Indian Tribe (July 25, 2024), the Hopi Tribe (July 22, 2024), SHPO (July 26, 2024), SRPMIC (July 25, 2024), TON (July 22, 2024), YAN (July 26, 2024 – no comments or concerns), and Yuma County (July 22, 2024). ADOT determined that the project may proceed with a finding of "no adverse effect" on August 26, 2024 (see **Attachment D**).

2.3.5. Air Quality

The NEPA of 1969 and The Clean Air Act Amendments (CAAA) of 1990 require that air quality impacts be addressed in the preparation of environmental documents for federal projects. As stated in the Final EA, portions of the project lie within the National Ambient Air Quality Standards (NAAQS) Yuma nonattainment area for PM₁₀.

The Air Quality Analysis for the project demonstrates that the project would not cause or contribute to any new localized PM10 violations, increase the frequency or severity of any existing PM10, or delay timely attainment of any NAAQS or any required interim emission reductions or other milestones in the Yuma PM10 nonattainment area. The project is not likely to cause or contribute to the severity or number of violations of the NAAQS.

ADOT conducted interagency consultation with, EPA, FHWA, Yuma Metropolitan Planning Organization, and ADEQ between July 22 – August 22, 2024 in accordance with 40 CFR 93.105 as a Project that is not of Air Quality Concern and that would not require a PM hot-spot analysis. There were no objections to the project determination and on August 21, 2024, ADOT concluded Interagency Consultation by notifying interested parties that this project would proceed as a project that does not require a quantitative PM10 hot-spot analysis under 40CFR 93.123(b).

The project is listed in the YMPO 2022-2026 Transportation Improvement Plan (TIP) Amendment #16, approved by the YMPO Executive Board, July 25, 2024. The project is also included in the YMPO 2022-2045 Long-Range Transportation Plan (LRTP). On June 21, 2024, the project was added to the 2025 ADOT Statewide Transportation Improvement Plan (STIP). On August 27, 2024, FHWA issues a Project-level Conformity Determination (see **Attachment E**).

2.3.6. Noise Impacts

Noise analysis for the 2006 Final EA was conducted in compliance with the ADOT Noise Abatement Policy (NAP) dated March 21, 2000. Noise analysis for the current project was conducted to comply with the ADOT Noise Abatement Requirements (NAR) dated May 2017. The analysis determined that there were no noise-sensitive lands that could be potentially affected by traffic noise from the project. FHWA’s Noise Analysis Screening Tool was used to estimate traffic noise at a distance of 300 feet on either side of the alignment. The results of the screening tool are shown in **Table 3**. Increases in noise levels are anticipated due to increases in traffic volume from population growth. Both the No-build scenario and the build scenario had the same anticipated traffic noise levels. Therefore, no impacts associated with traffic noise are anticipated for the project. The noise analysis was approved by ADOT on July 29, 2024 (see **Attachment F**).

Table 3. FHWA Traffic Noise Screening Tools Results

Segment	Existing 2023 Noise Level (dba)	2045 No-build Noise Levels (dba)	2045 Build Noise Levels (dba)
US 95, South of Imperial Dam Road	54.8	56.8	56.8
US 95, North of Imperial Dam Road	50.7	52.8	52.8

2.3.7. Water Resources

Section 404 and 401 of the Clean Water Act

The 2006 Final EA stated that a Preliminary Jurisdictional Determination (PJD) was completed for the project that determined that Waters of the US (WOTUS) do exist in the project area. The 2006 Final

EA indicated that an Individual Permit under Section 404 would be required for construction of the Fortuna Wash bridges, Gila River bridge, Gila Gravity Main Canal bridge, Wellton-Mohawk Canal bridge, and the relocation of roadway in portions of Castle Dome Wash. In Arizona, Section 404 permits also require Section 401 Water Quality Certification (WQC) from the Arizona Department of Environmental Quality (ADEQ). WQCs ensures that projects will not violate surface water quality standards by limiting discharges into impaired, non-attaining, or Outstanding Arizona Waters (OAWs). Castle Dome Wash is not impaired, non-attaining or an OAW.

Since the publication of the 2006 Final EA the US EPA and the USACE amended the definition of Waters of the US. The amendment removed the significant nexus standard. The final rule went into effect on September 8, 2023. An Approved Jurisdictional Determination (AJD) was prepared for the current EA Re-Evaluation in June, 2024. The AJD identified Castle Dome Wash and six (6) unnamed washes as having an Ordinary High Water Mark (OHWM). Additionally, twenty (20) erosional features not exhibiting an OHWM were identified. Erosional features are a listed exclusion to Waters of the US under 33 CFR 328.3(b)(8). The AJD proposes that Castle Dome Wash, all unnamed washes, and all erosional features in the Project Study Area are not jurisdictional waters. The USACE concurred with this determination on August 27, 2024 (File SPL-2024-00480) (see **Attachment G**). Therefore, a Section 404 permit to the USACE and a 401 WQC application submission to ADEQ are not required for this project.

Section 402 of the Clean Water Act (Stormwater)

The 2006 Final EA determined that because one (1) or more acres of land would be disturbed, an Arizona Pollutant Discharge Elimination System (AZPDES) permit would be required. ADOT Roadside Development would determine who would prepare the Storm Water Pollution Prevention Plan (SWPPP). The district Construction office and the contractor would submit a Notice of Intent (NOI) before construction and a Notice of Termination (NOT) after construction to ADEQ.

The current project would disturb greater than one (1) acre and would require coverage under the AZPDES Construction General Permit (CGP). ADOT and the contractor would be required to submit separate NOIs before construction and sperate NOTs after construction to ADEQ. Before ground disturbing activities, the contractor will prepare a SWPPP and ADOT will review in accordance with the 2023 ADOT Stormwater Management Plan (SWMP).

Drainage and Floodplains

The 2006 Final EA evaluated the project for impacts to floodplains using the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) dated February 1989. A detailed flood study for unincorporated Yuma County covering Fortuna Wash and the Gila River was published September 1988. At the time, US 95 had a low-flow crossing at Fortuna Wash which would close the highway during storm events. The Selected Alternative proposed constructing two new bridges over the wash and containing the 100-year floodplain under the bridges using levees. These changes would increase the upstream flood elevation within the wash. There were no anticipated impacts to floodplains in other waters.

The corresponding FEMA FIRMs for the current project are 04027C1000E, effective 08/28/2008; 04027C1255E, effective 08/28/2008; 04027C1235E, effective 08/28/2008; and 04027C1245F, effective 01/16/2014. The project is located within areas of undetermined flood hazard (flood hazard Zone D). The current project proposes to reconstruct numerous corrugated metal pipes (CMPs) and concrete box culverts (CBCs) within the project area.

2.3.8. Biological Resources

The 2006 Final EA evaluated vegetation, invasive species, threatened and endangered species, designated critical habitat, and sensitive species. A Biological Evaluation (BE) was completed for the 2006 Final EA in June 2003. A BE prepared to identify potential impacts from the current project to biological resources in the project area. A field survey was conducted on November 10, 2023, and a supplemental survey was conducted on February 1, 2024. The Arizona Game and Fish Department (AZGFD) was consulted on the project and provided an official response letter which was included in the BE. The BE was approved by ADOT on May 29, 2024 (see **Attachment H**).

Threatened/Endangered Species, Designated Critical Habitat, and Sensitive Species

The 2003 BE evaluated impacts to bald eagle (*Haliaeetus leucoccephalus*), cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*), razorback sucker (*Xyrauchen texanus*), Southwestern willow flycatcher (*Empidonax traillii extimus*), and Yuma clapper rail (*Rallus longirostris yumanensis*). It was determined that no impacts to listed species or their habitats would result from the Selected Alternative. USFWS reviewed the BE and in a letter dated September 9, 2003, requested that updated surveys and habitat descriptions be conducted and included in an amended BE prior to construction. AZGFD provided a list of Wildlife of Special Concern in Arizona; however, it was determined that no special actions were necessary during construction and AZGFD did not request any mitigation measures. At the interagency information meeting on June 17, 2003, AZGFD expressed concern about vehicle collisions with bighorn sheep and wild burros in the northern section of the project.

