

Appendix H Agency Coordination Supporting Documentation

This appendix contains the following documents.

Coordination Documentation	Date
Agency Scoping Meeting Notes, 10/28/20	December 3, 2020
Arizona Corporation Commission	October 22, 2020
Arizona Game and Fish Department	December 4, 2020
BNSF Railroad Company	July 25, 2023
City of Phoenix Archaeology Section	July 23, 2023
City of Phoenix Historic Preservation Office	March 15, 2023
Hopi Tribe	July 19, 2023
Pascua Yaqui Tribe	March 2, 2023
Pascua Yaqui Tribe	July 25, 2023
Salt River Pima Maricopa Tribal Historic Preservation Office	March 21, 2023
Salt River Pima-Maricopa Indian Community Tribal Historic Preservation Office	August 2, 2023
State Historic Preservation Office	March 7, 2023
State Historic Preservation Office	July 27, 2023
Tohono O'odham Nation	March 3, 2023
Tohono O'odham Nation	July 20, 2023
White Mountain Apache Tribe	August 9, 2023

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Memorandum

Date: December 3, 2020

To: Olivier Mirza
Project Manager
ADOT Project Management Group

From: Rodney Bragg, P.E.
Segment Manager

Subject: Design Concept Report and Environmental Study
US 60 (Grand Ave)\35th Ave\Indian School Rd
F0272 01L
Agency Scoping Meeting, 10/28/20
MS Teams Meeting

Attendees: See below

The following meeting notes set forth our understanding of the discussions and decisions made at this meeting. If you have any questions, additions or comments, please contact the author immediately. If we do not hear from you within 10 days, we will assume that our understandings are the same. We are proceeding based upon the contents of these meeting notes.

I. INTRODUCTIONS

The meeting started with self-introductions by the attendees. See attached sign-in sheet. The meeting was conducted virtually using MS Teams.

The purpose of the meeting is to introduce the study and provide an overview of the study process and schedule, and to provide a forum for agency comments and suggestions as part of the scoping process. There are two ways to participate in the scoping process: provide written response to the Scoping Letter (response due 11/13), or verbal input at this meeting.

The scoping process is intended to provide an opportunity for input at the beginning of the study by allowing the public and agencies to share comments/feedback on issues, constraints, and opportunities.

II. STUDY OVERVIEW

The Maricopa Association of Governments (MAG) develops the Regional Transportation Plan for Maricopa County in cooperation with ADOT and its other member agencies, such as city of Phoenix. The current Regional Transportation Plan includes improvements at the Grand Avenue, 35th Avenue and Indian School Road intersection. Funding for this project is planned in the RTP as follows:

- Development of the design concept report and environmental assessment from 2020 through 2022.
- Final design and right of way acquisition beginning in 2022 and
- Construction beginning in 2024.

This schedule can change based on funding availability and changes in priorities, as determined by MAG and the member agencies.

The Regional Transportation Plan includes two projects on Indian School Road that are fairly close to each other - one at I-17 which is currently in the design stage, and this project at 35th Avenue. These two projects are spaced approximately 1 ¼ miles apart and completely independent of each other. There is more information available on the ADOT website for the project located at I-17.

This project will prepare a Design Concept Report and Environmental Study for improvements to the Grand Ave/35th Avenue/Indian School Road intersection. The existing intersection is currently a 6-legged intersection. The Indian School Road through traffic is grade-separated above the other roadways and the BNSF Railway. There are two at-grade railroad crossings – one on 35th Avenue located south of Indian School Road, and one on Indian School Road located west of 35th Avenue.

The project study area is focused on the Grand Avenue/35th Avenue/Indian School Road intersection. This study will be looking at options to grade separate roadways, so the study area extends roughly ¼ mile in each direction to account for the different options. The study area is generally set by 38th Drive on the west, 33rd Avenue on the east, Glenrosa Avenue on the north, and Weldon Avenue on the south.

The preliminary project schedule includes:

- Initial Design Concept Report: Spring 2021
- Draft Environmental Document: Fall 2021
- Public Hearing: Fall 2021
- Final Design Concept Report: Early 2022
- Final Environmental Document: Early 2022
- Final Design and R/W: Programmed in FY 2023
- Construction: Programmed in FY 2025

III. TRAFFIC DATA

Both Grand Avenue and Indian School Road currently carry approximately 50,000 vehicles per day (vpd) while 35th Avenue carries approximately 30,000 vpd. Based on the MAG travel demand model, future traffic growth is expected along all three corridors between the years 2020 and 2040.

The Grand Avenue/35th Avenue/Indian School Road intersection currently experiences delays of 99 seconds per vehicle during the morning peak hour. By 2040, the average delay at this intersection is expected to increase by more than 20% if no improvements are made. In addition, by 2040, three other intersections are expected to create severe delays for drivers. These include: the pedestrian crossing on 35th Avenue at Monterosa Street, Indian School Road and 33rd Avenue, and 35th Avenue and Clarendon Avenue.

During the evening peak hour, the Grand Avenue/35th Avenue/Indian School Road intersection experiences delays of 104 seconds per vehicle, and there is also severe congestion at the 35th Avenue and Clarendon Avenue intersection. By 2040, the average delay at the Grand Avenue/35th Avenue/Indian School Road intersection is expected to increase by another 10% if no improvements are made. In addition, we anticipate the delays at two other intersections – 33rd Avenue and Indian School Road, and 33rd Avenue and Grand Avenue – to nearly double, also resulting in severe delays if no improvements are made at these intersections.

IV. STUDY GOALS AND PURPOSE

The main overarching goals for this study are to improve traffic flow and to enhance safety at the Grand Avenue/35th Avenue/Indian School Road intersection – this would specifically include improving the traffic flow and reducing delays at the intersection, reducing crashes, eliminating at-grade railroad crossings, and improving pedestrian, bicycle and transit facilities, such as bus pull-outs, bus shelters, and crosswalks.

The purpose of this study is to develop concepts for intersection improvements, including the No-Build option which means no improvements would be made. The study team will prepare an environmental assessment to evaluate the environmental impacts of these options and seek input from the public and agencies. Based on the engineering and environmental analysis and community input, ADOT will select a preferred alternative for the improvements.

This study will evaluate a number of items including the existing and future traffic operations at the traffic signals with and without roadway improvements. For each of the potential improvement alternatives, the study team will evaluate engineering feasibility, cost and other considerations. These include such things as the drainage systems and bridge structures that would be required, soil conditions, existing utilities that would need to be relocated and impacts to the railroad operations. The study will assess the right-of-way impacts to adjacent properties, estimate project costs and determine how improvements would be constructed. Finally, the team will be reviewing the environmental impacts and conducting outreach efforts to gather public and agency input.

It's important to note that at this early stage of the study, it's too early to determine specific right-of-way or access impacts to properties. Potential right-of-way impacts and access changes will be identified later in the study process. If a Build alternative is selected, once ADOT receives environmental approval, ADOT would initiate design of the project to identify specific right of way needs and the right of way acquisition process could begin.

This project will prepare an Environmental Assessment (EA) in compliance with the National Environmental Policy Act. The EA will address the purpose and need for the project; document the alternatives considered and evaluated; address the environmental impacts and planned mitigation for the social, economic, and natural environments; and document coordination efforts with governmental agencies and the public.

V. ALTERNATIVE EVALUATION

A multi-tiered evaluation process will be used that would start with a high-level evaluation of numerous concepts. This initial screening would focus on the potential ability of a concept to achieve the overall project goals with the intent of eliminating high-level concepts that do not align with the project goals and identifying concepts to be carried forward. The second tier of evaluation would focus on the refined concepts from Tier 1 that would best attain the project goals and would introduce several evaluation criteria in order to identify a limited number of alternatives to carry forward for a more detailed evaluation in Tier 3.

The "universe of alternatives" could include many different ideas of how to improve the existing 6-legged intersection. The intent of the Tier 1 evaluation process is to review high-level options and compare them to the project goals. Options that best align with the project goals would be carried forward for further evaluation. Options that do not seem to align with the project goals would be eliminated from further consideration as stand-alone options. The project goals include:

- Reducing traffic congestion
- Enhancing safety
- Eliminate railroad crossings
- Enhancing pedestrian, bicycle, and bus accommodations

The Tier 1 evaluation looked at the following high-level concepts and compared them to the project goals listed above:

- 1) Elevate BNSF Railway
- 2) Lower BNSF Railway
- 3) Elevate Street(s)
 - a) Elevate 35th Ave
 - b) Elevate US 60
- 4) Lower Street(s)
 - a) Lower 35th Ave
 - b) Lower US 60

Concept 1 - Elevate BNSF Railway

Elevating the BNSF Railway would align with the goal to eliminate the railroad crossings. However, raising the railroad would not have much effect on the typical intersection traffic operations, intersection safety, or pedestrian, bicycle, and bus accommodations.

Concept 2 - Lower BNSF Railway

Lowering the BNSF Railway would align with the goal to eliminate the railroad crossings. However, it would not have much effect on the typical intersection traffic operations, intersection safety, or pedestrian, bicycle, and bus accommodations.

Concept 3A – Elevate 35th Ave

Elevating 35th Avenue would align with the goal to eliminate the railroad crossings and it would have the potential to align with the goals of improving intersection traffic operations, intersection safety, and pedestrian, bicycle, and bus accommodations.

Concept 3B – Elevate US 60

Elevating US 60 would not align with the goal to eliminate the railroad crossings but it would have the potential to align with the goals of improving intersection traffic operations, intersection safety, and pedestrian, bicycle, and bus accommodations.

Concept 4A – Lower 35th Ave

Lowering 35th Avenue would align with the goal to eliminate the railroad crossings and it would have the potential to align with the goals of improving intersection traffic operations, intersection safety, and pedestrian, bicycle, and bus accommodations.

Concept 4B – Lowering US 60

Lowering US 60 would not align with the goal to eliminate the railroad crossings but it would have the potential to align with the goals of improving intersection traffic operations, intersection safety, and pedestrian, bicycle, and bus accommodations.

US 60 (Grand Ave)\35th Ave\Indian School Rd
Agency Scoping Meeting
10/28/20

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VI. NEXT STEPS

The near-term next steps include receiving feedback from the agency and public scoping meetings, and to initiate the Tier 2 evaluation process. Responses to the Agency Scoping Letter are due by 11/13.

VII. AGENCY INPUT

Robert Forrest (Valley Metro) stated that Valley Metro operates a bus route along Grand Avenue and would be interested in improvements planned for Grand Avenue. Robert suggested contacting the City of Phoenix for input on bus routes operated by City of Phoenix. Robert mentioned the current CEQ guidance on the timing of completing environmental studies. ADOT responded that they would confirm CEQ requirements for this study

Attachments

Cc: Attendees

PROJECT NUMBER:

F0272 01L

PROJECT MANAGER: Olivier Mirza

PROJECT NAME:

35th Avenue and Indian School Road

ROUTE: US 60

MILEPOST: MP 159

**AGENCY SCOPING MEETING
SIGN-IN SHEET**

Mtg Date: 10/28/2020

Attendee	Name	Agency	E-mail
x	Rodney Bragg	AECOM	rodney.bragg@aecom.com
x	Quinn Castro	MAG	QCastro@azmag.gov
	Tom Remes	City of Phoenix	tom.remes@phoenix.gov
x	Myesha Harris	City of Phoenix	myesha.harris@phoenix.gov
	Jason Pike	Az Corporation Commission	Jpike@azcc.gov
x	Robert Forrest	Valley Metro	rforrest@valleymetro.org
	John Cartier	DPS	JCartier@azdps.gov
	Denise Lacey	MCDOT	Denise.Lacey@Maricopa.Gov
	Dana Lucero	Alhambra Elementary School District	danalucero@alhambraesd.org
	Michael Welsh	Phoenix VA Health Care System	michael.welsh@va.gov
x	Doug Smith	AECOM	Doug.Smith2@aecom.com
x	Olivier Mirza	ADOT	omirza@azdot.gov
x	Dena Whitaker	ADOT	dwhitaker@azdot.gov
	Kate Bondy	AECOM	kate.bondy@aecom.com
x	Matt Bondy	AECOM	matt.bondy@aecom.com
	Morgan Gerst	St. Joseph Medical Ctr - Dignity Health	morgan.gerst@dignityhealth.org
	Sara Nystrom	St. Joseph Medical Ctr - Dignity Health	sara.nystrom@dignityhealth.org
	Shawn Braaten	MCSO	s_braaten@mcso.maricopa.gov
	Michelle Gayles	Phx Union High School District	gayles@phoenixunion.org
	Cheri Bouch�er	Arizona Game and Fish Department	pep@azgfd.gov
	Laura Telles	Phx Union High School District	telles@phoenixunion.org
	Don Rerick	FCDMC	Don.Rerick@Maricopa.Gov
	Kate Kalinosky	BNSF Railway	kate.kalinosky@bnsf.com
x	Bryan Henderson	Phx Union High School District	bhenderson@phoenixunion.org
	Jared Reynolds	Phx Union High School District	reynolds@phoenixunion.org
	Katrina Lambrecht	St. Joseph Medical Ctr - Dignity Health	Katrina.Lambrecht@DignityHealth.org
	Thomas Bour	St. Joseph Medical Ctr - Dignity Health	Thomas.Bour@DignityHealth.org



US 60 (Grand Ave), 35th Avenue, & Indian School Road
Intersection

Grand-35 Study

Design Concept Report and Environmental Study

AGENCY SCOPING MEETING

OCTOBER 28, 2020

ADOT TRACS No. F0272 01L

Federal Aid No. 060-B(227)T

Agenda

- Introductions
- Study Overview & Schedule
- Traffic Data
- Study Goals & Purpose
- Alternative Evaluation
- Next Steps
- Agency Input

Meeting Purpose

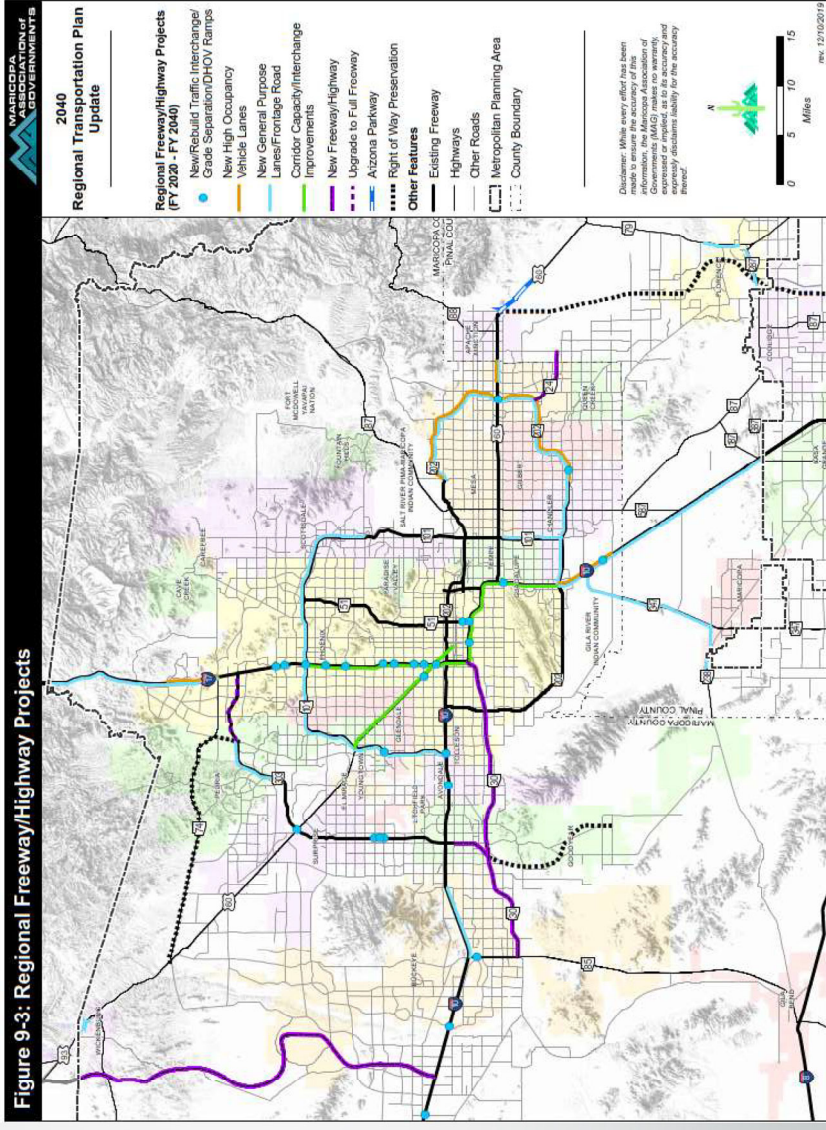
- Introduce and provide overview of study
- Discuss study process and schedule
- Forum for agency comments and suggestions (project scoping)
 - Written response to Scoping Letter – due 11/13
 - Verbal input today

Purpose of Scoping

- Provide opportunity for input at the beginning of the study
- Receive public and agency comments on issues, constraints, and opportunities
- Identify public and agency concerns

Regional Transportation Plan – Freeways & Highways

- Identifies improvements at Grand Ave/35th Ave/ Indian School Rd
- Funding for:
 - Design, starting 2022
 - Right-of-way acquisition, starting 2022
 - Construction, starting 2024



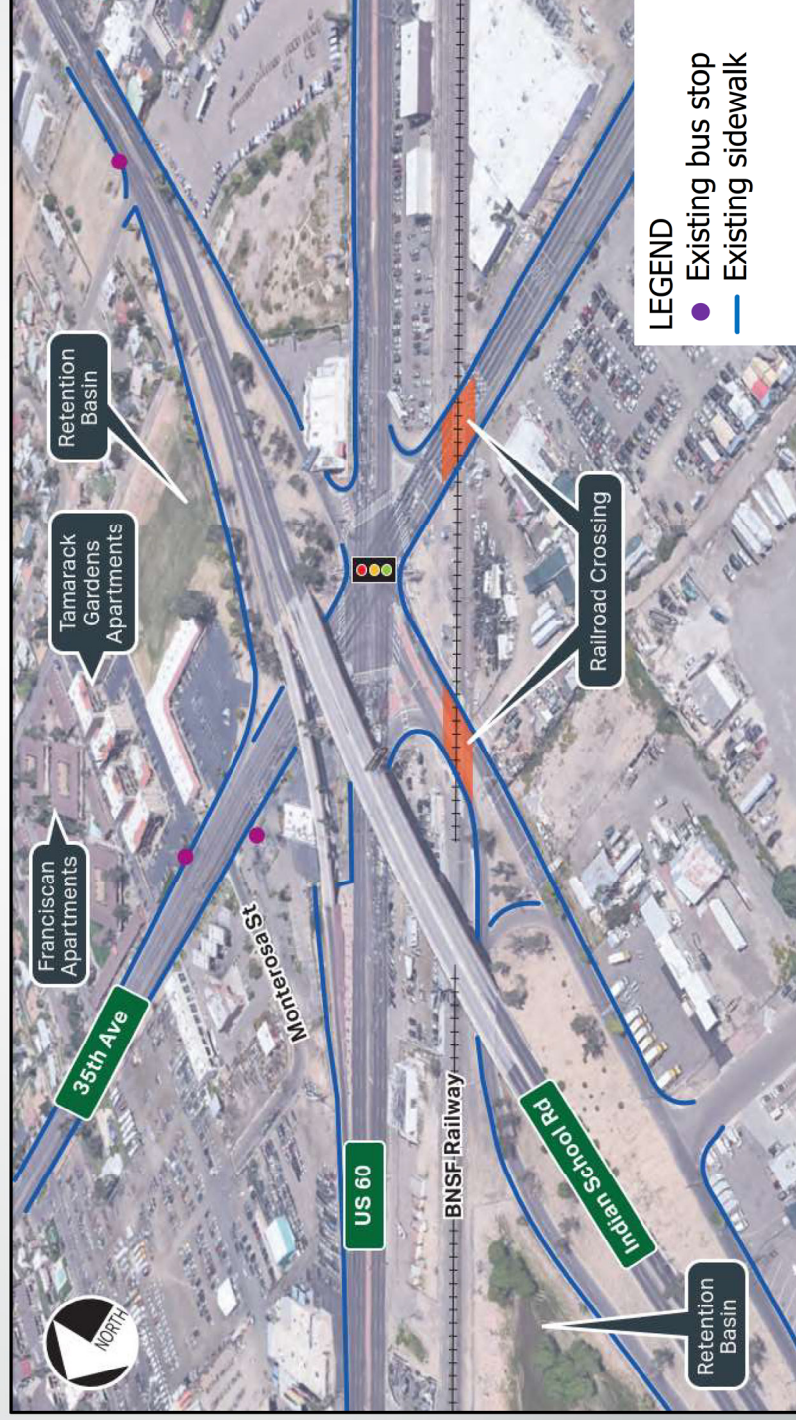
Regional Transportation Plan – Freeways & Highways



