

July 8, 2019

I-11 Tier 1 EIS Study Team c/o ADOT Communications  
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**Re: Comments on the Interstate 11 Tier 1 Draft Environmental Impact Statement, Nogales to Wickenburg**

Dear Study Team members:

National Parks Conservation Association (NPCA) appreciates the opportunity to provide comments on the *Interstate 11 Tier 1 Draft Environmental Impact Statement, Nogales to Wickenburg (DEIS)*. Since 1919, NPCA has been the leading advocate for the National Park System, with 1.3 million members and supporters, including 30,000 in Arizona, who want to make sure our children and their children can enjoy the beauty, majesty, and cultural heritage provided by parks like Saguaro National Park.

NPCA strongly opposes the selection of the recommended route for I-11 through Pima County that would produce a new freeway at the doorstep of the highly visited west unit of Saguaro National Park, impacting park resources and the visitor experience. A more convenient, less expensive, and less destructive alternative – co-location along existing freeways through Tucson from between Sahuarita and Casa Grande – should be selected as the southern part of the preferred alternative.

**Summary**

NPCA provided comments during the first and second scoping periods for this project and was an active participant in the special stakeholders' engagement meetings. We are surprised that the Federal Highway Administration (FHWA) has released a DEIS that recommends a route so thoroughly opposed in the majority of comments from cooperating agencies, local governing bodies, the public (and not just those living along the Avra Valley alternative routes), and nonprofit groups such as ours. Using a tiered approach to the normal National Environmental Policy Act (NEPA) process will not work for the route selection decision in the South part of this corridor, where there are two very different choices to be compared. Further, in preparing the DEIS, FHWA used a flawed section 4(f) analysis. We urge the FHWA/Arizona Department of Transportation (ADOT) team to carefully review the input they have received during this comment period and to select co-location along existing freeways I-19 and I-10 from Sahuarita to Casa Grande as the preferred alternative route in the Final Environmental Impact Statement. The co-location route better meets the purposes and need of I-11 because it serves the economic needs of Tucson, is less expensive, is easier to construct incrementally, avoids any

impacts to important protected areas and several rural communities west of Tucson, would allow some multi-modal planning and co-location, and would provide an opportunity for transportation planners and the larger community of Tucson to be involved in 21<sup>st</sup>-century innovations to move people and freight.

**Tiering of the DEIS violates NEPA for failing to fully identify and analyze environmental impacts at the project level, including adverse environmental impacts to Saguaro National Park and other resources**

NPCA has stated from the beginning of the public input process that the decision whether to route I-11 west of Tucson in the Avra Valley (routes labelled Purple, Green, or Recommended in this document, originally and still sometimes referred to as segments C, D, and F) or co-located along existing freeways (Orange, or segments B and G) is a major federal decision that requires and deserves a full NEPA process before a selection is made. The Tier 1 process does not provide the site-specific detailed information on costs, impacts, cumulative and synergistic impacts, mitigation details, etc. that are needed to make an informed and credible decision.

Throughout the Tier 1 DEIS document, even where potential impacts are well-listed, the impacts are not quantified. The decision is therefore being made with no real plans of how to best avoid or mitigate those impacts. This major decision to either build a new freeway route or to co-locate along existing freeways is not such a case. The level of controversy, opposition, the high price differential, and the many instances of this DEIS punting the resolution of impact concerns to the Tier 2 process, supports our contention that you cannot route a new freeway in Avra Valley with only half a NEPA process.

The DEIS sometimes lists potential mitigation strategies, but always with the promise that what will be done will be determined only after Tier 2 analysis. The conundrum is that an important decision – a ROD with the preferred alternative – is to be determined without certain knowledge of whether such mitigation is feasible or likely to be successful. For instance, the plan to bisect the Tucson Mitigation Corridor (TMC), discussed in more detail below, relies on the promise of future wildlife studies that would be needed to design (let alone prove) that a plan to do “net benefit” mitigation is possible. This relies on new studies that would provide information that goes opposite to current professional opinions of wildlife experts and agencies: that it is highly unlikely or even impossible to achieve such mitigation.

Another clear example of how the Tier 1 process cannot review adequately potential impacts is this DEIS’s very poor coverage of how the location of the recommended alternative will impact the City of Tucson’s water operations in the Avra Valley, facilities that provide almost all of Tucson’s water supply. At a recent public meeting of the City Council a representative of ADOT was unable to answer Tucson’s concerns to the point that one city council member said during the meeting, “Over my dead body will ADOT build a freeway in Avra Valley!” – a sentiment he

repeated in an article emailed to his constituents.<sup>1</sup> As is shown further on in these comments the DEIS discussion on this important point is remarkably shallow.

The decision to choose a recommended alternative for the route of I-11 between Sahuarita and Casa Grande seems much more a project-level conclusion than a programmatic one because the choices are so different and the impacts so many, so controversial, and so complex. The law permits tiering only if the first tier is a programmatic statement, and the second tier is site-specific. Thus, this project-level decision should be made only after a full EIS analysis as required by NEPA. In addition, our reading of the programmatic review in this DEIS is that it does not support the binding, site-specific conclusion that placing the freeway route in Avra Valley is better than co-locating it along existing freeways between Sahuarita and Casa Grande. In this case, tiering is being unlawfully used in violation of NEPA to avoid consideration of reasonable alternatives by deferring consideration of site-specific issues to a subsequent environmental impact statement (Tier 2).

**Recommended Alternative has too many significant impacts to Saguaro National Park and other nearby protected areas, too many to be adequately addressed in a tiered EIS**

The following specific concerns NPCA has about impacts a potential Avra Valley freeway would have on the park, directly and indirectly, lead us to support co-location. Collectively, our concerns about these impacts shows the Tier 1 DEIS does not adequately evaluate the project's direct, cumulative, and secondary effects under NEPA as required by law.

Visual

Many people who visit Saguaro National Park's West Unit, from across the country and around the world, are treated to a first-class introduction to the saguaro forests and the rich vegetation of the Sonoran Desert. Some visit briefly, stopping at the visitor center and taking a short walk in the desert to take a few photos while they marvel at the unusual plants, colorful birds, and other sights of this premier national park. Others take the time to visit all the scenic and informative stops, and some might take one of the longer hikes – up King's Canyon or one of several other trails to the top of Wasson Peak. Park Rangers and volunteers offer educational programs, including special overnight camps for young people. The dramatic petroglyphs of Signal Hill are a popular draw, where modern visitors can ponder what it was like for others before us to live in this unusual and special place.

For almost every visitor, the vistas across Avra Valley, largely unimpacted by the sparse development to be seen there, is a part of their experience of a trip to this part of Saguaro National Park. And almost every future visitor will have their experience at Saguaro National Park impaired if these vistas are bisected by a new freeway.

