

ENVIRONMENTAL ASSESSMENT

Downtown Motor Apartments

Statutory Worksheet Backup Documents

MEMORANDUM OF AGREEMENT

AMONG THE DOWNTOWN MOTOR LODGE, LLC,

THE

CITY OF TUCSON, HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT,

THE

ARIZONA STATE HISTORIC PRESERVATION OFFICER

AND THE

ADVISORY COUNCIL ON HISTORIC PRESERVATION

REGARDING THE DOWNTOWN MOTOR APARTMENTS
383 S STONE AVE, TUCSON, AZ

WHEREAS, the City of Tucson (City) plans to provide funds from the HOME Investment Partnerships Program authorized by Title II of the Cranston-Gonzalez National Affordable Housing Act (1990) (42 U.S.C. 12701 et seq.) to the Downtown Motor Lodge, LLC (developer) for the construction of a four story, 44-unit low-income housing apartment located at 383 S Stone Avenue (project); and,

WHEREAS, the City is the Responsible Entity in accordance with HUD's Environmental Review Regulations at 24 CFR Part 58, and is responsible for ensuring compliance with Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108, and its implementing regulations, 36 CFR Part 800; and,

WHEREAS, the City has a Programmatic Agreement (PA) which addresses its Section 106 responsibilities for its HUD-funded programs; however, due to the scope of the undertaking and the high level of public interest, the City has decided to use utilize 36 CFR Part 800.6 to resolve adverse effects, including consultation with consulting parties and the public; and

WHEREAS, the City has defined the undertaking's area of potential effect (APE) as depicted on the map attached hereto as Exhibit A; and

WHEREAS, the City has determined that the undertaking will adversely affect the property at 383 South Stone Avenue, which is a contributing element to the Armory Park Historic District, and is listed in the National Register of Historic Places, and has obtained the concurrence of the Arizona State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800; and

WHEREAS, the City has determined that the undertaking will have no adverse effect on the Barrio Libre Historic District because the project does not result in loss of historic fabric in that district, does not alter the characteristics that make it eligible for listing in the National Register, a view of the project from the district is not a visual adverse effect on the integrity of the district and the City has obtained the concurrence of the SHPO pursuant to 36 CFR Part 800; and

WHEREAS, the Downtown Motor Lodge LLC, which consists of CAH-Downtown Motor Lodge, LLC/member Compass Affordable Housing, Inc. and Tucson Housing AM, LLC/member Bethel MM, LLC has been invited to sign this MOA as invited signatories; and

WHEREAS, the City of Tucson has consulted with the Tucson Historic Preservation Foundation, the Tucson Pima County Historical Commission Plans Review Subcommittee, the Armory Park Historic Zone Advisory Board, the Armory Park Neighborhood Association, and the Barrio Historico Historic Zone Advisory Board regarding the effects of the undertaking on historic properties and has invited them to sign this MOA as concurring parties; and

WHEREAS, as part of the consultative process, the City has engaged the to participate in the review of this undertaking as described in the attached Exhibit B; and

WHEREAS, in accordance with 36 C.F.R. § 800.6(a)(1), the City has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination providing the specific documentation, and the ACHP has chosen to participation in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii); and

WHEREAS, Downtown Motor Lodge, LLC has developed Architectural Documentation of the existing Property in accordance with SHPO Standards; and a copy of this documentation shall be provided to the City Historic Preservation Office, with a second copy to be provided to the Armory Park Historic Zone Advisory Board; and:

WHEREAS, the work contemplated under this MOA shall be the work as shown on the drawings and specifications for the development of the Downtown Motor Apartments at 383 S. Stone Avenue in Tucson, AZ as approved and made subject to the building permits and other approvals as issued by the City of Tucson.

NOW, THEREFORE, the City, the SHPO and the ACHP agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

STIPULATIONS

The City, in coordination with the Downtown Motor Lodge LLC, shall ensure that the following measures are carried out:

I. Rehabilitation of Historic Sign and Portion of Hotel

A. Downtown Motor Lodge LLC (Developer) will save and restore the existing project sign. Developer will work with the City Historic Preservation Office to attempt to obtain "Historic Landmark Sign Designation" and will pay for the application. In addition the developer will execute a Conservation Easement on the sign in favor of the City of Tucson. The form of Conservation Easement shall be as agreed to by the City of Tucson's Historic Preservation Officer, City Attorney, and developer.

B. Developer will retain approximately 47' of the westernmost portion of the north building on the property and approximately 36' of the westernmost portion of the south building on the

property as depicted in the drawing attached as Exhibit C. These spaces will be used as offices and community space.

C. Any historic preservation of these portions of the property will meet the Secretary of the Interior's Standards for Archaeology and Historic Preservation (SOI's Standards; http://www.nps.gov/history/local-law/arch_stnds_9.htm), and will be carried out by or under the direct supervision of qualified professionals who meet the Secretary of Interior's Professional Qualifications Standards.

D. Contingent upon lender approval, developer will execute a Conservation Easement in favor of the City of Tucson. The form of Conservation Easement shall be as agreed to by the City of Tucson's Historic Preservation Officer, City Attorney, and developer.

E. Developer will confer with the Armory Park Neighborhood Association, the Armory Park Historic Zone Advisory Board, and the Plans Review Subcommittee of the Tucson-Pima County Historic Preservation Commission on building colors with an emphasis on masses or strong shades and horizontal colorization.

II. Salvage

A. Developer will allow owners of historic properties in Armory Park and contractors that specialize in rehabilitation of historic properties the right to salvage building materials, ornamentation, and architectural remains from the Property prior to demolition and only from the buildings scheduled to be demolished. Liability waivers will be required. To this end, the Developer will advertise and host an open house where Armory Park historic property owners and contractors can tour the building to identify specific removable materials to attempt recovery prior to demolition. Developer will engage in reasonable efforts to provide for salvage of the bricks to be set aside for a limited period of time. All materials requested will be made available first to owners of historic properties in Armory Park and then any remaining materials will be made available to contractors that specialize in rehabilitation of historic properties. The on-site Open House will not exceed the first 40 people. Developer will not permit materials contaminated with hazardous materials such as lead or asbestos to be salvaged

III. Interpretive Exhibit/Signage

A. Developer will provide \$1,000.00 to create an exhibit/display that will interpret the historic building on the property or to create a plaque/memorial to Josias Joesler, Architect, at a location to be determined by those parties and the Developer. The interpretive exhibit/signage will need to approval by the City's Preservation Officer in consultation with the Tucson Pima County Historic Plans Review Subcommittee

IV. Neighborhood Outreach

A. Compass Affordable Housing and the City of Tucson Housing and Community Development Department will meet annually for three years with the Armory Park and Barrio Viejo Neighborhood Associations and instruct on how to apply for the City's Homeowner Rehab Program and other available City funding opportunities for their historic properties.

V. Mitigation Funds

A. Developer will commit \$8,500.00 toward a Historic Preservation Fund, to aid in the repair and maintenance of historic features of historic properties in Armory Park and Barrio Viejo. The Armory Park Neighborhood Association, by separate agreement, will be the sole fiscal and discretionary agent for the fund.

B. Developer will commit \$3,500.00 toward a fund for the repair of historic sidewalks in the Armory Park Historic District. The Armory Park Neighborhood Association will be the sole fiscal and discretionary agent for this fund.

VI. City Training

A. The City's Certifying Officer and Environmental Officer in the Housing and Community Development Department and the City's Historic Preservation Officer will attend the Advisory Council on Historic Preservation's *Section 106 Essentials* and *Advanced Section 106 Seminars* within the first year of the MOA.

X. DURATION

This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. At such time, and prior to work continuing on the undertaking, the City shall either (a) execute a MOA pursuant to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of ACHP under 36 C.F.R. § 800.7. Prior to such time, the City may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation XIII (Amendments).

XI. MONITORING AND REPORTING

Each quarter following the execution of this MOA until it expires, or until the work contemplated under this MOA is completed, or the MOA is terminated, the City shall provide all signatories to this MOA a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received regarding the implementation of the MOA in the City's efforts to carry out the terms of this MOA. This report will be posted on the City of Tucson Housing and Community Development Department's webpage for the Downtown Motor Apartments project which can be found at <http://www.tucsonaz.gov/hcd/downtown-motor-hotel-section-106-process>.

XII. DISPUTE RESOLUTION

Should any signatory or concurring party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the City shall consult with such party to resolve the objection. If the City determines that such objection cannot be resolved, the City will:

- A. Forward all documentation relevant to the dispute, including the City's proposed resolution, to the ACHP. The ACHP shall provide the City with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the City shall prepare a written response that takes into account any timely

advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. The City will then proceed according to its final decision.

- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the City may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the City shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.
- C. The City's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remains unchanged.

XIII. AMENDMENTS

This MOA may be amended when all signatories have consulted regarding the proposed amendment. Upon agreement to the proposed amendment by all signatories in writing, the City will develop the amended MOA and circulate it for signature. The amendment will be effective on the date a copy of the last signature, including that of the ACHP. When all signatories have consulted regarding the proposed amendment,

XIV. TERMINATION

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation XIII, above. If within thirty (30) days an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the undertaking, the City must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. The City shall notify the signatories as to the course of action it will pursue.