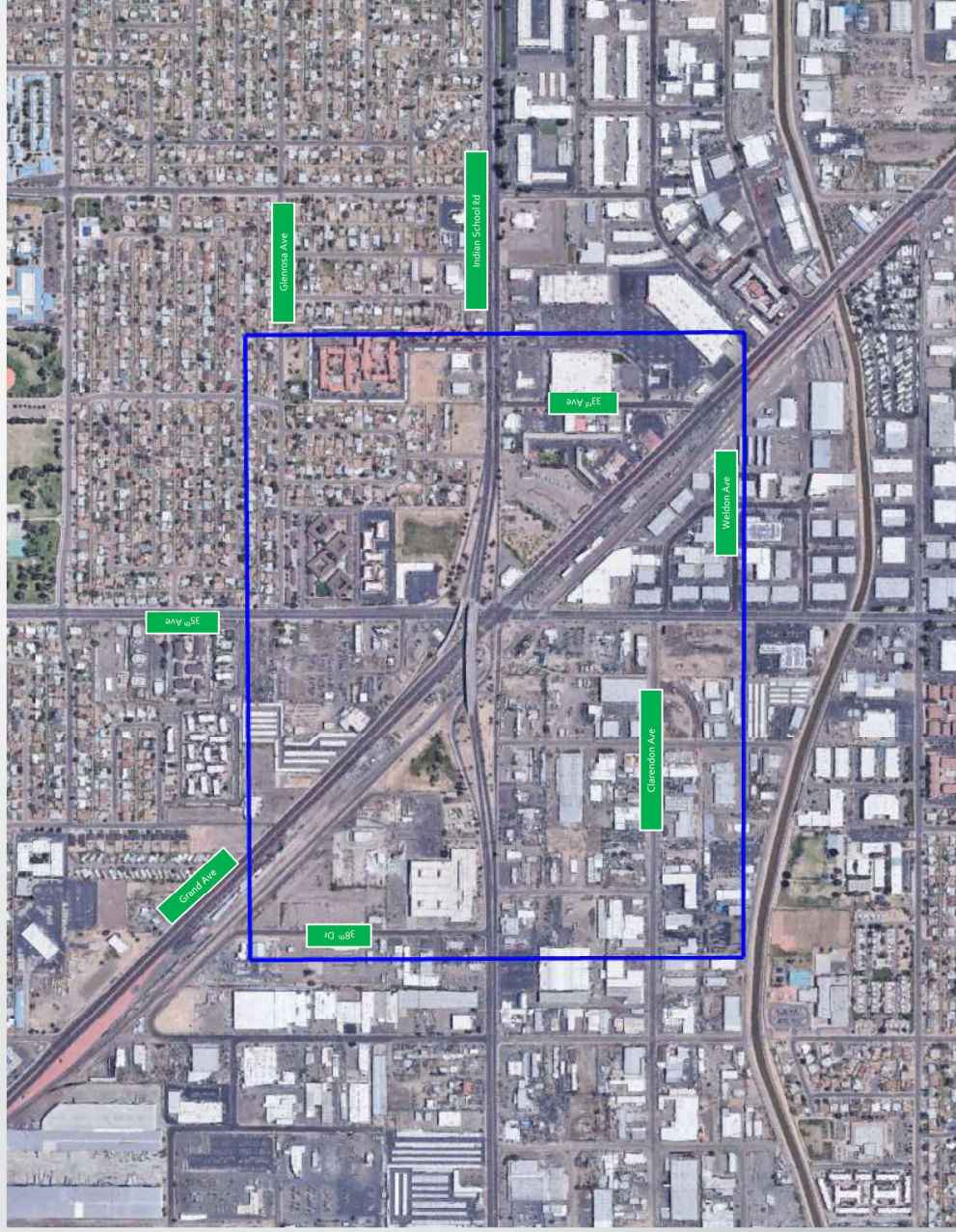
Two separate projects along Indian School Road:
one at I-17 and one at 35th Avenue

Study Overview

Prepare Design Concept Report and Environmental Study for improvements to the US 60 (Grand Ave)/35th Ave/Indian School Rd intersection



Study Overview



Study Area

Study Overview

Tentative Study Schedule

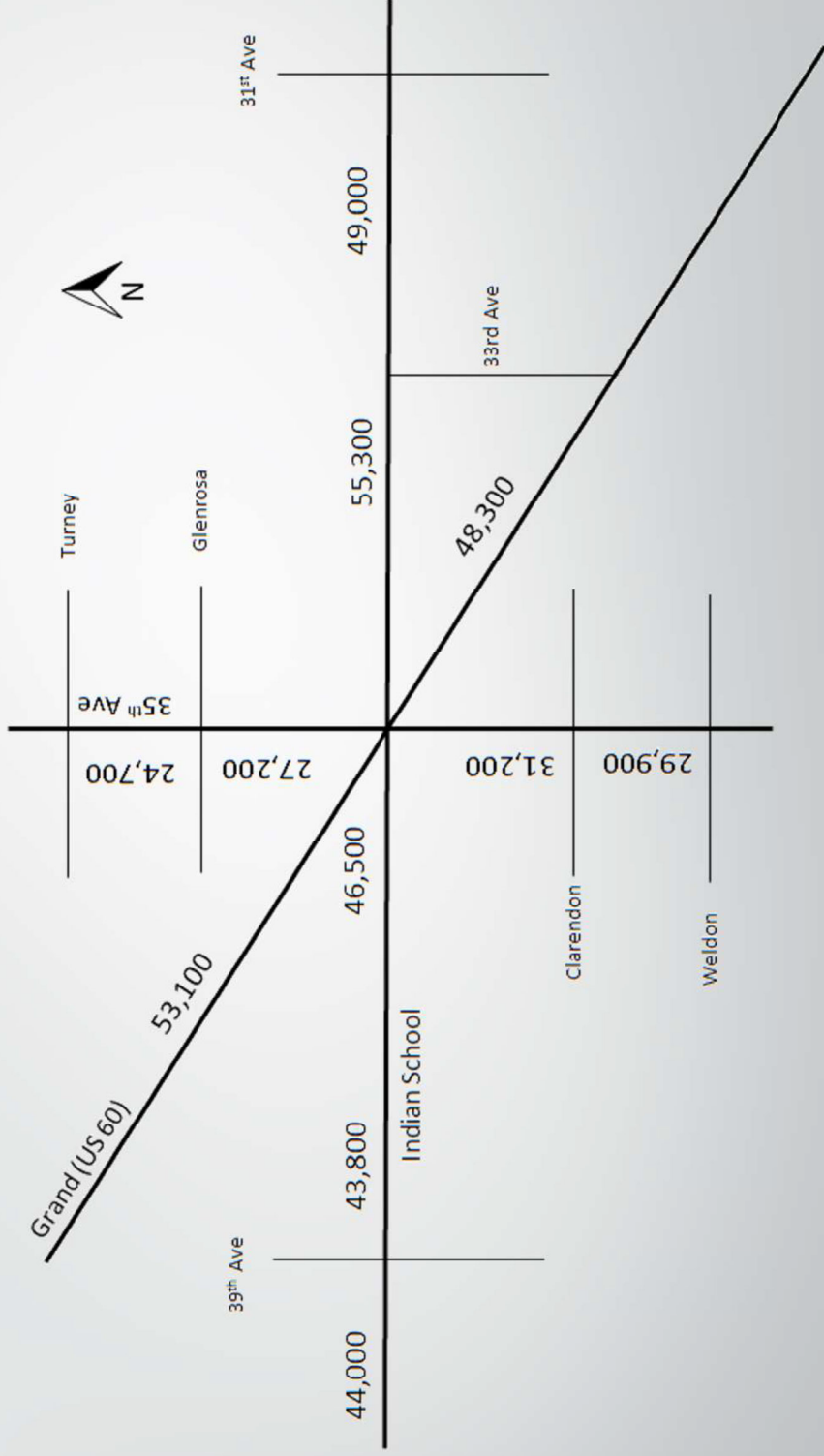
- Initial DCR – Spring 2021
- Draft EA – Fall 2021
- Public Hearing – Fall 2021
- Final DCR – Early 2022
- Final EA – Early 2022



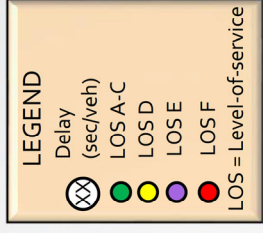
Based on MAG FLCP, Sept. 2019

- Design – FY 23
- R/W – FY 23
- Construction – FY 25

Traffic Data – Estimated 2020 ADT's



Intersection Delays in the Morning



Existing



Future (2040)



Intersection Delays in the Evening

LEGEND

- Delay (sec/veh)
- LOS A-C
- LOS D
- LOS E
- LOS F
- LOS = Level-of-service



Existing

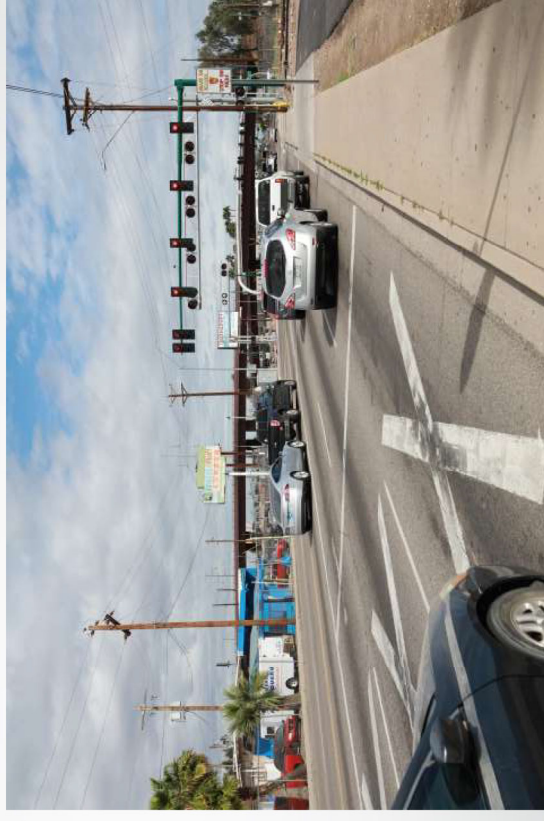


Future (2040)



Study Goals

- Improve traffic flow and reduce delays at the intersection
- Reduce crashes in study area
- Eliminate at-grade railroad crossings
- Improve pedestrian, bicycle and transit facilities



Study Purpose

- Prepare engineering concepts of options for improvements
 - Includes a No Build Alternative in which no improvements are made
- Prepare an Environmental Assessment to evaluate impacts of the alternatives
- Seek input on the alternatives from the public and affected agencies
- Select a Preferred Alternative that best meets the study goals and has agency and public support

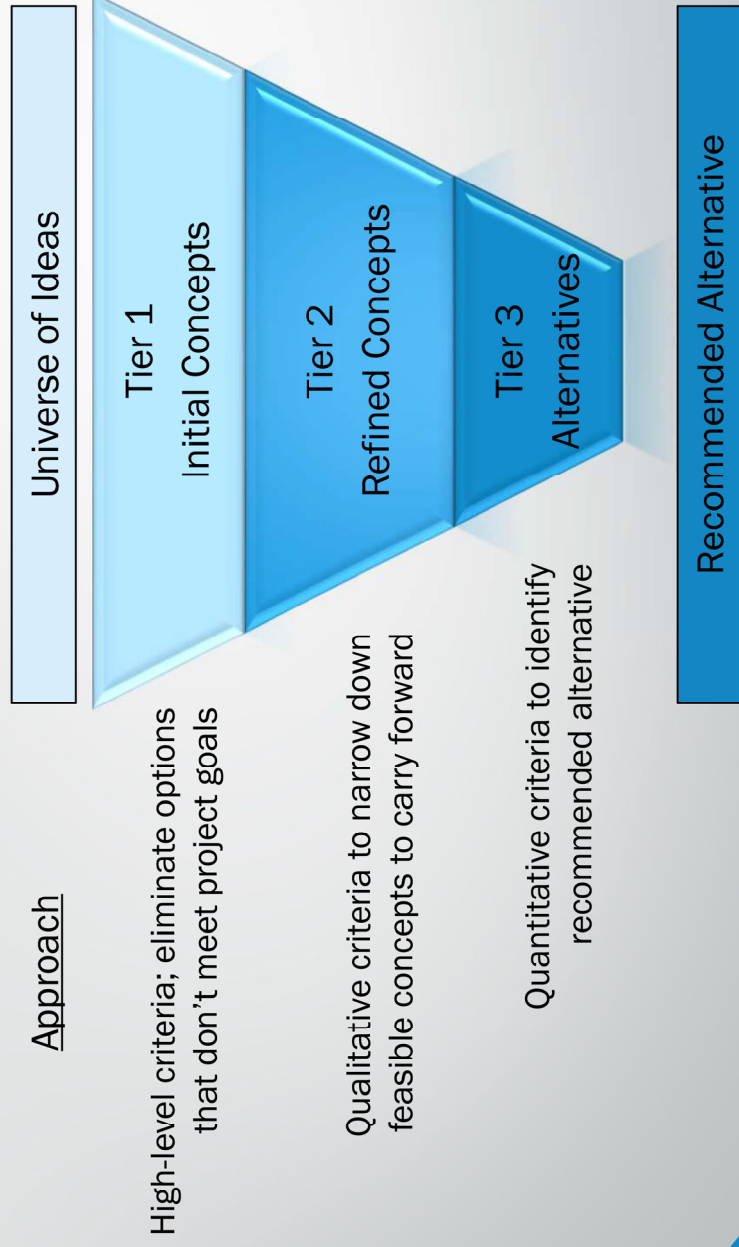
Study Considerations

- Existing and Future Traffic Operations
- Roadway Concepts
- Drainage
- Structures
- Geotechnical
- Utilities
- Right of Way
- BNSF Railway
- Costs
- Constructability
- Environmental Impacts
- Public & Agency Input

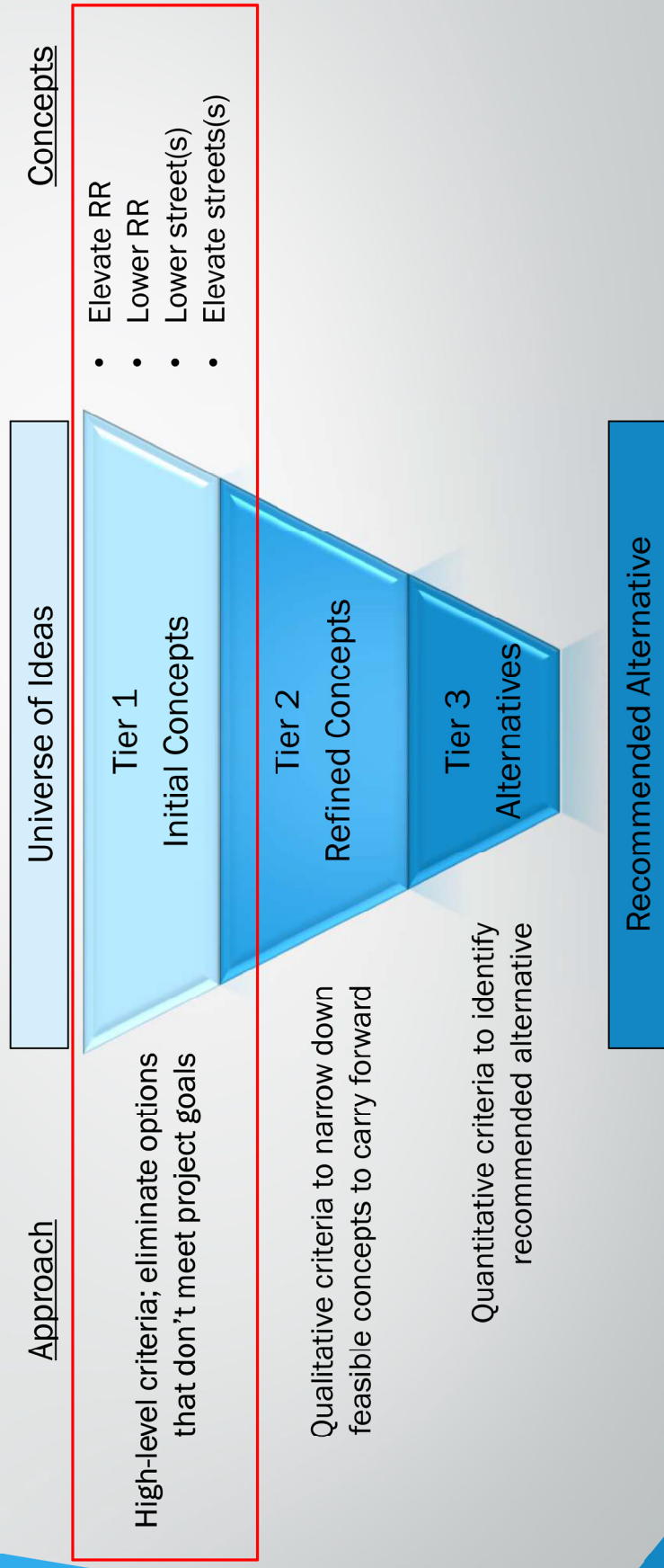
Environmental Assessment (EA)

- Purpose & Need for project
- Document potential impacts to social, economic, and natural environments
 - Socio-Economic (Environmental Justice/Title IV)
 - Air Quality
 - Land Use
 - Noise
 - Biology
 - Section 4(f)
 - Cultural Resources
 - Historic Properties
 - Hazardous Materials
- Document public and agency outreach

Alternative Evaluation Process



Alternative Evaluation Process

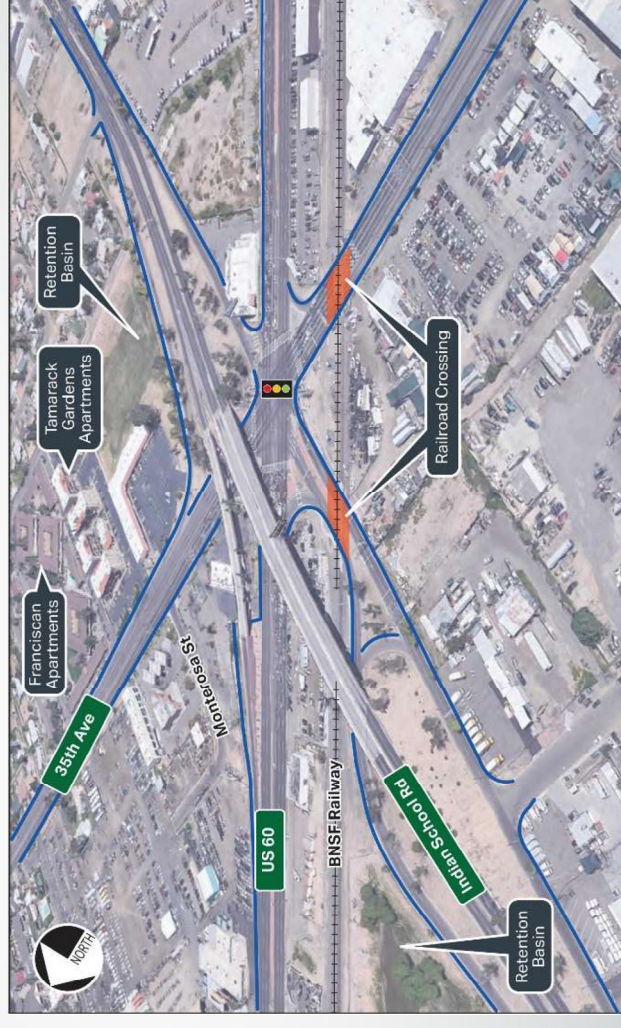


Tier 1 Alternative Evaluation

Tier 1 Concepts

1. Elevate BNSF Railway
2. Lower BNSF Railway
3. Elevate Street(s)
 - a) Elevate 35th Ave
 - b) Elevate Grand Ave
4. Lower Street(s)
 - a) Lower 35th Ave
 - b) Lower Grand Ave

Existing intersection



Tier 1 Alternative Evaluation

Concept Evaluation Criteria

- Ability to meet project goals:
 - Reduce traffic congestion
 - Enhance safety
 - Eliminate railroad crossings
 - Improve pedestrian, bike and transit facilities
- Potential impacts



Tier 1 Alternatives

Concept 1 - Elevate BNSF Railway



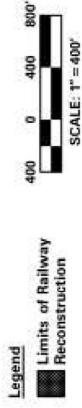
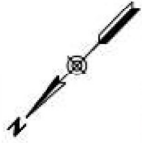
BNSF Railway Over
35th Ave / Indian School Rd

Example in California

AECOM

Tier 1 Alternatives

Concept 2 - Lower BNSF Railway



BNSF Railway Under
35th Ave / Indian School Rd

AECOM



Example in California

Tier 1 Alternatives

Concept 3A – Elevate 35th Avenue



Example of elevated 67th Avenue

35th Avenue Over
Grand Ave / Indian School Rd



Tier 1 Alternatives

Concept 3B – Elevate Grand Ave



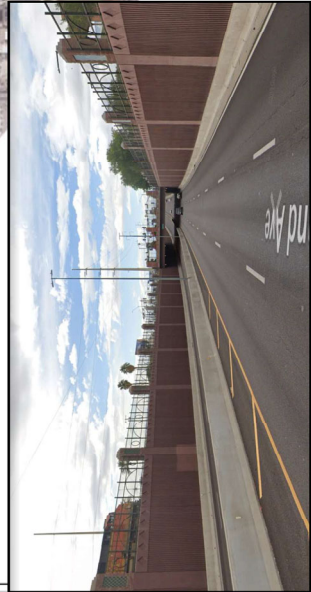
Example of elevated Grand Avenue at 43rd Avenue

Tier 1 Alternatives

Concept 4A – Lower 35th Avenue



35th Avenue Under
Grand Ave / Indian School Rd



Example of lowered Grand Avenue at 59th Avenue

Tier 1 Alternatives

Concept 4B – Lower Grand Ave



Grand Avenue Under
35th Ave / Indian School Rd

AECOM



Example of lowered Grand Avenue at 59th Avenue

Next Steps

- Feedback from Public & Agency Scoping Meetings
- Tier 2 evaluation

Agency Input

- Written response to Scoping Letter – due 11/13
- Verbal input today

Agency Input

- Alhambra School District
- AZ Corp. Commission
- Arizona Department of Public Safety
- AZ Game & Fish
- BNSF Railway
- City of Phoenix
- Flood Control District of Maricopa County
- Maricopa Association of Governments
- Maricopa County DOT
- Maricopa County Sherriff
- Phoenix Union School District
- Phoenix VA Health Care
- St. Joseph's Hospital
- Valley Metro
- Others

From: Jason Pike <JPike@azcc.gov>

Sent: Thursday, October 22, 2020 2:45 PM

To: Smith, Doug (Phoenix) <Doug.Smith2@aecom.com>

Cc: Dena Whitaker (dwhitaker@azdot.gov) <dwhitaker@azdot.gov>; Bragg, Rodney <Rodney.Bragg@aecom.com>; Olivier Mirza <omirza@azdot.gov>

Subject: [EXTERNAL] RE: F0272 01L - US60 (Grand Avenue) / 35th Avenue / Indian School Road Intersection Agency Scoping Letter

My comments.

