Program (CRMP) performed a Class III survey of three potential transmission line realignment corridors that would be required for the proposed South Mountain Freeway. At the time the survey was conducted, two separate eastern alignments for the freeway, the Pecos Road alignment (E1) and an alignment located on the GRIC (E2), were being studied by FHWA and ADOT. Thus, the survey addressed potential transmission line realignment corridors required for both the E1 and the E2 alignments. CRMP documented seven archaeological sites within the Western realignment corridors.

Site Number	Site Type	South Mountain Freeway alignment alternative site is located within
AZ T:12:52 (ASM) / Pueblo del Alamo	Village with platform mounds and canal	E1
AZ T:12:112 (ASM)	Shrine site containing mound, trail, and cleared area	E2
GR-1002	Dry farming agricultural site	E2
GR-1003	Dry farming agricultural site	E2
GR-1081	Petroglyph site with an associated artifact scatter of sherds and lithics	E2
GR-1569	Dry farming agricultural site	E2
GR-1571	Historic artifact scatter	E2

The E2 South Mountain Freeway alignment will not be carried forward in the Draft Environmental Impact Statement. Therefore, this letter does not include a discussion of the realignment corridors required for the proposed E2 alignment or the sites affected only by the E2 alignment.

The realignment corridor alternatives required for the proposed E1 corridor are 200 feet wide. The corridor between transmission line structures 18/1 and 18/6, is located on private land; the corridor between transmission line structures 26/2 and 26/5 is located on the GRIC and private land.

The results of CRMP's Class III survey of the transmission line realignment corridors are reported in *"A Class I and Class III Cultural Resource Survey for the Proposed Liberty-Coolidge 230-Kv Transmission Line Realignment, in Support of the South Mountain Loop 2002 Alignment, in the Gila River Indian Community, the Unincorporated Community of Laveen, and the City of Phoenix, Maricopa County, Arizona"* (McCool and Loendorf 2012). A copy of the report is enclosed for your review and comment. Because of the confidential nature of the Traditional Cultural Properties (TCP) information contained within the report, FHWA has limited its distribution to Western, the GRIC, and the SHPO.

AZ T:12:52 (ASM), also known as Pueblo del Alamo, is a prehistoric Hohokam village site that was previously determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A as a TCP and under Criterion D as an archaeological site (Lewis [Tribal Historic Preservation Office (THPO)] to Petty [FHWA], July 3, 2012; Jacobs [SHPO] to Petty [FHWA], May 15, 2012). A portion of the site was documented within the Western realignment corridors. The line realignment for the E1 Alternative would require relocating one transmission line tower (structure 18/3) within the site's boundaries.

The construction of the new tower would require ground disturbing activities; therefore, FHWA has determined the transmission line realignment would result in an "adverse effect" to AZ T:12:52 (ASM) / Pueblo del Alamo under Criterion D as an archaeological site. Mitigation of any adverse effects to the archaeological site resulting from the realignment would be developed in accordance with the Programmatic Agreement (PA) that has been developed and executed for the project as a whole.

The present surface condition of AZ T:12:52 (ASM) / Pueblo del Alamo within the area of potential effect (APE) is highly disturbed by recent activities such as farming and other development; however, FHWA recognizes and respects the GRIC's position that these disturbances in no way diminish the qualities of the site as a TCP. This includes the physical and spiritual aspects of the site that the GRIC believes could be negatively impacted by the proposed line relocation. Additionally, FHWA recognizes the GRIC's concerns in regard to site desecration due to intrusion and ground disturbance, which may affect the spiritual welfare of its members and other affiliated Tribes. A TCP Enhancement Plan was developed and will be implemented to address these concerns and to prevent adverse effects to the site under Criterion A. The GRIC THPO concurred that the development and implementation of a TCP Enhancement Plan will prevent potential adverse effects under Criterion A to Pueblo del Alamo (Lewis [THPO] to Petty [FHWA] October 22, 2012). Therefore it is the position of the FHWA that the TCP Enhancement Plan is a sufficient and reasonable condition for recommending a finding of "no adverse effect" for Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion A of the NRHP.