The 2024 BE evaluated impacts to Sonoran pronghorn (*Antilocapra americana sonoriensis*), Southwestern willow flycatcher (*Empidonax traillii extimus*), yellow-billed cuckoo (*Coccyzus americanus*), Yuma ridgway's rail (*Rallus obsoletus yumanensis*), Sonoran Desert tortoise (*Gopherus morofkai*), and monarch butterfly (*Danaus Plexippus*). It was determined that no impacts to threatened or endangered species would result from the project. However, the presence of suitable habitat for the Sonoran Desert tortoise was found and impacts to the species may occur. Mitigation measures to reduce impacts to the species were included in the BE (see **Attachment A**). The Sonoran Desert Tortoise Awareness Handout and Observation Form can be found in **Attachment I**. In their official response letter, AZGFD recommended determining if structures were suitable as roosting habitat for bats and that the design team refer to *Wildlife Crossing Structure Handbook Design and Evaluation in North America* (FHWA 2011). The project would install game fence along the ROW to minimize the ability of wildlife to enter the roadway.

Vegetation and Invasive Species

The 2006 Final EA found that the Selected Alternative was located in the Lower Colorado Valley Subdivision of the Sonoran Desertscrub biotic community⁷. Common vegetation included creosote bush found in widespread stands as well as mixed with ocotillo (*Fouquieria splendens*), bursage (*Ambrosia dumosa*), teddy bear cactus (*Cylindropuntia bigelovii*), and foothill paloverde trees (*Parkinsonia microphylla*). Hillsides supported saguaro cactus. Washes supported trees such as ironwood (*Olneya tesota*), mesquite (*Prosopis velutina*), and catclaw acacia (*Senegalia greggii*). Portions of the proposed ROW had been previously cleared for construction of dirt roads, agricultural fields, and commercial uses. Areas disturbed by construction would be reseeded with native species. The project would be surveyed by a qualified invasive species authority during final design. Earthmoving and hauling equipment would be washed before arriving on site.

The 2024 BE found that vegetation near the current project was very sparse. Creosote bush (*Larrea tridentata*), four-wing saltbush (*Atriplex canescens*), and brittlebush (*Encelia farinosa*) were the dominant species in the uplands of the project area with the occasional velvet mesquite (*Prosopis velutina*), ocotillo (*Fouquieria splendens*), cane cholla (*Cylindropuntia imbricata*), saguaro (*Carnegiea gigantea*), and blue palo verde (*Parkinsonia florida*). Within the drainages of the project, the larger shrubs and trees were comprised of velvet mesquite (*Prosopis velutina*), blue palo verde (*Parkinsonia florida*), desert ironwood (*Olneya tesota*), desert willow (*Chilopsis linearis*), desert broom (*Baccharis sarothroides*), and tamarisk (*Tamarix* sp.). Along the bottom and edges of the drainages were sacred datura (*Datura wrightii*), common Mediterranean grass (*Schismus barbatus*), Saharan mustard (*Brassica tournefortii*), Palmer's amaranth (*Amaranthus palmeri*), and borage plants (*Boraginaceae* sp.).

2.3.9. Prime and Unique Farmlands

The 2006 Final EA found that prime and unique farmland existed in the project area between MP 31.8 and MP 39.0. A Farmland Conversion Impact Rating Form was prepared and identified that 9 out of the 195,600 acres of prime farmland within Yuma County would be required for the Selected Alternative. Due to the small amount of prime farmland required it was determined that the impacts would be negligible and would not alter the regional or local agricultural setting. The current project does not have any prime and unique farmland within the project area and therefore would not have any impact to the agricultural characteristics of the area.

2.3.10. Hazardous Materials

A Preliminary Initial Site Assessment (PISA) was completed for the 2006 Final EA in May 2003. The PISA reviewed ADEQ and EPA databases to identify underground storage tanks (USTs), landfills, or hazardous material treatment, storage, and disposal facilities (TSDFs). None of these were found

⁷ Brown, D.E. (ed.). 1994. *Biotic Communities: Southwestern United States and Northwestern Mexico*. University of Utah Press, Salt Lake City. 342p.

within the project area. The PISA identified that load-bearing structures and concrete containing materials should be tested for asbestos and lead-based paint before construction.

A PISA technical memorandum was approved by ADOT December 15, 2023 (see **Attachment J**) for the current project. The PISA reviewed potential environmental concerns as defined by the American Society for Testing and Materials (ASTM) Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process (E 1528-22) (ASTM 2022). The PISA identified that the project is within the boundaries of YPG which has known groundwater and soil contamination. However, the project is not within a known plume requiring remediation. According to Arizona Department of Water Resources (ADWR), there is one well within the project area, Well ID: 325129114213601, located southwest of US 95 and Martinez Lake Road. Limited information was available for this well. It is recommended that a Phase I Environmental Site Assessment (ESA) be completed for all property to be acquired for the project.

An Asbestos-containing Material (ACM)/Lead-based Paint (LBP) technical memorandum was approved by ADOT on December 15, 2023 (see **Attachment K**). Four (4) white roadway striping and four (4) yellow roadway striping were collected and analyzed for LBP. Four (4) white roadway striping, four (4) yellow roadway striping, and two (2) concrete samples were collected and analyzed for ACM. LBP samples did not exceed the Housing and Urban Development (HUD) abatement threshold of 0.5% lead by weight or 5,000 milligrams per kilogram (mg/kg). ACM samples did not contain detectable levels of asbestos.

These results are consistent with the 2006 EA which did not indicate any hazardous materials concerns for the project.

2.3.11. Secondary and Cumulative Impacts

Secondary (or indirect) effects are defined in 40 CFR § 1508.1 as caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems. Cumulative effects are defined in 40 CFR § 1508.1 as effects on the environment that result from the incremental effects of the action when added to the effects of other past, present, and reasonably foreseeable actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time.

Secondary and cumulative impacts in the 2006 Final EA included: land use and economic resources, air quality, noise, prime and unique farmland, native vegetation and wildlife habitat , threatened, endangered and sensitive species, and cultural resources.

Land Use and Economic Resources

The Selected Alternative was not anticipated to contribute to secondary or cumulative impacts on land use and economic resources. The majority of land in the project area was designated as Agriculture/Rural perseveration in the *Yuma County 2010 Comprehensive Plan*. These areas were

not anticipated to be developed and the Selected Alternative was not likely to affect the rate of change of land use.

The current project takes place entirely within areas designated as YPG in the *Yuma County 2030 Comprehensive Plan*. These areas are not anticipated to be developed and the current project would not affect the rate of change of land use. US 95 is an existing highway. The current project would not contribute to secondary or cumulative land use and economic resource impacts.

Air Quality

The Selected Alternative was anticipated to contribute to minor negative secondary and cumulative effects on air quality. The project was within the Yuma County nonattainment area for PM₁₀. The project along with other current and future transportation and nontransportation-related would improve traffic flow and relieve congestion.

The current project is partially within the Yuma County nonattainment area for PM₁₀. The project would improve traffic flow and reduce congestion at Imperial Dam Road, Martinez Lake Road, and Aberdeen Road. The project would contribute to minor secondary and cumulative impacts on air quality.

Noise

The Selected Alternative was anticipated to contribute to minor negative secondary and cumulative effects on noise. The project was not anticipated to increase traffic volumes and a decrease in congestion would result in an improvement to the level of service of the highway.