Visual representation of this impact, which is a prerequisite for any analysis of impact, was not done in this Tier 1 analysis. If an Avra Valley freeway route is to be considered, the freeway

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<sup>1</sup> <https://www.tucsonaz.gov/ward-3/news/pauls-note-friday-june-21st-2019>

superimposed on existing views should be done for every popular location in the park before locking in the decision for I-11 to be built so close to the park. Visual impact would be eliminated if the I-11 is co-located with I-19 and I-10 from Sahuarita to Casa Grande because adding a few lanes does not change the visual nature of what already exists on this route.

Visual impact to Saguaro National Park is one of the reasons that NPCA believes co-location is a better alternative.

### Sound

The Sonoran Desert derives its name from the Spanish word for sonorous in recognition that this place is remarkable for its beautiful sounds. Residents and visitors alike enjoy the early morning symphony of bird sound, among the chorus you might hear the je-je-jeeee of the black throated sparrow, the cascading notes of the canyon wren, or the amazingly wide repertoire of the mockingbird. On the trail you will hear rustlings of rodents and lizards in leaf litter, and you might be warned of danger by the iconic rattle of the Western Diamondback snake. Even the wind makes music, making dry tree branches become percussion instruments to accompany the flutter of leaves.

The decidedly urban sounds of cars and trucks on a nearby freeway will provide a completely different and unwelcome soundtrack. The annoying repetitive beeps of a truck backing up to deliver cases of soda and beer to the inevitable gas station at every freeway exit will compete with the lilting cries of a family of Gambel's quail or the faraway yips of coyotes.

Adding freeway and new development noises to the acoustic ecosystem of Saguaro National Park will impact not just visitor enjoyment. It is well-documented that unnatural or introduced noise affects wildlife health and behavior.<sup>2</sup>

A quick review of standard decibel levels at various distances between the potential freeway route and the park is not an adequate environmental review. The park deserves real modelling and sound tests, ones that account for the varied topography of this area. All of the park is at higher elevation than the proposed freeway route, and some locations will have unobstructed line-of-sight views of the freeway. Sound carries far in the desert. The agencies proposing this new freeway must review the probable impacts of the noise it will generate and show how noise impacts will be avoided or mitigated as conventional NEPA practice would require.

To protect Saguaro National Park wildlife and visitors from the intrusive sounds of a new freeway is one of the reasons that NPCA believes co-location is a better alternative.

### Air Pollution

Saguaro National Park is a Class 1 area and is supposed to be making reasonable progress toward national visibility conditions. NPCA has serious concerns about how far off track the

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<sup>2</sup> See explanation and references at [https://www.nps.gov/subjects/sound/effects\\_wildlife.htm](https://www.nps.gov/subjects/sound/effects_wildlife.htm)

park is from clean air.<sup>3</sup> Building a freeway next to the park, which would bring pollution from nearby car and truck emissions, additional emissions from resulting development, and dust from construction and traffic, will certainly not help.

To protect the park, and the lungs of residents and visitors, it is imperative that air models be run on all the alternatives – a qualitative as opposed to quantitative assessment does not suffice – to determine the best alternative. Modeling should be comprehensive and include as close to real time/actual background emissions.

In the DEIS a 2011 Arizona Department of Environmental Quality study is used to show this sector's emissions of nitrogen oxides and particulate matter. That 2011 study predicts that 2018 emissions of nitrogen oxides from vehicles contributed 23 percent of total statewide emissions. That contribution is not minor, and so it should be modeled to determine impacts on National Ambient Air Quality Standards (NAAQS, visibility, and other air quality related values at Class 1 areas). We also question whether this NEPA process should rely on the 2011 study as that study is likely outdated. Ecosystems at Saguaro are nitrogen limited and are especially impacted by nitrogen deposition from air pollution.<sup>4</sup>

Several NAAQS nonattainment areas are in the study footprint and would be impacted, so it is necessary to ensure conformity with all Clean Air Act requirements by providing a path forward to help bring the areas in nonattainment back into attainment.

At Saguaro National Park, particulate matter, ground level ozone, sulfur compounds, and nitrogen compounds are air pollutants of particular concern. Further studies on the impact of I-11 on the park should assess these items and be done in close coordination with the Park Service. Any projected impacts should be well mitigated with plans to monitor progress and accommodate or correct the course if the mitigation measures don't work or don't work as well as expected.

From the analysis done to date, co-location is the better build alternative in terms of air pollution, and especially in air quality impacts at Saguaro National Park. For this reason among others, NPCA supports co-location as the better choice.

### Climate Change

The DEIS impact statement needs to do more than give four paragraphs of lip service to the production of greenhouse gasses in this proposed federal project. Our transportation sector adds a lot to the deadly serious problem of climate change, and we have an obligation to do all we can to prevent additional carbon emissions especially from large projects like the building of freeways. NPCA is particularly concerned because we know climate change is already impacting Saguaro National Park's natural resources and is likely to do considerably more damage before we get carbon emissions under control.

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<sup>3</sup> <https://www.npca.org/reports/air-climate-report>

<sup>4</sup> <https://www.nps.gov/articles/airprofiles-sagu.htm>

Many millions of tons of extra carbon will be released should the recommended alternative route be chosen by FHWA and Interstate 11 constructed in Avra Valley. The DEIS does not do adequate analysis as required by law to determine ways to avoid or mitigate these emissions that are certain to occur. The ways this decision will add carbon and affect climate change in a negative way are:

1. Construction of the freeway, including raw material production, transportation of those materials, and onsite construction.
2. Maintenance of the freeway during its lifespan.
3. Vehicle emissions, with a new freeway encouraging more vehicle miles travelled.
4. Commercial development and residential sprawl spurred by the new freeway.

Co-location of I-11 with I-10 and I-19 from Sahuarita to Casa Grande will have smaller impacts in the first three categories. It will not contribute to suburban sprawl, the fourth category. The impacts will be less because there will be many fewer lane miles constructed. In addition, there would be more opportunities for freight traffic, travelers, and commuters to utilize other modes of transportation (rail, public transit, carpools, etc.) that contribute less carbon.

The Avra Valley freeway route's greater contribution to the release of carbon into the environment and subsequent promotion of climate change is one of the reasons that NPCA believes co-location is a better alternative.

#### Wildlife Connectivity

Last but not least of our concerns about direct impacts to the park is how a north-south freeway to the west of Saguaro National Park's west unit would cut off the park (and Tucson Mountain Park directly to the park's south) from wildlife in protected and wild areas across the Avra Valley. There are important wildlife linkages that connect the Park with places like Ironwood Forest National Monument and the mostly undisturbed open spaces on the Tohono O'odham Nation south of the monument. A freeway here would end almost all significant wildlife movement. Such a valley-long impediment cannot be mitigated by purchase of off-site comparable acreage. Wildlife crossings can be designed and built, and are useful, but we would want to see specific plans and costs for these for the Avra Valley route before we would begin to believe that such would solve the problem caused by a freeway in this location. The Tier 1 standard operating procedure of offering a promise of mitigation is not good enough and is inadequate under NEPA.

We are not convinced that your investigations into mitigating a freeway through the Tucson Mitigation Corridor will result in adequate wildlife connectivity to avoid impacts to Saguaro National Park. This DEIS and draft preliminary Section 4(f) evaluation proposes that it does, but does not make a scientific case that simply locating it along the CAP canal would avoid the massive impact to wildlife that a freeway in the TMC and throughout the Avra Valley would have.