- 1) Any modification to a public railroad crossing at-grade and /or grade separated, must go through the ACC process for approval. Process requires an application, a public hearing and a vote of approval by the commissioners. Takes about 6 months from start to finish.
- 2) That application will cover railroad crossings in the categories of new, modified and or closing.
- 3) The ACC is in full support of a grade separated crossing at this location. Next to a closed crossing, this is as safe as it can be.
- 4) There are currently 2 at-grade and 1 grade separated crossing at this location and the DOT numbers are as follows.



- 5) A new grade separated crossing should have a new DOT#. It's not a difficult process and I can talk you through it when it's closer.
- 6) I believe that the BNSF is the underlying land owner for all of this and as such in addition to a construction agreement, and easement will also be required.

JASON PIKE

Senior Grade Crossing Inspector/Data Manager
Arizona Corporation Commission
1300 W. Washington St.
Phoenix, AZ 85007

480-818-3163 cell

jpik@azcc.gov

www.azcc.gov



From: Smith, Doug (Phoenix) <Doug.Smith2@aecom.com>

Sent: Wednesday, October 14, 2020 3:58 PM

To: Jason Pike <JPike@azcc.gov>

Cc: Dena Whitaker (dwhitaker@azdot.gov) <dwhitaker@azdot.gov>

Subject: F0272 01L - US60 (Grand Avenue) / 35th Avenue / Indian School Road Intersection Agency Scoping Letter

Attached is the agency scoping letter for the subject project. Please review the information and provide comments by November 13. Please note that we will also hold a virtual agency scoping meeting on October 18. More information on the meeting will be emailed to you.

Until the coronavirus pandemic has subsided I will be working from home. I will be checking my e-mail regularly. If you need to telephone me, please call my personal cell number at 919-412-8852

Douglas L Smith
Senior Environmental Planner
D 602-861-7444
C 919-412-8852
doug.smith2@aecom.com

AECOM
7720 N. 16th Street
Suite 100
Phoenix, AZ 85020-4493, USA
M 602-371-1100
aecom.com



December 4, 2020

Arizona Department of Transportation
% Douglas Smith
AECOM
7720 N 16th Street, Suite 100
Phoenix, Arizona 85020

Electronically submitted to: doug.smith2@aecom.com

Re: Review of the F0272 US60 35 Ave and Indian School Intersection project

Dear Ms.Name Here:

The Arizona Game and Fish Department (Department) reviewed your Project Evaluation Request dated October 16, 2020, regarding the improvements at the intersection of SR 60 (US 60, Grand Avenue), 35th Avenue, and Indian School Road in Phoenix, Arizona. As the proposed project is located in a previously disturbed area, with the present habitat providing relatively low value to wildlife, the Department does not anticipate any significant adverse impacts to wildlife resources would occur as a result of this project.

Thank you for the opportunity to review this project. The report you created on Arizona's Online Environmental Review Tool should provide general recommendations and additional contact information. If you have any questions regarding this letter, please contact me at (623) 236-7222.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Cavalcant".

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

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

AGFD# M20-10200320

azgfd.gov | 602.942.3000

5000 W. CAREFREE HIGHWAY, PHOENIX AZ 85086

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

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July 20, 2023

In Reply Refer To:

060-B(227)T
TRACS No. 060 MA 159 F0272 01D
35th Ave. and Indian School Road
Continuing Section 106 Consultation
No Adverse Effect

Mr. Rafer Nichols, Manager Public Projects
BNSF Railroad Company
3700 Globeville Road
Denver, Colorado 80216

Dear Mr. Nichols:

The Arizona Department of Transportation (ADOT) is planning transportation improvements for the intersection of US Highway 60 (Grand Avenue), 35th Avenue, and Indian School Road in the City of Phoenix within Maricopa County, Arizona. The project area includes ADOT right-of-way (ROW), City of Phoenix (COP) ROW, and private land.

Consulting parties for this project include ADOT, Arizona State Historic Preservation Office (SHPO), COP Archaeology Office, COP Historic Preservation Office, Burlington Northern & Santa Fe (BNSF) Railway, Ak-Chin Indian Community, Fort Mojave Indian Tribe, Gila River Indian Community, Hopi Tribe, Mescalero Apache Tribe, Pascua Yaqui Tribe, Pueblo of Zuni, Salt River Pima-Maricopa Indian Community (lead for the Four Southern Tribes), Salt River Project, Tohono O'odham Nation, Tonto Apache Tribe, White Mountain Apache Tribe, and Yavapai-Apache Nation.

Because this project would use federal funds, it is an undertaking subject to Section 106 of the National Historic Preservation Act. ADOT is conducting the environmental review, consultation, and other actions required by applicable Federal environmental laws for this project pursuant to 23 USC § 327 and a Memorandum of Understanding (MOU) dated April 16, 2019, executed by the Federal Highway Administration (FHWA) and ADOT. Under the MOU, FHWA retains responsibility for government-to-government Tribal consultation under Section 106. Tribes may engage FHWA at any time.

ADOT initiated Section 106 consultation with your office by a letter dated March 1, 2023, which described the project and identified the area of potential effects (APE) and the consulting parties. The letter also requested your review of the adequacy of a report titled *Cultural Resource Study for the US 60 (Grand Avenue)/35th Avenue/Indian School Road Traffic Intersection Improvement Project, Phoenix, Maricopa County, Arizona* (AECOM, Johnson and Rogge 2023a). That report documented a records review and historic built environment survey. The letter requested your concurrence with ADOT's determinations of the eligibility of cultural resources in the APE for inclusion in the National Register of Historic Places (NRHP) and the

use of Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects* to resolve any potential adverse effects for this project in lieu of a project-specific programmatic agreement.

On March 7, 2023, SHPO concurred with ADOT's determinations of eligibility but did not concur with the appropriateness of the use of Attachment 6 because the scope and scale of potential impacts remained undetermined (Ryan [SHPO] to Rucker [ADOT]).

Subsequently, the design team selected a Preferred Alternative (enclosed Figure 1) and ADOT is now continuing consultation to seek your concurrence with the adequacy of our application of the criteria of adverse effect (pursuant to Title 36, Code of Federal Regulations, part 800.5[a][2][i]-[vii]) and finding of effect. The Preferred Alternative includes:

- Removing the existing Indian School Road bridge structure over Grand Avenue and BNSF Railway.
- Constructing new bridges for 35th Avenue and Indian School Road to pass over the railroad and Grand Avenue, shifting 35th Avenue to the west and Indian School Road to the north.
- Along both Indian School Road and 35th Avenue:
 - Removing portions of the existing 35th Avenue and Indian School Road roadways.
 - Constructing a new ramp connecting westbound Indian School Road and northwest-bound US 60 (Grand Avenue), and a ramp connecting US 60 (Grand Avenue) to eastbound Indian School Road.
 - Reconstructing intersecting public roadways and driveways along 35th Avenue and Indian School Road to match the new alignment and roadway elevation.
 - Widening shoulders on 35th Avenue and Indian School Road to better accommodate bicycles.
 - Reconstructing widened sidewalks along 35th Avenue and Indian School Road to maintain pedestrian connectivity.
- Along Indian School Road:
 - Widening Indian School Road along its new alignment to meet current City of Phoenix standards and accommodate potential future transit projects.
 - Extending 33rd Avenue north of Indian School Road to restore access to properties north of Indian School Road.
 - Adding turn lanes at the 33rd Avenue intersection to address re-routing of traffic between US 60 (Grand Avenue) and Indian School Road.
- Along 35th Avenue:
 - Realigning portions of Clarendon Avenue and reconstructing the 35th Avenue/Clarendon Avenue intersection to create a single, signalized intersection that serves areas located east and west of 35th Avenue by eliminating the offset intersections.

- Along Grand Avenue:
 - Restriping Grand Avenue to provide three through lanes in each direction and only one turn-only lane in the southbound direction to improve traffic flow at the new intersection.
 - Adding turn lanes at 33rd Avenue to address re-routing of traffic between US 60 (Grand Avenue) and Indian School Road.
- Extending Glenrosa Avenue to the west to connect 35th Avenue and US 60 (Grand Avenue), creating a new intersection on US 60 (Grand Avenue) to restore traffic movements between 35th Avenue and US 60 (Grand Avenue).
- Constructing a cul-de-sac on 37th Avenue north of US 60 (Grand Avenue), eliminating the intersection of 37th Avenue and US 60 (Grand Avenue), which has been identified by ADOT as a high crash location.
- Relocating utilities, as needed.
- Regrading two existing drainage detention basins where new roadway fill encroaches into the basins.
- Constructing six new drainage detention basins to provide lost storage volume at the existing basins and capture increased onsite runoff.
- Conducting the following field investigations prior to construction:
 - Drilling geotechnical test drilling to inform design of new bridge structural elements.
 - Excavating small potholes to locate utilities within the existing roadway.

The Preferred Alternative would require new ROW from properties along both sides of 35th Avenue due to the elevated roadway. ROW acquisitions would include both full and partial acquisitions. The Preferred Alternative would also need temporary construction easements to match existing grade for driveway and sidewalk construction. The final design will determine specific locations and dimensions of temporary construction easements.

Due to the urban nature of the project area, construction will require minimal vegetation clearing in landscaped areas within the ROW. The depth of disturbance for removing existing roadways and constructing new at-grade roadways would be approximately two to three feet. Retaining walls for the new elevated roadways could require excavations as deep as 10 feet. Depth of disturbance in areas surrounding the new bridges depends on bridge type, soil conditions, cost, and other factors that would be determined during the Stage II design. A bridge with spread footings, if feasible, could require excavation up to 10 feet deep, while drilled shafts could be 100 feet deep. Geotechnical test drilling during final design would include small-diameter borings up to 120 feet deep. Traffic control measures, including signs on spring-stands and similar temporary assemblies, would not result in ground disturbance.

The initial consultation for the project concluded six cultural resources in the APE are eligible for the NRHP. The inventory includes one archaeological site and three historical in-use structures, and two historical in-use buildings (Table 1, Figure 2).

Table 1. Summary of NRHP-Eligible Cultural Resources

	Name, Number	Description	NRHP Status	No Build Alternative	Preferred Alternative
1	AZ T:12:420(ASM)	buried archaeological remnant of prehistoric Hohokam irrigation canal	eligible, Criterion D, data recovery conducted, no further study recommended (Jacobs [SHPO] to Petty [FHWA] 14 July 2014)	no effect	no effect
2	Santa Fe, Prescott, & Phoenix Railway	in-use railway constructed in the 1890s	abandoned segment north of Prescott listed in NRHP; other segments eligible, Criterion A segment in APE not a character-defining element (SHPO-2010-0826);	no effect	no adverse effect
3	US Highway 60/70/89	in-use highway (component of historic state highway system)	eligible, Criterion A; segment in APE not a character-defining element (Jacobs [SHPO] to Mallery [ADOT] 15 September 2008)	no effect	no adverse effect
4	Grand Canal	in-use irrigation canal, component of Salt River Project	eligible, Criterion A (SHPO-2012-1205)	no effect	no effect
5	Mr. Lucky's Site 8	night club building and sign, 3660 Grand Ave.	eligible, Criteria A and C (Ryan [SHPO] to Rucker [ADOT]) 7 March 2023)	no effect	no adverse effect
6	Phoenix Coliseum Site 20	large indoor event venue, 3839 W. Indian School Rd.	eligible, Criterion A (Ryan [SHPO] to Rucker [ADOT]) 7 March 2023)	no effect	no effect

The following descriptions of the effects of the Preferred Alternative on each of those properties are summaries from the enclosed report entitled *Assessment of Effect for the US 60 (Grand Avenue/35th Avenue/Indian School Road Traffic Intersection Improvement Project, Phoenix, Maricopa County, Arizona* (AECOM, Johnson and Rogge 2023b).

Archaeological Site AZ T:12:420(ASM) – The site includes the buried remnants of a pre-contact Hohokam irrigation canal that archaeological monitoring discovered during prior improvements of US 60. FHWA, in consultation with the SHPO, evaluated the canal as eligible under NRHP Criterion D and ADOT immediately implemented data recovery studies. In 2014, SHPO agreed the data recovery studies were adequate and recommended no further archaeological investigations. The site is outside the areas the Preferred Alternative would disturb, and the project would result in No Effect on site AZ T:12:420(ASM)..

Santa Fe, Prescott & Phoenix Railway - The railroad would not be physically altered by the Preferred Alternative and would remain in use as the BNSF Railway. The design of the proposed project includes components within parcels of land the BNSF Railway owns adjacent to the historic railroad corridor, but no project components would be in the boundary or require ROW from the historic railroad corridor. The SHPO previously agreed the upgraded segment of the railroad in the APE is not a character-defining element of the historic railroad.

US Highway 60/70/89 –Alterations to the highway would include a new intersection created by the extension of Glenrosa Avenue, and new ramps connecting westbound Indian School Road to

northwest-bound Grand Avenue, and Grand Avenue to eastbound Indian School Road. The Preferred Alternative would add a new travel lane on the north side of Grand Avenue between the on-ramp from Indian School Road and the new intersection with Glenrosa Avenue, and eliminate the intersection with 37th Avenue. Grand Avenue would be re-stripped to improve traffic flow at the new intersections. The segment of the highway within the APE has been subject to regular upgrades, widening, and maintenance. The only aspect of historical integrity the highway retains is location, and SHPO previously agreed the segment within the APE is not a character-defining element of the historic property, and the Preferred Alternative would result in No Adverse Effect on US Highway 60/70/89.

Grand Canal – The in-use canal is a major component of the Salt River Project irrigation system. The canal crosses US 60 outside the areas that would be disturbed by the Preferred Alternative. The Preferred Alternative would not substantially alter the current setting of the canal, and would result in No Effect on the Grand Canal.

Mr. Lucky's / Site 8 - The Preferred Alternative would not result in physical destruction, damage, alteration, restoration, rehabilitation, repair, maintenance, stabilization, or hazardous materials remediation of the buildings (Resources 8a and 8c) and sign (Resource 8b) on Site 8 or affect the use of the property. The Preferred Alternative would not alter the exterior appearance and visual narrative of the historic resource, and the site's significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association.

The Preferred Alternative would require acquisition of approximately 0.1 acre from the parking lot at the southeast corner of the 1.5-acre Mr. Lucky's parcel to accommodate the extension of Glenrosa Avenue and the new intersection with Grand Avenue. The parking lot is not a contributing feature. The Mr. Lucky's sign (Resource 8b) would be adjacent to, but outside, the acquired ROW, and the extension of Glenrosa Avenue would be no closer to the sign than the current US 60/Grand Avenue ROW (see Figure 1). The Preferred Alternative and ROW acquisition would not alter the stylistic details, arrangements, and spatial relationships of the character-defining features or block access, and the site's significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association. The proposed cul-de-sac on 37th Avenue would be north of Mr. Lucky's / Site 8, and the closure of 37th Avenue and its intersection with US 60/Grand Avenue and construction of the cul-de-sac would not affect the property.

Construction of Preferred Alternative would introduce new visual elements to the viewshed of Mr. Lucky's / Site 8. The visible elements, however, would be similar to the current setting, which includes the existing overpass and modern city streets, and would not diminish the property's integrity of setting and feeling. Temporary increases in noise and vibration during construction would be short term and would not affect the structural integrity of the building or sign. The Preferred Alternative would result in No Adverse Effect to Mr. Lucky's / Site 8.

Phoenix Coliseum / Site 20 – The Preferred Alternative would not physically alter the Phoenix Coliseum building (Resource 20), or cause changes in its character or use. The Preferred Alternative would be within the Indian School Road ROW north of Resource 20, and would not require acquisition of ROW from the property. The building is set back approximately 250 feet

from the south side of Indian School Road, and the Preferred Alternative would not alter the stylistic details, arrangements, and spatial relationships of the character-defining features or block access, and the site's significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association.

The construction of Preferred Alternative would introduce new visual elements to the Phoenix Coliseum / Site 20. The visible elements, however, would be similar to those already in place in the vicinity and would not diminish the property's integrity of setting and feeling or change its historic character. Temporary increases in noise and vibration during construction would be short term and not affect the structural integrity of the building. The Preferred Alternative would result in No Effect on the Phoenix Coliseum / Site 20.

Based on the assessment, ADOT made a Finding of No Adverse Effect, pursuant to Title 36, Code of Federal Regulations part 800.5(c). We request your review of the information provided in this letter and in the enclosed report. If you find the report adequate and agree with ADOT's Finding of No Adverse Effect, please indicate your concurrence by signing on the line provided. If you have any questions or concerns, please contact ADOT Historic Preservation Specialist Matt Mallery at 480-493-6059 or at JMallery@azdot.gov.