The current project is not anticipated to increase traffic volumes above the no-build scenario. There would be no secondary and cumulative effects on traffic noise from the current project.

Prime and Unique Farmland

The Selected Alternative was anticipated to contribute to long-term negligible negative secondary and cumulative effects on prime and unique farmland. Approximately nine (9) acres of prime and unique farmland would be acquired to construct the Selected Alternative in the south segment. This small percentage of the total available agricultural acreage of Yuma County is not anticipated to affect the overall agricultural and rural character of the surrounding area.

The current project would not require any conversion of prime and unique farmland and therefore would have no secondary or cumulative impact to these resources.

Native Vegetation and Wildlife Habitat

The Selected Alternative and other transportation and nontransportation-related projects were anticipated to contribute to minor negative secondary and cumulative effects on native vegetation and wildlife habitat. US 95, developments in Yuma County including agriculture, and development of YPG are thought to have contributed to cumulative loss and/or fragmentation of habitat and native vegetation. The sparse native vegetation in the northern portion of the project provides limited

habitat value. The presence of federal lands helps to reduce potential loss of habitat and vegetation by preventing residential or commercial development.

The current project occurs in an area of very sparse vegetation. Barbed wire game fence would be installed along the ROW to help prevent wildlife from entering the roadway. Widening of US 95 would continue to contribute to the cumulative loss and/or fragmentation of wildlife habitat and native vegetation. The current project occurs within YPG which continues to prevent future residential or commercial development which would further loss of habitat and vegetation. The current project would have minor negative secondary and cumulative effects on native vegetation and wildlife habitat.

Threatened, Endangered, and Sensitive Species

The Selected Alternative was not anticipated to contribute to secondary or cumulative effects on threatened, endangered, and sensitive species. Only 5 of the 11 listed species occurring in Yuma County had the potential for suitable habitat in the project area. The Selected Alternative was not anticipated to affect these species.

The current project was evaluated for impacts to Sonoran pronghorn, Southwestern willow flycatcher, yellow-billed cuckoo, Yuma ridgeway rail, Sonoran Desert tortoise, and monarch butterfly. It was determined that no impacts to threatened or endangered species would result from the project. However, the presence of suitable habitat for the Sonoran Desert tortoise was found and impacts to the species may occur. Mitigation measures to reduce impacts to the species are included in **Attachment A**. The inclusion of game fence along the ROW would result in benefits from the project as large game such as Sonoran pronghorn would have a limited ability to enter the roadway. The current project is anticipated to have minor negative effects on secondary and cumulative on threatened, endangered, and sensitive species.

Cultural Resources

The Selected Alternative along with other current and future transportation and non-transportation-related actions are anticipated to have long-term moderate negative secondary and cumulative impacts to cultural resources. SHPO determined that the Selected Alternative would adversely affect historic properties in the project area. Any action occurring on ASLD lands or land owned by the federal government would require consultation with SHPO at a minimum. Any cultural resources not avoided would undergo data recovery and detailed resource documentation.

The current project would not have negative secondary and cumulative impacts to cultural resources. SHPO concurred that the current project would have “no adverse effect” effect on cultural resources.

3. Public Involvement

Public and agency scoping were conducted during the EA re-evaluation. Scoping letters were mailed or emailed on January 15, 2024 and the scoping comment period ended on February 14, 2024. Responses were received by Arizona Department of Public Safety, Arizona Game and Fish Department, City of Yuma Fire Department, Yuma County, Yuma County Sheriff's Office, and Yuma Union High School District. No responses were received from private landowners. The *Agency and Public Scoping Response Resolutions* can be found in **Attachment L**.

A project web page was created in July 2024 and provides information to the public including: project costs, major elements of the project, background, need for the project, construction timelines, and project location. Project information is available in both English and Spanish. The web page can be accessed by the public at <https://azdot.gov/projects/southwest-district-projects/us-95-imperial-dam-road-to-aberdeen-road-widening>.

This EA Re-evaluation will be available for download on the web page once approved. Once posted online, a GovDelivery will be issued to the US 95 subscribers and will also be emailed and/or mailed to local Yuma businesses and stakeholders. In May 2024, ADOT held a meeting with Yuma Proving Grounds leadership. The presentation provided information on the project. The project's status and construction updates will be provided in future Southwest District community presentation.

4. Conclusion

Based on this EA re-evaluation, it has been determined that the FONSI issued on October 19, 2006 is still valid.

5. Attachments

- Attachment A: Updated Environmental Commitments and permits
- Attachment B: Project Vicinity Map
- Attachment C: Census Tracts and Block Groups Within 2-mile Analysis Area
- Attachment D: Cultural Closeout Memorandum
- Attachment E: Air Quality Project-Level Conformity Determination
- Attachment F: Noise Analysis Signature Page
- Attachment G: Approved Jurisdictional Determination
- Attachment H: Biological Evaluation Signature Page
- Attachment I: Sonoran Desert Tortoise Awareness Handout and Observation Form
- Attachment J: Preliminary Initial Site Assessment (PISA) Signature Page
- Attachment K: Asbestos-containing Material (ACM)/Lead-based Paint (LBP) Signature Page
- Attachment L: Agency and Public Scoping Response Resolutions

Attachment A

Updated Environmental Commitments and Permits

Updated Environmental Commitments

The following shall be included in the project special provisions:

The project mitigation measures are not subject to change without written approval from ADOT Environmental Planning. The Contractor shall follow all the requirements of the permits specified herein and comply with the project specifications.

ADOT Roadside Development Section Responsibility:

- Protected native plants within the project limits will be impacted by this project; therefore, the Arizona Department of Transportation Roadside Development Section will determine if Arizona Department of Agriculture notification is needed. If notification is needed, the Arizona Department of Transportation Roadside Development Section will send the notification at least 60 (sixty) calendar days prior to the start of construction.

District Responsibilities:

- The ADOT project manager will contact the Arizona Department of Transportation Environmental Planning hazardous materials coordinator (602.920.3882 or 602.712.7767) 30 (thirty) days prior to bid advertisement to determine the need for additional site assessments and confirm that the asbestos report is still valid.
- If any active bird nests cannot be avoided by vegetation clearing or construction activities, the Engineer will contact the Environmental Planning Biologist (928.304.0487) to evaluate the situation.

Contractor Responsibilities:

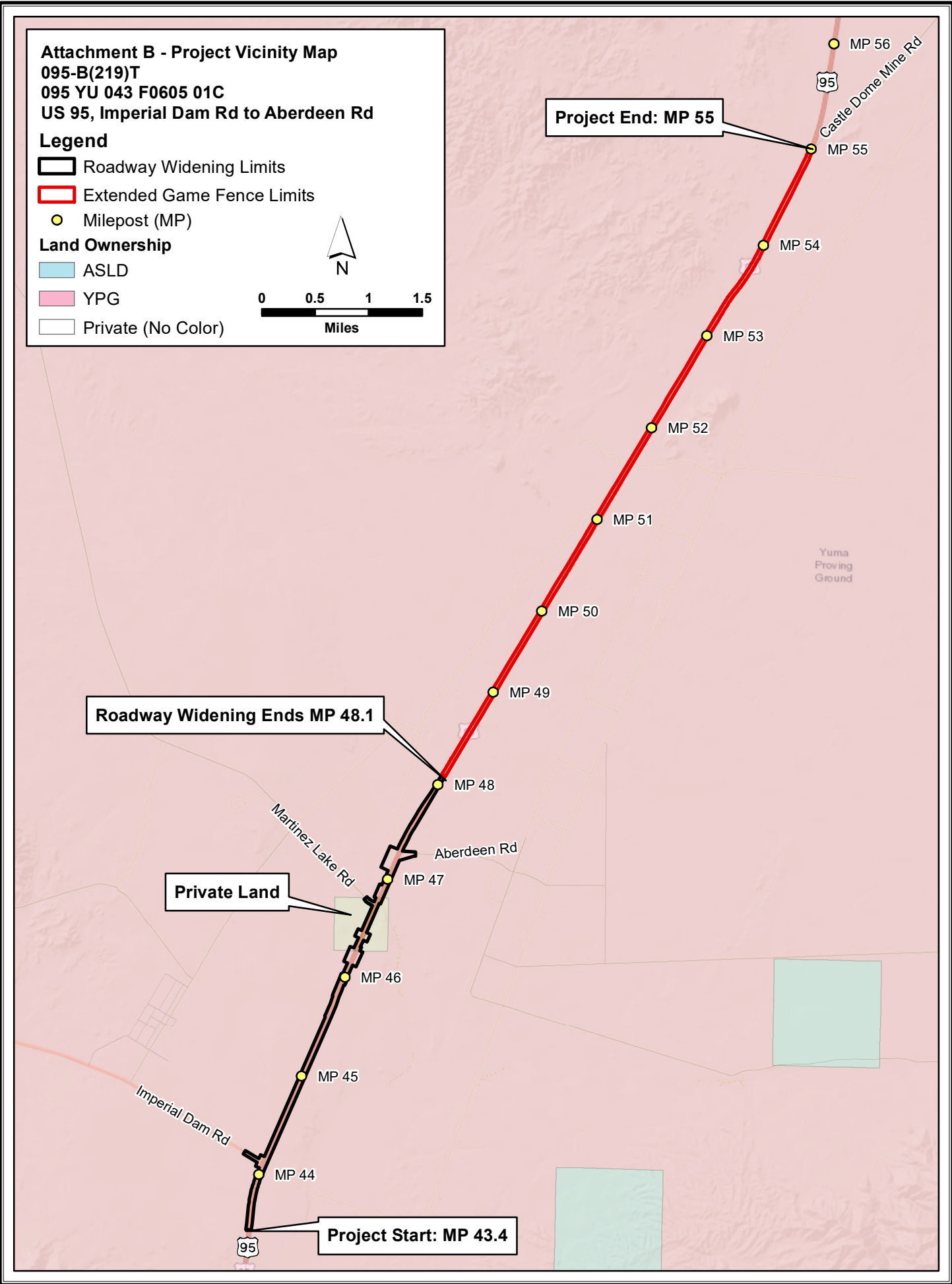
- The contractor shall complete a National Standards for Hazardous Air Pollutants (NESHAP) notification for the work associated with extending the existing Castle Dome Wash concrete box culvert on US 95 (Structure #05007) and submit to the Engineer, who shall submit it to the Arizona Department of Transportation environmental planning hazardous material coordinator (602.920.3882 or 602.712.7767) for a five (5) working day review and approval. Upon approval, the contractor shall file the notification with Arizona Department of Environmental Quality (ADEQ) at least ten (10) working days prior to the commencement of work.
- For milling activities, the roadway surface preceding the milling machine shall be kept sufficiently wet so as to prevent the generation of any visible fugitive dust particles, but not so wet as to cause excess runoff from the roadway surface onto the roadway shoulder.
- If vegetation clearing will occur during the migratory bird breeding season (March 1- August 31), the contractor shall avoid any active bird nests. If the active nests cannot be avoided, the contractor shall notify the Engineer to evaluate the situation. During the non-breeding season (September 1- February 28) vegetation removal is not subject to this restriction.
- The contractor shall develop a Noxious and Invasive Plant Species Treatment and Control Plan in accordance with the requirements in the contract documents. Plants to be controlled shall include those listed in the state and federal noxious weed and the state invasive species lists in accordance with state and federal laws and executive orders. The plan and associated treatments shall include all areas within the project right-of-way and easements as shown on

the project plans. The treatment and control plan shall be submitted to the Engineer for the Arizona Department of Transportation Construction Professional Landscape Architect for review and approval prior to implementation by the contractor.

- Prior to the start of ground-disturbing activities and throughout the duration of construction and any landscape establishment period, the contractor shall arrange for and perform the control of noxious and invasive species in the project area.
- If any Sonoran Desert tortoises are encountered during construction, the contractor shall adhere to the attached Arizona Game and Fish Department "Guidelines for Handling Sonoran Desert Tortoises Encountered on Development Projects". If any tortoise is encountered during construction the contractor shall notify the Engineer to report the encounter.
- The contractor shall report encounters with any Sonoran Desert tortoise tortoises (live, injured, or dead) during construction to the Engineer using the attached Arizona Department of Transportation Sonoran Desert Tortoise Observation Form. The final form shall be sent to Arizona Department of Transportation Environmental Planning (email: bioteam@azdot.gov) within 24 hours of the encounter. Photographs should be taken of tortoises encountered and included in the report if possible.
- Prior to construction activity the contractor's field personnel including the Project Manager, Assistant Project Manager, General Superintendent, and Project Superintendent shall review the attached Arizona Department of Transportation Environmental Planning "Sonoran Desert Tortoise Awareness Program Handout" flier, become familiar with the identification and avoidance of the Sonoran Desert tortoise, and follow the notification request, as applicable.