Without free flow of wildlife in and out of Saguaro National Park and the other protected areas affected, we would see devastating and irreversible consequences for wildlife diversity, genetic health, and overall ecosystem resilience.

There are wildlife connectivity problems with the existing I-19 and I-10 alignments, which ironically might be helped by co-locating I-11 along them. In adding new lanes, it would be possible to also add wildlife crossings at key points, including at the north end of the Tucson Mountains to provide a crossing into the Tortolita Mountains, which would aid Saguaro wildlife populations.

### **Recommended Alternative impacts to Tucson, Avra Valley, and nearby protected areas**

#### Sprawl development and impacts to current residents

As you have heard rather loudly from Avra Valley residents, almost no one currently living there wants to sell their home to allow for a freeway or stay and find that their country lifestyle has been destroyed by having a freeway nearby. Not only will this unwanted freeway become part of the valley, the commercial development (gas stations, motels, strip malls, etc. that spring up at freeway interchanges) and increased housing construction associated with new transportation corridors will soon follow. Many of Saguaro National Park's staff and volunteers live in current Avra Valley neighborhoods and have spoken up alongside their neighbors to oppose the recommended alternative.

The increased growth that will spring up at every interchange and beyond will also add to the other impacts to the Park noted earlier, including light, noise, impacts to wildlife, etc.

#### Increased traffic on roads into Tucson, including an important park road

Nowhere mentioned in the DEIS is how freeway traffic and regular traffic from the subsequent growth in residential development will increase traffic on existing roads that connect Avra Valley to Tucson. Through the Tucson Mountains there are only two routes – one through Gates Pass (internal to Tucson Mountain Park) and the Picture Rocks Road (internal to the Saguaro National Park, which is responsible for this road). In addition to tourist access, both these routes provide commuting between Avra Valley and Tucson. No one living or working in Avra Valley is likely to take the freeway north or south and then return to Tucson, though some in the south might access Ajo Boulevard and some in the north will take one of several roads into Marana. Increased traffic on Picture Rocks road, which can be very crowded during rush hour, and Gates Pass Road, need to be evaluated in this DEIS.

#### Gateway visitor experience

The authors of the DEIS seem to be hopeful that the recommended alternative would be helpful to the Tucson area's important tourism economic sector, a sentiment that could not be included if a more thorough analysis had been done of each alternative's impact to tourism.

From the DEIS, page 3.6-7. “The economic impact analysis qualitatively considers the impact on outdoor and wildlife-related recreation and national parks, such as Saguaro National Park (SNP). The Build Corridor Alternatives may have positive or negative effects on these resources. For example, the Build Corridor Alternatives may open access and make it easier for more people to visit the region and its parks.” Also: “I-11 has the potential to provide better access and opportunities for appropriate gateway services, such as lodging, that enhance ecotourism. Carefully planned, I-11 can help further the growth of outdoor tourism as an anchor of the local economy.” This sentiment is repeated in the summary on page 3.6-17.

This is not the way to do an environmental analysis, even at the programmatic, qualitative level. It is not acceptable under NEPA to simply identify an impact and say that it can have positive or negative effects.

As I have taken hundreds of visitors to Saguaro National Park, let me explain the current experience. We drive west into the Tucson Mountains, enjoying the transition from city to county park and the beautiful saguaro-covered hills. At the top of Gates Pass we often stop to marvel at the vista to the west, Avra Valley. We can see Old Tucson, and I explain how many western movies and TV shows have been filmed in this location. While some houses and other human features can be seen in the vast expanse of Avra Valley, the overarching view is one of open space and non-urbanity. Driving down into the valley, we pass the world-famous Arizona-Sonora Desert Museum and stops there will include the experience of seeing the unimpacted Avra Valley in the background – especially during the amazing free-flight program performed with rescue hawks and owls. Next stop is the park visitor center and we are then off to for a hike, enjoying the unusual desert vegetation and geology, soundscape and sights. We might also stop to see petroglyphs Signal Hill, and then take scenic Picture Rocks Road back into town.

There is no way that I could say with a straight face that a freeway in Avra Valley would enhance this eco-tourism experience. No one plans their trip because a new freeway near a natural attraction would allow them to get there minutes faster, stay in a nearby chain motel by a freeway, or have a meal in a chain restaurant. The Saguaro National Park and area ecotourism experience is currently being met much better by existing scenic roads, charming Bed and Breakfast opportunities, a great dude ranch on the north side of the park, and accommodations from inexpensive motels to five-star resorts not all that far away in Tucson and environs. Current Avra Valley restaurants like Coyote Pause, Ironwood Terraces Restaurant, and Ocotillo Cafe are in keeping with the quality and diversity of dining opportunities afforded by Tucson, as shown by its designation by the United Nations as the first “City of Gastronomy” in the United States.<sup>5</sup>

Finally, consider Grand Canyon National Park. Six million visitors annually to this premier ecotourism experience and the park is not within an hour’s drive of a freeway.

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<sup>5</sup> <https://www.visittucson.org/become-a-tucson-foodie>

The negative impact to the gateway experience of park visitors, their access to outdoor recreation, and tourism in general are some of the reasons NPCA supports an I-11 that would be co-located along I-19 and I-11 from Sahuarita to Casa Grande over any alternative that would be through Avra Valley.

#### Impacts to nearby protected areas

Saguaro National Park is surrounded by other protected public lands, connected by broad wildlife linkages. The health of these places is tied to the health of Saguaro's ecosystem. The recommended alternative would have similar impacts to Tucson Mountain Park, Ironwood Forest National Monument, and other places.

#### Invasive species

The most dangerous invasive species in Pima County that this project needs to plan to prevent is buffelgrass. This explosively fire prone, fast-spreading import threatens to change the Sonoran Desert into a degraded African savannah as few plants except itself survives fires fed by stands of buffelgrass. Fire is not possible in healthy Sonoran Desert because there is plenty of open space between plants; when it invades buffelgrass fills in those spaces. In residential settings it can fuel deadly fires. It produces lots of seeds and spreads quickly in disturbed soils and along roadsides where it thrives on the extra water than runs off the roadbed. Saguaro National Park is using both staff and volunteer resources to reduce buffelgrass populations in the park, as are managers for other protected spaces in the area, but they are far from done with this difficult task.

While buffelgrass is also of concern along I-10 and I-19, the recommended alternative's new freeway would produce a greater need for buffelgrass prevention and removal. This is one of the reasons NPCA supports co-location with I-19 and I-10 from Sahuarita to Casa Grande.