Sincerely,



Danny Rucker, MA, RPA
Cultural Resources Program Manager



Signature for BNSF Concurrence
087-A(213)T

7/25/23

Date

Enclosures

Ecc:

Mr. Sayeed Hani, ADOT, Shani@azdot.gov

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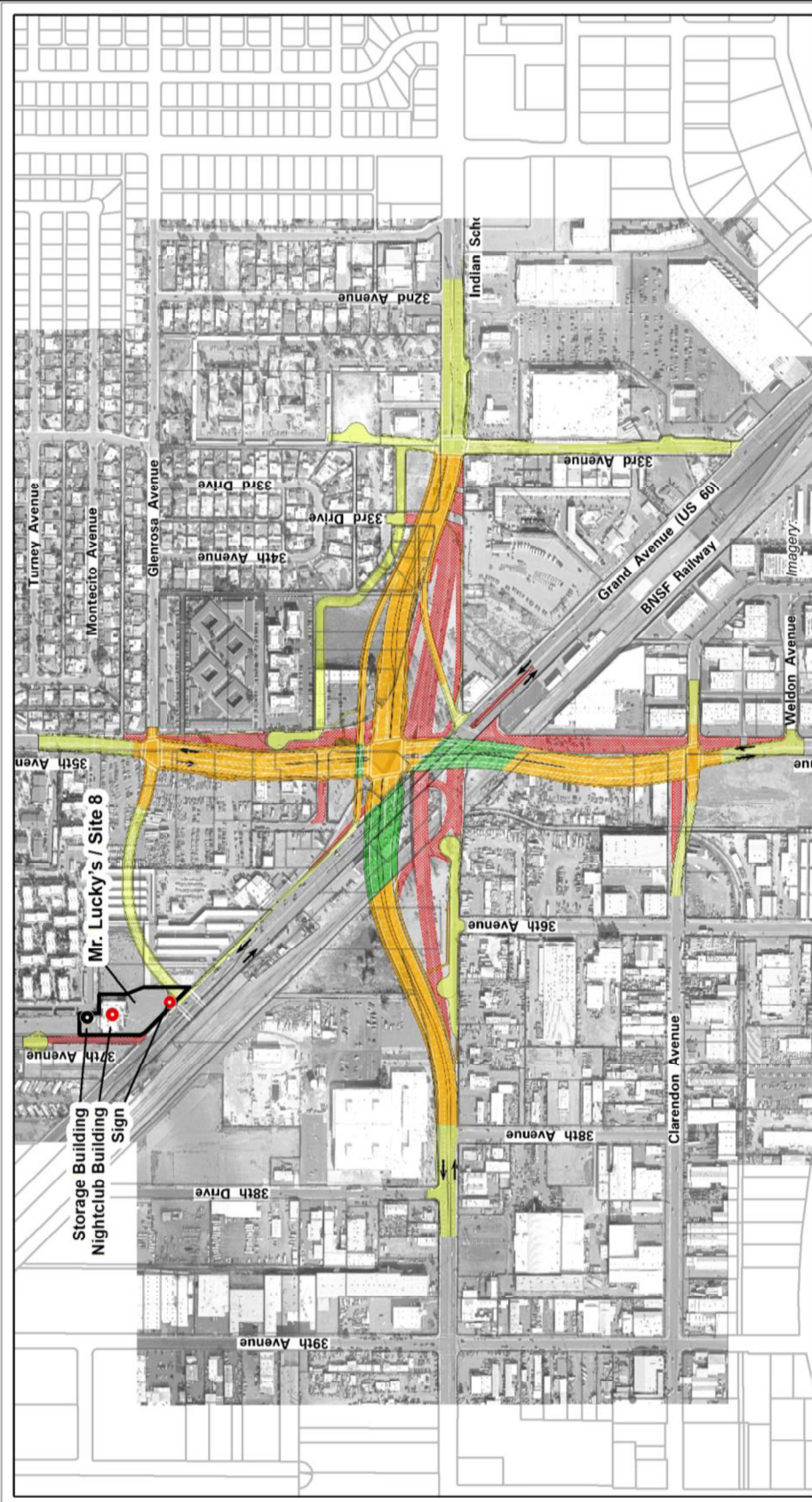
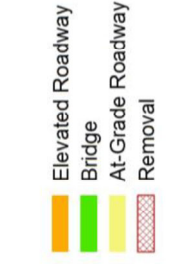
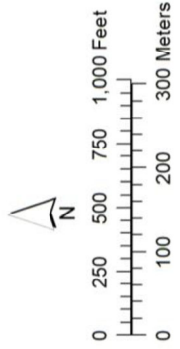


Figure 1

Preferred Alternative

F0272 - US 60/35th Avenue/Indian School Road
Traffic Intersection Improvement Project



- Historic-Period Feature; Not Character Defining
- Character-Defining Feature
- NHP-Eligible Resource



July 20, 2023

In Reply Refer To:

060-B(227)T
TRACS No. 060 MA 159 F0272 01D
35th Ave. and Indian School Road
Continuing Section 106 Consultation
No Adverse Effect

Ms. Laurene Montero, City of Phoenix Archaeologist
City of Phoenix Archaeology Section
4619 E. Washington Street
Phoenix, Arizona 85034

Dear Ms. Montero:

The Arizona Department of Transportation (ADOT) is planning transportation improvements for the intersection of US Highway 60 (Grand Avenue), 35th Avenue, and Indian School Road in the City of Phoenix within Maricopa County, Arizona. The project area includes ADOT right-of-way (ROW), City of Phoenix (COP) ROW, and private land.

Consulting parties for this project include ADOT, Arizona State Historic Preservation Office (SHPO), COP Archaeology Office, COP Historic Preservation Office, Burlington Northern & Santa Fe (BNSF) Railway, Ak-Chin Indian Community, Fort Mojave Indian Tribe, Gila River Indian Community, Hopi Tribe, Mescalero Apache Tribe, Pascua Yaqui Tribe, Pueblo of Zuni, Salt River Pima-Maricopa Indian Community (lead for the Four Southern Tribes), Salt River Project, Tohono O'odham Nation, Tonto Apache Tribe, White Mountain Apache Tribe, and Yavapai-Apache Nation.

Because this project would use federal funds, it is an undertaking subject to Section 106 of the National Historic Preservation Act. ADOT is conducting the environmental review, consultation, and other actions required by applicable Federal environmental laws for this project pursuant to 23 USC § 327 and a Memorandum of Understanding (MOU) dated April 16, 2019, executed by the Federal Highway Administration (FHWA) and ADOT. Under the MOU, FHWA retains responsibility for government-to-government Tribal consultation under Section 106. Tribes may engage FHWA at any time.

ADOT initiated Section 106 consultation with your office by a letter dated March 1, 2023, which described the project and identified the area of potential effects (APE) and the consulting parties. The letter also requested your review of the adequacy of a report titled *Cultural Resource Study for the US 60 (Grand Avenue)/35th Avenue/Indian School Road Traffic Intersection Improvement Project, Phoenix, Maricopa County, Arizona* (AECOM, Johnson and Rogge 2023a). That report documented a records review and historic built environment survey. The

letter requested your concurrence with ADOT's determinations of the eligibility of cultural resources in the APE for inclusion in the National Register of Historic Places (NRHP) and the use of Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects* to resolve any potential adverse effects for this project in lieu of a project-specific programmatic agreement.

SHPO and COP-HPO concurred with ADOT's determinations of eligibility on March 7, 2023 and March 15, 2023, respectively (Ryan [SHPO] to Rucker [ADOT]); (Elsner [COP-HPO] to Rucker [ADOT]). SHPO did not concur with the appropriateness of the use of Attachment 6 because the scope and scale of potential impacts remained undetermined.

Subsequently, the design team selected a Preferred Alternative (enclosed Figure 1) and ADOT is now continuing consultation to seek your concurrence with the adequacy of our application of the criteria of adverse effect (pursuant to Title 36, Code of Federal Regulations, part 800.5[a][2][i]-[vii]) and finding of effect. The Preferred Alternative includes:

- Removing the existing Indian School Road bridge structure over Grand Avenue and BNSF Railway.
- Constructing new bridges for 35th Avenue and Indian School Road to pass over the railroad and Grand Avenue, shifting 35th Avenue to the west and Indian School Road to the north.
- Along both Indian School Road and 35th Avenue:
 - Removing portions of the existing 35th Avenue and Indian School Road roadways.
 - Constructing a new ramp connecting westbound Indian School Road and northwest-bound US 60 (Grand Avenue), and a ramp connecting US 60 (Grand Avenue) to eastbound Indian School Road.
 - Reconstructing intersecting public roadways and driveways along 35th Avenue and Indian School Road to match the new alignment and roadway elevation.
 - Widening shoulders on 35th Avenue and Indian School Road to better accommodate bicycles.
 - Reconstructing widened sidewalks along 35th Avenue and Indian School Road to maintain pedestrian connectivity.
- Along Indian School Road:
 - Widening Indian School Road along its new alignment to meet current City of Phoenix standards and accommodate potential future transit projects.
 - Extending 33rd Avenue north of Indian School Road to restore access to properties north of Indian School Road.
 - Adding turn lanes at the 33rd Avenue intersection to address re-routing of traffic between US 60 (Grand Avenue) and Indian School Road.
- Along 35th Avenue:
 - Realigning portions of Clarendon Avenue and reconstructing the 35th Avenue/Clarendon Avenue intersection to create a single, signalized intersection that

serves areas located east and west of 35th Avenue by eliminating the offset intersections.

- Along Grand Avenue:
 - Restriping Grand Avenue to provide three through lanes in each direction and only one turn-only lane in the southbound direction to improve traffic flow at the new intersection.
 - Adding turn lanes at 33rd Avenue to address re-routing of traffic between US 60 (Grand Avenue) and Indian School Road.
- Extending Glenrosa Avenue to the west to connect 35th Avenue and US 60 (Grand Avenue), creating a new intersection on US 60 (Grand Avenue) to restore traffic movements between 35th Avenue and US 60 (Grand Avenue).
- Constructing a cul-de-sac on 37th Avenue north of US 60 (Grand Avenue), eliminating the intersection of 37th Avenue and US 60 (Grand Avenue), which has been identified by ADOT as a high crash location.
- Relocating utilities, as needed.
- Regrading two existing drainage detention basins where new roadway fill encroaches into the basins.
- Constructing six new drainage detention basins to provide lost storage volume at the existing basins and capture increased onsite runoff.
- Conducting the following field investigations prior to construction:
 - Drilling geotechnical test drilling to inform design of new bridge structural elements.
 - Excavating small potholes to locate utilities within the existing roadway.

The Preferred Alternative would require new ROW from properties along both sides of 35th Avenue due to the elevated roadway. ROW acquisitions would include both full and partial acquisitions. The Preferred Alternative would also need temporary construction easements to match existing grade for driveway and sidewalk construction. The final design will determine specific locations and dimensions of temporary construction easements.

Due to the urban nature of the project area, construction will require minimal vegetation clearing in landscaped areas within the ROW. The depth of disturbance for removing existing roadways and constructing new at-grade roadways would be approximately two to three feet. Retaining walls for the new elevated roadways could require excavations as deep as 10 feet. Depth of disturbance in areas surrounding the new bridges depends on bridge type, soil conditions, cost, and other factors that would be determined during the Stage II design. A bridge with spread footings, if feasible, could require excavation up to 10 feet deep, while drilled shafts could be 100 feet deep. Geotechnical test drilling during final design would include small-diameter borings up to 120 feet deep. Traffic control measures, including signs on spring-stands and similar temporary assemblies, would not result in ground disturbance.

The initial consultation for the project concluded six cultural resources in the APE are eligible for the NRHP. The inventory includes one archaeological site and three historical in-use structures, and two historical in-use buildings (Table 1, Figure 2).

Table 1. Summary of NRHP-Eligible Cultural Resources

	Name, Number	Description	NRHP Status	No Build Alternative	Preferred Alternative
1	AZ T:12:420(ASM)	buried archaeological remnant of prehistoric Hohokam irrigation canal	eligible, Criterion D, data recovery conducted, no further study recommended (Jacobs [SHPO] to Petty [FHWA] 14July 2014)	no effect	no effect
2	Santa Fe, Prescott, & Phoenix Railway	in-use railway constructed in the 1890s	abandoned segment north of Prescott listed in NRHP; other segments eligible, Criterion A segment in APE not a character-defining element (SHPO-2010-0826);	no effect	no adverse effect
3	US Highway 60/70/89	in-use highway (component of historic state highway system)	eligible, Criterion A; segment in APE not a character-defining element (Jacobs [SHPO] to Mallery [ADOT] 15 September 2008)	no effect	no adverse effect
4	Grand Canal	in-use irrigation canal, component of Salt River Project	eligible, Criterion A (SHPO-2012-1205)	no effect	no effect
5	Mr. Lucky's Site 8	night club building and sign, 3660 Grand Ave.	eligible, Criteria A and C (Ryan [SHPO] to Rucker [ADOT]) 7 March 2023)	no effect	no adverse effect
6	Phoenix Coliseum Site 20	large indoor event venue, 3839 W. Indian School Rd.	eligible, Criterion A (Ryan [SHPO] to Rucker [ADOT]) 7 March 2023)	no effect	no effect

The following descriptions of the effects of the Preferred Alternative on each of those properties are summaries from the enclosed report entitled *Assessment of Effect for the US 60 (Grand Avenue/35th Avenue/Indian School Road Traffic Intersection Improvement Project, Phoenix, Maricopa County, Arizona* (AECOM, Johnson and Rogge 2023b).

Archaeological Site AZ T:12:420(ASM) – The site includes the buried remnants of a pre-contact Hohokam irrigation canal that archaeological monitoring discovered during prior improvements of US 60. FHWA, in consultation with the SHPO, evaluated the canal as eligible under NRHP Criterion D and ADOT immediately implemented data recovery studies. In 2014, SHPO agreed the data recovery studies were adequate and recommended no further archaeological investigations. The site is outside the areas the Preferred Alternative would disturb, and the project would result in No Effect on site AZ T:12:420(ASM)..

Santa Fe, Prescott & Phoenix Railway - The railroad would not be physically altered by the Preferred Alternative and would remain in use as the BNSF Railway. The design of the proposed project includes components within parcels of land the BNSF Railway owns adjacent to the historic railroad corridor, but no project components would be in the boundary or require ROW from the historic railroad corridor. The SHPO previously agreed the upgraded segment of the railroad in the APE is not a character-defining element of the historic railroad.

US Highway 60/70/89 –Alterations to the highway would include a new intersection created by the extension of Glenrosa Avenue, and new ramps connecting westbound Indian School Road to

northwest-bound Grand Avenue, and Grand Avenue to eastbound Indian School Road. The Preferred Alternative would add a new travel lane on the north side of Grand Avenue between the on-ramp from Indian School Road and the new intersection with Glenrosa Avenue, and eliminate the intersection with 37th Avenue. Grand Avenue would be re-stripped to improve traffic flow at the new intersections. The segment of the highway within the APE has been subject to regular upgrades, widening, and maintenance. The only aspect of historical integrity the highway retains is location, and SHPO previously agreed the segment within the APE is not a character-defining element of the historic property, and the Preferred Alternative would result in No Adverse Effect on US Highway 60/70/89.

Grand Canal – The in-use canal is a major component of the Salt River Project irrigation system. The canal crosses US 60 outside the areas that would be disturbed by the Preferred Alternative. The Preferred Alternative would not substantially alter the current setting of the canal, and would result in No Effect on the Grand Canal.

Mr. Lucky's / Site 8 - The Preferred Alternative would not result in physical destruction, damage, alteration, restoration, rehabilitation, repair, maintenance, stabilization, or hazardous materials remediation of the buildings (Resources 8a and 8c) and sign (Resource 8b) on Site 8 or affect the use of the property. The Preferred Alternative would not alter the exterior appearance and visual narrative of the historic resource, and the site's significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association.

The Preferred Alternative would require acquisition of approximately 0.1 acre from the parking lot at the southeast corner of the 1.5-acre Mr. Lucky's parcel to accommodate the extension of Glenrosa Avenue and the new intersection with Grand Avenue. The parking lot is not a contributing feature. The Mr. Lucky's sign (Resource 8b) would be adjacent to, but outside, the acquired ROW, and the extension of Glenrosa Avenue would be no closer to the sign than the current US 60/Grand Avenue ROW (see Figure 1). The Preferred Alternative and ROW acquisition would not alter the stylistic details, arrangements, and spatial relationships of the character-defining features or block access, and the site's significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association. The proposed cul-de-sac on 37th Avenue would be north of Mr. Lucky's / Site 8, and the closure of 37th Avenue and its intersection with US 60/Grand Avenue and construction of the cul-de-sac would not affect the property.

Construction of Preferred Alternative would introduce new visual elements to the viewshed of Mr. Lucky's / Site 8. The visible elements, however, would be similar to the current setting, which includes the existing overpass and modern city streets, and would not diminish the property's integrity of setting and feeling. Temporary increases in noise and vibration during construction would be short term and would not affect the structural integrity of the building or sign. The Preferred Alternative would result in No Adverse Effect to Mr. Lucky's / Site 8.

Phoenix Coliseum / Site 20 – The Preferred Alternative would not physically alter the Phoenix Coliseum building (Resource 20), or cause changes in its character or use. The Preferred Alternative would be within the Indian School Road ROW north of Resource 20, and would not require acquisition of ROW from the property. The building is set back approximately 250 feet

from the south side of Indian School Road, and the Preferred Alternative would not alter the stylistic details, arrangements, and spatial relationships of the character-defining features or block access, and the site's significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association.

The construction of Preferred Alternative would introduce new visual elements to the Phoenix Coliseum / Site 20. The visible elements, however, would be similar to those already in place in the vicinity and would not diminish the property's integrity of setting and feeling or change its historic character. Temporary increases in noise and vibration during construction would be short term and not affect the structural integrity of the building. The Preferred Alternative would result in No Effect on the Phoenix Coliseum / Site 20.

Based on the assessment, ADOT made a Finding of No Adverse Effect, pursuant to Title 36, Code of Federal Regulations part 800.5(c). We request your review of the information provided in this letter and in the enclosed report. If you find the report adequate and agree with ADOT's Finding of No Adverse Effect, please indicate your concurrence by signing on the line provided. If you have any questions or concerns, please contact ADOT Historic Preservation Specialist Matt Mallery at 480-493-6059 or at JMallery@azdot.gov.

Sincerely,



Danny Rucker, MA, RPA
Cultural Resources Program Manager



Signature for COP-PGM Concurrence
087-A(213)T

7/23/2023

Date

Enclosures

Ecc:

Ms. Rebecca Hill, Archaeologist, City of Phoenix Archaeology Section,
rebecca.hill@phoenix.gov

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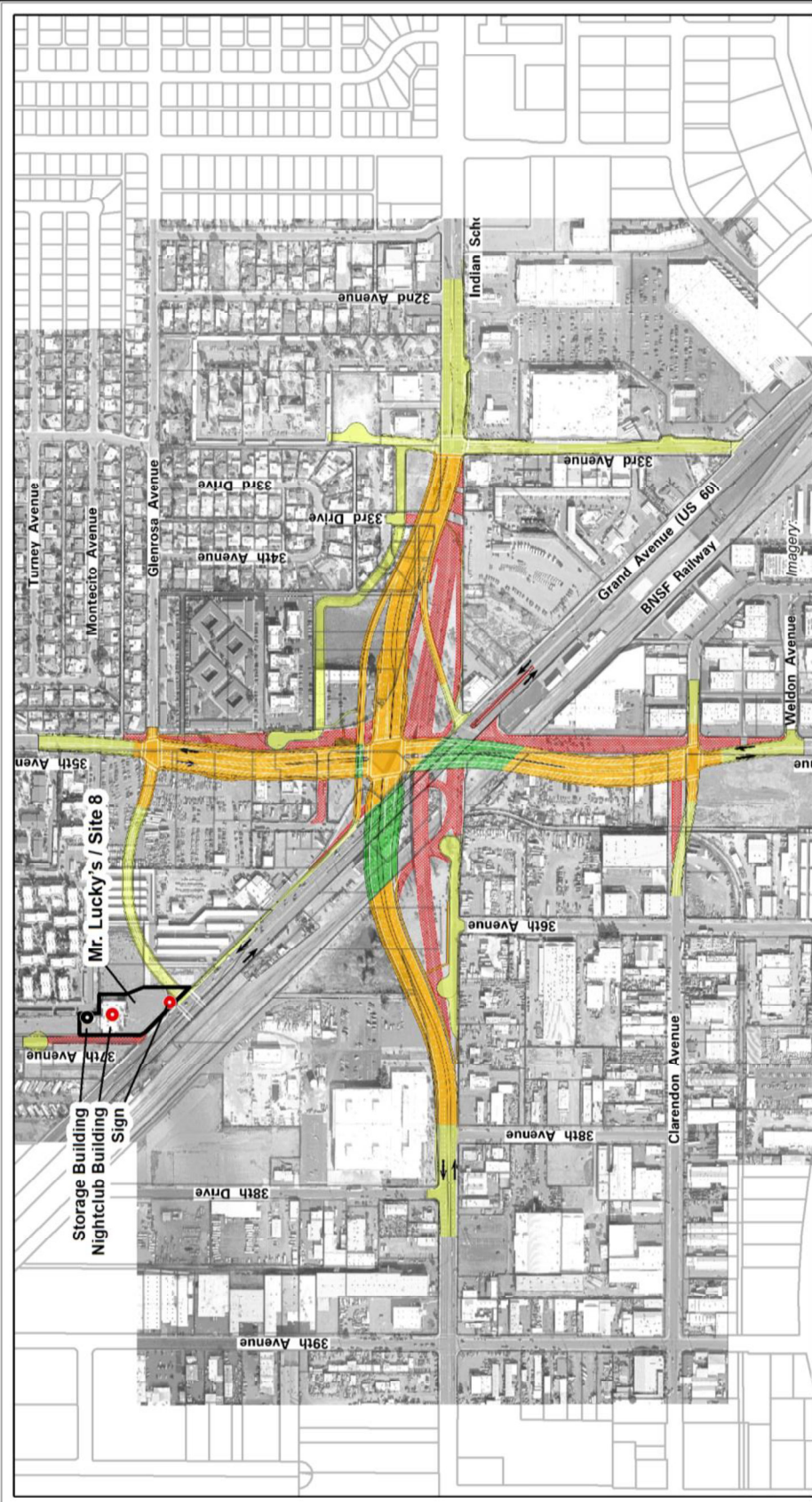
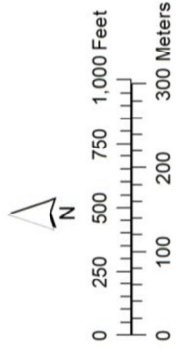