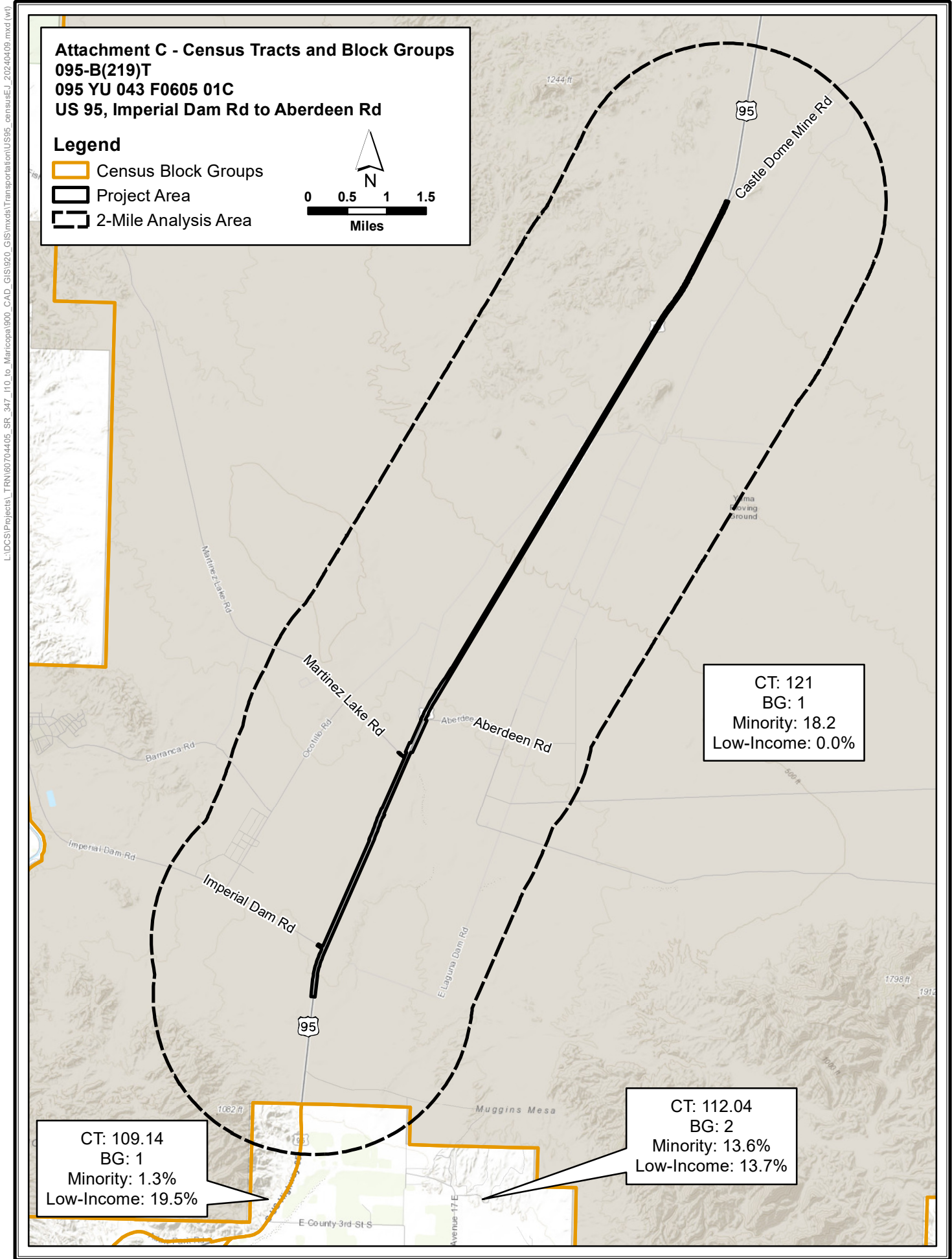
Attachment B

Project Vicinity Map



Attachment C

Census Tracts and Block Groups within 2-mile Analysis Area



Attachment D

Cultural Closeout Memorandum



Environmental Planning**MEMORANDUM – Cultural Closeout**

TO: Michael Carlson, Environmental Planner

FROM: Maggie Bowler, Senior Historic Preservation Team Specialist

DATE: August 26, 2024

RE: Federal Project Number: 095-B(219)T
TRACS Number: 095 YU 043 F0605 01D
Project Name: US 95; Imperial Dam Road – Aberdeen Road
Finding: "No Adverse Effect"

The Arizona Department of Transportation (ADOT) is preparing the final design for widening 4.5 miles of United States Highway 95 between the intersections with Imperial Dam Road and Aberdeen Road (mileposts 43.50 to 48.10), 16 miles northeast of the city of Yuma, in Yuma County, Arizona. The project would occur within ADOT-owned right-of-way (ROW), ADOT easements across federal land managed by the US Army – Yuma Proving Ground (YPG), Yuma County-owned ROW along Martinez Lake Road, and privately-owned land. Consulting parties for this project include the Ak-Chin Indian Community, Arizona State Museum (ASM), the Cocopah Indian Tribe, the Colorado River Indian Tribes (CRIT), the Fort McDowell Yavapai Nation (FMYN), the Fort Mojave Indian Tribe (FMIT), the Fort Yuma-Quechan Tribe (FYQT), the Gila River Indian Community (GRIC), the Hopi Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community (SRPMIC), the State Historic Preservation Office (SHPO), the Tohono O'odham Nation (TON), the Yavapai-Apache Nation (YAN), the Yavapai-Prescott Indian Tribe, Yuma County, and YPG

ADOT conducted continuing Section 106 consultation with all consulting parties on a project effect finding of "no adverse effect" for the geotechnical investigations portion of the project on December 4, 2023. Concurrences were received from the Hopi Tribe (December 5, 2023), SHPO (December 6, 2023), SRPMIC (December 20, 2023 – concurs but defers to TON), TON (December 4, 2023), YPG (December 5, 2023), and Yuma County (December 4, 2023).

Continuing Section 106 consultation was conducted with all consulting parties on a project effect finding of "no adverse effect" for the overall project on April 22, 2024. Concurrences were received from ASM (May 27, 2024), the Hopi Tribe (May 1, 2024), SHPO (April 30, 2024), SRPMIC (April 30, 2024 – concurs but defers to CRIT), TON (April 23, 2024), YPG (May 21, 2024), and Yuma County (April 22, 2024). YAN also responded and stated that they had no comments or concerns regarding the project (April 22, 2024).

Subsequent to the April 2024 consultation, the project team identified a need for four additional narrow strips of new ROW and three temporary construction easements (TCEs). The new ROW and TCEs expand the area of potential effects (APE) that ADOT originally delineated for the project by 9.23 acres from 359.50 acres to 368.70 acres. The new ROW and TCEs would be acquired from federal land managed by YPG and privately-owned land. Continuing Section 106 consultation was submitted to all consulting

parties on a continued project effect finding of "no adverse effect" for the additional ROW and TCE parcels on July 22, 2024. Concurrences were received from the Cocopah Indian Tribe (July 29, 2024), the Hopi Tribe (July 22, 2024), SHPO (July 26, 2024), SRPMIC (July 25, 2024 – concurs but defers to TON), TON (July 22, 2024), YPG (August 6, 2024), and Yuma County (July 22, 2024). YAN also responded and stated that they had no comments or concerns, and opted out of future consultation for this project (July 26, 2024).

At this time, ADOT has determined that this roadway widening project may proceed with a finding of "no adverse effect." If the remaining parties opt to participate in cultural resource consultation for this project at a later date, ADOT will make a good faith effort to address any concerns they may have. However, such consultation will not necessitate a reconsideration of this finding of project effect. If you have any questions about this clearance, please feel free to contact me at (480) 489-9256 or by e-mail at mbowler@azdot.gov.

Attachment E

Air Quality Clearance Memorandum



U.S. Department
of Transportation
**Federal Highway
Administration**

ARIZONA DIVISION

4000 North Central Avenue
Suite 1500
Phoenix, Arizona 85012-3500
Phone: (602) 379-3646
Fax: (602) 382-8998
<http://www.fhwa.dot.gov/azdiv/index.htm>

August 27, 2024

In Reply Refer To:
095-B(219)T
0095 YU 44 F0605 01C
US 95: Imperial Dam Rd. to Aberdeen Rd.
Air Quality Conformity Determination

Paul O'Brien, P.E., Environmental Planning Administrator
Environmental Planning
Arizona Department of Transportation
205 South 17th Avenue, MD 612E
Phoenix, Arizona 85007-3212

Dear Mr. O'Brien:

The Federal Highway Administration (FHWA) received a request from the Arizona Department of Transportation (ADOT) dated August 22, 2024, for a project-level air quality conformity determination for the 095-B(219)T 0095 YU F0605 01C, US 95: Imperial Dam Rd. to Aberdeen Rd. project. The project will widen US95 between Imperial Dam Rd. and Aberdeen Rd. from the existing two-lane undivided roadway to a four-lane divided highway from Mileposts 43.5 to 48.1. The project will be constructed on existing ADOT Rights of Way, land owned by the Yuma Proving Grounds and on private land. The project is located about 17 miles Northeast of the City of Yuma, and about 60 miles south of Interstate 10 in Yuma County.

The project is located in the Yuma Metropolitan Planning Organization (YMPO) area, which is designated nonattainment for Particulate Matter (PM₁₀) and Ozone under the National Ambient Air Quality Standards (NAAQS) which are subject to project-level conformity requirements. The project is included in the regional conformity analysis of FY 2022-2026 YMPO Transportation Improvement Program (TIP) and 2022-2026 Long Range Plan, as approved by YMPO Regional Council on March 28, 2024, for which a conformity determination was issued by FHWA and FTA on May 9, 2024.

It was determined that the project was not a project of air quality concern for PM₁₀ and would not need a hot-spot analysis. Based on our review of the PM₁₀ air quality analyses and interagency consultation information provided by the ADOT regarding this project and scope of work, FHWA is making the determination that this project meets the air quality conformity

requirements listed in 40 CFR Part 93. If there are any questions on this determination, please contact Rebecca Yedlin at 602-382-8979 or Rebecca.Yedlin@dot.gov.