XV. EXECUTION

- A. This MOA may be executed by the signatories in counterpart, with the effective date being the date the ACHP executes it.
- B. Execution of this MOA by the City of Tucson, the SHPO and the ACHP, and implementation of its terms evidence that the City has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

SIGNATORIES:

Arizona State Historic Preservation Office

James Garrison
James Garrison, State Historic Preservation Officer

Date: 7/8/15

SIGNATORIES:

City of Tucson
Responsible Entity

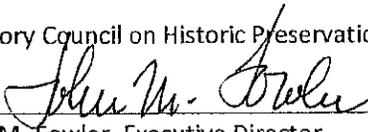


Sally Stang, Certifying Officer for City of Tucson

Date: 7/8/2015

SIGNATORIES:

Advisory Council on Historic Preservation (ACHP)

 Date: 2/15/16

John M. Fowler, Executive Director

INVITED SIGNATORIES:

DOWNTOWN MOTOR LODGE, LLC

By: CAH-Downtown Motor Lodge, LLC

Its Manager

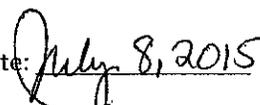
By: Compass Affordable Housing, Inc.

Its Manager

By: Maryann Beerling, CEO



Maryann Beerling, Chief Executive Officer

Date: 

INVITED SIGNATORIES:

By: Tucson Housing AM, LLC

Its Member

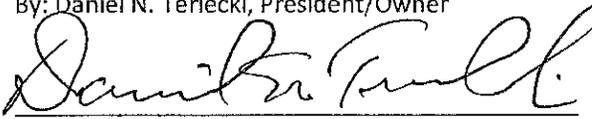
By: Bethel MM, LLC

Its Manager

By Bethel Development, Inc.,

Its Member

By: Daniel N. Terlecki, President/Owner

 Date: 7-8-15

Daniel N. Terlecki, Owner/President

CONCURRING PARTIES:

Tucson Historic Preservation Foundation

_____ Date: _____
Demion Clinco, CEO

CONCURRING PARTIES:

Tucson Pima County Historical Commission

_____ Date: _____
Teresita Majewski, Chair

CONCURRING PARTIES:

Armory Park Historic Zone Advisory Board

_____ Date: _____
Jack McLain, Chair

CONCURRING PARTIES:

Armory Park Neighborhood Association

_____ Date: _____
John Burr, Vice-President and Development Chair

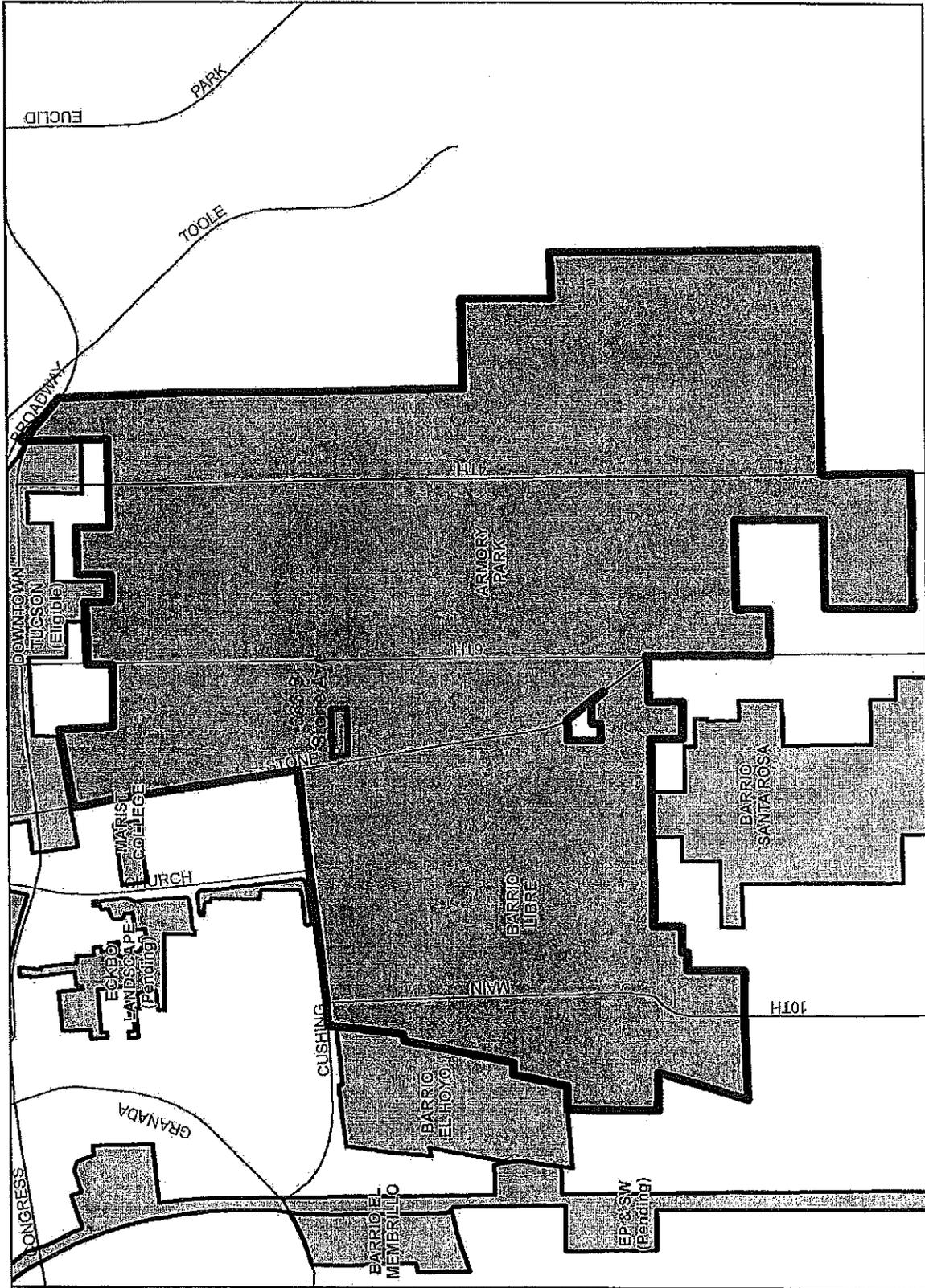
CONCURRING PARTIES:

Barrio Historico Historic Zone Advisory Board

_____ Date: _____
Jody Gibbs, Chair

Exhibit A
 Memorandum of Agreement
 Downtown Motor Apartments

383 S Stone Avenue
 Area of Potential Effect



- 383 S STONE AVE
- OTHER HISTORIC DISTRICTS
- Area of Potential Effect

EXHIBIT B

MEMORANDUM OF AGREEMENT
DOWNTOWN MOTOR APARTMENTS

PUBLIC PARTICIPATION RECORD

DURING SECTION 106 PROCESS

- 10/14/14 Section 106 Process initiated upon forwarding of the HOME Investment Partnership Funds application.
- 10/23/14 Public meeting was scheduled for 10/28/14. Meeting notice and agenda was posted in the City Clerk's office and emailed to more than 350 recipients including the list of interested parties from previous meetings/activities, all registered Neighborhood Associations in the City of Tucson, Historic Districts, and Mayor & Council.
- 10/28/14 Public meeting – second meeting scheduled for 11/20/14. Web page developed on the City of Tucson Housing and Community Development (HCD) Department website to post information about the project and Section 106 Process.
- 11/18/14 Emailed reminder of 11/20/14 to 400 recipients including the list of interested parties from previous meetings/activities, all registered Neighborhood Associations in the City of Tucson, Historic Districts, and Mayor & Council.
- 11/19/14 Posted email list and comments to website.
- 11/20/14 Second Public meeting. List of email addresses was provided for attendees to ensure their email address was correct to ensure future emails would be received. Posted newspaper articles, city response to questions/comments, & developer Powerpoint presentation to website.
- 11/21/14 Posted comments to website.
- 12/4/14 Posted comments to website.
- 12/10/14 Consulting parties meeting. Posted comments to website.
- 12/18/14 Consulting parties meeting.
- 12/19/14 Posted comments to website.
- 12/24/14 Posted comments and responses to website.
- 1/9/15 Posted comments and responses to website.

1/13/15 Posted AZ SHPO response to website.

1/20/15 Amended APE and invited Barrio Historico Historic Zone Advisory Board to consult.

1/26/15 At request of consulting parties – posted Section 106 Process summary to website.

1/28/15 Notified ACHP & invited to consult; posted conceptual design, building condition report, archaeological site report, and map of Area of Potential Effect to website.

2/12/15 Consulting parties meeting.

2/23/15 Posted State Historic Property Inventory form, comments, and city responses to website.

3/16/15 Posted comments to website.

3/18/15 Consulting parties meeting. Posted consulting parties meeting handouts and summary to website.

3/23/15 Posted comments to website.

4/8/15 Posted Comments and AZ SHPO concurrence to website.

4/9/15 Social media blast encouraging public comment and directing to HCD website. Consulting parties meeting, posted developer suggested stipulations to website.

4/14/15 Posted documentation standards, comments, meeting summary from the 4/9/15 consulting parties meeting, building photos, and proposed design to website.

4/15/15 Posted adverse effect determination objection and suggested stipulations from the Tucson Historic Preservation Foundation to website.

4/16/15 Consulting parties meeting. At the request of consulting parties, single page project overview created in English and Spanish posted on website and distributed to community. Posted adverse effect determination objection from Barrio Historico Historic Zone Advisory Board to website. Posted revised developer stipulations to website.

4/21/15 Posted letter from Arizona Department of Housing on website.