Based on the above, FHWA has determined that a finding of "adverse effect" is appropriate for AZ T:12:52 (ASM) / Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion D of the NRHP and that a finding of "no adverse effect" is appropriate under Section 106 of the NHPA as it pertains to Criterion A of the NRHP for the proposed Western transmission line realignment. Please review the enclosed report and information provided in this letter. If you agree with the adequacy of the report and project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for Karla S. Petty
Division Administrator

Signature for GRIC Concurrence
NH-202-D(ADY)

Date

Enclosure

cc:
Barnaby Lewis, Tribal Historic Preservation Officer, Gila River Indian Community, P.O. Box 2140, Sacaton, AZ 85147 (with enclosure)
Kyle Woodson, Acting Coordinator, Cultural Resource Management Program, Gila River Indian Community, P.O. Box 2140, Sacaton, AZ, 85147 (with enclosure)

U.S. Department of Transportation
Federal Highway Administration

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October 31, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Western Transmission Line Realignment

Dr. David Jacobs, Compliance Specialist
State Historic Preservation Office
Arizona State Parks
1300 West Washington
Phoenix, Arizona 85007

Dear Dr. Jacobs:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department, the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration (Western), the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.
In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been carrying out cultural resource studies. The proposed South Mountain Freeway would require realignment of the Liberty-Coolidge 230-kV Transmission Line, which is administered by Western. At the request of ADOT, GRIC's Cultural Resource Management

Program (CRMP) performed a Class III survey of three potential transmission line realignment corridors that would be required for the proposed South Mountain Freeway. At the time the survey was conducted, two separate eastern alignments for the freeway, the Pecos Road alignment (E1) and an alignment located on the GRIC (E2), were being studied by FHWA and ADOT. Thus, the survey addressed potential transmission line realignment corridors required for both the E1 and the E2 alignments. CRMP documented seven archaeological sites within the Western realignment corridors.

Site Number	Site Type	South Mountain Freeway alignment alternative site is located within
AZ T:12:52 (ASM) / Pueblo del Alamo	Village with platform mounds and canal	E1
AZ T:12:112 (ASM)	Shrine site containing mound, trail, and cleared area	E2
GR-1002	Dry farming agricultural site	E2
GR-1003	Dry farming agricultural site	E2
GR-1081	Petroglyph site with an associated artifact scatter of sherds and lithics	E2
GR-1569	Dry farming agricultural site	E2
GR-1571	Historic artifact scatter	E2

The E2 South Mountain Freeway alignment will not be carried forward in the Draft Environmental Impact Statement. Therefore, this letter does not include a discussion of the realignment corridors required for the proposed E2 alignment or the sites affected only by the E2 alignment.

The realignment corridor alternatives required for the proposed E1 corridor are 200 feet wide. The corridor between transmission line structures 18/1 and 18/6, is located on private land; the corridor between transmission line structures 26/2 and 26/5 is located on the GRIC and private land.

The results of CRMP's Class III survey of the transmission line realignment corridors are reported in *"A Class I and Class III Cultural Resource Survey for the Proposed Liberty-Coolidge 230-Kv Transmission Line Realignment, in Support of the South Mountain Loop 2002 Alignment, in the Gila River Indian Community, the Unincorporated Community of Laveen, and the City of Phoenix, Maricopa County, Arizona"* (McCool and Loendorf 2012). A copy of the report is enclosed for your review and comment. Because of the confidential nature of the Traditional Cultural Properties (TCP) information contained within the report, FHWA has limited its distribution to Western, the GRIC, and the SHPO.

AZ T:12:52 (ASM), also known as Pueblo del Alamo, is a prehistoric Hohokam village site that was previously determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A as a TCP and under Criterion D as an archaeological site (Lewis [Tribal Historic Preservation Office (THPO)] to Petty [FHWA], July 3, 2012; Jacobs [SHPO] to Petty [FHWA], May 15, 2012). A portion of the site was documented within the Western realignment corridors. The line realignment for the E1 Alternative would require relocating one transmission line tower (structure 18/3) within the site's boundaries.

The construction of the new tower would require ground disturbing activities; therefore, FHWA has determined the transmission line realignment would result in an "adverse effect" to AZ T:12:52 (ASM) / Pueblo del Alamo under Criterion D as an archaeological site. Mitigation of any adverse effects to the archaeological site resulting from the realignment would be developed in accordance with the Programmatic Agreement (PA) that has been developed and executed for the project as a whole.

The present surface condition of AZ T:12:52 (ASM) / Pueblo del Alamo within the area of potential effects (APE) is highly disturbed by recent activities such as farming and other development; however, FHWA recognizes and respects the GRIC's position that these disturbances in no way diminish the qualities of the site as a TCP. This includes the physical and spiritual aspects of the site that the GRIC believes could be negatively impacted by the proposed line relocation. Additionally, FHWA recognizes the GRIC's concerns in regard to site desecration due to intrusion and ground disturbance, which may affect the spiritual welfare of its members and other affiliated Tribes. A TCP Enhancement Plan was developed and will be implemented to address these concerns and to prevent adverse effects to the site under Criterion A. The GRIC THPO concurred that the development and implementation of a TCP Enhancement Plan will prevent potential adverse effects under Criterion A to Pueblo del Alamo (Lewis [THPO] to Petty [FHWA] October 22, 2012). Therefore it is the position of the FHWA that the TCP Enhancement Plan is a sufficient and reasonable condition for recommending a finding of "no adverse effect" for Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion A of the NRHP.