Sincerely,

Karla S. Petty
Division Administrator

**ALAN ROBERT
HANSEN** Digitally signed by
ALAN ROBERT HANSEN
Date: 2024.08.27
14:10:03 -07'00'

By: Alan Hansen

ecc:
RYedlin, FHWA
KUtley, FHWA
Beverly Chenausky, ADOT
Lindsay Wickersham, EPA Region IX

Attachment F

Noise Analysis Signature Page

US 95, Imperial Dam Rd – Aberdeen Rd

Technical Memorandum

DocuSigned by:
Ivan Rasic
D00D4A7BCC34420...

7/29/2024

US 95, Imperial Dam Rd – Aberdeen Rd
June 11, 2024

The Arizona Department of Transportation (ADOT) is planning on completing an approximately 4.6-mile widening project on US 95 to reconstruct the existing two-lane undivided roadway to a four-lane divided highway between approximately milepost (MP) 43.5 to approximately MP 48.1. The project would include installing barbed wire game fence along ADOT Right-of-Way (ROW) from approximately MP 43.5 to approximately MP 55. The project would be constructed on existing ADOT ROW, lands owned by Yuma Proving Grounds (YPG), and private land. The project is located approximately 17 miles northeast of the City of Yuma, and approximately 60 miles south of Interstate 10 (I-10) in Yuma County, Arizona (see Appendix A).

The scope of work for this project would consist of the following major elements:

- Constructing two new 12-foot-wide southbound lanes with a 10-foot-wide outside shoulder and a 4-foot wide inside shoulder east of US 95 from MP 45.8 to MP 48.1.
- Reconstructing the existing US 95 roadway to two new northbound lands with 10-foot-wide outside shoulder and a 4-foot wide inside shoulder from MP 45.8 to MP 48.1.
- Constructing two new 12-foot-wide northbound lanes with a 10-foot-wide outside shoulder and a 4-foot-wide inside shoulder west of US 95 from MP 43.5 to MP 45.8.
- Reconstructing the existing US 95 roadway to two new southbound lanes with 10-foot-wide outside shoulder and a 4-foot-wide inside shoulder from MP 43.5 to MP 45.8.
- Extending and/or removing & reconstructing existing culverts along US 95, as needed.
- Installing new culverts along US 95, as needed.
- Reconstructing the intersections at Aberdeen Road, Martinez Lake Road, and Imperial Dam Road.
- Relocating the existing at-grade tank crossing and modifying it to a grade separated northbound and southbound tank crossing.
- Constructing new utilities or relocating existing utilities as needed.
- Reconstructing pavement at crossroads & turnouts.
- Removal, deposition, and reconfiguration of fill material.
- Installing signage and pavement markings, as needed.
- Replacing existing and constructing new roadway lighting.
- Installing erosion control measures and stormwater basins, as needed.
- Replacing and/or installing traffic loop detector systems, pull boxes, and cabinets, as needed.
- Trimming and/or removing vegetation, as needed.
- Seeding disturbed areas, as needed.
- Installing new 5-foot-tall barbed wire game fence along ADOT ROW.
- Conducting geotechnical testing and utility potholing in advance of project construction, as needed.
- Installing advanced traffic control signage as needed. Advanced traffic control signage may extend outside of the project limits defined above.

Because there are no noise-sensitive land uses that could potentially be affected by traffic noise

Attachment G

Approved 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

August 27, 2024

SUBJECT: Approved Jurisdictional Determination

Audrey Navarro
Arizona Department of Transportation
Environmental Planning Group 205 South 17th Avenue, MD EM02
Phoenix, Arizona 85007

Dear Ms. Navarro:

I am responding to your request, dated June 24, 2024, for an approved Department of the Army jurisdictional determination (JD) for the US 95, Imperial Dam Rd to Aberdeen Rd (095 YU 44 F0605 01C) project site (File No. SPL-2024-00480). The proposed project is located along United States Highway 95 (US 95) near Yuma, Yuma County, Arizona (Latitude 32.89287°, Longitude -114.334911°).

The Corps' evaluation process for determining whether or not 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 or not 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 or not the proposed project is a regulated activity under Section 10 of the Rivers and Harbors Act or Section 404 of the Clean Water Act. This evaluation pertains only to geographic jurisdiction.

Based on available information, I have determined waters of the United States do not occur on the project site. The basis for our determination can be found in the enclosed Memorandum for Record.

The aquatic resources identified in the documentation you provided do not meet the definition of Waters of the United States as defined in 33 CFR 328.3 and are therefore not jurisdictional under the Clean Water Act. As such, each aquatic resource is not currently regulated by the Corps of Engineers. This disclaimer of jurisdiction is only for Section 404 of the Clean Water Act. Other federal, state, and local laws may apply to your activities. In particular, you may need authorization from the Arizona Department of Environmental Quality, the Arizona Department of Game and Fish, and/or the U.S. Fish and Wildlife Service.

This letter includes an approved jurisdictional determination for the US 95, Imperial Dam Rd to Aberdeen Rd (095 YU 44 F0605 01C) project site. If you wish to submit new

-2-

information regarding this jurisdictional determination, please do so within 60 days. We will consider any new information so submitted and respond within 60 days by either revising the prior determination, if appropriate, or reissuing the prior determination. If you object to this or any revised or reissued jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) and Request for Appeal (RFA) form. If you wish to appeal this decision, you must submit a completed RFA form within 60 days of the date on the NAP to the Corps South Pacific Division Office at the following address:

Travis Morse
Administrative Appeal Review Officer
U.S. Army Corps of Engineers
South Pacific Division, CESPDPDO
450 Golden Gate Ave.
San Francisco, CA 94102

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5 (see below), and that it has been received by the Division Office by **October 28, 2024**.

This determination has been conducted to identify the extent of the Corps' Clean Water Act jurisdiction on the particular project site identified in your request and is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. 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 Alexandra Ryan at 602-230-6954 or via email at alexandra.ryan@usace.army.mil. Please help me to evaluate and improve the regulatory experience for others by completing the customer survey form at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,



Antal Szijj
Team Lead, North Coast Branch
Regulatory Division

Enclosures

Attachment H

Biological Evaluation Signature Page



Arizona Department of Transportation
Environmental Planning

BIOLOGICAL EVALUATION

US 95, Imperial Dam Rd-Aberdeen Rd
095-B(219)T
F0605 01D

Prepared for:	ADOT Approval Signature
Arizona Department of Transportation Environmental Planning 205 South 17 th Avenue, MD EM02 Phoenix, Arizona 85007	<div>Coby Teal</div> <div>Digitally signed by Coby Teal Date: 2024.05.29 10:27:49 -07'00'</div>

Prepared by:
AECOM
7720 N. 16th Street, Suite 100
Phoenix, AZ 85020
AECOM Project Number: 60716608

05/10/2024
Submittal Number: [3]

*This report is the property of ADOT and may contain sensitive biological information.
ADOT approval is required prior to reproduction or distribution.*

Attachment I

Sonoran Desert Tortoise Awareness Handout and Observation Form



Sonoran Desert Tortoise

Gopherus morafkai

Awareness Program Handout

Why does ADOT protect tortoises?

ADOT, along with the Arizona Game and Fish Department (AGFD) and several federal agencies, are signatory members of a Candidate Conservation Agreement (CCA) for the Sonoran Desert Tortoise (SDT). The CCA was developed to help preclude the listing of SDT under the Endangered Species Act. It is a cooperative effort to provide effective conservation for the SDT in Arizona. Under the agreement, ADOT has committed to enact avoidance, minimization, and mitigation measures for projects occurring within and adjacent to suitable habitat for SDT. This includes surveying proactively for tortoise habitat ahead of projects, collecting information on sightings, and training staff and contractors on methods to protect the tortoise during construction and maintenance work.