4/28/15 Posted link to petition created by Gary Patch to website.

5/4/15 Posted opinion letter from the Advisory Council for Historic Preservation and analysis of LIHTC alternatives, and comments to website

5/7/15 Consulting parties meeting. Posted public comments and Partners for Housing Solutions analysis to the website.

5/12/15 Posted public comment with attachments and Arizona Daily Star article to the website.

5/14/15 Posted ACHP letter to the website

5/15/15 Posted ADOH letters to website

5/22/15 Posted consulting party objection to website

5/26/15 Posted consulting party letter and public comment to website

5/29/15 Posted multiple objection letters to website

6/2/15 Posted ACHP letters and draft MOA to website

6/8/15 Posted City response to concerns on website

6/12/15 Consulting parties meeting. Posted three emails from consulting party on website

6/24/15 Posted Public Comment and Consulting Party request to the website

6/26/15 Posted letter from Consulting Part to the website

7/7/15 Posted Public Comment and letter from ACHP to website

7/8/15 Posted Final draft of MOA to website

PUBLIC PARTICIPATION

PRIOR TO SECTION 106 PROCESS

- 12/10/13 Community Design Review Committee meeting.
- 1/17/14 Armory Park Historic Zone Advisory Commission courtesy review.
- 1/23/14 Tucson Pima County Historic Preservation Commission courtesy review.
- 4/11/14 Presentation to the Office of Integrated Planning, Armory Park Neighborhood Association, Ward 6, and interested citizens.
- 8/6/14 Public meeting with Ward 6.
- 8/24/14 Barrio Historico Historic Zone Advisory Board courtesy review with the architectural review committee.
- 10/7/14 Public meeting hosted by the Office of Integrated Planning to present design changes.



Preserving America's Heritage

July 15, 2015

Ms. Sally Stang
Director
Housing and Community Development Department
310 North Commerce Park Loop
Tucson, AZ 85726

Ref: *Proposed Partial Demolition of the Downtown Motor Hotel
City of Tucson, Arizona*

Dear Ms. Stang:

Enclosed are five (5) copies of the fully executed Memorandum of Agreement for the referenced project. By carrying out the terms of the agreement, you will fulfill your responsibilities under Section 106 of the National Historic Preservation Act and the regulations of the Advisory Council on Historic Preservation, "Protection of Historic Properties" (36 CFR Part 800). An original agreement will remain on file at our office.

We commend the City of Tucson for working closely with the Arizona State Historic Preservation Officer and other consulting parties toward the resolution of adverse effects for this undertaking.

If we may be of further assistance as the agreement is implemented, please contact Ms. Jaime Loichinger at (202) 517-0219, or via e-mail at jloichinger@achp.gov.

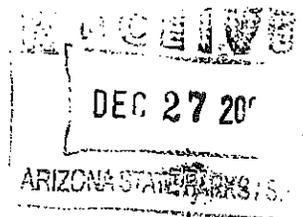
Sincerely,

Charlene Dwin Vaughn, AICP
Assistant Director
Office of Federal Agency Programs
Federal Permitting, Licensing, and Assistance Section

Enclosures (5)

Attachment B

PROGRAMMATIC AGREEMENT AMONG
THE CITY OF TUCSON
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
THE ARIZONA STATE HISTORIC PRESERVATION OFFICER



WHEREAS, the City of Tucson, Arizona (the City) now, or may in the future, administer programs, or serve as the responsible entity for grant recipients under programs that are funded by the U. S. Department of Housing and Urban Development (HUD) under programs and for which HUD provides for the City to assume HUD's environmental review responsibility in accordance with its Environmental Review Procedures, 24 CFR Part 58, published in the Federal Register April 30, 1996 (as may be amended from time to time), including but not limited to the :

Community Development Block Grant Program
Emergency Shelter Grant Program
HOME Investment Partnerships Program
Shelter Plus Care Program
McKinney Homeless Programs
HOPE VI

WHEREAS, in accordance with 24 CFR Part 58, the City may agree to assist HUD with the implementation of its Section 106 compliance responsibilities for programs funded under statutes that do not provide for the City's assumption of HUD's environmental responsibilities, e.g. HOPWA, Section 202, etc. and

WHEREAS, the City has determined that the administration of these programs may have an effect on historic properties and has consulted with the Arizona State Historic Preservation Officer (SHPO) pursuant to 36 CFR §800.14 of regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. §470f),

WHEREAS, the City maintains professional and contract staff which meets the Secretary of Interior's Professional Qualifications Standards and can make determinations of eligibility to the National Register of Historic Places and review projects for compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and

WHEREAS, the City has been designated a Certified Local Government under Section 101(a) of the National Historic Preservation Act, as amended, and has agreed to integrate preservation planning and cultural resource identification into local government planning and development decision making; and

WHEREAS, the City has designated the Historic Preservation Office to administer provisions of this Agreement, and

EX A TO RESOLUTION NO. 19075
CITY OF TUCSON CONTRACT NO. 0292-02

- B. The City shall adopt and implement internal procedures to ensure that all Program activities that will affect, or have the potential to affect, historic properties, are forwarded to Certified Staff for review, pursuant to this Agreement, prior to implementation.

III. Identification and Evaluation

City Program management staff and/or HUD Program fund recipients shall submit requests for review to Certified Staff for compliance with the Section 106 process and the stipulations of this Agreement. Requests will document the location and nature of proposed undertakings. Certified Staff will make an initial determination as to the National Register status or eligibility of site locations in accordance with the following provisions.

- A. Certified Staff will consult the National Register listings for the City of Tucson. Properties that have not previously been evaluated will be evaluated by Certified Staff against National Register criteria and determinations of eligibility made. Those properties and districts determined eligible by Certified Staff will be treated as eligible properties covered by this Agreement. Summaries of determinations of eligibility will be forwarded by the Certified Staff to the SHPO as part of the annual report required under this Agreement, unless the SHPO and Certified Staff agree to an alternate reporting schedule.
- B. If Certified Staff determines that no historic properties are affected by a Program activity, it will document the basis for that determination and the HUD-assisted activity may proceed as planned. These determinations shall be on file with Certified Staff. A copy of these determinations shall also be maintained in each individual project/activity file by relevant City Program management staff.
- C. Maps will be prepared by the City and approved by SHPO showing existing and potential historic districts, as well as designating areas as "non-historic" that will not be historic districts in the future. Properties located outside existing or potential historic districts which are less than 45 years old and those located in areas designated as non-historic will not need to be reviewed for National Register eligibility. Program staff will document this finding in project files, which are subject to review by Certified Staff.
- D. In the event that the Certified Staff has questions about a property's eligibility for the National Register, the Certified Staff will forward all documentation, including an Arizona Property Inventory Form, to the SHPO for evaluation. If the SHPO's opinion is not rendered within 30 days of receipt of the submission of adequate documentation, the City may assume that the SHPO concurs with the Certified Staff's eligibility determination.

- ◆ Proposed additions, which exceed 50% of the square footage of the existing building.

V. Archaeological Resources and Compliance

- A. The City shall require that an archaeological records check and on-ground survey be completed for all projects taking place on vacant property or projects where buildings will be demolished and new building will be built.
- B. If no properties are present, this may be noted in project files and the work may proceed as planned.
- C. If only monitoring is recommended, recordkeeping will be overseen by Certified Staff without consultation with SHPO
- D. For single family lots of less than 22,000 square feet a records check is all that is required to demonstrate compliance with this agreement. If the area is especially sensitive, Certified Staff may recommend that a monitor be present during excavation.
- E. When it is determined that archaeological resources may be present, a testing program will be initiated. If testing reveals no significant resources and clearance is recommended, the project may proceed and the testing report will be placed in the project file. No consultation with SHPO will be necessary.
- F. When testing reveals significant resources eligible for listing on the National Register, every effort will be made to review the project to determine if an adverse effect can be avoided. If it cannot, a testing report, data recovery plan and draft Memorandum of Agreement will be submitted to SHPO for review simultaneously. SHPO will have 30 days to review the documents and provide comments to the CITY. If SHPO does not provide comments within the 30 days, the CITY may assume that the testing report, data recovery plan and MOA are acceptable and proceed with execution of the MOA and completion of the data recovery. When appropriate, the City will provide opportunity for tribal consultation on the data recovery plan and concurrence with the MOA. Projects which provide for new construction in urban areas which will not have an adverse affect on prehistoric archaeological resources will not involve tribal consultation as part of the MOA process.
- G. Data recovery projects will have burial agreements negotiated through the Arizona State Museum prior to beginning actual work. If possible, a blanket burial agreement for City projects will be negotiated.

VI. DISCOVERIES AND UNFORESEEN EFFECTS

resolve the objection. If the objection cannot be resolved, the SHPO shall request full comments of the Council with reference only to the subject dispute; the SHPO's responsibility to carry out all actions under this Agreement that are not subject to the dispute shall remain unchanged.

XI. AMENDMENTS

Any party to this Agreement may request that it be amended, whereupon the parties will consult in accordance with 36 CFR §800.14 to consider such amendment. No amendment to this Agreement will become effective without the written concurrence of all the parties.

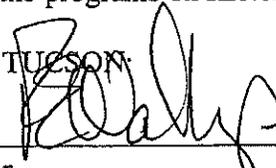
XII. TERMINATION

Any party to this agreement may terminate the Agreement by providing thirty (30) days notice to the other parties, provided that the parties will consult during the period prior to the termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, the City will comply with 36 CFR §800 with regard to each individual undertaking covered by this agreement.