#### Tucson's water supply

The preferred alternative's impact to the two City of Tucson facilities in Avra Valley that recharge Central Arizona Project water and retrieves it to supply most of the city is surprisingly missing from the DEIS (including the technical appendix E13 which has a total of four references and all are of descriptive nature). The potential impact to this facility has enormous ramifications, yet is only mentioned briefly in the water section, which states in Table 3.13-3 that for both the Green and Purple alternatives "Edge of corridor is located within 1,000 feet of the CAVSARP and SAVSARP." Also, on page 3.3-13 the DEIS states that using the CAP Design along Option C "would avoid impacting properties associated with the City of Tucson's CAVSARP/SAVSARP facilities." On page 3.3-23 the DEIS states that using the CAP Design along Option D "would avoid impacting properties associated with the City of Tucson's SAVSARP facility." Is it one or is it both? The City of Tucson has expressed their concerns for these all-important facilities, and we don't believe those concerns have been answered in this DEIS.

As concerns all water resources, Table 3.13-2 Summary of Potential Impacts on Water Resources describes the Orange Alternative as determined at this Tier 1 level to have only low

to moderate impacts, while the recommended alternative is uniformly high as concerns surface water (sensitive resources), surface water (impaired waters), groundwater, potential waters of the U.S., wetlands, and floodplains.

The impact to water is one of the reasons NPCA opposes any freeway in Avra Valley and urges that I-11 co-located along I-19 and I-10 between Sahuarita and Casa Grande become the preferred alternative.

#### Impacts to Riparian Areas

The simplest way to avoid impacting existing riparian areas in the South Section, and there are important riparian corridors that the recommended alternative parallels or would have to cross, is to choose co-location. In the South Section this alternative only adds up to 120 feet of right of way along a six mile stretch of existing I-10 in downtown Tucson. Riparian impacts have already been dealt with, for better or worse, in this area.

This practicable alternative should be chosen if direction from Executive Order 11990 is to be followed, which is noted in the DEIS on page 3.12-2:

“Each agency shall provide leadership and shall take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agency's responsibilities” and, per the National Environmental Policy Act of 1969 (NEPA), “shall avoid undertaking or providing assistance for new construction located in wetlands unless the head of the agency finds (1) that there is no practicable alternative to such construction, and (2) that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use.” (42 FR 26961)

With such explicit direction, the FHWA seems compelled to select co-locating I-11 along I-19 and I-10 from Sahuarita to Casa Grande as part of the preferred alternative, which is what NPCA recommends.

#### Flood prone areas

Like riparian areas, the simplest way to avoid impacting flood prone areas, of which there are significant amounts along the recommended alternative in Avra Valley, is to choose co-locating I-11 with I-19 and I-10 from Sahuarita to Casa Grande.

From page 3.12-2: Executive Order 11988: Floodplain management requires federal agencies “to avoid, to the extent possible, the long- and short-term adverse impacts associated with the occupancy and modification of floodplains, and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative” (42 FR 26951)

The co-location of I-11 along I-19 and I-10 from Sahuarita to Casa Grande is a practicable route, and so should be selected as NPCA recommends.

### Endangered wildlife and species of concern

The DEIS does a fairly good job of listing the species that would be impacted by build alternatives, though it should be augmented by the species list provided by the Coalition for Sonoran Desert Protection July 2019 comments to the DEIS. Specifically, the Tucson shovel-nosed snake needs to be looked at closer as the recommended alternative route would have dire consequences on this snake both through road strikes and habitat fragmentation.

The recommended alternative route through Avra Valley would have much greater impact to endangered and other species of concerns, another reason that NPCA co-locating I-11 with I-19 and I-10 from Sahuarita to Casa Grande.

### U.S.-Mexico border issues

For a proposed freeway whose purpose is to improve commercial traffic between the United States, Canada, and Mexico, there is very little in this document about trade relations and other issues between the U.S. and Mexico. An additional route designed to provide for more traffic would certainly be impacted by and also affect these issues. The DEIS should address how each alternative would affect or be affected by border wall construction, port of entry operations, trade tariffs, efforts to stop drug and human trafficking originating in Mexico, and concerns about terrorists entering the United States.

Some of these concerns at first might seem far-fetched, but in the past so did having a permanent Border Patrol security checkpoint on Interstate 19 (which reduces travel time of all traffic going north). They should at least be considered. For instance, if the recommended alternative is built, then how would that affect Border Patrol and other law enforcement operations in Avra Valley, efforts that work to interdict drug traffic and stop illegal immigration which we know currently travels in this area. How often would temporary checkpoints be utilized in Avra Valley, or would a permanent checkpoint be considered? Would faster travel time and additional traffic afforded by an Avra Valley freeway create more illegal activity in protected areas like Saguaro National Park and Ironwood Forest National Monument?

### Timeline and Implementation

Implementation, which could be incremental if the co-location alternative is selected is not even mentioned in this DEIS. Co-location offers an incredible advantage as far as every additional improvement could be helpful. In contrast, any Avra Valley freeway would have to be completely constructed from one end to the other before it could be of use to commercial traffic.

The timeline used in this DEIS needs to be updated. It is assumed in the DEIS that the freeway would be constructed in five years, from 2020 through 2024. We know that promised wildlife studies for TMC mitigation and the Tier 2 EIS process going forward will take at least three years from when the ROD on this DEIS is released, which we have been told would be middle of next year. As projected traffic need is based on the extension of local five-year plans and population

projections, we ask that all this information be updated and compared to revised timelines in the Final Tier 1 EIS.

The preceding review of impacts, from visual to implementation, shows that the DEIS fails to adequately evaluate the project's direct, cumulative, and secondary effects under NEPA.

**The draft preliminary Section 4(f) analysis fails to demonstrate that there is no feasible or prudent alternative to avoid impacts to the Bureau of Reclamation's Tucson Mitigation Corridor**

NPCA contends that the draft preliminary Section 4(f) evaluation that was issued as an Errata to the DEIS is incomplete and flawed. It also comes to the opposite and wrong conclusion of much of the public input the team has received.

It concludes that it is impossible to avoid or mitigate impacts to seven small protected properties along I-10 in Tucson from right of way expansion of no more than 120 feet at some points along a six mile stretch through downtown, despite not doing the site-specific project level analysis to show this. Based on this unsubstantiated conclusion, the evaluation tries unsuccessfully to show that bisecting a Section 4(f) property in Avra Valley as part of 43 miles of new freeway, can be mitigated.

The Section 4(f) analysis fails to demonstrate that there are not feasible or prudent alternatives to the Avra Valley alternatives that would impact TMC, such as co-location. It also fails to adequately consider the impact on Saguaro National Park and other Section 4(f) properties and other protected properties in Avra Valley.

NPCA asks that this evaluation be redone to correct its flaws and provide a fair comparison between unavoidable impacts to the Tucson Mitigation Corridor and impacts to the two small parks, one yet-to-be completed urban trail, three historic districts and one historic building if the co-location alternative is chosen.

The Section 4(f) section does not show that a "net benefit" could be achieved for the TMC 4(f) property, to make up for building a freeway through it. The DEIS provides no information on the actual impacts that might be inflicted on the TMC, and very few specifics on the mitigation. It does not include information about the baseline conditions for wildlife and wildlife travel through the TMC. Without this information there is no way for the reviewer to understand what a "net benefit" means in this context. Because a net benefit determination is controversial and probably inappropriate, it is imperative that the DEIS provide actual information regarding potential impacts, such as what is provided for other potentially impacted 4(f) properties.