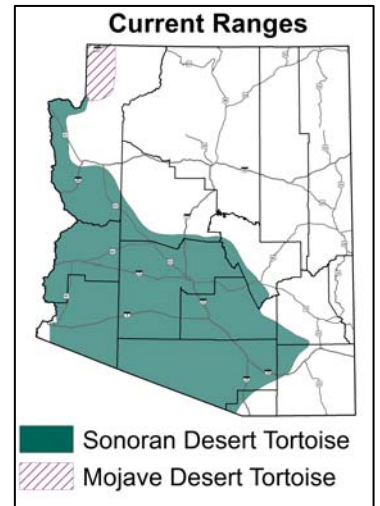


Legal Status

The SDT is protected under a CCA as described above. At the state level, wildlife are protected from collection and sale under Title 17 (ARS 17-309). AGFD classifies the SDT as a Tier 1A Species of Greatest Conservation Need and SDT are specifically restricted from collection under the AGFD Commission Rule R12-4-406.

Where are they found?

Two separate and distinct populations of desert tortoise occur in Arizona. The Mojave Desert Tortoise occurs west and north of the Colorado River within open, flat expanses of desert. The Sonoran Desert Tortoise occurs primarily in rocky and boulder strewn mountains and hills east of the Colorado River throughout western and central Arizona.



This handout applies ONLY to the Sonoran Desert Tortoise. Separate guidelines/measures are required for the Mojave Desert Tortoise due to its listing as Threatened under the Endangered Species Act.



THE GOAL IS TO AVOID NEGATIVE ENCOUNTERS!

How?

1. ALWAYS check under your vehicle and construction equipment **before** operating.
2. Drive slowly, especially on unpaved roads or off-road.
3. Cover any holes/pits/trenches at the end of each construction day.



Sonoran Desert Tortoise

Gopherus morafkai

Awareness Program Handout

If you encounter a tortoise:

1. Stop work immediately and turn off all equipment.
2. Notify your superintendent and the Resident Engineer.
3. Is the tortoise in imminent danger?
 - **No:** Stay back at least 10 feet from the animal. Allow the animal to leave. PLEASE BE PATIENT!
 - If the animal is located within your work area and is not leaving in a timely manner, then move your operation to a different location at least 1,000 feet away.
 - **Yes:** Move it out the way by following the attached AGFD "Guidelines for Handling Sonoran Desert Tortoises Encountered on Development Projects" dated September 22, 2014.
 - Tortoises should be moved less than 48 hours in advance of the habitat disturbance so they do not return to the area in the interim.
 - Tortoises should be moved quickly, kept in an upright position parallel to the ground at all times, and placed in the shade.
 - Separate disposable gloves should be worn for each tortoise handled to avoid potential transfer of disease between tortoises.
 - Tortoises must not be moved if the ambient air temperature exceeds 40°C (105°F) unless an alternate burrow is available or the tortoise is in imminent danger.
 - A tortoise may be moved up to one-half mile, but no further than necessary from its original location.



---If you don't know or are unsure of what to do, ASK!---

4. Fill out the attached ADOT Sonoran Desert Tortoise Observation Form and submit to the ADOT Biology Team (bioteam@azdot.gov) within 24 hours of any encounter. Photograph the animal if possible.

If you encounter a **sick, dying, injured, or dead tortoise** or if the ambient air temperature exceeds 105° F, please contact the assigned ADOT Biologist and Coby Teal (928) 304-0487 immediately with the location of the animal. These animals will be collected either by trained ADOT personnel or by AGFD.

If you observe poaching, collecting, selling, or any other illegal activities, contact AGFD's OPERATION GAME THIEF at **1-800-352-0700**, 24 hours a day or on the internet at <http://www.azgfd.gov/ogt.shtml>

Additional information for SDT life history and habitat requirements is available at:

Arizona Game and Fish Department:

<https://www.azgfd.com/wildlife/nongamemanagement/tortoise/>

US Fish and Wildlife Service:

https://www.fws.gov/southwest/es/arizona/Sonoran_Tort.htm



GUIDELINES FOR HANDLING SONORAN DESERT TORTOISES ENCOUNTERED ON DEVELOPMENT PROJECTS

Arizona Game and Fish Department
Revised September 22, 2014

The Arizona Game and Fish Department (Department) has developed the following guidelines to reduce potential impacts to desert tortoises, and to promote the continued existence of tortoises throughout the state. These guidelines apply to short-term and/or small-scale projects, depending on the number of affected tortoises and specific type of project.

The Sonoran desert tortoise occurs south and east of the Colorado River. Tortoises encountered in the open should be moved out of harm's way to adjacent appropriate habitat. If an occupied burrow is determined to be in jeopardy of destruction, the tortoise should be relocated to the nearest appropriate alternate burrow or other appropriate shelter, as determined by a qualified biologist. Tortoises should be moved less than 48 hours in advance of the habitat disturbance so they do not return to the area in the interim. Tortoises should be moved quickly, kept in an upright position parallel to the ground at all times, and placed in the shade. Separate disposable gloves should be worn for each tortoise handled to avoid potential transfer of disease between tortoises. Tortoises must not be moved if the ambient air temperature exceeds 40°Celsius (105°Fahrenheit) unless an alternate burrow is available or the tortoise is in imminent danger.

A tortoise may be moved up to one-half mile, but no further than necessary from its original location. If a release site or alternate burrow is unavailable within this distance, and ambient air temperature exceeds 40°Celsius (105°Fahrenheit), contact the Department for guidance. Tortoises salvaged from projects which result in substantial permanent habitat loss (e.g. housing and highway projects), or those requiring removal during long-term (longer than one week) construction projects, may be placed in the Department's tortoise adoption program. *Managers of projects likely to affect desert tortoises should obtain a [scientific collecting license](#) from the Department to facilitate handling or temporary possession of tortoises.* Likewise, if large numbers of tortoises (>5) are expected to be displaced by a project, the project manager should contact the Department for guidance and/or assistance.

Please keep in mind the following points:

- ☐ Use the Department's [Environmental On-Line Review Tool Department](#) during the planning stages of any project that may affect desert tortoise habitat.
- ☐ Unless specifically authorized by the Department, or as noted above, project personnel should avoid disturbing any tortoise.
- ☐ Take is prohibited by state law.
- ☐ These guidelines do not apply to Mojave desert tortoises (north and west of the Colorado River). Mojave desert tortoises are listed as threatened under the Endangered Species Act, administered by the U.S. Fish and Wildlife Service.
- ☐ These guidelines are subject to revision at the discretion of the Department.

Arizona Department of Transportation
Sonoran Desert Tortoise Observation Form



Date of Observation	Time	Observed By
<input type="text"/>	<input type="text"/>	<input type="text"/>
Location- Route	Location- Milepost	ADOT District
<input type="text"/>	<input type="text"/>	<input type="text"/>

Description of Encounter

Photo(s)	GPS (if available)
<input type="checkbox"/>	<input type="text"/>

Email completed form
to: ADOT Biology Team
bioteam@azdot.gov

Attachment J

Preliminary Initial Site Assessment (PISA) Signature Page

Approved
Ed Green
15 Dec 23



A handwritten signature in black ink, appearing to read "Ed Green", is positioned below the approval text.

Arizona Department of Transportation

Environmental Planning

Preliminary Initial Site Assessment

**Imperial Dam Rd - Aberdeen Rd
ADOT Project No. 095 YU 44 F0605 01C
Federal Project No. 095-B(219)T**

No Additional Assessment
for Hazardous Material
recommended under current
project scope.

December 13, 2023

Submittal Number 1

No MM's Recommended
based on this report

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. 326 and a Memorandum of Understanding dated January 4, 2021, and executed by the Federal Highway Administration and ADOT.

Attachment K

Asbestos-containing Material (ACM)/Lead-based Paint (LBP) Signature Page



Approved
Ed Green
15 Dec 23

A handwritten signature in black ink, appearing to read "Ed Green", is positioned above a horizontal line.