XIII. FAILURE TO COMPLY WITH TERMS OF AGREEMENT

In the event the City cannot carry out the terms of this Agreement, it shall not take or sanction any action or make any irreversible commitment that would result in an adverse effect to Historic Properties or would foreclose the Council's consideration of modifications or alternatives to the undertaking, and the City will comply with 36 CFR §800 with regard to each individual undertaking covered by this Agreement.

EXECUTION AND IMPLEMENTATION of this Programmatic Agreement evidences that the City of Tucson has afforded the Council and the SHPO a reasonable opportunity to comment on these programs and that the City of Tucson has taken into account the effects of the programs on Historic Properties.

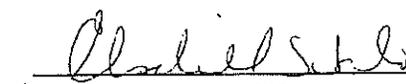
CITY OF TUCSON
By: 
Mayor

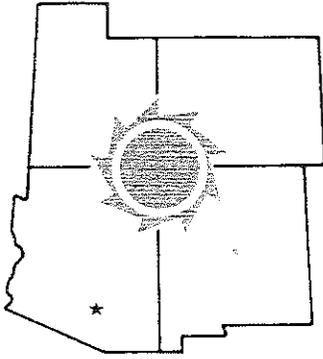
DEC 10 2001
Date: _____

ATTEST:

APPROVED AS TO FORM:


CITY CLERK


CITY ATTORNEY



PARTIAL

AZTLAN ARCHAEOLOGY, INC.

ENVIRONMENTAL CONSULTANTS

1026 North Columbus Blvd. Tucson, Arizona 85711
(520) 620-1480 FAX (520) 620-1432

**Results of a Records Review and Assessment
of the Downtown Motor Hotel at 383 South Stone Avenue
in Tucson, Arizona**

Prepared by:

Laurie V. Slawson, Ph.D., RPA
Principal Investigator

Submitted to:

Mark Shoemacher
Bethel Development, Inc.
6021 East Paseo Santa Teresa
Tucson, Arizona 85750

Technical Report No. 2014-24

November 17, 2014 (revised 12/30/14)

Abstract

Agency:

City of Tucson

Project Title:

Results of a Records Review and Assessment of the Downtown Motor Hotel at 383 South Stone Avenue in Tucson, Arizona (report dated 11/17/14; revised 12/30/14)

Project Description:

A records search and assessment was made of the historic Downtown Motor Hotel. The purpose of the Class I overview and assessment was to locate and describe any cultural resources near the property and to do a walk-around of the property, which is a standing, unoccupied building.

Location:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Township 14 South, Range 13 East; Gila and Salt River Baseline and Meridian, U.S.G.S. Tucson, Arizona 7.5 Minute quadrangle map; Pima County, Arizona.

Number of Acres Surveyed:

1 acre

Number of Sites:

None

Number of National Register-Eligible Sites:

None

Number of National Register-Ineligible Sites:

None

Summary:

Two hundred and eight survey and monitoring projects have been conducted within a mile of the project area, which has been surveyed previously. Fifty-nine sites, 38 National Register-listed properties, and more than 1,000 other historic properties have been recorded within that same distance. The project area is bounded by two National Register-listed properties (AZ BB:13:76 and 626). However, if the street façade of the Downtown Motor Hotel is partially retained, little to no visual impact should occur to AZ BB:13:76 and AZ BB:13:626.

Results of a Records Review and Assessment of the Downtown Motor Hotel at 383 South Stone Avenue in Tucson, Arizona

A records search and assessment was made of the Downtown Motor Hotel, which is an historic property located in downtown Tucson, Arizona. The purpose of the Class I overview and assessment was to locate and describe any cultural resources near the property and to do a walk-around of the property, which is a standing, unoccupied building. The research was conducted by Laurie V. Slawson (principal investigator) and Laural Myers (Laboratory Director) November 12-17, 2014.

Project Area Location

The Downtown Motor Hotel is located at 383 South Stone Avenue in Tucson (Pima County), Arizona. This location is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, Township 14 South, Range 13 East; ; the township and range are located with respect to the Gila and Salt River Baseline and Meridian, on the U.S.G.S. Tucson, Arizona (1996) 7.5 Minute quadrangle map. The project area location is shown in Figure 1.

Environmental Setting

The project area is situated within the Basin and Range physiographic province and the native vegetation in the project area is characteristic of the Arizona Upland Subdivision of the Desertscrub Formation (Brown and Lowe 1994). Buildings and structures in the vicinity of the project area are both historic (i.e. more than 50 years old) and recent in age. Views of the property are shown in Figures 2 and 3.

Cultural History

Prehistoric human occupation in the Tucson Basin spans almost 12 millennia and three major cultural periods, consisting of Paleoindian, Archaic, and Hohokam. The dating of the temporal subdivisions within these periods, which are defined by their associated cultural attributes, is of long-standing concern to archaeologists working in the basin. Refinements to the prehistoric chronology of the Tucson Basin continue to be proposed in the archaeological literature as prior research is reexamined and additional cultural attribute data and chronometric dates are obtained through ongoing research. A currently accepted prehistoric chronology for the Tucson Basin is shown in Table 1.

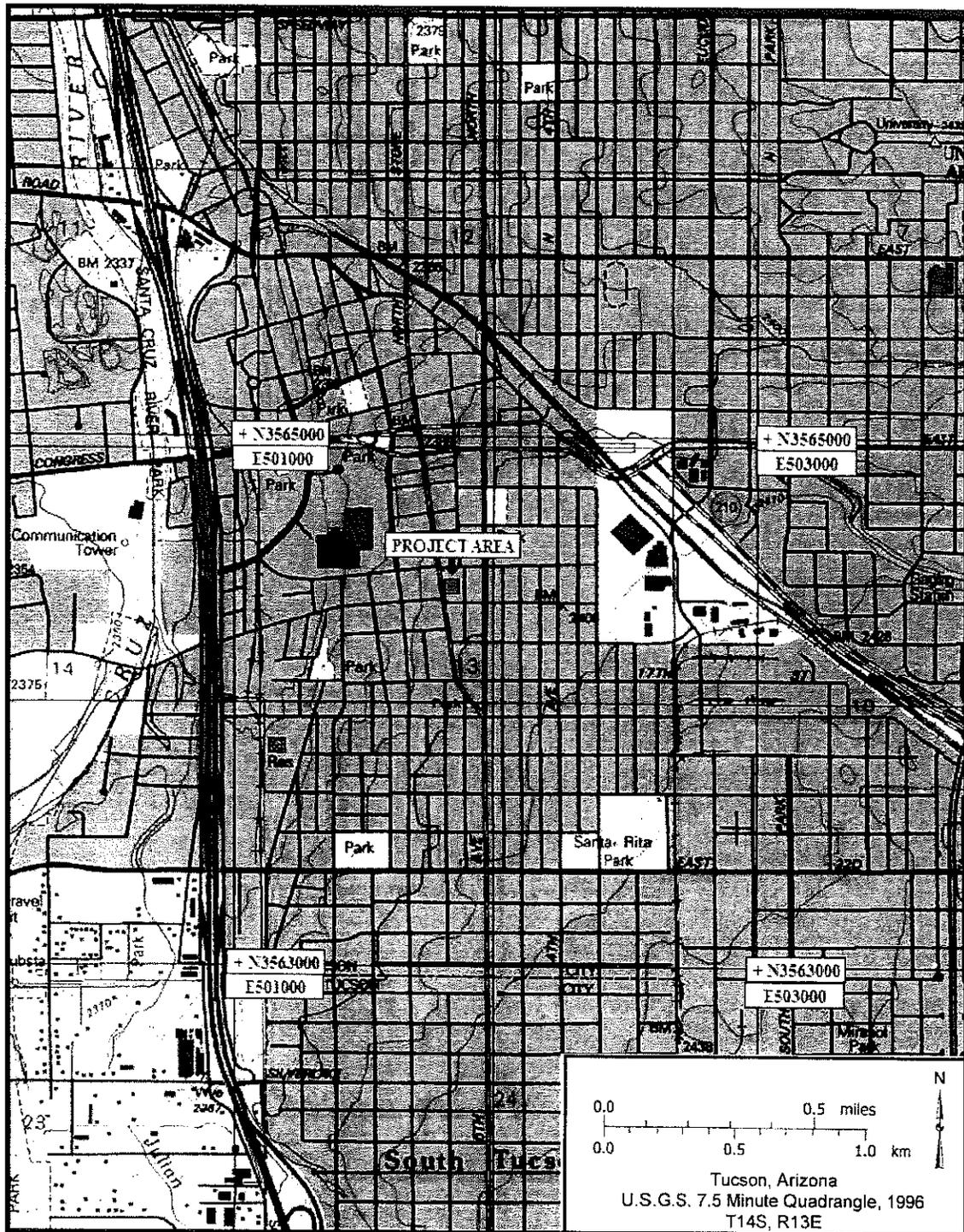
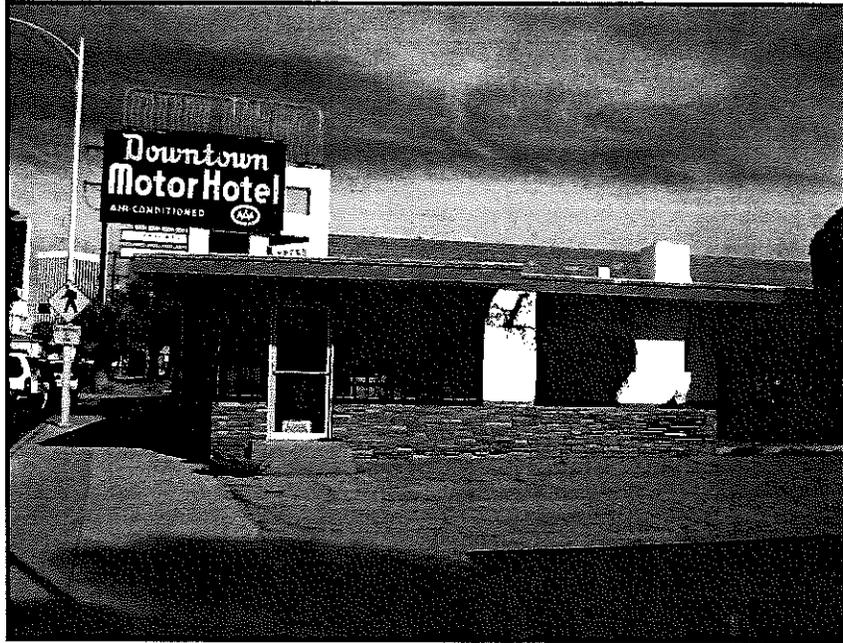