Figure 1

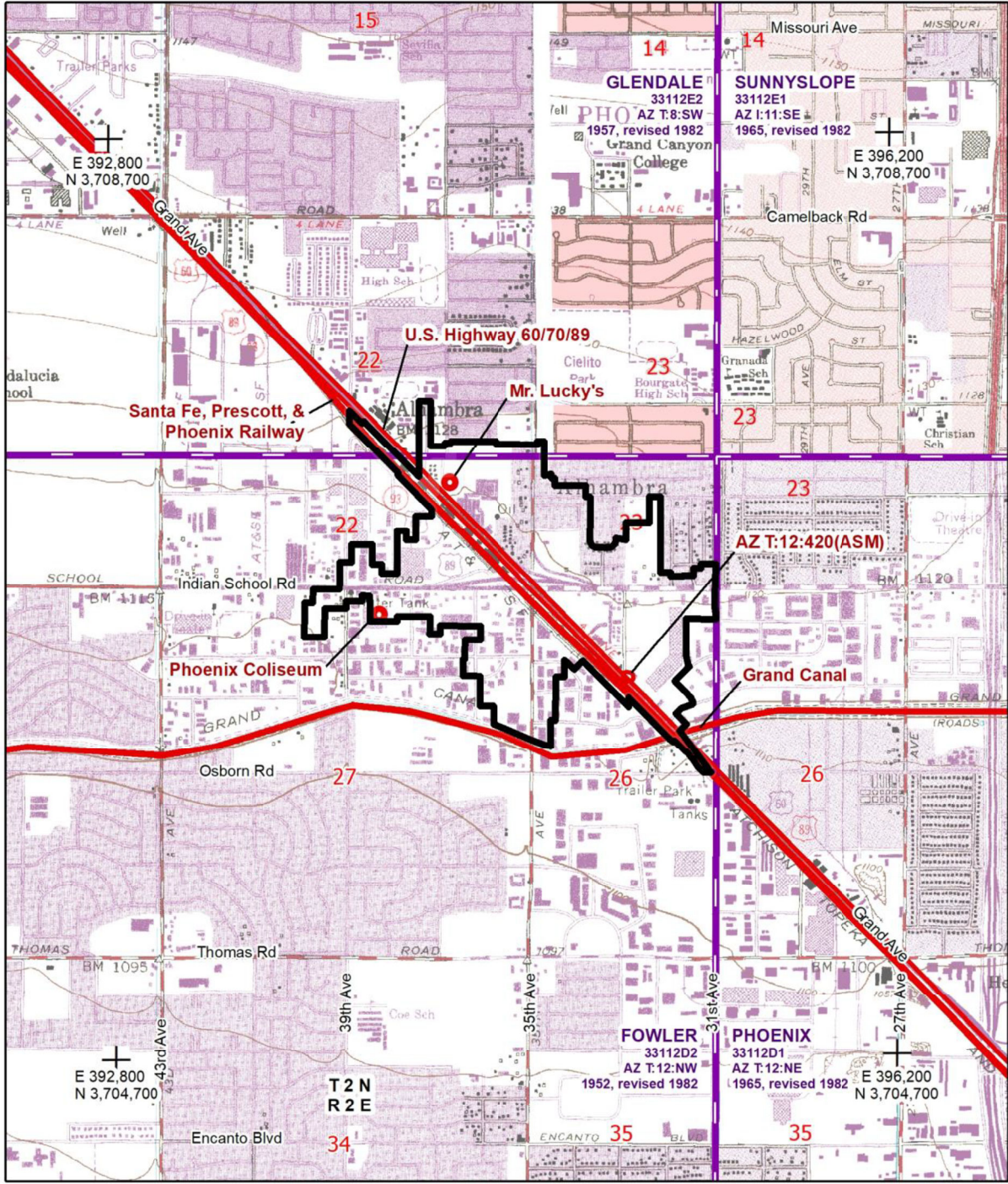
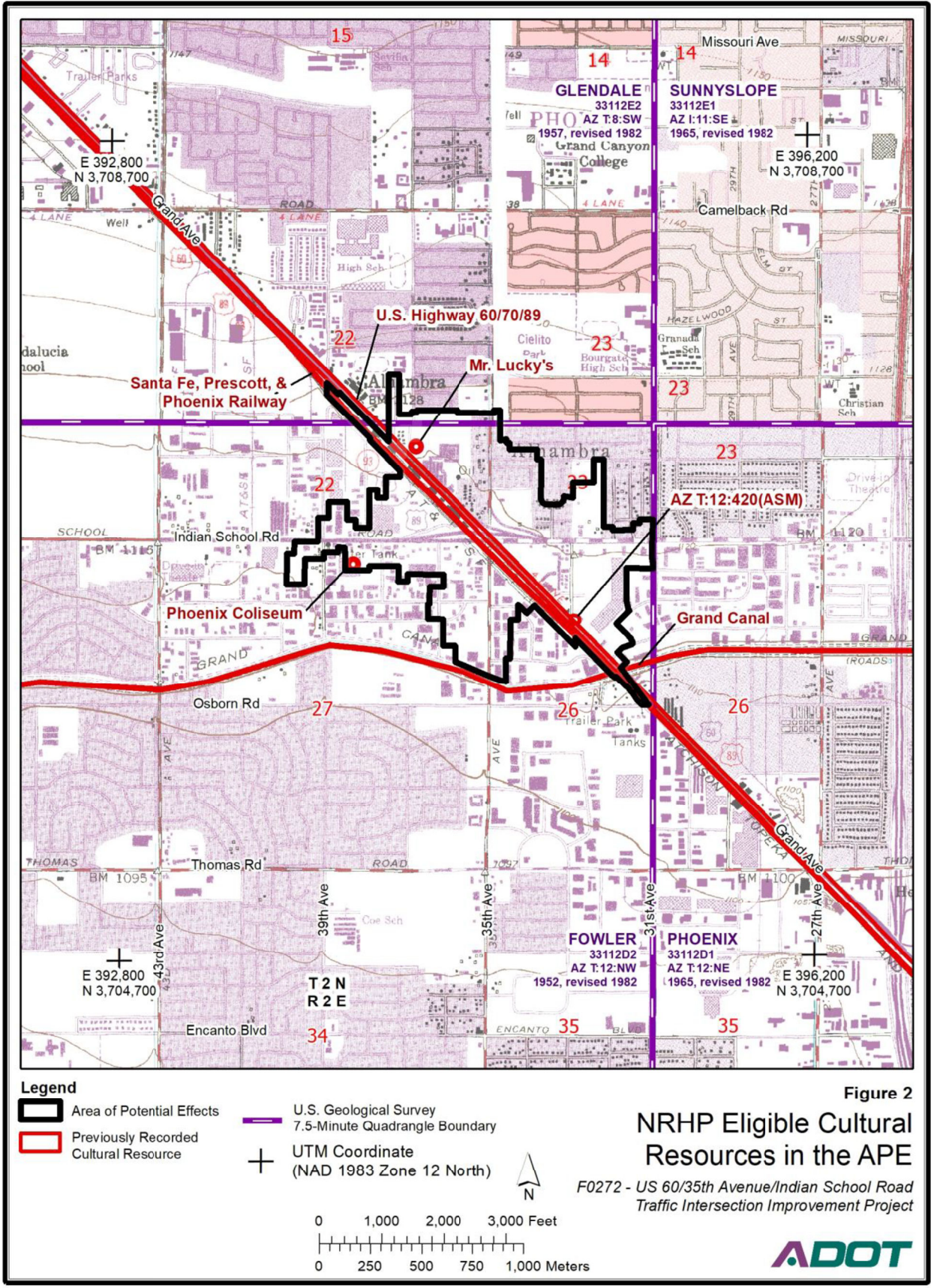
Preferred Alternative

F0272 - US 60/35th Avenue/Indian School Road
Traffic Intersection Improvement Project



- Historic-Period Feature; Not Character Defining
- Character-Defining Feature
- NHP-Eligible Resource





March 1, 2023

In Reply Refer To:

060-B(227)T
TRACS No. 060 MA 159 F0272 01L
35th Ave and Indian School Road
Initial Section 106 Consultation

Ms. Jodey Elsner, Historian/Planner
City of Phoenix Historic Preservation Office
200 West Washington Street, 3rd Floor
Phoenix, Arizona 85003

Dear Ms. Elsner:

The Arizona Department of Transportation (ADOT) is planning transportation improvements for the intersection of US 60 (Grand Avenue), 35th Avenue, and Indian School Road in the City of Phoenix within Maricopa County, Arizona. Land jurisdiction includes ADOT Right-of-Way (ROW), City of Phoenix (COP) ROW, and private land.

Consulting parties for this project include ADOT, the Arizona State Historic Preservation Office (SHPO), the COP Pueblo Grande Museum (COP-PGM), the COP Historic Preservation Office (COP-HPO), the BSNF Railway, the Ak-Chin Indian Community (ACIC), the Fort Mojave Indian Tribe (FMIT), the Gila River Indian Community (GRIC), the Hopi Tribe, the Mescalero Apache Tribe (MAT), the Pascua Yaqui Tribe (PYT), the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation (TON), the Tonto Apache Tribe (TAT), the White Mountain Apache Tribe (WMAT), and the Yavapai-Apache Nation (YAN).

Because this project employed federal funds, it is considered an undertaking subject to Section 106 review. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding (MOU) dated January 4, 2021, and executed by the Federal Highway Administration (FHWA) and ADOT. Under the MOU, FHWA retains responsibility for government-to-government Tribal consultation under Section 106. Tribes may engage FHWA on a project at any time.

This project is still in the study phase. Two alternatives are currently being considered. Because a preferred alternative has not been selected, the scope of this project is not finalized, but would likely involve:

- Removing the existing Indian School Road bridge structure over Grand Avenue.
- Constructing new bridges for 35th Avenue and Indian School Road to pass over the BNSF Railway tracks and Grand Avenue, shifting Indian School Road to the north and possibly 35th Avenue to the west.

- Widening Indian School Road along its new alignment and bridge to meet current COP standards and accommodate potential future transit projects.
- Removing portions of the existing 35th Avenue and Indian School Road.
- Extending Glenrosa Avenue to the west to connect 35th Avenue and Grand Avenue, creating a new intersection on Grand Avenue.
- Constructing a new ramp connecting westbound Indian School Road and northwest-bound Grande Avenue, and a ramp connecting Grand Avenue to eastbound Indian School Road.
- Extending 33rd Avenue north to restore access to properties north of Indian School Road.
- Reconstructing arterial roadways and driveways along 35th Avenue and Indian School Road to match the new alignment and roadway elevation.
- Relocating utilities, as needed.
- Restriping Grand Avenue to improve traffic flow at new intersections.
- Geotechnical investigations and potholing as needed.
- New ROW and temporary construction easements as needed.

The Area of Potential Affects (APE) was delineated to include the areas that could be disturbed by construction of the preliminarily designed alternatives under consideration as of October 2022, and all adjacent parcels (as defined by the Maricopa County assessor) that might be affected by proximity impacts such as visual changes, increased noise, and altered access including possible property acquisitions for new ROW. The APE encompasses 301.1 acres and is anchored on the six-point intersection of US 60 (Grand Avenue), N. 35th Avenue, and W. Indian School Road, but is irregular because of the varying shape of the adjacent parcels. From the six-point intersection located at milepost 159.0 of US 60, the APE extends:

- northwest along US 60 to Milepost 158.3 at 39th Avenue and southeast to Milepost 159.7 at Osborn Road,
- south along 35th Avenue for 0.4 mile to the Grand Canal and north 0.4 mile to just north of Turney Avenue, and
- west along Indian School Road 0.6 mile to 40th Avenue and east 0.5 mile to 31st Avenue.

A records review was completed for the APE and documented in the attached report titled *Cultural Resource Study for the US 60 (Grand Avenue)/35th Avenue/Indian School Road Traffic Intersection Improvement Project, Phoenix, Maricopa County, Arizona* (Johnson and Rogge 2023). The review identified five prior surveys that partially covered the APE.

	Project Name, Number	Scope	Results	Reference
1	Grand Avenue/US 60(Beardsley Canal to Pierce Street) improvements survey 1989-148.ASM	422 acres	1 previously recorded site, 2 sites discovered, none in review area	Curtis 1989
2	Salt River Project Canals survey	170 miles	19 previously recorded sites, 7 sites discovered, none in review area	Aguila 1998
3	Southwest Fibernet project survey, 2003-246.ASM	296.1 miles, 1339.5 acres	21 previously recorded sites, 16 sites discovered, none in review area	Foster and others 1993
4	US 60 (Grand Avenue (mileposts 158.4 to 161.8) improvements, 2013-45.ASM	monitoring and testing	1 previously recorded site, not in review area; 1 site discovered, AZ T:12:420(ASM)	Luhnow 2014
5	cell tower survey, SHPO-2004-0108	<1 acre	no sites found	Kennedy 2004

SHPO previously concurred with the adequacy of the 1989 report by Curtis (Jacobs [SHPO] to Shumaker [ADOT] October 19, 2005) and the 2014 report by Luhnaw (Jacobs [SHPO] to Petty [FHWA] July 14, 2014). Concurrences for the remaining reports were not available. Although ADOT does not feel the 1989 report is adequate due to being outdated, the APE is heavily disturbed and urbanized, and any exposure of the natural ground surface has been eliminated. Therefore, an intensive pedestrian field survey of the previously surveyed area and the unsurveyed area would be unproductive.

The records review identified four cultural resources previously recorded within the APE. ADOT confirms prior determinations of the National Register of Historic Places (NRHP) eligibility of those properties made during earlier improvement projects along US 60 and adopts prior determinations made for other projects as indicated in the following table.

Site Name, Number	Site Type	Affiliation, Age	National Register of Historic Places Status
1 Santa Fe, Prescott, & Phoenix Railway, AZ N:3:32(ASM)	railway constructed 1890s	Euro-American, 1891, remains in use as BNSF Railway	abandoned segment north of Prescott listed in NRHP; segment in APE eligible, Criterion A (SHPO-2010-0826), segment in APE no character-defining element;
2 U.S. Highway 60/70/89, AZ V:2:101(ASM)/ AZ CC:8:19(ASM)/ AZ I:3:10(ASM)	highway (component of historic state highway system)	Euro-American, 1932, remains in use as Grand Avenue in the project area	eligible, Criterion D, segment in APE not character defining element (Jacobs[SHPO] to Shumaker [ADOT] October 19, 2005)
3 AZ T:12:420(ASM)	buried remnant of irrigation canal	Hohokam	eligible, Criterion D, data recovery conducted at limited exposure, no further work recommended (Jacobs [SHPO] to Petty [FHWA] July 14, 2014)
4 Grand Canal, formerly AZ T:7:167(ASM)	irrigation canal, component of Salt River Project	Euro-American, 1878, remains in use	eligible, Criterion A (SHPO-2012-1205)

The enclosed cultural resource report documents the inventory and evaluation of 150 previously unrecorded buildings and structures on 118 sites (each historic-period parcel in the APE was designated as a site, with limits defined by the Maricopa County Assessor's parcel boundaries). The historic period defined for this project includes resources that would meet the 50-year threshold for National Register of Historic Places (NRHP) eligibility consideration at the anticipated completion of construction in 2027, plus an additional 5-year buffer that allows for unexpected delays in project implementation. Accordingly, the historic period was defined as any resource constructed in 1982 or earlier.

The inventoried resources primarily consisted of commercial and light industrial buildings, with fewer residential buildings. Of the surveyed historic-period resources, two sites (Site 8/ Mr. Lucky's and Site 20/Phoenix Coliseum) were found to demonstrate historical significance and retain sufficient integrity to qualify for the NRHP under one or more of the eligibility criteria (36 CFR part 60.4[a]-[d]), and are considered eligible for listing in the NRHP.

Site #	Address	Year Built	Historic Name	NRHP Eligibility Recommendation
8	3660 Grand Ave.	1966	Mr. Lucky's	eligible, Criteria A and C
20	3839 W. Indian School Rd.	1956	Phoenix Coliseum	eligible, Criterion A

The study evaluated the other 116 historic-period parcels as ineligible for the NRHP. Those properties are listed in Appendix B and they are described in Appendix C of the enclosed report. ADOT recommends that the provisions set forth in Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the

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

At this time, as this project is still in the study phase, ADOT is not making a determination of effect as an alternative has not been selected. Please review the information provided in this letter and in the attached report. If you find the report adequate, please agree with ADOT's eligibility recommendations and with the use of Attachment 6 *in lieu* of using a project-specific programmatic agreement. Please indicate your concurrence by signing on the line provided. If you have any questions or concerns, please contact ADOT Historic Preservation Specialist Matt Mallery at 480-493-6059 or at JMallery@azdot.gov.

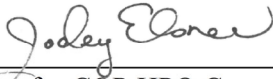
Sincerely,



Danny Rucker, MA, RPA
Cultural Resources Program Manager

3-15-2023

Date



Signature for COP-HPO Concurrence
087-A(213)T

Enclosures

Ecc:

Ms. Rebecca Yedlin, Environmental Program Manager, Rebecca.Yedlin@dot.gov

July 20, 2023

In Reply Refer To:

060-B(227)T
TRACS No. 060 MA 159 F0272 01D
35th Ave. and Indian School Road
Continuing Section 106 Consultation
No Adverse Effect

Mr. Stewart Koyiyumptewa
Tribal Historic Preservation Officer
Hopi Tribe
P.O. Box 123
Kykotsmovi, Arizona 86039

Dear Mr. Koyiyumptewa:

The Arizona Department of Transportation (ADOT) is planning transportation improvements for the intersection of US Highway 60 (Grand Avenue), 35th Avenue, and Indian School Road in the City of Phoenix within Maricopa County, Arizona. The project area includes ADOT right-of-way (ROW), City of Phoenix (COP) ROW, and private land.

Consulting parties for this project include ADOT, Arizona State Historic Preservation Office (SHPO), COP Archaeology Office, COP Historic Preservation Office, Burlington Northern & Santa Fe (BNSF) Railway, Ak-Chin Indian Community, Fort Mojave Indian Tribe, Gila River Indian Community, Hopi Tribe, Mescalero Apache Tribe, Pascua Yaqui Tribe, Pueblo of Zuni, Salt River Pima-Maricopa Indian Community (lead for the Four Southern Tribes), Salt River Project, Tohono O'odham Nation, Tonto Apache Tribe, White Mountain Apache Tribe, and Yavapai-Apache Nation.

Because this project would use federal funds, it is an undertaking subject to Section 106 of the National Historic Preservation Act. ADOT is conducting the environmental review, consultation, and other actions required by applicable Federal environmental laws for this project pursuant to 23 USC § 327 and a Memorandum of Understanding (MOU) dated April 16, 2019, executed by the Federal Highway Administration (FHWA) and ADOT. Under the MOU, FHWA retains responsibility for government-to-government Tribal consultation under Section 106. Tribes may engage FHWA at any time.

ADOT initiated Section 106 consultation with your office in a letter dated March 1, 2023, which inquired whether you had any concerns regarding historic properties of traditional, religious, cultural, or historical importance to your community within the APE. The letter also requested your review of the adequacy of a report titled *Cultural Resource Study for the US 60 (Grand*

Avenue)/35th Avenue/Indian School Road Traffic Intersection Improvement Project, Phoenix, Maricopa County, Arizona (AECOM, Johnson and Rogge 2023a). That report documented a records review and historic built environment survey. The letter requested your concurrence with ADOT's determinations of the eligibility of cultural resources in the APE for inclusion in the National Register of Historic Places (NRHP) and the use of Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects* to resolve any potential adverse effects for this project in lieu of a project-specific programmatic agreement.

On March 7, 2023, SHPO concurred with ADOT's determinations of eligibility but did not concur with the appropriateness of the use of Attachment 6 because the scope and scale of potential impacts remained undetermined (Ryan [SHPO] to Rucker [ADOT]).

Subsequently, the design team selected a Preferred Alternative (enclosed Figure 1) and ADOT is now continuing consultation to seek your concurrence with the adequacy of our application of the criteria of adverse effect (pursuant to Title 36, Code of Federal Regulations, part 800.5[a][2][i]-[vii]) and finding of effect. The Preferred Alternative includes:

- Removing the existing Indian School Road bridge structure over Grand Avenue and BNSF Railway.
- Constructing new bridges for 35th Avenue and Indian School Road to pass over the railroad and Grand Avenue, shifting 35th Avenue to the west and Indian School Road to the north.
- Along both Indian School Road and 35th Avenue:
 - Removing portions of the existing 35th Avenue and Indian School Road roadways.
 - Constructing a new ramp connecting westbound Indian School Road and northwest-bound US 60 (Grand Avenue), and a ramp connecting US 60 (Grand Avenue) to eastbound Indian School Road.
 - Reconstructing intersecting public roadways and driveways along 35th Avenue and Indian School Road to match the new alignment and roadway elevation.
 - Widening shoulders on 35th Avenue and Indian School Road to better accommodate bicycles.
 - Reconstructing widened sidewalks along 35th Avenue and Indian School Road to maintain pedestrian connectivity.
- Along Indian School Road:
 - Widening Indian School Road along its new alignment to meet current City of Phoenix standards and accommodate potential future transit projects.
 - Extending 33rd Avenue north of Indian School Road to restore access to properties north of Indian School Road.
 - Adding turn lanes at the 33rd Avenue intersection to address re-routing of traffic between US 60 (Grand Avenue) and Indian School Road.