Arizona Department of Transportation

Environmental Planning

Asbestos and Lead-Based Paint Sampling and Analysis

Imperial Dam Rd - Aberdeen Rd

Federal Project No. 095-B(219)T

ADOT Project No. 095 YU 44 F0605 01C

No ACM detected>1%. No ACM
MM's recommended under the
current project scope.

No Lead detected>HUD-EPA levels.
No LBP MM's Recommended under
the current project scope.

December 13, 2023

Submittal Number 1

No MM's Recommended
based on this report

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. 326 and a Memorandum of Understanding dated January 4, 2021, and executed by the Federal Highway Administration and ADOT.

Attachment L

Agency and Public Scoping Response Resolutions



Project Name: **F0605 US 95, Imperial Dam Road to Aberdeen Road**

Deliverable: Agency and Public Scoping Summary

Agency Scoping Period: 01/15/2024 – 02/14/2024

Table 1. Agency and Public Scoping and Coordination Summary

Resident	Scoping Outreach	Scoping Comment Summary	ADOT Resolution
JACOBSON N BRUCE & DRUCILLA C TRUST	Certified Mail, 1/15/2024	No response received.	No response required.
Agency	Scoping Outreach	Scoping Comment Summary	ADOT Resolution
Antelope Union High School District	Email Letter, 01/15/2024	No response received.	No response required.
Arizona Department of Public Safety	Email Letter, 01/15/2024	Email, 1/16/2024 <ul style="list-style-type: none"> I've forwarded your letter to the Highway Patrol Division for review. If there are any questions or concerns, I'll be sure to notify you. Please let me know if there is anything else we can help you with. 	No response required.
Arizona Game and Fish Department	Email Letter, 01/15/2024	Email Letter, 3/15/2024 <ul style="list-style-type: none"> Given that box culverts will be modified, please determine if they are structurally suitable to provide day and/or night time roosting habitat for bats. The Department recommends that an experienced biologist survey for bats by looking into suitable cracks and/or looking for body or urine stain, physical presence, or guano. 	<ul style="list-style-type: none"> A bat survey was conducted as part of the Biological Evaluation (BE) prepared for this projected. No evidence for the presence of bats or characteristics suitable for roosting habit was observed during the field surveys.



Resident	Scoping Outreach	Scoping Comment Summary	ADOT Resolution
Arizona Game and Fish Department	Email Letter, 01/15/2024	<ul style="list-style-type: none"> If construction could encroach on the breeding season, impacts could occur to a maternity colony of bats, if present. If necessary, bat surveys should be conducted prior to any work on or immediately adjacent to the culverts; 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. While topography along this section of US 95 is flatter and more limited in opportunities for designated wildlife crossings than areas to the south, the Department requests coordination with ADOT to determine what design features might be feasible to maximize roadway safety and minimize potential wildlife-vehicle collisions. At minimum, please refer to the <i>Wildlife Crossing Structure Handbook Design and Evaluation in North America</i>, and incorporate guidance as appropriate for bridge and culvert reconstruction. More specifically, rip-rap is difficult for many species to traverse. If rip-rap is required on the ground in front of the culvert, it should be buried, back-filled with topsoil, or at least a portion of it should be covered by another substrate that would allow wildlife to move through the culverts. 	<ul style="list-style-type: none"> Barbed-wire game fence will be installed along the right-of-way from Imperial Dam Road to Castle Dome Road. Game fence design incentivizes wildlife crossing through culverts and will deter wildlife from entering the highway. Concrete box culverts included in the design were sized based on hydraulic capacity, maintenance equipment (8' minimum height), and which can be used to provide crossings for wildlife. Culverts were designed to be as short as possible while maintaining visibility through the structure, maintaining the natural substrate and providing a large crossing area for wildlife. 36" wide grouted pathways will be provided through the outflow riprap at the pipe culvert outlets.
Center for Biological Diversity	Email Letter, 01/15/2024	No response received.	No response required.
City of Yuma	Email Letter, 01/15/2024	No response received.	No response required.



Resident	Scoping Outreach	Scoping Comment Summary	ADOT Resolution
City of Yuma Fire Department	Email Letter, 01/15/2024	Email, 1/16/2024 <ul style="list-style-type: none"> Shared this notice with our local fire department stakeholders in Yuma County. Thank you for sending out this notice. 	No response required.
Rural Metro Fire	Email Letter, 01/15/2024	No response received.	No response required.
US Department of Agriculture	Email Letter, 01/15/2024	No response received.	No response required.
Wellton Elementary District	Email Letter, 01/15/2024	No response received.	No response required.
Western Arizona Council of Governments	Email Letter, 01/15/2024	No response received.	No response required.
Yuma County	Email Letter, 01/15/2024	Email, 1/18/2024 Thank you for the opportunity to comment. At this time we have no comments. We would like to review plans to see how the proposed improvements affect connections to county roadways.	Martinez Lake Road would be the only county road which is affected by the project. The Preferred Alternative would reconstruct the Martinez Lake Road intersection to a Channelized T design which has curbed islands and no signalization. All turning movements would have designated turn lanes.
Yuma County Sheriff's Office	Email Letter, 01/15/2024	Email, 1/16/2024 <ul style="list-style-type: none"> Your email has been forwarded to the Sheriff for his review. 	No response required.
Yuma Elementary School District	Email Letter, 01/15/2024	No response received.	No response required.
Yuma Metropolitan Planning Organization	Email Letter, 01/15/2024	No response received.	No response required.
Yuma Proving Grounds	Email Letter, 01/15/2024	No response received.	No response required.



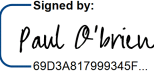
Resident	Scoping Outreach	Scoping Comment Summary	ADOT Resolution
Yuma Union High School District	Email Letter, 01/15/2024	Email, 1/17/2024 <ul style="list-style-type: none">YUHSD does not have any issues on the proposed project	No response required.

Certificate Of Completion

Envelope Id: 80EB28D337794ED88BDE7857E1DA2BE8	Status: Completed
Subject: Complete with DocuSign: F0605 - US 95 EA Re-Evaluation - Final.pdf	
Source Envelope:	
Document Pages: 57	Signatures: 1
Certificate Pages: 4	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelope Stamping: Enabled	Michael Carlson
Time Zone: (UTC-07:00) Arizona	206 S 17th Ave
	Phoenix, AZ 85007
	MCarlson@azdot.gov
	IP Address: 162.59.200.193

Record Tracking

Status: Original	Holder: Michael Carlson	Location: DocuSign
9/17/2024 10:06:44 AM	MCarlson@azdot.gov	

Signer Events	Signature	Timestamp
Paul O'brien pobrien@azdot.gov ENV Planning Administrator Security Level: Email, Account Authentication (None)	<div>Signed by:  69D3A817999345F...</div> Signature Adoption: Pre-selected Style Using IP Address: 65.144.34.122	Sent: 9/17/2024 10:11:38 AM Viewed: 9/17/2024 4:42:02 PM Signed: 9/17/2024 5:02:58 PM

Electronic Record and Signature Disclosure:
Accepted: 9/17/2024 4:42:02 PM
ID: 4704443c-ee09-4871-b7ba-7dfbc8b798a5

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	9/17/2024 10:11:38 AM
Certified Delivered	Security Checked	9/17/2024 4:42:02 PM
Signing Complete	Security Checked	9/17/2024 5:02:58 PM
Completed	Security Checked	9/17/2024 5:02:58 PM
Payment Events	Status	Timestamps
Electronic Record and Signature Disclosure		

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, Arizona Dept of Transportation (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact Arizona Dept of Transportation:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To advise Arizona Dept of Transportation of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at DocuSignRequest@azdot.gov and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

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To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to DocuSignRequest@azdot.gov and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with Arizona Dept of Transportation

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
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Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none">•Allow per session cookies•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

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