Figure 1. Location of the project area (U.S.G.S. Tucson, Arizona 7.5 Minute quadrangle map, T14S, R13E; scale = 1:24,000). UTM coordinates are recorded in North American Datum (NAD) 83.



a

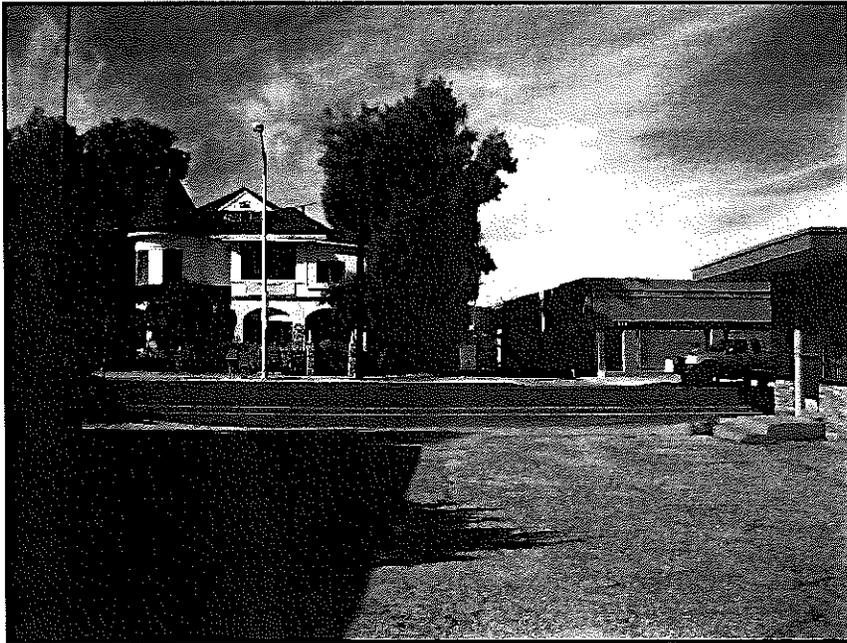


b

Figure 2. Views of the Downtown Motor Hotel: a, view to the north; b, view to the east.



a



b

Figure 3. Views of the Downtown Motor Hotel: a, view to the southeast; b, view to the west.



U.S. Fish and Wildlife Service

National Wetlands Inventory

1000

Jul 2, 2015



Wetlands

- Freshwater Emergent
- Freshwater Forested/Shrub
- Estuarine and Marine Deepwater
- Estuarine and Marine
- Freshwater Pond
- Lake
- Riverine
- Other

Riparian

- Herbaceous
- Forested/Shrub

Riparian Status

- Digital Data

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

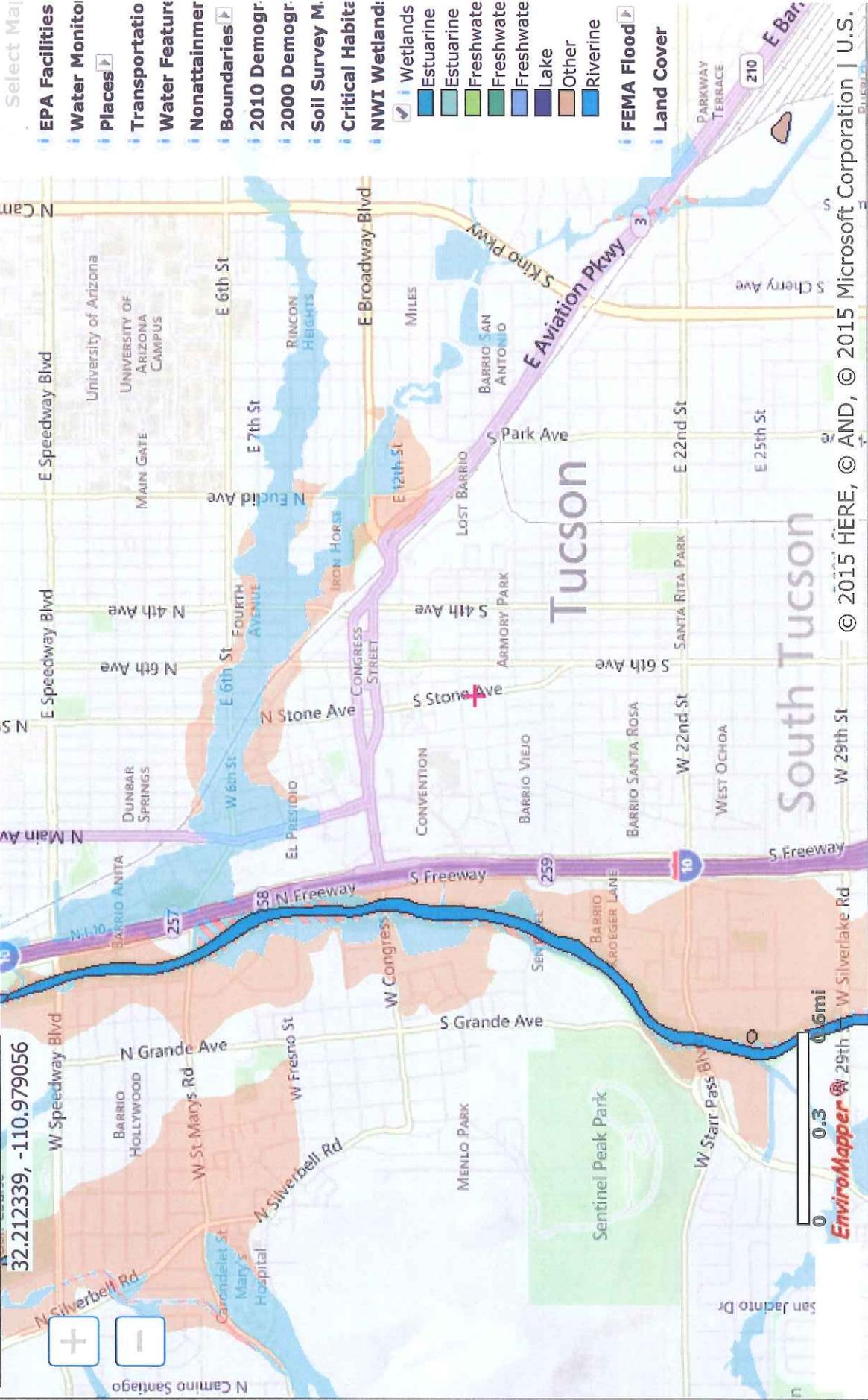
User Remarks:

383 S. Stone Avenue, Tucsc

32.212339, -110.979056



Print Basemap Imagery Measure Draw Erase More Data



- Select Map
- EPA Facilities
- Water Monito
- Places
- Transportatio
- Water Featurt
- Nonattainmer
- Boundaries
- 2010 Demogr.
- 2000 Demogr.
- Soil Survey M.
- Critical Habita
- NWI Wetland:

- Wetlands
- Estuarine
- Estuarine
- Freshwater
- Freshwater
- Freshwater
- Lake
- Other
- Riverine

- FEMA Flood
- Land Cover

COASTAL ZONE



Terrain, Directions

Map data ©2015 Google, INEGI 200 mi 

Pacific Southwest, Region 9

Serving: Arizona, California, Hawaii, Nevada, Pacific Islands, Tribal Nations

Ground Water

Ground Water Quick Finder

[Ground Water Home](#)
[Class V Wells](#)
[Cesspools in Hawaii](#)

[Onsite Sewage Treatment Permits](#)

[Sole Source Aquifer Source Water Protection](#)

[Tribal Water Protection](#)
[Underground Injection Wells](#)