From the beginning, NPCA has argued and many have pointed out during the public involvement process that there is no way to achieve a net benefit to wildlife connectivity in the Avra Valley (the purpose of the TMC) when the plan is to put a freeway through this important mitigation area. The freeway and its impacts to wildlife movement extend north and south from

the TMC, impacting wildlife migration throughout Avra Valley. There is no possibility that offsite mitigation land could replace wildlife routes east and west when a freeway will bisect the entire valley and block off every route except where wildlife crossings over or under the freeway are provided.

To even begin the conversation that “net benefit” can be used to breach the TMC, the 4(f) analysis must make the inaccurate claim that the Orange Alternative is not an avoidance alternative because it would impact more Section 4(f) properties. The creation of the three build alternatives from the various segments studied seems a little arbitrary. A hybrid from among them might be the best solution, as long as that hybrid includes co-location from Sahuarita to Casa Grande. Farther north, for instance, the Orange Alternative could instead include segments that avoid going through the Sonoran Desert National Monument, another Section 4(f) property, further minimizing impacts to 4(f) properties. Thus, a better preferred alternative could possibly be created by combining the Orange route from Nogales to Casa Grande, and the Purple route for the rest of the way north.

The Green and Purple Alternatives cannot be an avoidance alternative because they would inevitably impact a more significant Section 4(f) property. It is easy to see how to achieve “net benefit” from the I-10 4(f) properties. We believe that with more detailed Tier 2 analysis, along with innovative planning that has been advocated from involved members of the Tucson community, the purpose and needs of I-11 can be achieved by the co-location through Tucson without needing much mitigation of the affected properties.

This was the conclusion that NPCA and others from your stakeholder process presented to you in an August 3, 2018, position paper. This paper was inexplicitly omitted from the original DEIS and in its place the cover email alone was included in the public comment appendix. In the table that summarizes public comments, it was listed as neutral, when in fact it supported co-location of I-11 with I-19 and I-10 and suggested some improvements be incorporated into its planning. Classifying all the comments as positive, negative, or neutral is somewhat of a simplistic and inaccurate way to describe them in the DEIS.

After the three facilitated stakeholder meetings and our requests that both stakeholder groups be allowed during the last meeting to meet as one group was denied, most of the active stakeholders met together several times to develop this proposal. This proposal would be a much more accurate representation of what came out of the stakeholder process than the few paragraphs at pages 4-84 and 4-85. Your 4(f) analysis states, “Stakeholders from the Avra Valley stakeholder group meetings proposed different strategies to mitigate these concerns, including co-locating with the CAP Canal.” I was in that group and I would not summarize the mitigation we proposed as co-location with the CAP; while it is possible that one person said that it seems more likely that this mitigation possibility is something the agencies came up with. The stakeholder process did produce a consensus recommendation, which is available in the Errata document in the back section without page numbers, identified as Reference #998. The fact that it was originally mis-identified as neutral, and despite being available to the study team for

almost a year now, perhaps explains why the “qualitative” review of 4(f) fails to take into account its suggestions.

As a busy, well-used interstate freeway I-10 will continue to need improvements. Our hope is that co-locating I-11 along I-10 will not only achieve the purposes of the I-11, but will also allow us to adapt the existing freeway into a 21<sup>st</sup>-century transportation system that will avoid impacts to historic structures and communities (and thus all the section 4(f) properties and more), be less costly, and have fewer environmental impacts. This is a vision first put forth in *I-11 Supercorridor: a next generation infrastructure case study*, a 2014 publication prepared by students and faculty at the University of Nevada, Arizona State University, and University of Arizona, and reflects the community values that are inherent in resolutions against an Avra Valley freeway by both the Pima County Board of Supervisors and the City of Tucson.

All three build alternatives contain 4(f) properties, so the prescribed step is to do a Least Harm Analysis, which is attempted in section 4.6. The required analysis factors demonstrate why the Least harm Analysis falls short for the Sahuarita to Casa Grande alternatives:

Least Harm Analysis Factor 1 – Ability to mitigate adverse impacts on each Section 4(f) property.

When considering this factor, the list of potential strategies to mitigate and minimize impacts of Section 4(f) properties in downtown Tucson that are given on page 4-76 should be carefully considered. The innovative ways provided in the Stakeholder’s Position Paper that could reduce the need for the maximum number of lanes to meet transportation needs should be added. The DEIS list includes measures such as replacement of land, design modifications, restoration, preservation of impacted historic buildings, and compensation – standard means of mitigation for transportation projects. However, on p. 4-96 it states, “There is a low ability to mitigate the impacts of the Orange Alternative.” The summary on page 4-108 goes farther and states, “After careful consideration, FHWA and ADOT determined Orange Alternative impacts are unmitigatable...” Leaving aside the fact that these statements are clearly contradictory to one another, the document provides no meaningful information to support these declaratory statements. The DEIS fails to adequately identify and assess opportunities for mitigation under NEPA here and for all the impacts of concern to NPCA as described elsewhere in these comments.

Least harm analysis Factor 2: Relative severity of the remaining harm, after mitigation. The DEIS states on page 4-96: “As indicated in Table 4-7 (Summary of Potential Section 4(f) Uses by Build Corridor Alternative) and described for Factor 1, FHWA and ADOT will be required to provide specific mitigation in order to achieve the potential types of uses presented in the table. **By achieving the programmatic net benefit finding, the Purple, Green, and Recommended Alternatives would substantially reduce and possibly eliminate remaining harm to the TMC property.**” [emphasis added] This debatable declarative statement is not consistent with the need for future wildlife studies before the potential mitigation can even be evaluated for its ability to achieve net benefit, and flies in the face of agency and expert comment that putting a freeway through the TMC cannot adequately be mitigated.

Least harm analysis Factor 3: Relative significance of each Section 4(f) property.

“FHWA considers each Section 4(f) property to be equally significant in this evaluation; none of the properties has been determined through this evaluation or through coordination with officials with jurisdiction to be of different value.” The agencies fail to assess relative significance of each property as required under 4(f) policies, Least Harm Analysis (23 CFR 774.3(2)(c)). The agencies ignore relative importance assessment and instead just assume all are equal when that is not the case. The TMC is not equal in value to part of the parking lot at the rear of the Manning House (which is the only part of this historic property required for I-10 expansion). This is not to say that protecting historic properties and community parks are not important. But they can be mitigated much like historic properties and community parks have been avoided or mitigated for highway projects across the country, and recently in Tucson during expansions for Broadway and Grant Roads.

We take issue with your conclusion that the Ironwood Forest National Monument is not a Section(f) property. While it does not have “park” or “wildlife refuge” in its name, it is a significant protected public property that serves both functions. It is popular for outdoor recreational pursuits, including hiking, camping, picnicking, photography, enjoyment of cultural and historical sites, etc. It provides habitat for wildlife, including protected species (including plants) and animals like deer and bighorn sheep which are known to migrate to Saguaro National Park, and is managed for the protection of this wildlife – so it does provide a refuge. The federal agency that manages it has recommended against routing I-11 in Avra Valley as a freeway so situated would impact recreational access and have other impacts. Leaving this monument out of Section 4(f) analysis shows the analysis is inadequate.