- Along 35th Avenue:
 - Realigning portions of Clarendon Avenue and reconstructing the 35th Avenue/Clarendon Avenue intersection to create a single, signalized intersection that serves areas located east and west of 35th Avenue by eliminating the offset intersections.
- Along Grand Avenue:
 - Restriping Grand Avenue to provide three through lanes in each direction and only one turn-only lane in the southbound direction to improve traffic flow at the new intersection.
 - Adding turn lanes at 33rd Avenue to address re-routing of traffic between US 60 (Grand Avenue) and Indian School Road.
- Extending Glenrosa Avenue to the west to connect 35th Avenue and US 60 (Grand Avenue), creating a new intersection on US 60 (Grand Avenue) to restore traffic movements between 35th Avenue and US 60 (Grand Avenue).
- Constructing a cul-de-sac on 37th Avenue north of US 60 (Grand Avenue), eliminating the intersection of 37th Avenue and US 60 (Grand Avenue), which has been identified by ADOT as a high crash location.
- Relocating utilities, as needed.
- Regrading two existing drainage detention basins where new roadway fill encroaches into the basins.
- Constructing six new drainage detention basins to provide lost storage volume at the existing basins and capture increased onsite runoff.
- Conducting the following field investigations prior to construction:
 - Drilling geotechnical test drilling to inform design of new bridge structural elements.
 - Excavating small potholes to locate utilities within the existing roadway.

The Preferred Alternative would require new ROW from properties along both sides of 35th Avenue due to the elevated roadway. ROW acquisitions would include both full and partial acquisitions. The Preferred Alternative would also need temporary construction easements to match existing grade for driveway and sidewalk construction. The final design will determine specific locations and dimensions of temporary construction easements.

Due to the urban nature of the project area, construction will require minimal vegetation clearing in landscaped areas within the ROW. The depth of disturbance for removing existing roadways and constructing new at-grade roadways would be approximately two to three feet. Retaining walls for the new elevated roadways could require excavations as deep as 10 feet. Depth of disturbance in areas surrounding the new bridges depends on bridge type, soil conditions, cost, and other factors that would be determined during the Stage II design. A bridge with spread footings, if feasible, could require excavation up to 10 feet deep, while drilled shafts could be 100 feet deep. Geotechnical test drilling during final design would include small-diameter borings up to 120 feet deep. Traffic control measures, including signs on spring-stands and similar temporary assemblies, would not result in ground disturbance.

The initial consultation for the project concluded six cultural resources in the APE are eligible for the NRHP. The inventory includes one archaeological site and three historical in-use structures, and two historical in-use buildings (Table 1, Figure 2).

Table 1. Summary of NRHP-Eligible Cultural Resources

	Name, Number	Description	NRHP Status	No Build Alternative	Preferred Alternative
1	AZ T:12:420(ASM)	buried archaeological remnant of prehistoric Hohokam irrigation canal	eligible, Criterion D, data recovery conducted, no further study recommended (Jacobs [SHPO] to Petty [FHWA] 14 July 2014)	no effect	no effect
2	Santa Fe, Prescott, & Phoenix Railway	in-use railway constructed in the 1890s	abandoned segment north of Prescott listed in NRHP; other segments eligible, Criterion A segment in APE not a character-defining element (SHPO-2010-0826);	no effect	no adverse effect
3	US Highway 60/70/89	in-use highway (component of historic state highway system)	eligible, Criterion A; segment in APE not a character-defining element (Jacobs [SHPO] to Mallery [ADOT] 15 September 2008)	no effect	no adverse effect
4	Grand Canal	in-use irrigation canal, component of Salt River Project	eligible, Criterion A (SHPO-2012-1205)	no effect	no effect
5	Mr. Lucky's Site 8	night club building and sign, 3660 Grand Ave.	eligible, Criteria A and C (Ryan [SHPO] to Rucker [ADOT]) 7 March 2023)	no effect	no adverse effect
6	Phoenix Coliseum Site 20	large indoor event venue, 3839 W. Indian School Rd.	eligible, Criterion A (Ryan [SHPO] to Rucker [ADOT]) 7 March 2023)	no effect	no effect

The following descriptions of the effects of the Preferred Alternative on each of those properties are summaries from the enclosed report entitled *Assessment of Effect for the US 60 (Grand Avenue/35th Avenue/Indian School Road Traffic Intersection Improvement Project, Phoenix, Maricopa County, Arizona* (AECOM, Johnson and Rogge 2023b).

Archaeological Site AZ T:12:420(ASM) – The site includes the buried remnants of a pre-contact Hohokam irrigation canal that archaeological monitoring discovered during prior improvements of US 60. FHWA, in consultation with the SHPO, evaluated the canal as eligible under NRHP Criterion D and ADOT immediately implemented data recovery studies. In 2014, SHPO agreed the data recovery studies were adequate and recommended no further archaeological investigations. The site is outside the areas the Preferred Alternative would disturb, and the project would result in No Effect on site AZ T:12:420(ASM)..

Santa Fe, Prescott & Phoenix Railway - The railroad would not be physically altered by the Preferred Alternative and would remain in use as the BNSF Railway. The design of the proposed project includes components within parcels of land the BNSF Railway owns adjacent to the historic railroad corridor, but no project components would be in the boundary or require ROW

from the historic railroad corridor. The SHPO previously agreed the upgraded segment of the railroad in the APE is not a character-defining element of the historic railroad.

US Highway 60/70/89 –Alterations to the highway would include a new intersection created by the extension of Glenrosa Avenue, and new ramps connecting westbound Indian School Road to northwest-bound Grand Avenue, and Grand Avenue to eastbound Indian School Road. The Preferred Alternative would add a new travel lane on the north side of Grand Avenue between the on-ramp from Indian School Road and the new intersection with Glenrosa Avenue, and eliminate the intersection with 37th Avenue. Grand Avenue would be re-stripped to improve traffic flow at the new intersections. The segment of the highway within the APE has been subject to regular upgrades, widening, and maintenance. The only aspect of historical integrity the highway retains is location, and SHPO previously agreed the segment within the APE is not a character-defining element of the historic property, and the Preferred Alternative would result in No Adverse Effect on US Highway 60/70/89.

Grand Canal – The in-use canal is a major component of the Salt River Project irrigation system. The canal crosses US 60 outside the areas that would be disturbed by the Preferred Alternative. The Preferred Alternative would not substantially alter the current setting of the canal, and would result in No Effect on the Grand Canal.

Mr. Lucky's / Site 8 - The Preferred Alternative would not result in physical destruction, damage, alteration, restoration, rehabilitation, repair, maintenance, stabilization, or hazardous materials remediation of the buildings (Resources 8a and 8c) and sign (Resource 8b) on Site 8 or affect the use of the property. The Preferred Alternative would not alter the exterior appearance and visual narrative of the historic resource, and the site's significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association.

The Preferred Alternative would require acquisition of approximately 0.1 acre from the parking lot at the southeast corner of the 1.5-acre Mr. Lucky's parcel to accommodate the extension of Glenrosa Avenue and the new intersection with Grand Avenue. The parking lot is not a contributing feature. The Mr. Lucky's sign (Resource 8b) would be adjacent to, but outside, the acquired ROW, and the extension of Glenrosa Avenue would be no closer to the sign than the current US 60/Grand Avenue ROW (see Figure 1). The Preferred Alternative and ROW acquisition would not alter the stylistic details, arrangements, and spatial relationships of the character-defining features or block access, and the site's significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association. The proposed cul-de-sac on 37th Avenue would be north of Mr. Lucky's / Site 8, and the closure of 37th Avenue and its intersection with US 60/Grand Avenue and construction of the cul-de-sac would not affect the property.

Construction of Preferred Alternative would introduce new visual elements to the viewshed of Mr. Lucky's / Site 8. The visible elements, however, would be similar to the current setting, which includes the existing overpass and modern city streets, and would not diminish the property's integrity of setting and feeling. Temporary increases in noise and vibration during construction would be short term and would not affect the structural integrity of the building or sign. The Preferred Alternative would result in No Adverse Effect to Mr. Lucky's / Site 8.

Phoenix Coliseum / Site 20 – The Preferred Alternative would not physically alter the Phoenix Coliseum building (Resource 20), or cause changes in its character or use. The Preferred Alternative would be within the Indian School Road ROW north of Resource 20, and would not require acquisition of ROW from the property. The building is set back approximately 250 feet from the south side of Indian School Road, and the Preferred Alternative would not alter the stylistic details, arrangements, and spatial relationships of the character-defining features or block access, and the site’s significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association.

The construction of Preferred Alternative would introduce new visual elements to the Phoenix Coliseum / Site 20. The visible elements, however, would be similar to those already in place in the vicinity and would not diminish the property’s integrity of setting and feeling or change its historic character. Temporary increases in noise and vibration during construction would be short term and not affect the structural integrity of the building. The Preferred Alternative would result in No Effect on the Phoenix Coliseum / Site 20.

Based on the assessment, ADOT made a Finding of No Adverse Effect, pursuant to Title 36, Code of Federal Regulations part 800.5(c). We request your review of the information provided in this letter and in the enclosed report. If you find the report adequate and agree with ADOT’s Finding of No Adverse Effect, please indicate your concurrence by signing on the line provided. If you have any questions or concerns, please contact ADOT Historic Preservation Specialist Matt Mallery at 480-493-6059 or at JMallery@azdot.gov.

Sincerely,



Danny Rucker, MA, RPA
Cultural Resources Program Manager


Signature for Hopi Tribe Concurrence
087-A(213)T

7/19/2023

Date

Enclosures

Ecc:

Mr. Jakob Maase, HCPO Staff Archaeologist II, jmaasse@hopi.nsn.us
Ms. Rebecca Yedlin, Environmental Program Manager, Rebecca.Yedlin@dot.gov

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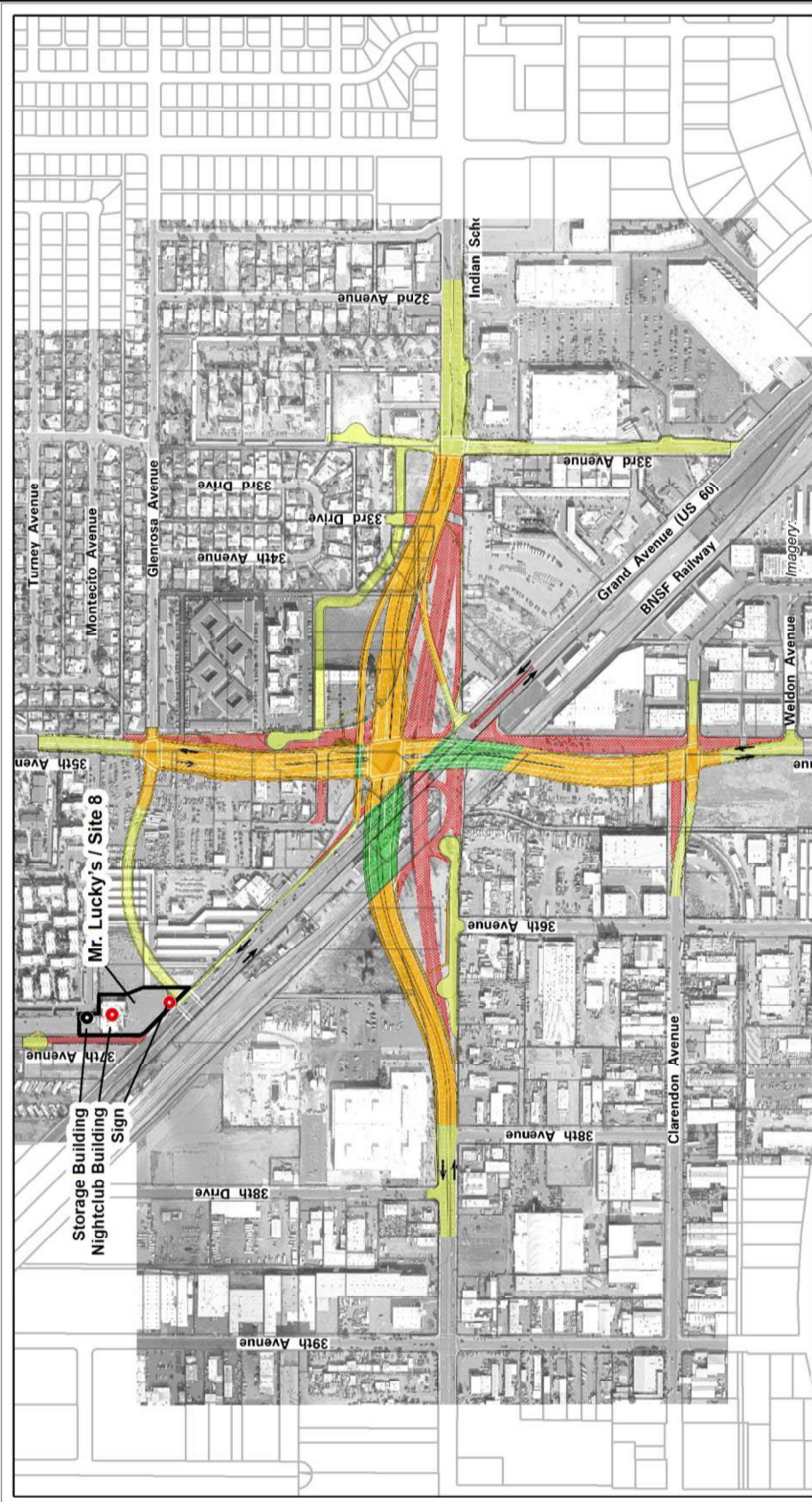
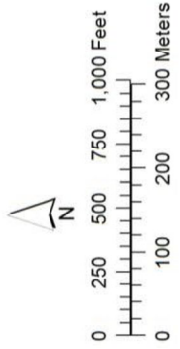


Figure 1

Preferred Alternative

F0272 - US 60/35th Avenue/Indian School Road
Traffic Intersection Improvement Project

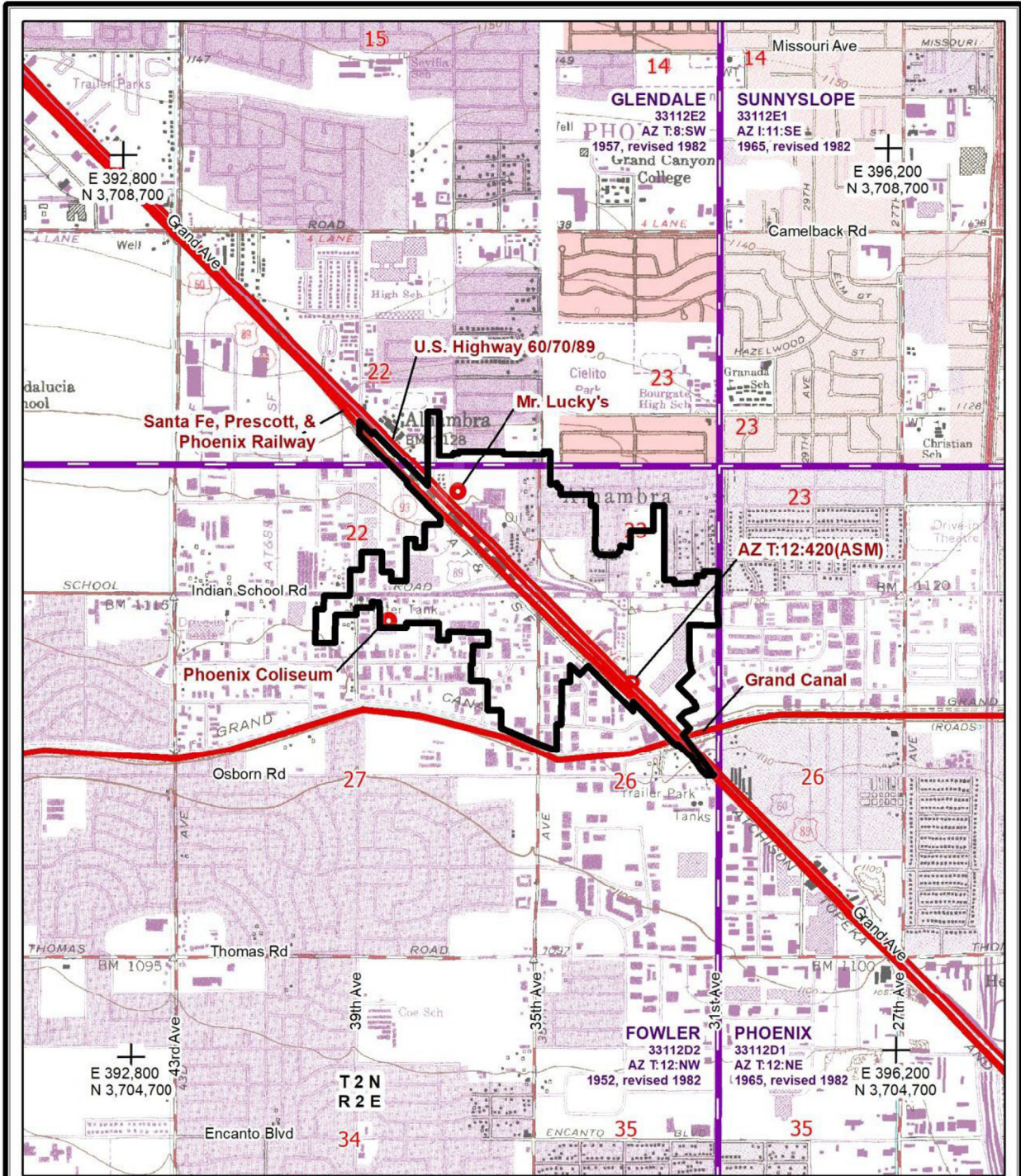


- Elevated Roadway
- Bridge
- At-Grade Roadway
- Removal

- Historic-Period Feature; Not Character Defining
- Character-Defining Feature
- NHRP-Eligible Resource

Legend





Legend

- Area of Potential Effects
- Previously Recorded Cultural Resource
- U.S. Geological Survey 7.5-Minute Quadrangle Boundary
- UTM Coordinate (NAD 1983 Zone 12 North)

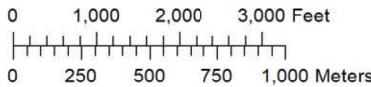


Figure 2

NRHP Eligible Cultural Resources in the APE

F0272 - US 60/35th Avenue/Indian School Road Traffic Intersection Improvement Project



Re: F0272, Grand Avenue



Karl Hoerig <khoerig@pascuayaqui-nsn.gov>
to me, Peter, Rebecca.Yedlin@dot.gov

Mar 2, 2023, 11:49 AM

Dear Matt,

We do not have any information that would suggest properties or objects of cultural importance to the Pascua Yaqui Tribe would be subject to adverse effects by the proposed project to modify the intersection of Grand Avenue/35th Avenue/Indian School Road in Phoenix. We do not have any objection to the use of Attachment 6 of the Statewide Section 106 Programmatic Agreement for Federal-Aid Projects for resolving any adverse effects to the two register-eligible historic buildings identified in the study.

With warmest regards,
Karl

Karl A. Hoerig, Ph.D.
Tribal Historic Preservation Officer
Pascua Yaqui Tribe
7777 S. Camino Huivisim, Building C
Tucson, AZ 85757
(520) 883-5116
karl.hoerig@pascuayaqui-nsn.gov

From: Matt Mallery <jmallery@azdot.gov>
Sent: Thursday, March 2, 2023 8:21 AM
To: Peter Yucupicio <Peter.S.Yucupicio@pascuayaqui-nsn.gov>
Cc: Karl Hoerig <khoerig@pascuayaqui-nsn.gov>; Rebecca.Yedlin@dot.gov <rebecca.yedlin@dot.gov>
Subject: F0272, Grand Avenue

**Beware External Email - Think
Before You Act.**

Your message, protected by Virtru

[No expiration date](#)

Please see the attached letter and documents. Thank you.
James Matthew (Matt) Mallery

Historic Preservation Specialist
Arizona Department of Transportation
1959 South Woodlands Village Boulevard, Suite 130
Flagstaff, Arizona 86001
[480-493-6059](tel:480-493-6059)

Secured by Virtru

4 SECURED ATTACHMENTS

Cultural Resourc... .tdf
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F0272 PYT initial.... .tdf
782.3 KB

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4.3 MB

Forms_11_20_v2.... .tdf
2.9 MB



Matt Mallery <jmallery@azdot.gov>

Re: F0272, US 60

1 message

Karl Hoerig <khoerig@pascuayaqui-nsn.gov>

Tue, Jul 25, 2023 at 11:18 AM

To: Matt Mallery <jmallery@azdot.gov>, Peter Yucupicio <Peter.S.Yucupicio@pascuayaqui-nsn.gov>

Dear Matt,

PYT concurs with determination of "no adverse effect" for this project under the preferred alternative.