Sole Source Aquifer

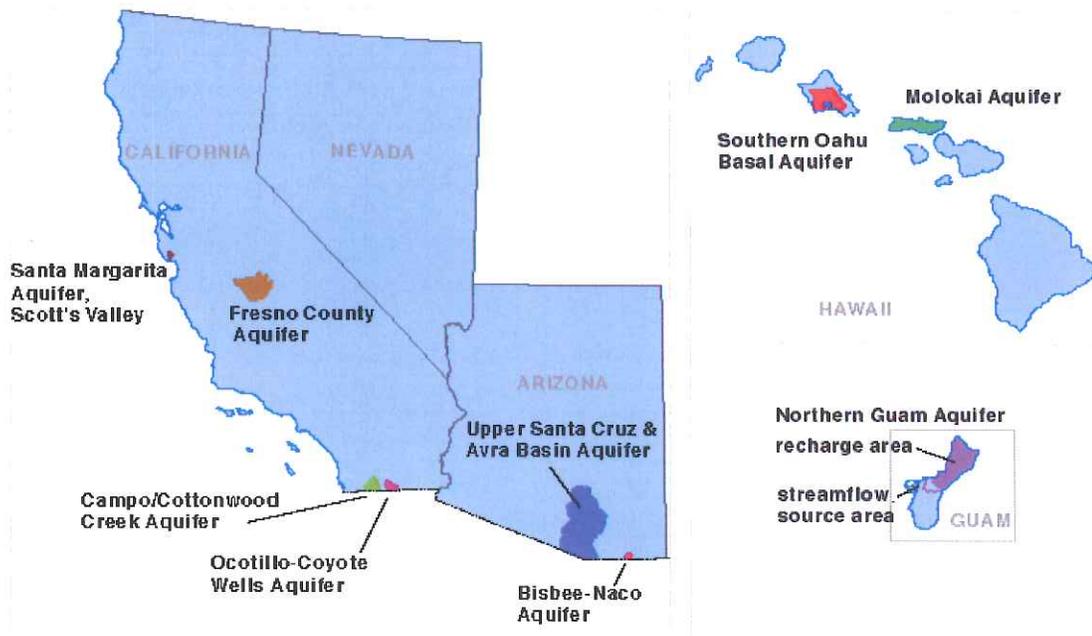
The EPA's Sole Source Aquifer (SSA) Program was established under Section 1424(e) of the Safe Drinking Water Act (SDWA.) Since 1977, it has been used by communities to help prevent contamination of groundwater from federally-funded projects. It has increased public awareness of the vulnerability of groundwater resources. The SSA program allows for [EPA environmental review \(PDF\)](#) (1pg, 34K) of any project which is financially assisted by federal grants or federal loan guarantees. These projects are evaluated to determine whether they have the potential to contaminate a sole source aquifer.

National Links

[EPA Ground Water & Drinking Water Home](#)

You will need Adobe Reader to view some of the files on this page. See [EPA's PDF page](#) to learn more about PDF, and for a link to the free Adobe Reader.

In Region 9, nine sole source aquifers have been designated:



Maps

Click [here](#) for a national layer including all available coverage for Sole Source Aquifers (SSA) that can be used in Geographic Information Systems (GIS)

State	Sole Source Aquifer Name	Federal Reg. Cit	Publ. Date	Map
AZ	Upper Santa Cruz & Avra Basin Aquifer	49 FR 2948	01/24/84	KMZ PDF (1 pg, 1.3M)
AZ	Bisbee-Naco Aquifer	53 FR 38337	09/30/88	KMZ PDF (1 pg, 175K)
CA	Fresno County Aquifer	44 FR 52751	09/10/79	KMZ PDF (1 pg, 1.3M)
CA	Santa Margarita Aquifer, Scotts Valley	50 FR 2023	01/14/85	KMZ PDF (1 pg, 434K)
CA	Campo/Cottonwood Creek	58 FR 31024	05/28/93	KMZ PDF (1 pg, 321K)
CA	Ocotillo-Coyote Wells Aquifer	61 FR 47752	09/10/96	KMZ PDF (1 pg, 337K)
GU	Northern Guam Aquifer System	43 FR 17867	04/26/78	KMZ PDF (1 pg, 400K)
HI	Southern Oahu Basal Aquifer	52 FR 45496	11/30/87	KMZ PDF (1 pg, 716K)

EM
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Memorandum of Understanding
Between
The Department of Housing and Urban Development
Region IX, San Francisco, CA, and
The Environmental Protection Agency, Region IX, San Francisco, CA

RECEIVED
JAN 11 1970
U.S. DEPT. OF HOUSING
& URBAN DEVELOPMENT

I. INTRODUCTION and PURPOSE

This Memorandum of Understanding (MOU) is a record of agreement between the Region IX Offices of the U.S. Environmental Protection Agency (EPA) and the Department of Housing and Urban Development (HUD) concerning EPA review of projects receiving Federal financial assistance and that may affect Region IX sole source aquifers designated pursuant to Section 1424(e) of the Safe Drinking Water Act (PL 93-523). This MOU outlines the steps that will be followed by HUD in determining which projects should be subject to review, and the procedures that will be followed by both agencies in meeting the requirements of Section 1424(e).

Pursuant to Section 1424(e), EPA has designated six (6) aquifers in Region IX (others may be added from time to time) which are the sole or principal source of drinking water for all municipal and private water systems in that watershed, and that if contaminated, would create a significant hazard to public health.

Therefore, per this MOU, no HUD (or HUD grant recipient) commitment for Federal financial assistance and/or Federal insurance may be entered into for any project which EPA pre-determines may contaminate the aquifer through its streamflow source and recharge zones so as to create a significant hazard to public health.

The purpose of this MOU is to ensure that each project proposed within an EPA designated sole source aquifer area (see attached maps) that is to receive HUD mortgage insurance or other financial assistance, is designed and constructed in a manner that will not cause contamination of any EPA designated sole source aquifer nor cause a public health hazard in connection with such designated sole source aquifers. In order to achieve this purpose, HUD or HUD Community Development Block Grant recipients (See Section III) will notify EPA of all applications for projects listed in II-A below at the earliest possible date. If an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA) is prepared for any project in the sole source aquifer area, HUD and EPA will coordinate so that the Draft EIS for the project contains EPA's 1424(e) comments.

II. PROJECT IDENTIFICATION

- A. The following projects will be referred to EPA for review/comments under Section 1424(e):

Projects that are located within an EPA designated sole source aquifer area for which HUD mortgage insurance or other assistance is requested, and which involve:

1. Agricultural activities including but not limited to land related operations employed in the production, raising, processing and marketing of crops or livestock.
 2. Construction of (or addition to) residential, commercial or industrial projects, or public facilities, or land developments, whose sanitation facilities will consist of individual disposal systems (cesspools, septic tanks with leach fields or seepage pits), or community sewerage systems (owned either privately or by a homeowners association), or a proposed (i.e. not yet in place) publicly owned piped sanitary sewer system, the discharge from which will terminate within the watershed of the aquifer.
 3. The preparation of an EIS.
 4. Existing or proposed industrial projects which manufacture, store, transport, or dispose of toxic chemicals or radioactive materials.
 5. Acquisition of a site intended to be used for a sanitary landfill and its operation, or closure of a sanitary landfill.
 6. Construction or abandonment of a water well.
 7. Facilities which dispose of their waste water in either dry wells, retention ponds, or by other methods not employing a treatment plant.
- B. The EPA and HUD mutually agree that activities listed below would not affect water quality in Region IX sole source aquifers, and need not be referred to EPA for evaluation prior to HUD approval:
1. Construction of (or addition to) residential, commercial or industrial projects, or public facilities, or land developments, which will be served by an existing and publicly owned and operated sewerage system and treatment plant which is not subject to a locally or EPA imposed moratorium, except for any development covered in A above.
 2. Acquisition, disposition, rehabilitation, reconstruction or modernization of existing projects, buildings, and public facilities.

3. Financial assistance (loans or grants) including refinancing, or provision of mortgage insurance on existing projects, properties, buildings or developments.
4. Public services, preparation of environmental studies or project plans, planning activities, technical assistance and training, payment/repayment or reimbursement of loans or interest.
5. Emergency activities for mitigating an imminent threat to health and safety.

III. COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS

HUD regulations, at 24 CFR Part 58, implement the requirements of section 104(g) of the Housing and Community Development Act of 1974, as amended, and apply to activities and projects funded with HUD assistance, under all Community Development Block Grant (CDBG) and other grant programs. This includes entitlement grants, non-entitlement (i.e. small cities) grants administered by HUD or by States, and grants to Indian tribes.

Pursuant to section 104(g), a grant recipient's assumption of the responsibility for environmental review and decision making, includes such responsibilities under the other provisions of law and authorities specified at 58.5.

Before committing any CDBG or other grant funds (other than for activities exempt under 58.34), the recipient must certify that it has complied with the requirements and obligations which would apply to HUD under the other laws and authorities, including Section 1424(e) of the Safe drinking Water Act of 1974, as amended.

The following procedures shall apply to CDBG applications in addition to those specified in Section IV below:

- A. HUD will inform all CDBG recipients, and States which administer the Small Cities Block Grant program, that a 1424(e) review will be required for all projects listed in II-A above.
- B. If the recipient submits a Request for Release of Funds (RROF) and certification for a project listed in II-A above, and which EPA has determined will contaminate the sole source aquifer so as to create a hazard to public health and has so advised the recipient in writing, the EPA shall submit an objection to the RROF to HUD (or to the State in the case of a state administered Small Cities Block Grant program) within 15 days from the time EPA receives the Notice of Intent to RROF. In such cases, HUD (or the State) will not release the funds until the matter has been resolved between EPA and the recipient, and HUD (or the State) has been so advised in writing.

- C. The environmental requirements for multi-year projects must encompass the entire multi-year scope of activities and be included in the RROF and certification.