Least Harm Analysis Factor 4: Views of the officials with jurisdiction over each Section 4(f) property.

It is proper that the expert opinion and concerns of the State Historic Preservation Office provide information that informs the 4(f) analysis and DEIS, but the views of elected officials must also be taken into account. The City of Tucson and Pima County are on the record (see elsewhere in this comment) that least harm will occur if I-11 is co-located along I-10 through Tucson compared to any alternative in the Avra Valley.

Least Harm Analysis Factor 5: Degree to which each alternative meets the purpose and need for the project.

We can assume that all the build alternatives being reviewed by this DEIS meet the broad purposes and need of I-11. The differences are relatively miniscule compared to the difference in cost (see Factor 7, below).

Least Harm Analysis Factor 6: The EIS fails to consider magnitude of adverse impacts on properties not protected by Section 4(f)

For Purple and Green Alternatives: This must include the Ironwood Forest National Monument (which, as we note above, should be a 4(f) property but since excluded as such should be included here) and the Tucson Mountain Wildlife Area.

#### Least Harm Analysis Factor 7: Substantial differences in costs among the alternatives.

Most of the capital cost difference between the Orange Alternative and the recommended alternative (\$4.5 billion according to Table 4-8) occurs in the South Section, the area of focus for most of the 4(f) discussion and the area of most interest to NPCA. If the future I-11 is co-located along I-19 and I-10 from Sahuarita to Casa Grande, the cost savings is \$3.4 billion.

It would be callous to say that the seven 4(f) properties of concern in downtown Tucson is worth the money saved by co-location. Instead, we would encourage that some small portion of this cost savings be used to do the innovative planning and work that the community is requesting of the agencies to produce a plan for this area that most effectively avoids and mitigates these properties.

It appears that the agencies have worked hard to try to establish a net-benefit mitigation for their recommended alternative, while not doing a similar effort for the properties in Tucson. Our conclusion is that the alternative with the least harm for the southern section is an alternative that co-locates along I-19 and I-10 from Sahuarita to Casa Grande, in contrast to the DEIS that incorrectly assumes a net benefit achievement for TMC mitigation at its core. We urge a complete and more unbiased reworking of the Draft Preliminary Section 4(f) Evaluation.

#### **Miscellaneous errors in the Tier 1 DEIS**

A few things we noted in reviewing this document:

- Table 3.4-5 doesn't include Saguaro National Park, Tucson Mountain Park, and Ironwood Forest National Monument as recreational areas impacted by the Purple and Green routes.
- On page 3.5-28 the DEIS states, "Throughout the scoping and outreach process, the Project Team received input from the members of the public in Pima County expressing opposition to the I-11 Corridor." This is not accurate. The majority of input was opposition to Segments C and D, or any new freeway through Avra Valley. Lumping public input in a binary "support or oppose" the entire I-11 Corridor is an inaccurate way to summarize this information.
- Table 3.6-8 on page 3.6-18 is missing the year labels in the yellow rows.
- Indirect and cumulative effects are shown in tables to be the same (labelled "similar") in all build alternatives for Impacts and Beneficial Effects to Communities (Table 3.5-6), Economic Effects (Table 3.6-9).

## **The Interstate 11 Tier 1 DEIS fails to adequately identify and assess viable alternatives to the preferred project**

Conventional NEPA process would suggest that viable alternatives to the preferred recommendation be clearly identified and given a thorough assessment. We have already commented above that the selection of segments for the Orange Alternative north of Casa Grande could have varied to produce a better comparison for it to the preferred recommendation. The DEIS does an inadequate job of fairly assessing the recommended alternative to co-locating I-11 with I-19 and I-10 from Sahuarita to Casa Grande, as detailed in the next section of these comments. We believe that NEPA requires a much better explanation for the selection of a widely opposed recommended alternative over one that is cheaper in the order of billions of dollars, would be faster to implement, and has been shown to have many fewer environmental impacts.

## **A paragraph by paragraph review of DEIS 6.2.2 shows that by failing to adequately assess the alternatives the wrong decision was made in selecting the recommended alternative that would build a new freeway in Avra Valley**

The important decision to recommend a new freeway in Avra Valley to serve as the I-11 segment between Sahuarita and Marana, completely bypassing Tucson, is explained in the DEIS on pages 6-6 through 6-9. Here is our review, with the DEIS being quoted in italics, and followed by NPCA's response.

6.2.2. [first paragraph]: *One of the decision points for the Recommended Alternative is to pursue the use of existing facilities (Orange Alternative, Option B) or a new corridor (Purple and Green Alternatives, Options C or D) between Sahuarita and Marana in Pima County. The Recommended Alternative uses new corridor Option D (Green Alternative) between Sahuarita and Marana. The new corridor provides an alternate regional route to facilitate efficient mobility for emergency evacuation and defense access compared to the congested I-19/I-10 corridor through Tucson. Option D is part of the end-to-end alternative that reduces travel time for long-distance traffic between Nogales and Wickenburg and achieves LOS C or better throughout the I-11 Corridor. It will serve planned growth areas and key economic centers as well as attract and divert traffic, including trucks, from existing roadways. The Orange Alternative would serve a higher number of economic activity centers.*

### Comments on 6.2.2. first paragraph

The purpose and need item that promotes I-11 to provide emergency evacuation and better defense travel, a leftover from Eisenhower era freeway building, is by its very nature biased toward new freeway segments rather than using existing infrastructure. But it should be required for this argument to be justified in its application to specific situations such as this segment of I-11. Evacuation from a catastrophic emergency from Palo Verde Nuclear Station, located west of Buckeye, has been mentioned as an evacuation need. But there is no evidence that state authorities in charge of such an evacuation have planned for this area at all. In fact,

the Arizona Emergency Information Network, a project of the Arizona Department of Emergency and Military Affairs, has plans for 10-mile and 50-mile evacuation planning zones, both far from this segment of I-11.<sup>6</sup> One would think that a freeway to be built near Tucson would be situated to actually help evacuation of the citizens of Tucson, but this segment's north south route to the west of where most people in Pima County live, rules it out as an emergency route. As for it being important for defense mobilization, it seems like our armed forces are doing just fine with their travels needs without having to go north and south through Avra Valley.

It is likely that anyone traveling from Nogales, or even Tubac, Amado, or parts of Sahuarita (none of which are very populated towns), north to the western part of Maricopa county or eventually Wickenburg, would be able to save a few minutes of their travel time. Truck drivers from Nogales and Mexico might also take this alignment if their destination is further north. This is perhaps the only real advantage of the Purple, Green, and Recommended alternatives in this segment, an advantage for a few at a very high cost that will be borne by all American taxpayers.