Based on the above, FHWA has determined that a finding of "adverse effect" is appropriate for AZ T:12:52 (ASM) / Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion D of the NRHP and that a finding of "no adverse effect" is appropriate under Section 106 of the NHPA as it pertains to Criterion A of the NRHP for the proposed Western transmission line realignment. Please review the enclosed report and information provided in this letter. If you agree with the adequacy of the report and project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for

Karla S. Petty
Division Administrator

_____ _____

Signature for SHPO Concurrence
NH-202-D(ADY)

Date

Enclosure

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

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October 31, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Western Transmission Line Realignment

Ms. Linda Hughes, Environmental Manager
Western Area Power Administration
615 South 43rd Avenue
Phoenix, AZ 85009

Dear Ms. Hughes:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS & Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountain from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project is scheduled to employ federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is varied.

Consulting parties for this project include FHWA, ADOT, the Arizona State Historic Preservation Office (SHPO), the Arizona State Land Department, the Arizona State Museum, the U.S. Army Corps of Engineers, the Bureau of Land Management, the Bureau of Indian Affairs, the Bureau of Reclamation, the Western Area Power Administration (Western), the Salt River Project, the Maricopa County Department of Transportation, the Flood Control District of Maricopa County, the Roosevelt Irrigation District, the City of Avondale, the City of Chandler, the City of Glendale, the City of Phoenix, the City of Tolleson, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribe, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Gila River Indian Community (GRIC), the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, the Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe.

In accordance with the regulations implementing Section 106 of the National Historic Preservation Act (36 CFR 800), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been carrying out cultural resource studies. The proposed South Mountain Freeway would require realignment of the Liberty-Coolidge 230-kV Transmission Line, which is administered by Western. At the request of ADOT, GRIC's Cultural Resource Management

Program (CRMP) performed a Class III survey of three potential transmission line realignment corridors that would be required for the proposed South Mountain Freeway. At the time the survey was conducted, two separate eastern alignments for the freeway, the Pecos Road alignment (E1) and an alignment located on the GRIC (E2), were being studied by FHWA and ADOT. Thus, the survey addressed potential transmission line realignment corridors required for both the E1 and the E2 alignments. CRMP documented seven archaeological sites within the Western realignment corridors.

Site Number	Site Type	South Mountain Freeway alignment alternative site is located within
AZ T:12:52 (ASM) / Pueblo del Alamo	Village with platform mounds and canal	E1
AZ T:12:112 (ASM)	Shrine site containing mound, trail, and cleared area	E2
GR-1002	Dry farming agricultural site	E2
GR-1003	Dry farming agricultural site	E2
GR-1081	Petroglyph site with an associated artifact scatter of sherds and lithics	E2
GR-1569	Dry farming agricultural site	E2
GR-1571	Historic artifact scatter	E2

The E2 South Mountain Freeway alignment will not be carried forward in the Draft Environmental Impact Statement. Therefore, this letter does not include a discussion of the realignment corridors required for the proposed E2 alignment or the sites affected only by the E2 alignment.

The realignment corridor alternatives required for the proposed E1 corridor are 200 feet wide. The corridor between transmission line structures 18/1 and 18/6, is located on private land; the corridor between transmission line structures 26/2 and 26/5 is located on the GRIC and private land.

The results of CRMP's Class III survey of the transmission line realignment corridors are reported in *"A Class I and Class III Cultural Resource Survey for the Proposed Liberty-Coolidge 230-Kv Transmission Line Realignment, in Support of the South Mountain Loop 2002 Alignment, in the Gila River Indian Community, the Unincorporated Community of Laveen, and the City of Phoenix, Maricopa County, Arizona"* (McCool and Loendorf 2012). A copy of the report is enclosed for your review and comment. Because of the confidential nature of the Traditional Cultural Properties (TCP) information contained within the report, FHWA has limited its distribution to Western, the GRIC, and the SHPO.

AZ T:12:52 (ASM), also known as Pueblo del Alamo, is a prehistoric Hohokam village site that was previously determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A as a TCP and under Criterion D as an archaeological site (Lewis [Tribal Historic Preservation Office (THPO)] to Petty [FHWA], July 3, 2012; Jacobs [SHPO] to Petty [FHWA], May 15, 2012). A portion of the site was documented within the Western realignment corridors. The line realignment for the E1 Alternative would require relocating one transmission line tower (structure 18/3) within the site's boundaries.