IV. REVIEW PROCEDURE

- A. Upon receipt of applications by HUD, or prior to submitting a RROF and certification to HUD (or to the State) by a recipient, for projects meeting the criteria in II-A above, the HUD office will send copies of the application, or the recipient will send a brief description of the proposed project (see 2 below), to EPA for its review.
1. EPA shall notify the HUD Office (or the recipient) in writing within 10 calendar days to request additional information it may need to conduct its review.
 2. Information needed by EPA normally includes the following and may be submitted concurrently with Item IV-A above:
 - (a) Location map identifying project location relative to the sole source aquifer area, and topographic map.
 - (b) Description and objective of project activity, including project design, materials to be used, assessment of potential impacts on ground water quality and quantity, and alteration of natural topography and vegetation.
 - (c) Names/addresses/telephone numbers of any City, County, State or Federal agencies that are involved.
 3. EPA shall have 30 calendar days to review and submit its comments to the HUD Office, or to the recipient. The 30 day period will begin when EPA has received the additional data it may have requested.
 4. EPA may request and HUD (or the recipient) may grant additional time for review and comment in exceptional cases. Requests and approvals shall be in writing.
 5. HUD (or the recipient) may approve the project if no EPA approval has been received within the normal 30 days or longer agreed-to period.
 6. EPA review recommendations shall be sent directly to the HUD Office, or to the recipient, as applicable.
 7. When the project reviewed was submitted to EPA by a HUD Field Office, a copy of EPA comments shall also be submitted to:
HUD Regional Environmental Officer
San Francisco, CA 94102

- B. Each Draft EIS prepared by HUD or by a recipient, for projects within a sole source aquifer area, shall reflect EPA comments.
- C. Materials submitted to EPA by HUD or recipients under this Memorandum of Understanding will be addressed to the attention of the Office of Ground Water (W-1-G), EPA Region IX, San Francisco, CA 94105.
- D. Local Area Certification (HUD Handbook 4135.1 Rev 2) - If all or part of the geographical boundaries of a certifiable or conditionally certifiable community are within a sole source aquifer area, and residential land developments will meet criteria II.A. 2 above, the HUD office may consult with EPA as part of the certification review process.
- E. HUD and EPA will each assign liaison personnel to serve as contact points and to be responsible for maintaining communications as to procedures and activities of their respective agency in Federal Region IX. The liaison personnel are:

HUD: Regional Environmental Officer
San Francisco, CA 94102

EPA: Director, Office of Groundwater,
San Francisco, CA 94105

The liaison personnel, accompanied by appropriate staff, will hold meetings as needed to discuss matters of concern related to Region IX aquifers and this Memorandum of Understanding.

- F. The Memorandum of Understanding is subject to revision upon agreement of both parties.

U.S. Department of Housing
and Urban Development

U.S. Environmental
Protection Agency




Regional Administrator-Regional
Housing Commissioner

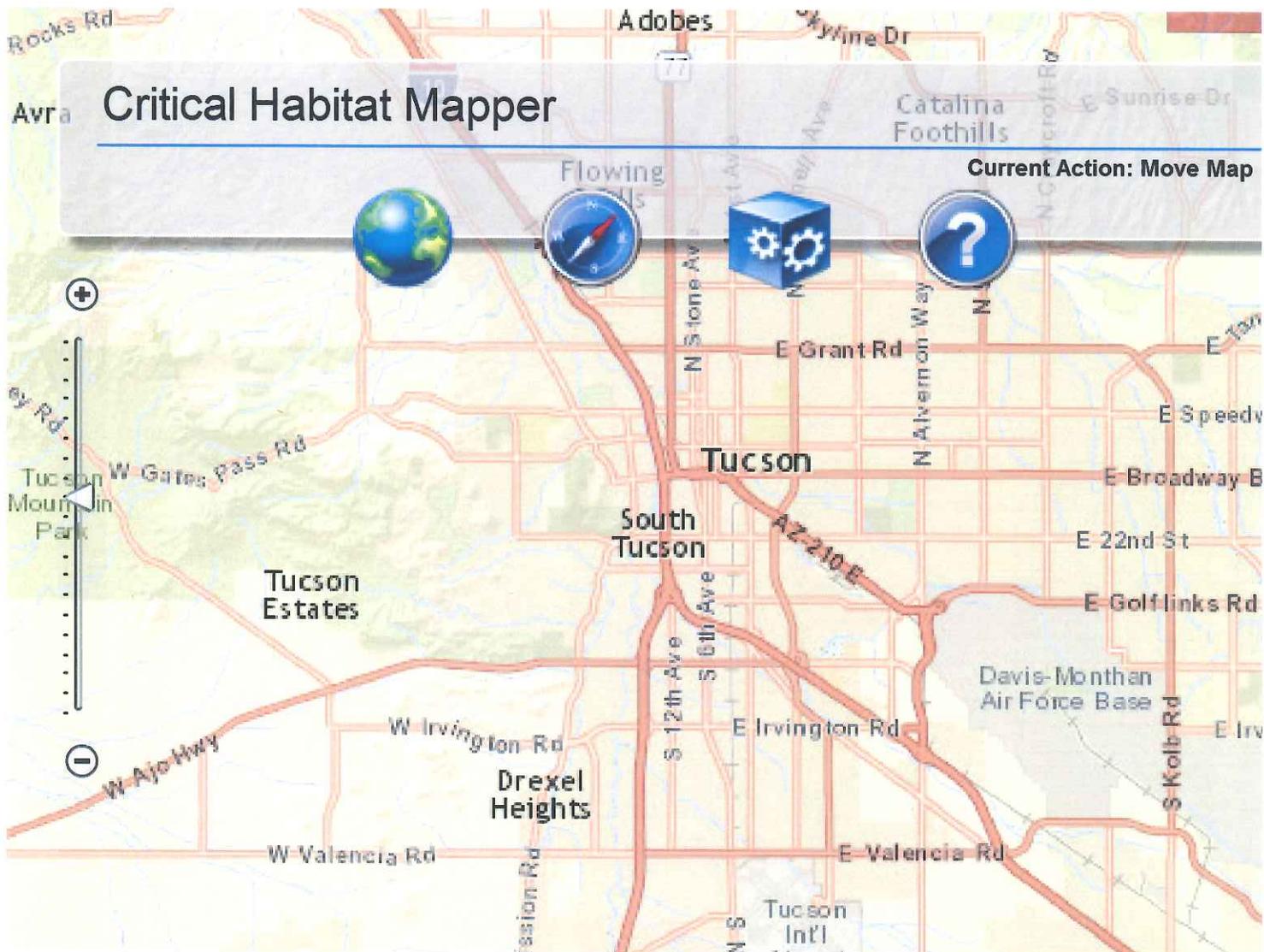
Regional Administrator

Date: 1/8/90

Date: 4.30.90

Critical Habitat Mapper

Current Action: Move Map



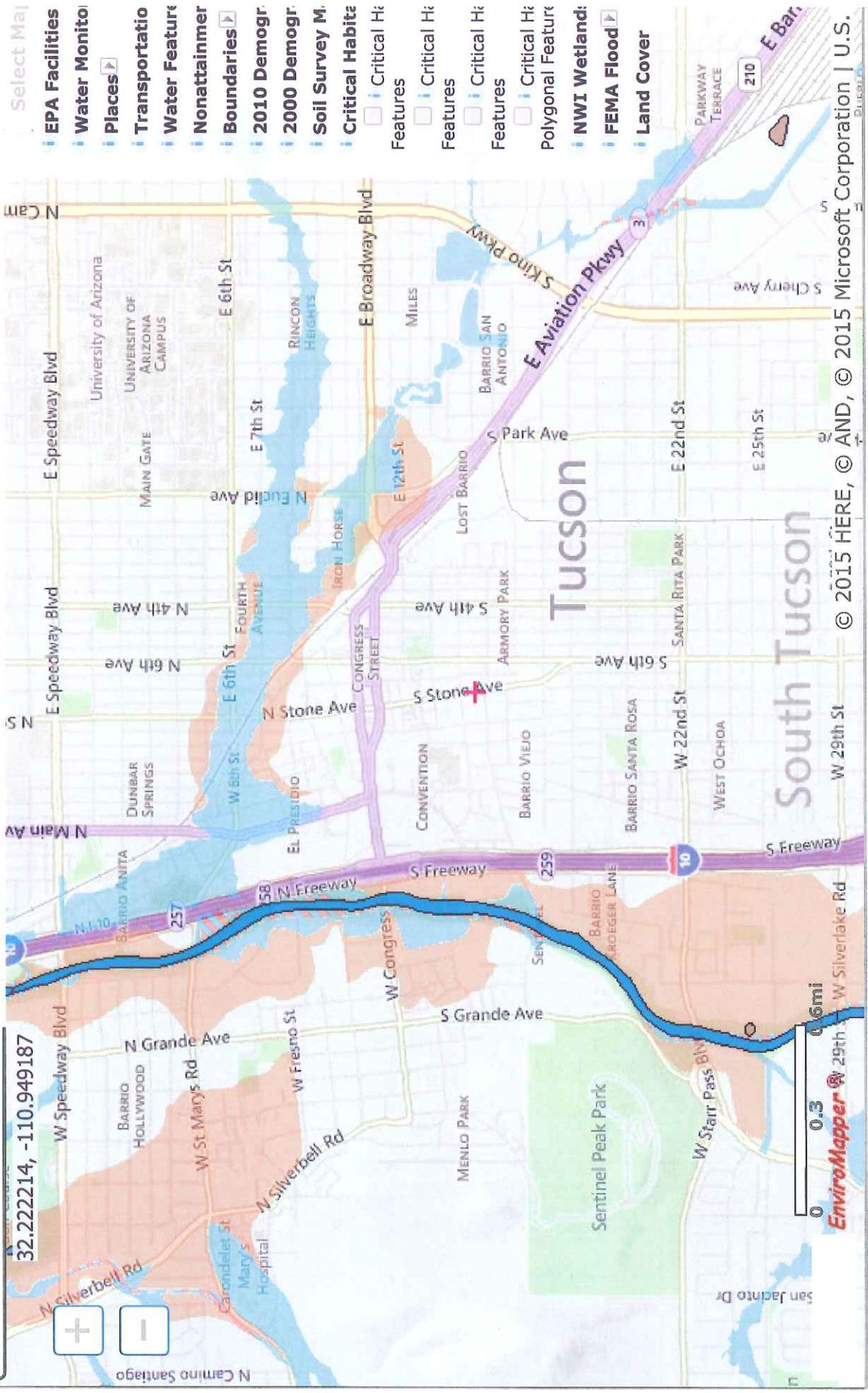
NEPASSIST CRITICAL HABITAT

383 S. Stone Avenue, Tucsc

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Print Basemap Imagery Measure Draw Erase More Data