Thanks,
Karl

Karl A. Hoerig, Ph.D.
Tribal Historic Preservation Officer
Pascua Yaqui Tribe
7777 S. Camino Huivisim, Building C
Tucson, AZ 85757
(520) 883-5116
karl.hoerig@pascuayaqui-nsn.gov

From: Matt Mallery <jmallery@azdot.gov>
Sent: Wednesday, July 19, 2023 4:12 PM
To: Peter Yucupicio <Peter.S.Yucupicio@pascuayaqui-nsn.gov>
Cc: Karl Hoerig <khoerig@pascuayaqui-nsn.gov>
Subject: F0272, US 60

**Beware External Email - Think
Before You Act.**

Please see the attached letter and report. Thank you.

James Matthew (Matt) Mallery

Historic Preservation Specialist

Arizona Department of Transportation

[1959 South Woodlands Village Boulevard, Suite 130](#)[Flagstaff, Arizona 86001](#)

480-493-6059

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Salt River
PIMA-MARICOPA INDIAN COMMUNITY

10,005 EAST OSBORN ROAD/SCOTTSDALE, ARIZONA 85256/ PHONE (480) 362-6325

Tribal Historic Preservation Office

TO: Danny Rucker
Cultural Resources Program Manager
Environmental Planning
Arizona Department of Transportation
205 South 17th Avenue. Phoenix, AZ 85007

DATE: 3/21/2023

FROM: Shane Anton, Tribal Historic Preservation Officer

RE: 060-B(227)T
TRACS No. 060 MA 159 F0272 01L
35th Ave and Indian School Road
Initial Section 106 Consultation

Dear Manager Rucker

The Salt River Pima Maricopa Tribal Historic Preservation Office (SRPMIC-THPO) has received your consultation documents via electronic email dated March 1, 2023. The Arizona Department of Transportation (ADOT) is planning transportation improvements for the intersection of US 60 (Grand Avenue), 35th Avenue, and Indian School Road in the City of Phoenix within Maricopa County, Arizona. Land jurisdiction includes ADOT Right-of-Way (ROW), City of Phoenix (COP) ROW, and private land.

This project is still in the study phase. Two alternatives are currently being considered. Because a preferred alternative has not been selected, the scope of this project is not finalized. However most of the work would consist of replacing the existing Indian School Road bridge structure over Grand Avenue, constructing new bridges for 35th Avenue and Indian School Road, shifting Indian School Road to the north and possibly 35th to the west, widening Indian School Road along its new alignment and bridge, and extending Glenrosa Avenue to connect 35th Avenue and Grand Avenue, creating a new intersection on Grand Avenue. The Area of Potential Affects (APE) was delineated to include the areas that could be disturbed by construction of the preliminarily designed alternatives under consideration as of October 2022, and all adjacent parcels (as defined by the Maricopa County assessor) that might be affected by proximity impacts such as visual changes, increased noise, and altered access including possible property acquisitions for new ROW. The APE encompasses 301.1 acres and is anchored on the six-point intersection of US 60 (Grand Avenue), N. 35th Avenue, and W. Indian School Road.

ADOT completed a records review for the current project and identified four NRHP-eligible cultural resources that were previously recorded within the APE. These include 1) the Santa Fe, Prescott, and Phoenix Railway (AZ N:3:32[ASM] – determined segment in APE not a character-defining element), 2) U.S. Highway 60/70/89 (AZ V:2:101[ASM]/AZ CC:8:19[ASM]/AZ I:3:10[ASM] – determined segment in APE not character defining element, 3) AZ T:12:420(ASM) (a Hohokam canal – previously determined that no further work is recommended), and 4) the Grand Canal (AZ T:7:167[ASM], which is eligible under Criterion A. ADOT confirms prior determinations of the National Register of Historic Places (NRHP) eligibility of those properties made during earlier improvement projects along US 60 and adopts prior determinations made for other projects as indicated in the following table.

ADOT Environmental Planning also conducted a cultural resource survey that identified and evaluated 150 previously unrecorded buildings and structures on 118 sites. The inventoried resources primarily consisted of commercial and light industrial buildings, with fewer residential buildings. Of the surveyed historic-period resources, two sites (Site 8/ Mr. Lucky's and Site 20/Phoenix Coliseum) were found to demonstrate historical significance and retain sufficient integrity to qualify for the NRHP under one or more of the eligibility criteria (36 CFR part 60.4[a]-[d]), and are considered eligible for listing in the NRHP (Mr. Lucky's under Criteria A and C, and Phoenix Coliseum under Criterion A).

Based on this information, ADOT recommends that the provisions set forth in Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects* are appropriate for resolving any potential adverse effects for this project.

The SRP-MIC THPO agrees with the ADOT recommendation of Resolving Adverse Effects with Standard Conditions. Given that this project is still in the study phase with two alternatives currently being considered, SRP-MIC THPO expects additional information and consultation once the Scope of Work is finalized.

The proposed project area is within the ancestral lands of the Four Southern Tribes (Gila River Indian Community; Salt River Pima-Maricopa Indian Community; *Ak-Chin* Indian Community and the *Tohono O'Odham* Nation). The SRPMIC-THPO will continue to participate in this undertaking. Thank you for consulting with the SRPMIC-THPO. Should you have questions and/or concerns about this project, please contact me directly at (480) 362-6331.

Thank you.



Shane Anton, Tribal Historic Preservation Officer
Cultural Resources Department, SRPMIC
10,005 E. Osborn Rd., Scottsdale, Arizona 85256
Email: Shane.Anton@SRPMIC-nsn.gov
Office Tele: (480) 362-6331



Salt River
PIMA-MARICOPA INDIAN COMMUNITY
10,005 EAST OSBORN ROAD/SCOTTSDALE, ARIZONA 85256/ PHONE (480) 362-6325

Tribal Historic Preservation Office

TO: Danny Rucker
Cultural Resources Program Manager
Environmental Planning
Arizona Department of Transportation
205 South 17th Avenue
Phoenix, AZ 85007

DATE: 8/2/2023

FROM: Shane Anton, Tribal Historic Preservation Officer

RE: 060-B(227)T
TRACS No. 060 MA 159 F0272 01D
35th Ave. and Indian School Road
Continuing Section 106 Consultation
No Adverse Effect

Dear Manager Rucker

The Salt River Pima-Maricopa Indian Community Tribal Historic Preservation Office (SRPMIC THPO) has received your consultation documents dated July 20, 2023. The Arizona Department of Transportation (ADOT) is planning transportation improvements for the intersection of US Highway 60 (Grand Avenue), 35th Avenue, and Indian School Road in the City of Phoenix within Maricopa County, Arizona. The project area includes ADOT right-of way (ROW), City of Phoenix (COP) ROW, and private land. Because this project would use federal funds, it is an undertaking subject to Section 106 of the National Historic Preservation Act.

ADOT initiated Section 106 consultation with the SRPMIC THPO in a letter dated March 1, 2023. ADOT requested input on any concerns regarding historic properties of traditional, religious, cultural, or historical importance within the APE. It requested review of the adequacy of the records review and inventory report, and it sought concurrence with ADOT's determinations of the eligibility of cultural resources in the APE and use of the Statewide Section 106 Programmatic Agreement for Federal-Aid Projects (Attachment 6) to resolve any potential adverse effects. The SRPMIC THPO agreed with the ADOT recommendation of Resolving Adverse Effects with Standard Conditions, but requested additional information and consultation once the Scope of Work was finalized and a Preferred Alternative was chosen.

On March 7, 2023, SHPO concurred with ADOT's determinations of eligibility but did not concur with the appropriateness of the use of Attachment 6 because the scope and scale of potential

impacts remained undetermined. ADOT's design team subsequently selected a Preferred Alternative and ADOT is now seeking concurrence on the adequacy of their application of the criteria of adverse effect. ADOT has made a Finding of No Adverse Effect for the Preferred Alternative, pursuant to Title 36, Code of Federal Regulations part 800.5(c).

SRPMIC THPO has reviewed ADOT's consultation documents and concurs with the Finding of No Adverse Effect. The assessment report is adequate for the undertaking.

The proposed project area is within the ancestral lands of the Four Southern Tribes (Gila River Indian Community; Salt River Pima-Maricopa Indian Community; *Ak-Chin* Indian Community and the *Tohono O'Odham* Nation). The SRPMIC THPO will continue to participate in this undertaking. Thank you for consulting with the SRPMIC THPO. Should you have questions and/or concerns about this project, please contact me directly at (480) 362-6331.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Anton', written in a cursive style.

Shane Anton, Tribal Historic Preservation Officer
Cultural Resources Department, SRPMIC
10,005 E. Osborn Rd., Scottsdale, Arizona 85256
Email: Shane.Anton@SRPMIC-nsn.gov
Office Tele: (480) 362-6331

March 1, 2023

In Reply Refer To:

060-B(227)T
TRACS No. 060 MA 159 F0272 01L
35th Ave and Indian School Road
Initial Section 106 Consultation

Ms. Kathryn Leonard, State Historic Preservation Officer
State Historic Preservation Office
1110 West Washington Street, Suite 100
Phoenix, Arizona 85007

Dear Mrs. Leonard:

The Arizona Department of Transportation (ADOT) is planning transportation improvements for the intersection of US 60 (Grand Avenue), 35th Avenue, and Indian School Road in the City of Phoenix within Maricopa County, Arizona. Land jurisdiction includes ADOT Right-of-Way (ROW), City of Phoenix (COP) ROW, and private land.

Consulting parties for this project include ADOT, the Arizona State Historic Preservation Office (SHPO), the COP Pueblo Grande Museum (COP-PGM), the COP Historic Preservation Office (COP-HPO), the BSNF Railway, the Ak-Chin Indian Community (ACIC), the Fort Mojave Indian Tribe (FMIT), the Gila River Indian Community (GRIC), the Hopi Tribe, the Mescalero Apache Tribe (MAT), the Pascua Yaqui Tribe (PYT), the Pueblo of Zuni, the Salt River Pima-Maricopa Indian Community (SRPMIC), the Tohono O'odham Nation (TON), the Tonto Apache Tribe (TAT), the White Mountain Apache Tribe (WMAT), and the Yavapai-Apache Nation (YAN).

Because this project employed federal funds, it is considered an undertaking subject to Section 106 review. The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by ADOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding (MOU) dated January 4, 2021, and executed by the Federal Highway Administration (FHWA) and ADOT. Under the MOU, FHWA retains responsibility for government-to-government Tribal consultation under Section 106. Tribes may engage FHWA on a project at any time.

This project is still in the study phase. Two alternatives are currently being considered. Because a preferred alternative has not been selected, the scope of this project is not finalized, but would likely involve:

- Removing the existing Indian School Road bridge structure over Grand Avenue.
- Constructing new bridges for 35th Avenue and Indian School Road to pass over the BNSF Railway tracks and Grand Avenue, shifting Indian School Road to the north and possibly 35th Avenue to the west.

- Widening Indian School Road along its new alignment and bridge to meet current COP standards and accommodate potential future transit projects.
- Removing portions of the existing 35th Avenue and Indian School Road.
- Extending Glenrosa Avenue to the west to connect 35th Avenue and Grand Avenue, creating a new intersection on Grand Avenue.
- Constructing a new ramp connecting westbound Indian School Road and northwest-bound Grande Avenue, and a ramp connecting Grand Avenue to eastbound Indian School Road.
- Extending 33rd Avenue north to restore access to properties north of Indian School Road.
- Reconstructing arterial roadways and driveways along 35th Avenue and Indian School Road to match the new alignment and roadway elevation.
- Relocating utilities, as needed.
- Restriping Grand Avenue to improve traffic flow at new intersections.
- Geotechnical investigations and potholing as needed.
- New ROW and temporary construction easements as needed.

The Area of Potential Affects (APE) was delineated to include the areas that could be disturbed by construction of the preliminarily designed alternatives under consideration as of October 2022, and all adjacent parcels (as defined by the Maricopa County assessor) that might be affected by proximity impacts such as visual changes, increased noise, and altered access including possible property acquisitions for new ROW. The APE encompasses 301.1 acres and is anchored on the six-point intersection of US 60 (Grand Avenue), N. 35th Avenue, and W. Indian School Road, but is irregular because of the varying shape of the adjacent parcels. From the six-point intersection located at milepost 159.0 of US 60, the APE extends:

- northwest along US 60 to Milepost 158.3 at 39th Avenue and southeast to Milepost 159.7 at Osborn Road,
- south along 35th Avenue for 0.4 mile to the Grand Canal and north 0.4 mile to just north of Turney Avenue, and
- west along Indian School Road 0.6 mile to 40th Avenue and east 0.5 mile to 31st Avenue.

A records review was completed for the APE and documented in the attached report titled *Cultural Resource Study for the US 60 (Grand Avenue)/35th Avenue/Indian School Road Traffic Intersection Improvement Project, Phoenix, Maricopa County, Arizona* (Johnson and Rogge 2023). The review identified five prior surveys that partially covered the APE.

	Project Name, Number	Scope	Results	Reference
1	Grand Avenue/US 60(Beardsley Canal to Pierce Street) improvements survey 1989-148.ASM	422 acres	1 previously recorded site, 2 sites discovered, none in review area	Curtis 1989
2	Salt River Project Canals survey	170 miles	19 previously recorded sites, 7 sites discovered, none in review area	Aguila 1998
3	Southwest Fibernet project survey, 2003-246.ASM	296.1 miles, 1339.5 acres	21 previously recorded sites, 16 sites discovered, none in review area	Foster and others 1993
4	US 60 (Grand Avenue (mileposts 158.4 to 161.8) improvements, 2013-45.ASM	monitoring and testing	1 previously recorded site, not in review area; 1 site discovered, AZ T:12:420(ASM)	Luhnow 2014
5	cell tower survey, SHPO-2004-0108	<1 acre	no sites found	Kennedy 2004

SHPO previously concurred with the adequacy of the 1989 report by Curtis (Jacobs [SHPO] to Shumaker [ADOT] October 19, 2005) and the 2014 report by Luhnaw (Jacobs [SHPO] to Petty [FHWA] July 14, 2014). Concurrences for the remaining reports were not available. Although ADOT does not feel the 1989 report is adequate due to being outdated, the APE is heavily disturbed and urbanized, and any exposure of the natural ground surface has been eliminated. Therefore, an intensive pedestrian field survey of the previously surveyed area and the unsurveyed area would be unproductive.

The records review identified four cultural resources previously recorded within the APE. ADOT confirms prior determinations of the National Register of Historic Places (NRHP) eligibility of those properties made during earlier improvement projects along US 60 and adopts prior determinations made for other projects as indicated in the following table.

Site Name, Number	Site Type	Affiliation, Age	National Register of Historic Places Status
1 Santa Fe, Prescott, & Phoenix Railway, AZ N:3:32(ASM)	railway constructed 1890s	Euro-American, 1891, remains in use as BNSF Railway	abandoned segment north of Prescott listed in NRHP; segment in APE eligible, Criterion A (SHPO-2010-0826), segment in APE no character-defining element;
2 U.S. Highway 60/70/89, AZ V:2:101(ASM)/ AZ CC:8:19(ASM)/ AZ I:3:10(ASM)	highway (component of historic state highway system)	Euro-American, 1932, remains in use as Grand Avenue in the project area	eligible, Criterion D, segment in APE not character defining element (Jacobs[SHPO] to Shumaker [ADOT] October 19, 2005)
3 AZ T:12:420(ASM)	buried remnant of irrigation canal	Hohokam	eligible, Criterion D, data recovery conducted at limited exposure, no further work recommended (Jacobs [SHPO] to Petty [FHWA] July 14, 2014)
4 Grand Canal, formerly AZ T:7:167(ASM)	irrigation canal, component of Salt River Project	Euro-American, 1878, remains in use	eligible, Criterion A (SHPO-2012-1205)

The enclosed cultural resource report documents the inventory and evaluation of 150 previously unrecorded buildings and structures on 118 sites (each historic-period parcel in the APE was designated as a site, with limits defined by the Maricopa County Assessor's parcel boundaries). The historic period defined for this project includes resources that would meet the 50-year threshold for National Register of Historic Places (NRHP) eligibility consideration at the anticipated completion of construction in 2027, plus an additional 5-year buffer that allows for unexpected delays in project implementation. Accordingly, the historic period was defined as any resource constructed in 1982 or earlier.

The inventoried resources primarily consisted of commercial and light industrial buildings, with fewer residential buildings. Of the surveyed historic-period resources, two sites (Site 8/ Mr. Lucky's and Site 20/Phoenix Coliseum) were found to demonstrate historical significance and retain sufficient integrity to qualify for the NRHP under one or more of the eligibility criteria (36 CFR part 60.4[a]-[d]), and are considered eligible for listing in the NRHP.

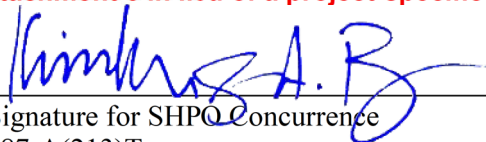
Site #	Address	Year Built	Historic Name	NRHP Eligibility Recommendation
8	3660 Grand Ave.	1966	Mr. Lucky's	eligible, Criteria A and C
20	3839 W. Indian School Rd.	1956	Phoenix Coliseum	eligible, Criterion A

The study evaluated the other 116 historic-period parcels as ineligible for the NRHP. Those properties are listed in Appendix B and they are described in Appendix C of the enclosed report. ADOT recommends that the provisions set forth in Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the

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

At this time, as this project is still in the study phase, ADOT is not making a determination of effect as an alternative has not been selected. Please review the information provided in this letter and in the attached report. If you find the report adequate, please agree with ADOT's eligibility recommendations and with the use of Attachment 6 *in lieu* of using a project-specific programmatic agreement. Please indicate your concurrence by signing on the line provided. If you have any questions or concerns, please contact ADOT Historic Preservation Specialist Matt Mallery at 480-493-6059 or at JMallery@azdot.gov.

We concur with the NRHP eligibility recommendations for all evaluated sites and properties; however, because the scope and scale of potential impacts to historic properties remains unknown, we cannot yet agree with the appropriateness of the use of Attachment 6 in lieu of a project-specific PA.


Signature for SHPO Concurrence
087-A(213)T

Sincerely,



Danny Rucker, MA, RPA
Cultural Resources Program Manager

7 March 2023

Date

Enclosures

Ecc:

Ms. Rebecca Yedlin, Environmental Program Manager, Rebecca.Yedlin@dot.gov

Rec: 07-19-23

Katie M. Hobbs, Governor

Jennifer Toth, Director

Gregory Byres, Deputy Director/State Engineer

July 20, 2023

In Reply Refer To:

060-B(227)T

TRACS No. 060 MA 159 F0272 01D

35th Ave. and Indian School Road

Continuing Section 106 Consultation

No Adverse Effect

Ms. Kathryn Leonard, State Historic Preservation Officer
State Historic Preservation Office
1110 West Washington Street, Suite 100
Phoenix, Arizona 85007

Dear Ms. Leonard:

The Arizona Department of Transportation (ADOT) is planning transportation improvements for the intersection of US Highway 60 (Grand Avenue), 35th Avenue, and Indian School Road in the City of Phoenix within Maricopa County, Arizona. The project area includes ADOT right-of-way (ROW), City of Phoenix (COP) ROW, and private land.

Consulting parties for this project include ADOT, Arizona State Historic Preservation Office (SHPO), COP Archaeology Office, COP Historic Preservation Office, Burlington Northern & Santa Fe (BNSF) Railway, Ak-Chin Indian Community, Fort Mojave Indian Tribe, Gila River Indian Community, Hopi Tribe, Mescalero Apache Tribe, Pascua Yaqui Tribe, Pueblo of Zuni, Salt River Pima-Maricopa Indian Community (lead for the Four Southern Tribes), Salt River Project, Tohono O'odham Nation, Tonto Apache Tribe, White Mountain Apache Tribe, and Yavapai-Apache Nation.

Because this project would use federal funds, it is an undertaking subject to Section 106 of the National Historic Preservation Act. ADOT is conducting the environmental review, consultation, and other actions required by applicable Federal environmental laws for this project pursuant to 23 USC § 327 and a Memorandum of Understanding (MOU) dated April 16, 2019, executed by the Federal Highway Administration (FHWA) and ADOT. Under the MOU, FHWA retains responsibility for government-to-government Tribal consultation under Section 106. Tribes may engage FHWA at any time.