The construction of the new tower would require ground disturbing activities; therefore, FHWA has determined the transmission line realignment would result in an "adverse effect" to AZ T:12:52 (ASM) / Pueblo del Alamo under Criterion D as an archaeological site. Mitigation of any adverse effects to the archaeological site resulting from the realignment would be developed in accordance with the Programmatic Agreement (PA) that has been developed and executed for the project as a whole.

The present surface condition of AZ T:12:52 (ASM) / Pueblo del Alamo within the area of potential effects (APE) is highly disturbed by recent activities such as farming and other development; however, FHWA recognizes and respects the GRIC's position that these disturbances in no way diminish the qualities of the site as a TCP. This includes the physical and spiritual aspects of the site that the GRIC believes could be negatively impacted by the proposed line relocation. Additionally, FHWA recognizes the GRIC's concerns in regard to site desecration due to intrusion and ground disturbance, which may affect the spiritual welfare of its members and other affiliated Tribes. A TCP Enhancement Plan was developed and will be implemented to address these concerns and to prevent adverse effects to the site under Criterion A. The GRIC THPO concurred that the development and implementation of a TCP Enhancement Plan will prevent potential adverse effects under Criterion A to Pueblo del Alamo (Lewis [THPO] to Petty [FHWA] October 22, 2012). Therefore it is the position of the FHWA that the TCP Enhancement Plan is a sufficient and reasonable condition for recommending a finding of "no adverse effect" for Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion A of the NRHP.

Based on the above, FHWA has determined that a finding of "adverse effect" is appropriate for AZ T:12:52 (ASM) / Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion D of the NRHP and that a finding of "no adverse effect" is appropriate under Section 106 of the NHPA as it pertains to Criterion A of the NRHP for the proposed Western transmission line realignment. Please review the enclosed report and information provided in this letter. If you agree with the adequacy of the report and project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for

Karla S. Petty
Division Administrator

Signature for Western Concurrence
NH-202-D(ADY)

Date

Enclosure

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

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October 31, 2012

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Western Transmission Line Realignment

Ms. Linda Hughes, Environmental Manager
Western Area Power Administration
615 South 43rd Avenue
Phoenix, AZ 85009

Dear Ms. Hughes:

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GR-1569	Dry farming agricultural site	E2
GR-1571	Historic artifact scatter	E2

The E2 South Mountain Freeway alignment will not be carried forward in the Draft Environmental Impact Statement. Therefore, this letter does not include a discussion of the realignment corridors required for the proposed E2 alignment or the sites affected only by the E2 alignment.

The realignment corridor alternatives required for the proposed E1 corridor are 200 feet wide. The corridor between transmission line structures 18/1 and 18/6, is located on private land; the corridor between transmission line structures 26/2 and 26/5 is located on the GRIC and private land.

The results of CRMP's Class III survey of the transmission line realignment corridors are reported in *"A Class I and Class III Cultural Resource Survey for the Proposed Liberty-Coolidge 230-Kv Transmission Line Realignment, in Support of the South Mountain Loop 2002 Alignment, in the Gila River Indian Community, the Unincorporated Community of Laveen, and the City of Phoenix, Maricopa County, Arizona"* (McCool and Loendorf 2012). A copy of the report is enclosed for your review and comment. Because of the confidential nature of the Traditional Cultural Properties (TCP) information contained within the report, FHWA has limited its distribution to Western, the GRIC, and the SHPO.

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The construction of the new tower would require ground disturbing activities; therefore, FHWA has determined the transmission line realignment would result in an "adverse effect" to AZ T:12:52 (ASM) / Pueblo del Alamo under Criterion D as an archaeological site. Mitigation of any adverse effects to the archaeological site resulting from the realignment would be developed in accordance with the Programmatic Agreement (PA) that has been developed and executed for the project as a whole.

The present surface condition of AZ T:12:52 (ASM) / Pueblo del Alamo within the area of potential effects (APE) is highly disturbed by recent activities such as farming and other development; however, FHWA recognizes and respects the GRIC's position that these disturbances in no way diminish the qualities of the site as a TCP. This includes the physical and spiritual aspects of the site that the GRIC believes could be negatively impacted by the proposed line relocation. Additionally, FHWA recognizes the GRIC's concerns in regard to site desecration due to intrusion and ground disturbance, which may affect the spiritual welfare of its members and other affiliated Tribes. A TCP Enhancement Plan was developed and will be implemented to address these concerns and to prevent adverse effects to the site under Criterion A. The GRIC THPO concurred that the development and implementation of a TCP Enhancement Plan will prevent potential adverse effects under Criterion A to Pueblo del Alamo (Lewis [THPO] to Petty [FHWA] October 22, 2012). Therefore it is the position of the FHWA that the TCP Enhancement Plan is a sufficient and reasonable condition for recommending a finding of "no adverse effect" for Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion A of the NRHP.