An alternative that is co-located with I-19 and I-10 would not only serve more economic activity centers, it would serve the city of Tucson. This is the second largest city in Arizona, and is where most southern Arizona travelers reside and work, very few of whom would benefit from an Avra Valley freeway.

6.2.2. [second paragraph]: *All of the Build Corridor Alternatives considered in this Draft Tier 1 EIS would result in adverse impacts, so potential mitigation strategies were considered in identifying the recommendation for this Draft Tier 1 EIS. While use of existing corridors would minimize new disturbances to environmental resources, all of the Build Corridor Alternatives would still require additional capacity on I-10 to accommodate the I-11 facility. This would result in unmitigable impacts on historic districts, archaeological resources, and the communities in Downtown Tucson.*

This has not been shown to be true. I-10 elsewhere in Tucson has recently been expanded, and important archaeological resources found there were carefully dealt with. The potential impact to historic districts and a couple of Section 4(f) parks would occur when (or if) six miles of I-10 from I-19 interchange to Prince Road needed for potential additional lanes add up to 120 feet of right of way. That is less than 88 acres of land that **might** be needed (how much could be avoided is not certain until Tier 2 level analysis is undertaken). Stakeholders have urged that innovative methods of reducing traffic load at peak times on I-10 could be used to reduce the need for the maximum expansion that this DEIS projects being needed. Others have argued that the population and traffic growth models used to determine the need within the project timeline should be looked at more closely and with more up-to-date information.

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<sup>6</sup> <https://ein.az.gov/hazards/palo-verde-generating-station-pvgs>

6.2.2. [third paragraph]: *The new Corridor Options provide an alternate route for emergency and incident management, but would further fragment wildlife habitat and impact the endangered Pima pineapple cactus (PPC) (Coryphantha scheeri var. robustispina) and several other protected species. The Purple and Green Alternatives also are located closer to Tucson Mountain Park, the Tucson Mitigation Corridor (TMC), and Saguaro National Park (SNP) –West and designated wilderness within the park). A new interstate in this area would result in varying degrees of change in noise, light, air quality, and visual character for SNP-West, Tucson Mountain Park, and the TMC. After careful consideration, FHWA and ADOT determined Orange Alternative impacts are unmitigable, whereas impacts under the Purple and Green Alternatives could be mitigated. This Draft Tier 1 EIS identifies effective mitigation strategies to avoid, minimize, and mitigate these impacts, and if a Build Corridor Alternative is selected, it will be included in the ROD for the Tier 1 EIS. As future projects move I-11 forward into more detailed design, those efforts would continue in a more detailed manner when the specific alignment of I-11 is developed.*

The new freeway in Avra Valley would be a place for emergency and incident management, but not for problems facing Tucson. It would be a place where first responders would have to gear up to take care of the sorts of accidents and incidents that occur on freeways everywhere, adding to the burden of those agencies in this rural part of Pima County. The “careful consideration” has identified potential mitigation strategies by listing possible actions, but the needed baseline information and actual plans for mitigation so that they can be reviewed and commented upon are missing with the excuse that this is just a Tier 1 analysis, and there is no specific alignment to mitigate. Land managing agencies, expert commenters, and NPCA do not believe that mitigation is possible no matter where the alignment ends up being in the corridor, and therefore support co-locating the I-11 with I-19 and I-10 from Sahuarita to Casa Grande.

6.2.2. [fourth paragraph]: *Community Impacts: Option D would avoid impacts in downtown Tucson, but would impact the rural communities of Avra Valley and Picture Rocks. downtown Tucson is an urban area with a high concentration of low-income and minority individuals, and the Orange Alternative would impact these communities. The adverse effects on the low-income and minority populations in Tucson have the potential to exceed those borne by non-environmental justice populations. By contrast, demographic data indicate that Avra Valley and Picture Rocks communities do not contain low-income or minority populations. While Option D is located in close proximity to the Tohono O’odham Nation, it is not located on Tribal land and would not require any relocations or displacements on Tribal land. Section 3.5 (Communities, Community Resources, and Environmental Justice) provides more detail on the effects to communities and environmental justice populations.*

It is recognized that the construction of I-10 through low-income and minority communities in Tucson are a historical example of those with privilege taking advantage of those without. The combined stakeholder group has made the point that co-locating the I-11 along I-10 through downtown Tucson could provide the opportunity to make up for these past injustices by providing transportation and other amenities to these communities. There may need to be some slight expansion of right of way (or maybe not), but the impact to communities is

nowhere near as severe as the original impact of I-10 construction – or the impact of new construction of a freeway in Avra Valley to those disadvantaged residents who live in Avra Valley. The demographic data is misinterpreted in this paragraph. There are certainly minority populations in Avra Valley and low-income residents – just in a smaller percentage than in downtown Tucson. But compare the impact of adding a few lanes to an existing freeway to building a freeway where your home once was. Multiply that by all the Avra Valley residents to be displaced, and add in everyone else who will be impacted by living next to a new freeway. Even if the percentage of minority and low-income persons is lower than in downtown Tucson, the actual number of disadvantaged people impacted will be larger. This is speculative, of course, because Tier 1 has not done a quantitative review of these sorts of impacts.

6.2.2. [fifth paragraph]: *Historic Districts and Archaeological Resources: Option D through the Avra Valley area generally has a low potential for direct impacts on archaeological sites, historic structures, and historic districts and buildings; however, there are a few spot locations that have a moderate potential for direct impacts. Based on known surveys, Option B in Downtown Tucson has a high potential for direct impacts on archeological sites and historic districts and buildings due to the greater density of historic properties in downtown Tucson, and there are a few spot locations with low to moderate potential. FHWA anticipates, and the State Historic Preservation Office concurs, that the Orange Alternative would result in findings of adverse effect under Section 106 for multiple historic properties in downtown Tucson. These adverse effects would be unmitigable. Section 3.7 (Cultural Resources) provides more detail on the assessment of the potential to affect cultural resources.*

Again, while we prefer that innovative designs in downtown Tucson avoid or minimize these impacts by making fewer added lanes necessary, it is not true that this sort of impact cannot be mitigated. In fact, the DEIS lists a number of potential strategies for mitigating this impact. Tucsonans know from recent non-freeway road projects (Grant and Broadway Roads widening) that historic properties can be mitigated for transportation projects.