ADOT initiated Section 106 consultation with your office by a letter dated March 1, 2023, which described the project and identified the area of potential effects (APE) and the consulting parties. The letter also requested your review of the adequacy of a report titled *Cultural Resource Study for the US 60 (Grand Avenue)/35th Avenue/Indian School Road Traffic Intersection Improvement Project, Phoenix, Maricopa County, Arizona* (AECOM, Johnson and Rogge

2023a). That report documented a records review and historic built environment survey. The letter requested your concurrence with ADOT's determinations of the eligibility of cultural resources in the APE for inclusion in the National Register of Historic Places (NRHP) and the use of Attachment 6 (Resolving Adverse Effects with Standard Conditions) of the *Statewide Section 106 Programmatic Agreement for Federal-Aid Projects* to resolve any potential adverse effects for this project in lieu of a project-specific programmatic agreement. On March 7, 2023, your office concurred with ADOT's determinations of eligibility but did not concur with the appropriateness of the use of Attachment 6 because the scope and scale of potential impacts remained undetermined (Ryan [SHPO] to Rucker [ADOT]).

Subsequently, the design team selected a Preferred Alternative (enclosed Figure 1) and ADOT is now continuing consultation to seek your concurrence with the adequacy of our application of the criteria of adverse effect (pursuant to Title 36, Code of Federal Regulations, part 800.5[a][2][i]-[vii]) and finding of effect. The Preferred Alternative includes:

- Removing the existing Indian School Road bridge structure over Grand Avenue and BNSF Railway.
- Constructing new bridges for 35th Avenue and Indian School Road to pass over the railroad and Grand Avenue, shifting 35th Avenue to the west and Indian School Road to the north.
- Along both Indian School Road and 35th Avenue:
 - Removing portions of the existing 35th Avenue and Indian School Road roadways.
 - Constructing a new ramp connecting westbound Indian School Road and northwest-bound US 60 (Grand Avenue), and a ramp connecting US 60 (Grand Avenue) to eastbound Indian School Road.
 - Reconstructing intersecting public roadways and driveways along 35th Avenue and Indian School Road to match the new alignment and roadway elevation.
 - Widening shoulders on 35th Avenue and Indian School Road to better accommodate bicycles.
 - Reconstructing widened sidewalks along 35th Avenue and Indian School Road to maintain pedestrian connectivity.
- Along Indian School Road:
 - Widening Indian School Road along its new alignment to meet current City of Phoenix standards and accommodate potential future transit projects.
 - Extending 33rd Avenue north of Indian School Road to restore access to properties north of Indian School Road.
 - Adding turn lanes at the 33rd Avenue intersection to address re-routing of traffic between US 60 (Grand Avenue) and Indian School Road.
- Along 35th Avenue:
 - Realigning portions of Clarendon Avenue and reconstructing the 35th Avenue/Clarendon Avenue intersection to create a single, signalized intersection that

serves areas located east and west of 35th Avenue by eliminating the offset intersections.

- Along Grand Avenue:
 - Restriping Grand Avenue to provide three through lanes in each direction and only one turn-only lane in the southbound direction to improve traffic flow at the new intersection.
 - Adding turn lanes at 33rd Avenue to address re-routing of traffic between US 60 (Grand Avenue) and Indian School Road.
- Extending Glenrosa Avenue to the west to connect 35th Avenue and US 60 (Grand Avenue), creating a new intersection on US 60 (Grand Avenue) to restore traffic movements between 35th Avenue and US 60 (Grand Avenue).
- Constructing a cul-de-sac on 37th Avenue north of US 60 (Grand Avenue), eliminating the intersection of 37th Avenue and US 60 (Grand Avenue), which has been identified by ADOT as a high crash location.
- Relocating utilities, as needed.
- Regrading two existing drainage detention basins where new roadway fill encroaches into the basins.
- Constructing six new drainage detention basins to provide lost storage volume at the existing basins and capture increased onsite runoff.
- Conducting the following field investigations prior to construction:
 - Drilling geotechnical test drilling to inform design of new bridge structural elements.
 - Excavating small potholes to locate utilities within the existing roadway.

The Preferred Alternative would require new ROW from properties along both sides of 35th Avenue due to the elevated roadway. ROW acquisitions would include both full and partial acquisitions. The Preferred Alternative would also need temporary construction easements to match existing grade for driveway and sidewalk construction. The final design will determine specific locations and dimensions of temporary construction easements.

Due to the urban nature of the project area, construction will require minimal vegetation clearing in landscaped areas within the ROW. The depth of disturbance for removing existing roadways and constructing new at-grade roadways would be approximately two to three feet. Retaining walls for the new elevated roadways could require excavations as deep as 10 feet. Depth of disturbance in areas surrounding the new bridges depends on bridge type, soil conditions, cost, and other factors that would be determined during the Stage II design. A bridge with spread footings, if feasible, could require excavation up to 10 feet deep, while drilled shafts could be 100 feet deep. Geotechnical test drilling during final design would include small-diameter borings up to 120 feet deep. Traffic control measures, including signs on spring-stands and similar temporary assemblies, would not result in ground disturbance.

The initial consultation for the project concluded six cultural resources in the APE are eligible for the NRHP. The inventory includes one archaeological site and three historical in-use structures, and two historical in-use buildings (Table 1, Figure 2).

Table 1. Summary of NRHP-Eligible Cultural Resources

	Name, Number	Description	NRHP Status	No Build Alternative	Preferred Alternative
1	AZ T:12:420(ASM)	buried archaeological remnant of prehistoric Hohokam irrigation canal	eligible, Criterion D, data recovery conducted, no further study recommended (Jacobs [SHPO] to Petty [FHWA] 14July 2014)	no effect	no effect
2	Santa Fe, Prescott, & Phoenix Railway	in-use railway constructed in the 1890s	abandoned segment north of Prescott listed in NRHP; other segments eligible, Criterion A segment in APE not a character-defining element (SHPO-2010-0826);	no effect	no adverse effect
3	US Highway 60/70/89	in-use highway (component of historic state highway system)	eligible, Criterion A; segment in APE not a character-defining element (Jacobs [SHPO] to Mallery [ADOT] 15 September 2008)	no effect	no adverse effect
4	Grand Canal	in-use irrigation canal, component of Salt River Project	eligible, Criterion A (SHPO-2012-1205)	no effect	no effect
5	Mr. Lucky's Site 8	night club building and sign, 3660 Grand Ave.	eligible, Criteria A and C (Ryan [SHPO] to Rucker [ADOT]) 7 March 2023)	no effect	no adverse effect
6	Phoenix Coliseum Site 20	large indoor event venue, 3839 W. Indian School Rd.	eligible, Criterion A (Ryan [SHPO] to Rucker [ADOT]) 7 March 2023)	no effect	no effect

The following descriptions of the effects of the Preferred Alternative on each of those properties are summaries from the enclosed report entitled *Assessment of Effect for the US 60 (Grand Avenue/35th Avenue/Indian School Road Traffic Intersection Improvement Project, Phoenix, Maricopa County, Arizona* (AECOM, Johnson and Rogge 2023b).

Archaeological Site AZ T:12:420(ASM) – The site includes the buried remnants of a pre-contact Hohokam irrigation canal that archaeological monitoring discovered during prior improvements of US 60. FHWA, in consultation with the SHPO, evaluated the canal as eligible under NRHP Criterion D and ADOT immediately implemented data recovery studies. In 2014, SHPO agreed the data recovery studies were adequate and recommended no further archaeological investigations. The site is outside the areas the Preferred Alternative would disturb, and the project would result in No Effect on site AZ T:12:420(ASM)..

Santa Fe, Prescott & Phoenix Railway - The railroad would not be physically altered by the Preferred Alternative and would remain in use as the BNSF Railway. The design of the proposed project includes components within parcels of land the BNSF Railway owns adjacent to the historic railroad corridor, but no project components would be in the boundary or require ROW from the historic railroad corridor. The SHPO previously agreed the upgraded segment of the railroad in the APE is not a character-defining element of the historic railroad.

US Highway 60/70/89 –Alterations to the highway would include a new intersection created by the extension of Glenrosa Avenue, and new ramps connecting westbound Indian School Road to

northwest-bound Grand Avenue, and Grand Avenue to eastbound Indian School Road. The Preferred Alternative would add a new travel lane on the north side of Grand Avenue between the on-ramp from Indian School Road and the new intersection with Glenrosa Avenue, and eliminate the intersection with 37th Avenue. Grand Avenue would be re-stripped to improve traffic flow at the new intersections. The segment of the highway within the APE has been subject to regular upgrades, widening, and maintenance. The only aspect of historical integrity the highway retains is location, and SHPO previously agreed the segment within the APE is not a character-defining element of the historic property, and the Preferred Alternative would result in No Adverse Effect on US Highway 60/70/89.

Grand Canal – The in-use canal is a major component of the Salt River Project irrigation system. The canal crosses US 60 outside the areas that would be disturbed by the Preferred Alternative. The Preferred Alternative would not substantially alter the current setting of the canal, and would result in No Effect on the Grand Canal.

Mr. Lucky's / Site 8 - The Preferred Alternative would not result in physical destruction, damage, alteration, restoration, rehabilitation, repair, maintenance, stabilization, or hazardous materials remediation of the buildings (Resources 8a and 8c) and sign (Resource 8b) on Site 8 or affect the use of the property. The Preferred Alternative would not alter the exterior appearance and visual narrative of the historic resource, and the site's significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association.

The Preferred Alternative would require acquisition of approximately 0.1 acre from the parking lot at the southeast corner of the 1.5-acre Mr. Lucky's parcel to accommodate the extension of Glenrosa Avenue and the new intersection with Grand Avenue. The parking lot is not a contributing feature. The Mr. Lucky's sign (Resource 8b) would be adjacent to, but outside, the acquired ROW, and the extension of Glenrosa Avenue would be no closer to the sign than the current US 60/Grand Avenue ROW (see Figure 1). The Preferred Alternative and ROW acquisition would not alter the stylistic details, arrangements, and spatial relationships of the character-defining features or block access, and the site's significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association. The proposed cul-de-sac on 37th Avenue would be north of Mr. Lucky's / Site 8, and the closure of 37th Avenue and its intersection with US 60/Grand Avenue and construction of the cul-de-sac would not affect the property.

Construction of Preferred Alternative would introduce new visual elements to the viewshed of Mr. Lucky's / Site 8. The visible elements, however, would be similar to the current setting, which includes the existing overpass and modern city streets, and would not diminish the property's integrity of setting and feeling. Temporary increases in noise and vibration during construction would be short term and would not affect the structural integrity of the building or sign. The Preferred Alternative would result in No Adverse Effect to Mr. Lucky's / Site 8.

Phoenix Coliseum / Site 20 – The Preferred Alternative would not physically alter the Phoenix Coliseum building (Resource 20), or cause changes in its character or use. The Preferred Alternative would be within the Indian School Road ROW north of Resource 20, and would not require acquisition of ROW from the property. The building is set back approximately 250 feet

from the south side of Indian School Road, and the Preferred Alternative would not alter the stylistic details, arrangements, and spatial relationships of the character-defining features or block access, and the site's significant design features would continue to retain integrity of location, design, materials, workmanship, feeling, and association.

The construction of Preferred Alternative would introduce new visual elements to the Phoenix Coliseum / Site 20. The visible elements, however, would be similar to those already in place in the vicinity and would not diminish the property's integrity of setting and feeling or change its historic character. Temporary increases in noise and vibration during construction would be short term and not affect the structural integrity of the building. The Preferred Alternative would result in No Effect on the Phoenix Coliseum / Site 20.

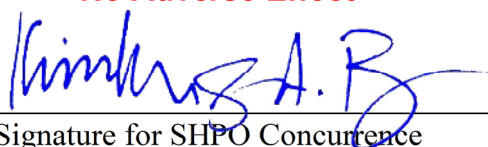
Based on the assessment, ADOT made a Finding of No Adverse Effect, pursuant to Title 36, Code of Federal Regulations part 800.5(c). We request your review of the information provided in this letter and in the enclosed report. If you find the report adequate and agree with ADOT's Finding of No Adverse Effect, please indicate your concurrence by signing on the line provided. If you have any questions or concerns, please contact ADOT Historic Preservation Specialist Matt Mallery at 480-493-6059 or at JMallery@azdot.gov.

Sincerely,



Danny Rucker, MA, RPA
Cultural Resources Program Manager

Concur
No Adverse Effect



Signature for SHPO Concurrence
087-A(213)T

27 July 2023

Date

Enclosures

L:\DCS\Projects\ADOT\60262403_Grand435th_Indep_Sch_000_CAD_GIS\020_020_GIS_Graphics\020_GIS\mxd\435th_Indian_Sch_Recommended\Sub\435th_mxd (RDS)

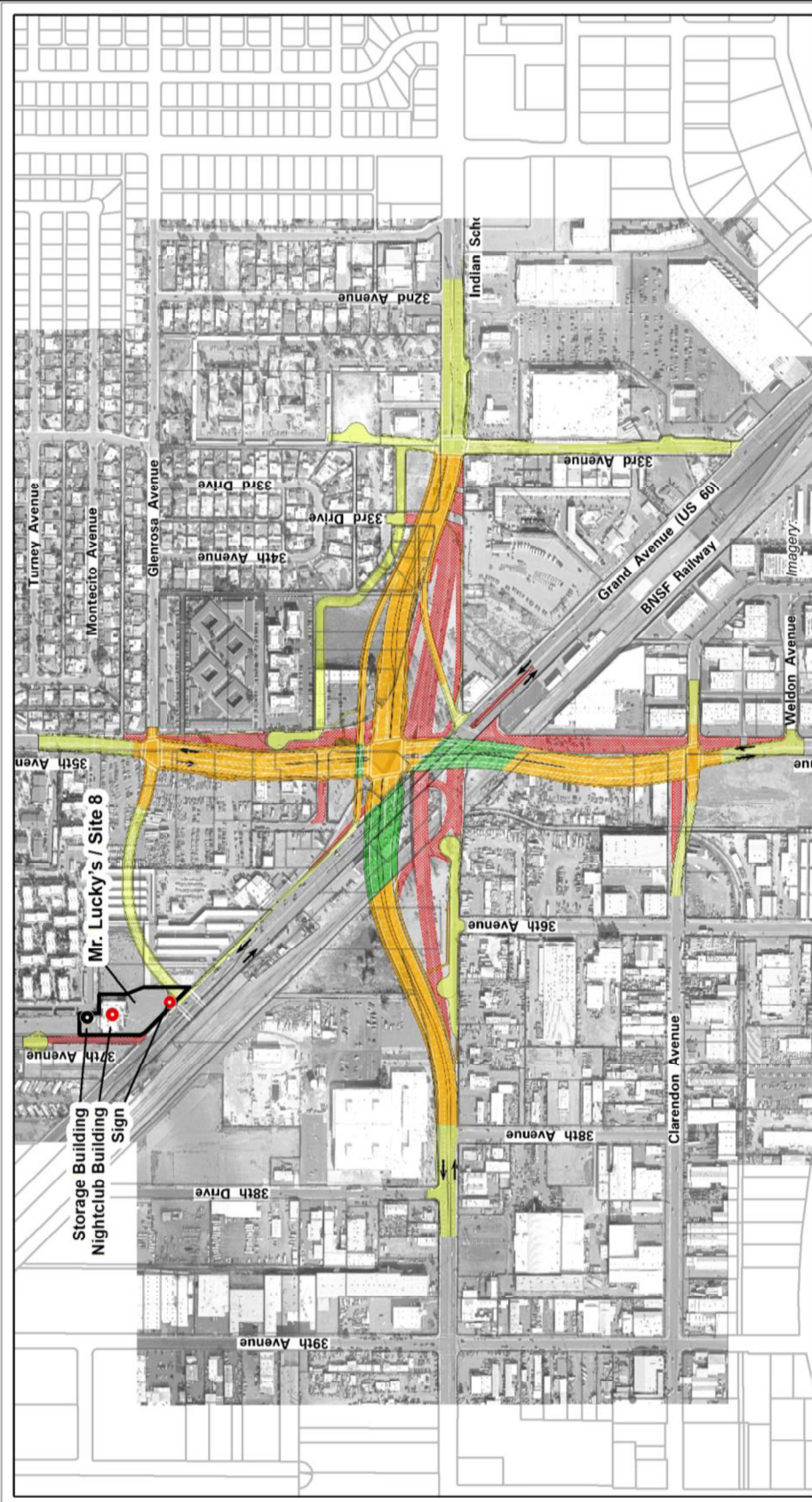
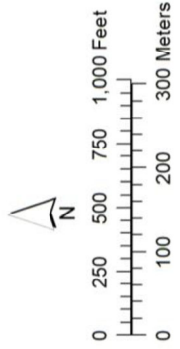


Figure 1

Preferred Alternative

F0272 - US 60/35th Avenue/Indian School Road
Traffic Intersection Improvement Project



- Historic-Period Feature; Not Character Defining
- Character-Defining Feature
- NHP-Eligible Resource





Matt Mallery <jmallery@azdot.gov>

RE: ADOT 35th Ave and Indian School Road Initial Section 106 Consultation - TRACS No. 060 MA 159 F0272 01L

1 message

Peter Steere <Peter.Steere@tonation-nsn.gov>
To: "Rogge, Gene" <gene.rogge@aecom.com>
Cc: "JMallery@azdot.gov" <JMallery@azdot.gov>

Fri, Mar 3, 2023 at 1:52 PM

Gene Rogge

AECOM

Tohono O'odham Nation concurs on the ADOT 35th Avenue and Indian School Road Initial Section 106 consultation

Peter L. Steere

THPO

Tohono O'odham Nation

From: Rogge, Gene [mailto:gene.rogge@aecom.com]

Sent: Friday, March 3, 2023 1:11 PM**To:** Peter Steere <Peter.Steere@tonation-nsn.gov>; Jefford Francisco <Jefford.Francisco@tonation-nsn.gov>**Cc:** Wavalene Saunders <Wavalene.Saunders@tonation-nsn.gov>; James M. Mallery (JMallery@azdot.gov) <jmallery@azdot.gov>; Dena Whitaker <dwhitaker@azdot.gov>**Subject:** ADOT 35th Ave and Indian School Road Initial Section 106 Consultation - TRACS No. 060 MA 159 F0272 01L

Peter and Jefford—

I am forwarding the attached letter on behalf of Matt Mallery because he is having technical issues in emailing it to you in a format that you can open.

Please let me know if you have trouble opening the attachment.

Thanks,

--Gene

A.E. (Gene) Rogge, PhD, RPA

Cultural Resource Team Leader

AECOM

[7720 N. 16th Street, Suite 100](#)

3/6/23, 7:50 AM

State of Arizona Mail - RE: ADOT 35th Ave and Indian School Road Initial Section 106 Consultation - TRACS No. 060 MA 159 F027...

[Phoenix, AZ 85020](#)

D +1-602-861-7414

gene.rogge@aecom.com

Delivering a better world



Matt Mallery <jmallery@azdot.gov>

RE: F0272, US 60

1 message

Peter Steere <Peter.Steere@tonation-nsn.gov>
To: Matt Mallery <jmallery@azdot.gov>

Thu, Jul 20, 2023 at 9:19 AM

Matt Mallery

ADOT

Concur with recommendation of “no adverse effect” on historic properties for ADOT Project F0272, US 60

Peter L. Steere

THPO

Tohono O’odham Nation

From: Matt Mallery [mailto:jmallery@azdot.gov]

Sent: Wednesday, July 19, 2023 4:27 PM

To: Peter Steere <Peter.Steere@tonation-nsn.gov>; Jefford Francisco <Jefford.Francisco@tonation-nsn.gov>;
Wavalene Saunders <Wavalene.Saunders@tonation-nsn.gov>

Subject: F0272, US 60

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Please see the attached letter and report. Thanks.

James Matthew (Matt) Mallery

Historic Preservation Specialist

Arizona Department of Transportation

[1959 South Woodlands Village Boulevard, Suite 130](#)

[Flagstaff, Arizona 86001](#)

480-493-6059

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White Mountain Apache Tribe

Office of Historic Preservation

PO Box 1032

Fort Apache, AZ 85926

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

To: Danny Rucker, MA, RPA., - ADOT Cultural Resources Program
Manager

Date: August 09, 2023

Re: *Proposed Transportation Improvement for Intersection of US Highway 60 Grand Ave.*

.....

The White Mountain Apache Tribe Historic Preservation Office appreciates receiving information on the project dated; July 20, 2023. In regards to this, please refer to the following statement(s) below.

Thank you for allowing the White Mountain Apache tribe the opportunity to review and respond to the above proposed transportation improvements for the intersection of US Highway 60 (Grand Avenue), 35th Avenue, and Indian School Road in the City of Phoenix, Maricopa County, Arizona.

Please be advised, we have reviewed the consultation letter and the information provided, we have reviewed the information provided and determined the proposed project plans will have a ***"No Adverse Effect"*** to the tribe's traditional cultural properties and/or historic properties.

Thank you for the continued tribal engagement and consultation, and collaborations in protecting and preserving places of cultural and historical importance.

Sincerely,

Mark Altaha

White Mountain Apache Tribe – THPO
Historic Preservation Office

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