Based on the above, FHWA has determined that a finding of "adverse effect" is appropriate for AZ T:12:52 (ASM) / Pueblo del Alamo under Section 106 of the NHPA as it pertains to Criterion D of the NRHP and that a finding of "no adverse effect" is appropriate under Section 106 of the NHPA as it pertains to Criterion A of the NRHP for the proposed Western transmission line realignment. Please review the enclosed report and information provided in this letter. If you agree with the adequacy of the report and project effect, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

NOV 27 2012

Karla S. Petty
Division Administrator

Signature for Western Concurrence
NH-202-D(ADY)

11-20-12
Date

Enclosure

U.S. Department of Transportation
Federal Highway Administration

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Louis Manuel, Jr., Chairman
Ak-Chin Indian Community
42507 West Peters & Nall Road
Maricopa, Arizona 85138

Dear Chairman Manuel:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.
Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for Karla S. Petty
Division Administrator

Signature for Ak-Chin Indian Community Concurrence NH-202-D(ADY) Date

Enclosure

cc:
Caroline Antone, Cultural Resource Manager, Ak-Chin Indian Community, 42507 W. Peters and Nall Road, Maricopa, AZ 85138 (with enclosure)

2012-138

U.S. Department of Transportation
Federal Highway Administration

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MAR 06 2013

January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Garry Cantley, Western Regional Archaeologist
Bureau of Indian Affairs
2600 North Central Avenue, Suite 400
MS-620EQS
Phoenix, Arizona 85004-3008

FEB 2013
WESTERN REGIONAL OFC
ENVIRONMENTAL SERVICES

Dear Mr. Cantley:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for Karla S. Petty
Division Administrator

MAR 06 2013

Signature for BIA Concurrence
NH-202-D(ADY)

Date 2-19-13

Enclosure

U.S. Department of Transportation
Federal Highway Administration

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Charles Wood, Chairman
Chemehuevi Tribe
P.O. Box 1976
Havasu Lake, California 92363

Dear Chairman Wood:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

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At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
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SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

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- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
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Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

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Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for Karla S. Petty
Division Administrator

_____ _____
Signature for Chemehuevi Tribe Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
June Leivas, Cultural Center Director (with enclosure)

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

4000 North Central Avenue
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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. Laurene Montero, City Archaeologist
City of Phoenix
4619 East Washington
Phoenix, Arizona 85034

Dear Ms. Montero:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for Karla S. Petty
Division Administrator

Signature for City of Phoenix Concurrence
NH-202-D(ADY)

2/20/2013
Date

Enclosure

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

January 31, 2013

In Reply Refer To:

HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. Sherry Cordova, Chairwoman
Cocopah Tribe
County 15th & Avenue G
Somerton, Arizona 85350

Dear Chairwoman Cordova:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

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Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

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At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

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Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

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of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

Karla S. Petty
Division Administrator

Signature for Cocopah Tribe Concurrence Date
NH-202-D(ADY)

Enclosures

cc:
H. Jill McCormick, Cultural Resources Manager (with enclosure)

THE COCOPAH INDIAN TRIBE
Cultural Resource Department
14515 S. Veterans Drive
Somerton, Arizona 85350-2689
Telephone (928) 627-4849
Cell (928)503-2291
Fax (928) 627-3173

CCR-037-12-009

February 11, 2013

Ms. Karla S. Petty
Division Administrator
U.S. Department of Transportation
Arizona Division
4000 North Central Avenue – Suite 1500
Phoenix, AZ 85012-3500

RE: Comments for the Proposed South Mountain Freeway, EIS and Location/Design Concept Report

Dear: Ms. Petty

The Cultural Resources Department of the Cocopah Indian Tribe appreciates your consultation efforts on this project. We are pleased that you contacted our department on this issue for the purpose of solicitation of our input and to address our concerns on this matter. At this time we wish to make no comments on the development of the project. We defer the decision making process regarding the sensitive cultural resources of the area to the most local tribe(s) and support their determinations on this issue. However, we would like to continue to be kept informed on the progress of this project and the effects on cultural resources

If you have any questions or need additional information please feel free to contact the cultural resource department. We will be happy to assist you with any future concerns or questions.