6.2.2. [sixth and seven paragraphs]: *Economic Development Benefits: The connection of Option D with I-19 in the Sahuarita area would serve key southern Arizona economic activity centers. This connection would serve the aerospace, defense, manufacturing, and logistics industries in the region's two largest employment areas: Tucson International Airport and the University of Arizona Tech Park. Both are located within the Sonoran Corridor economic development zone. This zone, which stretches from I-19 to I-10 south of the Tucson metropolitan core, is expected to continue to evolve into a dense cluster of industrial uses. In past studies, ADOT identified this zone as a major freight focus area. As an import center, this is where products entering the country from Mexico are prepared for inland distribution. As freight-related industries continue to locate here, the volume of truck traffic leaving the area for points east or west on I-10 will continue to grow. Option D may attract some freight traffic to the new corridor, possibly improving travel time reliability due to less daily congestion.*

*Option D also offers an opportunity for the Sonoran Corridor transportation study to evaluate alternatives that connect to an I-11 Build Corridor Alternative. The Sonoran Corridor is currently*

*under analysis in a separate Tier 1 EIS study effort and is looking at alternatives that provide a high-capacity transportation facility connecting I-19 and I-10 through this economic activity area. A seamless connection of the Sonoran Corridor and I-11 would enhance regional mobility and the functionality of both transportation facilities. Option D is consistent with some of the Sonoran Corridor alternatives still under development. The Sonoran Corridor Tier 1 EIS is considering the I-11 connection as part of its process.*

We believe it is important that economic benefits of a project are paired with the cost so that a reviewer looks at benefit-cost equation. The recommended segment here is projected in this DEIS to cost \$3.4 billion **more** than co-location (which achieves basically the same good). Improvement of I-19 and I-10 also serves Sahuarita area economic development, the Tucson International Airport, and the University of Arizona Tech park. It would also not be the next part of a bypass that is fed by the proposed Sonoran Corridor. Both the City of Tucson and Pima County elected bodies have opposed any bypass freeway, preferring that economic activity within the city, and not at its far edges, be encouraged.

It is instructive to read carefully the weasel words (“may attract” and “possibly improving”) in the last sentence of the sixth paragraph, which shows that the claim that the recommended alternative would reduce congestion on the I-10 is unsubstantiated in this DEIS, and is no more than a hopeful guess used to justify the construction of a new bypass freeway.

6.2.2. [eighth paragraph]: *Separation from Tribal Lands: Compared to Option B and Option C, Option D provides the largest separation between I-11 and Tribal lands. The need for I-11 to stay off Tribal lands is a key theme in the input from Tribal stakeholders, who have expressed a preference for Build Corridor Alternatives that stay as far as possible away from Tribal lands. Chapter 5 (Coordination and Outreach) documents Tribal input in more detail. Option B along I-19 extends through a permanent transportation easement within the San Xavier District of the Tohono O’odham Nation (see Appendix I (I-19 through San Xavier [Tohono O’odham Nation])). Option C of the Purple Alternative is located along the western boundary of the San Xavier District, putting I-11 immediately adjacent to Tribal lands. The Central Arizona Project (CAP) Design Option would provide a greater separation from the Schuk Toak District of the Tohono O’odham Nation than the original alignments of Options C and D along Sandario Road.*

The Tohono O’odham have not asked that the permanent ROW through San Xavier be changed, so it unfair to characterize Option D as providing the largest separation from tribal lands. The Purple, Green, and Recommended alternatives all impact tribal land by being close to the Garcia Strip, and they also traverse traditional O’odham land. The co-location of I-11 with I-19 and I-10 from Sahuarita to Casa Grande has the least impact to actual tribal concerns.

6.2.2. [ninth, tenth, and eleventh paragraphs]: *Section 4(f) Analysis – Tucson Mitigation Corridor: The purpose and function of the TMC is protection of wildlife movement. The TMC facilitates east-west wildlife movement between large habitat blocks to the east (SNP- West, Tucson Mountain Park) and west (Ironwood Forest National Monument). Option D would introduce a new linear facility onto the TMC. The Purple and Green Alternatives would directly*

*impact the TMC, which would be a permanent use under Section 4(f), and mitigation strategies to address the effects to wildlife connectivity will be incorporated into the Recommended Alternative. The mitigation strategies reflect and expand upon those outlined in input received from the Bureau of Reclamation (Reclamation), see Reclamation's letter dated June 8, 2018, in Appendix F. FHWA and ADOT will continue coordination with Reclamation, with the goal of reaching a net benefit finding in which the existing function of the TMC is maintained and enhanced.*

*In order to design effective mitigation, studies to better understand wildlife movement needs in Avra Valley would be conducted. These studies will be developed and completed prior to the Tier 2 analysis to ensure adequate data are available for that process.*

*Section 4(f) Analysis – Downtown Tucson: Historic districts in downtown Tucson are partially or entirely within the 2,000-foot-wide Project Area for Option B, with buildings immediately abutting both sides of I-10. Option B will require construction of additional capacity on I-10, which will impact historic districts, historic structures, and parks. The adverse impacts to the historic districts and structures in downtown Tucson are unmitigable. The avoidance analysis considered alignment shifts and design changes (including an elevated structure and tunneling below I-10). No feasible and prudent avoidance alternative to the permanent use of these historic districts could be identified. See Chapter 4 (Preliminary Draft Section 4(f) Evaluation) for more detail on the Section 4(f) analysis.*

We have commented above about the inadequacy of the Section 4(f) analysis, which shows clearly here. Net benefit has not been reached because mitigation to achieve has not been designed and awaits further wildlife studies. Once that fact is acknowledged, a Least Harm Analysis shows that it can be more easily and effectively achieved by an I-10 co-location design that avoids and reduces harm to the seven Section 4(f) properties there that might be impacted.

### **Recommended alternative route selection disregards the comments of the general public and elected officials**

It is instructive that elected officials from three levels of government oppose the recommended alternative. It would also be useful to tally the number of comments to this DEIS, and those that came in during the prolonged scoping periods, as to who opposed, objected to, or expressed serious concerns about an Avra Valley route. Presenting them in tab form that lists negative, positive, or neutral as to the whole Interstate 11 obscures the real concern with the Avra Valley routing of the preferred alternative.

Congressman Grijalva, who represents most of the area of the Avra Valley preferred alternative, wrote on June 1, 2017:

I am very concerned about options “C” and “D” on the South Section map, which goes through Avra Valley and close to Saguaro National Park, Ironwood Forest National Monument, as well as protected open space and wildlife corridors. This proposed route of the Interstate would bring in new developments, roads, traffic, and have a negative impact on darks skies, wilderness values, and quality of life for residents of that community. Residents of my district affected by this option have called my office expressing these same concerns. Pima County votes have consistently opposed opening up the far western areas of Pima County to development via this transportation corridor. At some point, our state officials must be responsive and support alternatives that provide economic opportunity in the existing metro region and not continue to promote routes that local voters have overwhelmingly opposed.

The Congressman reiterated these concerns in his comments submitted to this DEIS, adding:

Frankly, it troubles me that after two scoping periods and a stakeholder engagement process that resulted in widespread opposition to proceeding with any route through Avra Valley – and with serious concern expressed all along by cooperating land and wildlife managing agencies – your study has determined that the much more costly alternative with greater negative impacts and fewer benefits for Pima County is the preferred alternative.

The Pima County’s county resolution opposing any bypass freeway in Avra Valley was submitted to you by the two supervisors who represent the area where it would be built. Recently the City Council of Tucson voted unanimously to oppose it.

NPCA joins these elected officials and the majority of public commenters in opposing your selection of a preferred alternative that includes the controversial and impactful Avra Valley route, and ask that it be changed so that I-11 is co-located along I-19 and I-10 from Sahuarita to Casa Grande.

Thank you for this opportunity to comment on the Tier 1 DEIS.

Sincerely,

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