Sincerely,

H. Jill McCormick, M.A.
Cultural Resource Manager

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

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

January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Eldred Enas, Chairman
Colorado River Indian Tribes
26600 Mohave Road
Parker, Arizona 85344

Dear Chairman Enas:

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Sincerely yours,

for Karla S. Petty
Division Administrator

_____ _____
Signature for Colorado River Indian Tribes Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
Wilene Fisher-Holt, Director, CRIT Museum (with enclosure)

R

COLORADO RIVER INDIAN TRIBES
Museum
1007 Arizona Avenue • Parker, Arizona 85344
Mailing: 26600 Mohave Rd. • Parker, Arizona, 85344
Phone: (928) 669-8970 • Fax: (928) 669-1925

February 25, 2013

FEB 27 2013

Karla S. Petty, Division Administrator
Federal Highway Administration, Arizona Division
4000 North Central Avenue, Suite 1500
Phoenix, Arizona 85012-3500

RE: NH-202-D(ADY)

Dear Ms. Petty:

Thank you for your letters dated August 8, 2012 and January 31, 2013 requesting comment on the following project:

Project Name: 202L, South Mountain Freeway, DCR and EIS
TRACS Number: 202L MA 054 H5764 01C

In order to fully assess Colorado River Indian Tribes (CRIT) concerns regarding a given project area, Tribal members would generally have to visit the site. For this particular project, however, CRIT would like to join the Ak-Chin Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community in deferring to the Gila River Indian Community to take the lead in Section 106 consultation regarding the TCPS. At this time the Colorado River Indian Tribes is in concurrence with the Federal Highway Administration finding of "adverse effect" for the overall project, and CRIT does reserve the right to intervene if new or omitted information related to the proposed project becomes available.

Thank you. If you have any concerns please feel free to contact me at (928) 669-8970.

Sincerely,

Jennifer L. Barangan
Archaeological Compliance Technician

cc: Wayne Patch, Sr., Chairman
Rebecca Loudbear, Acting Attorney General
File: CPRL_10029

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

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

January 31, 2013

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BY: Presidents Office

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Dr. Clinton Pattea, President
Fort McDowell Yavapai Nation
P.O. Box 17779
Fountain Hills, Arizona 85269

Dear President Pattea:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.
Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for

FEB 8 - 2013

Karla S. Petty
Division Administrator

2-4-13

Signature for Fort McDowell Yavapai Nation Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
Erica McCalvin, Planning & Project Manager (with enclosure)
Karen Ray, Culture Coordinator (with enclosure)

U.S. Department of Transportation
Federal Highway Administration

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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Timothy Williams, Chairman
Fort Mojave Indian Tribe
500 Merriman Avenue
Needles, California 92363

Dear Chairman Williams:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.
Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for Karla S. Petty
Division Administrator

_____ _____
Signature for Fort Mojave Indian Tribe Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
Linda Otero, Director, Cultural Resource Management, P.O. Box 5990, 10225 S. Harbor Avenue, Mojave Valley, AZ 86440 (with enclosure)

U.S. Department of Transportation
Federal Highway Administration

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January 31, 2013

In Reply Refer To:
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HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Keeny Escalanti, President
Fort Yuma-Quechan Tribe
P.O. Box 1899
Yuma, Arizona 85366

Dear President Escalanti:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

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- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

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- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
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Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

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Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for

Karla S. Petty
Division Administrator

_____ _____
Signature for Fort Yuma-Quechan Tribe Concurrence Date
NH-202-D(ADY)

Enclosure

cc:
John P. Bathke, Historic Preservation Officer (with enclosure)

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

4000 North Central Avenue
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Phoenix, Arizona 85012-3500
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January 31, 2013

In Reply Refer To:
NH-202-D(ADY)
HOP-AZ

NH-202-D(ADY)
TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Don E. Watahomigie, Chairman
Havasupai Tribe
P.O. Box 10
Supai, Arizona 86435

Dear Chairman Watahomigie:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.
Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation

of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for Karla S. Petty
Division Administrator

_____ _____
Signature for Havasupai Tribe Concurrence Date
NH-202-D(ADY)

Enclosures

cc:
Travis Hamidreek, Director of Natural Resources (with enclosure)

2005

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

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TRACS No. 202L MA 054 H5764 01C
202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Mr. Leigh Kuwanwisiwma, Director
Cultural Preservation Office
Hopi Tribe
P.O. Box 123
Kykotsmovi, Arizona 86039

Dear Mr. Kuwanwisiwma:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

In accordance with the National Historic Preservation Act (36 CFR 800.4), which requires federal agencies to take into account the effects of their undertakings on historic properties, FHWA and ADOT have been performing cultural resources studies and consultations with Native American tribes to identify concerns regarding historic properties of traditional, religious, cultural, or historic importance. In prior consultation, the Gila River Indian Community (GRIC) expressed concern regarding the effects of the project on several traditional cultural properties (TCPs). The other southern tribes, Ak-Chin Indian Community, the Tohono O'odham Nation, and the Salt River Pima-Maricopa Indian Community, have deferred to GRIC to take the lead in Section 106 consultation regarding the TCPs. In response, FHWA and ADOT have facilitated a continuing open dialogue with GRIC's Cultural Resources Management Program (GRIC-CRMP) and Tribal Historic Preservation Office (GRIC-THPO) regarding the identification and evaluation of TCPs as they pertain to the South Mountain Freeway project. As a result of these discussions, GRIC has identified five TCPs that could be affected by construction of the South

Mountain Freeway and has developed treatment plans to mitigate and/or eliminate potential adverse effects that could result from the undertaking.

To protect confidential information associated with the TCPs, the evaluation reports and treatment plans have been provided to only SHPO and GRIC-THPO. Information regarding the identification, evaluation, and treatment of the TCPs is being provided to other consulting parties in a technical summary report entitled *Traditional Cultural Property Evaluations for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (HDR 2012), which is enclosed for your review and comment. This letter provides a summary of the TCP consultation for the project.

Consulting parties receiving the TCP technical summary include the Bureau of Indian Affairs and City of Phoenix, who have jurisdiction over the resources, the Ak-Chin Indian Community, the Chemehuevi Tribe, the Cocopah Tribe, the Colorado River Indian Tribes, the Fort McDowell Yavapai Nation, the Fort Mojave Tribe, the Fort Yuma-Quechan Tribe, the Havasupai Tribe, the Hopi Tribe, the Hualapai Tribe, the Kaibab-Paiute Tribe, the Navajo Nation, the Pascua Yaqui Tribe, the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community, the San Carlos Apache Nation, the San Juan Southern Paiute, the Tohono O'odham Nation, the Tonto Apache Tribe, the White Mountain Apache Tribe, and the Yavapai-Apache Nation.

During the initial Class III survey for the project, GRIC-CRMP identified ten properties as places of cultural importance that could potentially qualify as eligible for listing on the National Register of Historic Places (NRHP) as TCPs: the South Mountains; two prehistoric Hohokam village sites, AZ T:12:9 (ASM) (Villa Buena) and AZ T:12:52 (ASM) (Pueblo del Alamo); two petroglyph sites, AZ T:12:198 (ASM) and AZ T:12:208 (ASM); four trail sites, AZ T:12:197 (ASM), AZ T:12:201 (ASM), AZ T:12:207 (ASM), and AZ T:12:211 (ASM); and one archaeological site with a shrine, AZ T:12:112 (ASM). The report, entitled *A Class III Cultural Resource Survey of Five Alternative Alignments in the South Mountain Freeway Corridor Study Area, Maricopa County, Arizona* (Darling 2005), was provided in prior consultation.

At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

The South Mountains TCP cannot be avoided by project alternatives; therefore, a treatment plan that presents measures to mitigate potential adverse effects of the South Mountain Freeway project on the South Mountains TCP was developed by GRIC-CRMP entitled *South Mountain Freeway (SR 202L) Traditional Uses and Cultural Significance of Muhadagi Doag (South Mountain) Evaluation of Traditional Property and Adverse Effects of Transportation Corridor Development* (Darling 2009). SHPO and GRIC-THPO concurred with the adequacy of the South Mountain TCP mitigation plan (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THO] to Petty [FHWA] July 3, 2012).

Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo

with regard to their eligibility under Criterion D of the NRHP. However, through implementation of the enhancement plan proposal developed by GRIC-CRMP, it is believed that the potential for adverse effects on these two sites under Criterion A will be eliminated. SHPO and GRIC-THPO concurred with the adequacy of the TCP enhancement plan proposal and that its implementation would eliminate adverse effects on Villa Buena and Pueblo del Alamo under Criterion A (Lewis [GRIC-THPO] to Petty [FHWA] October 22, 2012; Jacobs [SHPO] to Petty [FHWA] October 25, 2012).

Based on the above discussion, FHWA and GRIC have agreed that the proposed South Mountain Freeway would adversely affect those characteristics that contribute to the NRHP eligibility of the South Mountains TCP under Criteria A and B, and that the project would not adversely affect the characteristics that contribute to the NRHP eligibility of the Villa Buena, Pueblo del Alamo, AZ T:12:112 (ASM), and AZ T:12:198 (ASM) TCPs under Criterion A. Furthermore, FHWA has determined that a finding of "adverse effect" for the overall project remains appropriate.

Please review the information provided in this letter and the enclosed technical summary report. If you agree with the adequacy of the report and FHWA's determinations of project effect, NRHP eligibility, and management recommendations, please indicate your concurrence by signing below. If you have any questions or concerns, please feel free to contact Linda Davis at 602-712-8636 or at ldavis2@azdot.gov.

Sincerely yours,

for
Karla S. Petty
Division Administrator

FEB 8 - 2013

for Kuwanwisiwma
Signature for Hopi Tribe Concurrence
NH-202-D(ADY)

2-6-13
Date

Enclosure

U.S. Department of Transportation
Federal Highway Administration

ARIZONA DIVISION

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202L, South Mountain Freeway, DCR and EIS
Continuing Section 106 Consultation
Traditional Cultural Properties

Ms. Louise Benson, Chairwoman
Hualapai Tribe
P.O. Box 179
Peach Springs, Arizona 86434

Dear Chairwoman Benson:

The Federal Highway Administration (FHWA) and the Arizona Department of Transportation (ADOT) are continuing technical studies in support of the Environmental Impact Statement (EIS) for the 202L, South Mountain Freeway, EIS and Location/Design Concept Report project. The EIS addresses alternative alignments for the proposed South Mountain Freeway, which would extend around the southern side of South Mountains from Interstate 10 (I-10) in west Chandler to I-10 in west Phoenix. The project would be built entirely on new right-of-way (ROW). As this project employs federal funds, it is considered an undertaking subject to Section 106 review. Because alternatives are still under development, land ownership of the project area is not yet known.

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At the request of FHWA and ADOT, HDR Engineering, Inc. (HDR), performed an NRHP evaluation of the ten potential TCPs. The results were provided in a report titled *An Evaluation of Traditional Cultural Properties for the 202L, South Mountain Transportation Corridor EIS & L/DCR Project, Maricopa County, Arizona* (Brodbeck 2012). To protect confidential information associated with TCPs, the report was sent to only SHPO and GRIC-THPO for review. Based on the results, and continuing discussion with GRIC-THPO and SHPO, FHWA determined that:

- the South Mountains were eligible for listing in the NRHP under Criteria A and B as a TCP
- AZ T:12:9 (ASM) (Villa Buena), AZ T:12:52 (ASM) (Pueblo del Alamo), AZ T:12:112 (ASM), and AZ T:12:198 (ASM) were eligible for listing in the NRHP under Criterion A as TCPs and under Criterion D as archaeological sites
- AZ T:12:197 (ASM) and AZ T:12:198 (ASM) were also NRHP-eligible under Criterion A as contributors to the South Mountains TCP

- AZ T:12:201 (ASM), AZ T:12:207 (ASM), AZ T:12:208 (ASM), and AZ T:12:211 (ASM) were eligible for listing in the NRHP under Criterion D as archaeological sites and not as TCPs

SHPO and GRIC-THPO concurred with FHWA's eligibility determinations (Jacobs [SHPO] to Petty [FHWA] May 15, 2012; Lewis [GRIC-THPO] to Petty [FHWA] July 3, 2012).

Through ongoing Section 106 consultations, primarily through a series of discussions and meetings, FHWA, ADOT, and GRIC developed options for mitigating adverse effects on the TCPs. As a result of those discussions, avoidance alternatives were developed for two of the TCPs, a petroglyph site [AZ T:12:198 (ASM)] and a shrine site [AZ T:12:112 (ASM)]. They will now be avoided by project alternatives; therefore, there will be no direct impacts on these sites.

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Because it may not be possible to avoid Villa Buena and/or Pueblo del Alamo during freeway construction, FHWA proposed that an alternative strategy be adopted to prevent potential adverse effects to these two sites as they pertain to Criterion A of the NRHP. At the request of FHWA, GRIC-CRMP prepared a TCP enhancement plan proposal for the two sites, entitled *South Mountain Freeway (SR 202L) Traditional Cultural Property Enhancement and Management Planning for Villa Buena (AZ T:12:9 [ASM]) and Pueblo del Alamo (AZ T:12:52 [ASM])* (Darling and Loendorf 2012), which was provided to SHPO and GRIC-THPO for review and comment. This document proposes that upon completion of the EIS review process, the TCP enhancement plan be developed and implemented, which would ensure the following:

- preparation of the site(s) and people for anticipated ground disturbance include traditional religious activities, exhibits and outreach, tribal consultation, cultural sensitivity training, and the projection of equivalent sites and sacred landscapes
- development of Programmatic Solutions for preservation, restoration, and perpetuation of the roles of Villa Buena and Pueblo del Alamo in O'odham culture and history

Cultural (TCP) enhancement purposes to elevate O'odham knowledge and awareness of these two sites so that any negative impact on their "presence" in O'odham cultural and history—the loss of connections, or of place, in traditional culture—are addressed prior to, during, and after freeway construction, and as part of project planning. Enhancement does not address or replace requirements for data recovery pertaining to adverse effects on Villa Buena or Pueblo del Alamo with regard to their eligibility under Criterion D of the NRHP. However, through implementation