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- Water Monito
- Places
- Transportatio
- Water Feature
- Nonattainmer
- Boundaries
- 2010 Demogr.
- 2000 Demogr.
- Soil Survey M.
- Critical Habite
- Critical Hi Features
- Critical Hi Features
- Critical Hi Features
- Critical Hi Features
- Polygonal Feature
- NWI Wetland:
- FEMA Flood
- Land Cover



WILD & SCENIC RIVERS

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My Region Discover Rivers What We Do Most Endangered Rivers News & Media Take Action

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Home | Issues Affecting Our Rivers | Protecting the Last Free Rivers | Map of Wild and Scenic Rivers

Map of Wild and Scenic Rivers

Explore this map that shows all **Wild and Scenic Rivers**. Only a fraction of one percent of rivers nationwide remain wild and free, unencumbered by dams and poorly planned development. American Rivers is dedicated to conserving these rivers while we still can through Wild and Scenic River designation, the strongest and most effective tool to protect rivers and the lands along their banks. Learn more about our Wild and Scenic campaigns at www.AmericanRivers.org/WildandScenic.

Wild & Scenic Rivers

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[Reset view](#)

Wild & Scenic Rivers

[Zoom to area](#)

Wild And Scenic Rivers

American Rivers is dedicated to conserving these rivers while we still can through Wild and Scenic River designation, the strongest and most effective tool to protect rivers and the lands along their banks. We have launched a campaign to protect 1,500 miles of these rivers and 500,000 acres of riverside lands over the next 5 years.

Rivers dataset from National Wild and Scenic Rivers System: www.rivers.gov

American Rivers
Rivers Connect Us®

Map data © Report a map error

If you have information to update this map, email us at outreach@www.americanrivers.org.

197

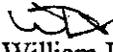


MEMORANDUM



DATE: July 9, 1997

TO: Celia Bavier
Project Coordinator
Community Services Department

FROM:  William D. Vasko
Director
Planning Department

SUBJECT: Environmental Reviews of Community Services Department Projects

The Planning Department is responding to your memorandum dated June 30, 1997 requesting a determination on various environmental designations for areas within the Tucson city limits. Our determinations follow and are numbered to correspond to the statements in your memorandum.

WILD AND SCENIC RIVERS

1. There are no rivers within the Tucson City limits that fall under the federal Wild and Scenic Rivers Act. Tucson's *General Plan* shows no such designation for waterways within City limits.

FARMLANDS

2. There are no farmlands with the Tucson City limits that fall under the federal Farmland Protection Policy Act. Our interpretation of the Act is that two points must be met. One, the farmland must be prime farmland as certified by the United States Department of Agriculture Soil Conservation Service and two, designated as having State or local significance. The *Tucson Land Use Code* and the *Tucson General Plan* have no district or designation for significant farmland within City limits.

WETLANDS

3. The United States Army Corps of Engineers are the agency which are able to verify, on a case by case basis, if a property falls under the requirements of the Protection of Wetlands Act. We phoned Robert Dummer at the Army Corps field office in Phoenix (602) 640-5385 who stated that there are wetlands within the Tucson City limits. However, he also stated that no 404 Permit is required for rehabilitation of existing structures. Changes to a site adjacent to a waterway may constitute a requirement for a 404 Permit but can only be determined on a site-by-site basis.

COASTAL ZONE

4. Tucson is not in or around a coastal zone. We are located in south-central Arizona within the Sonoran Desert, approximately 200 miles from the Sea of Cortez in Mexico and 375 miles from the West Coast.

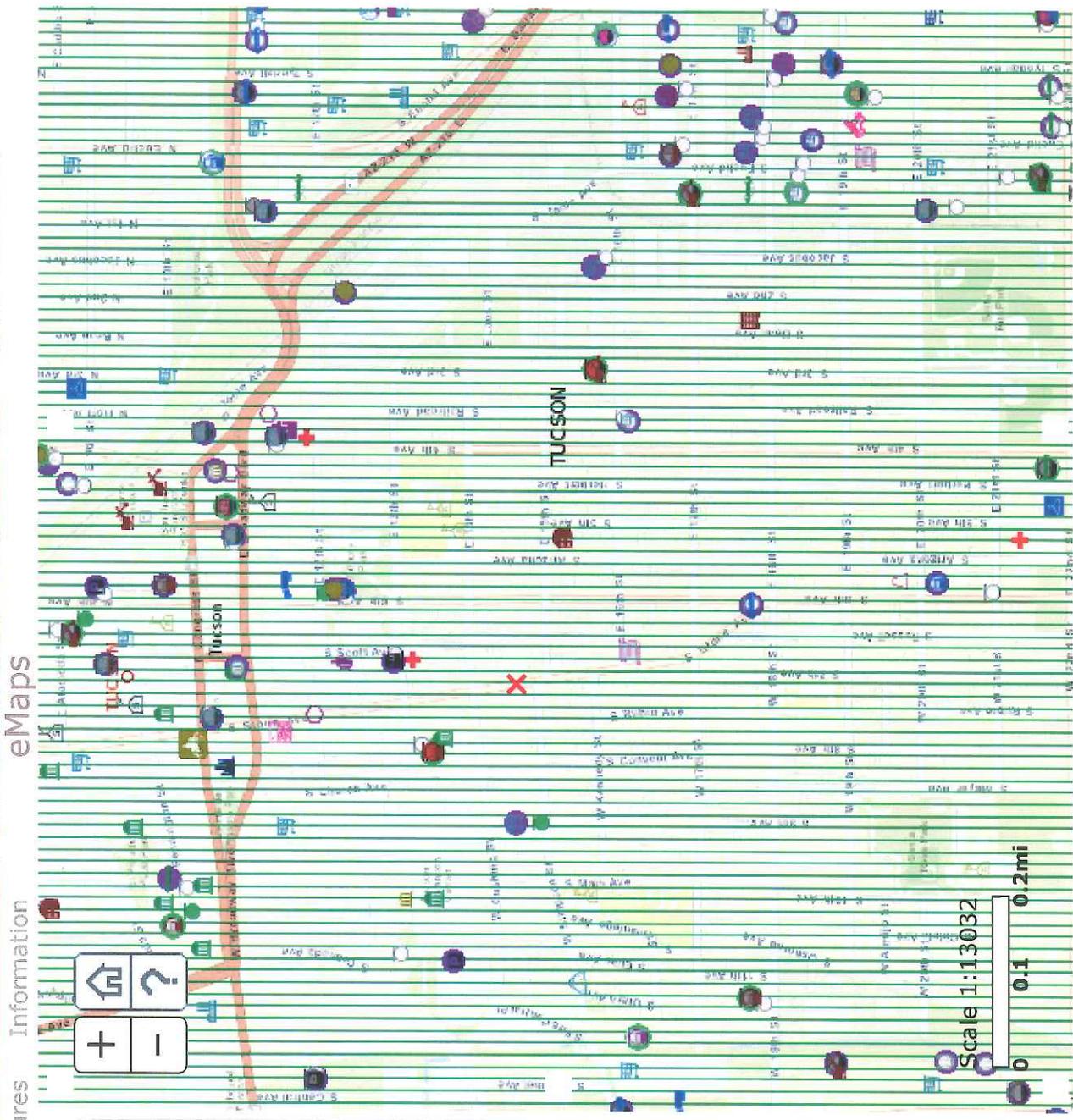
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AIR QUALITY



- Pan Map
- Legend
- Forms
- Navigation
- Features
- Information
- eMaps

ADEQ (agency-wide)	
Air Quality	
<input checked="" type="checkbox"/>	Carbon Monoxide - Maintenance
<input checked="" type="checkbox"/>	Ozone 8-Hour - Non-attainment
<input checked="" type="checkbox"/>	PM2.5 - Non-attainment
<input checked="" type="checkbox"/>	PM10 - Non-attainment
<input checked="" type="checkbox"/>	PM10 - Maintenance
<input checked="" type="checkbox"/>	Sulfur Dioxide - Non-attainment
<input checked="" type="checkbox"/>	Sulfur Dioxide - Maintenance
<input type="checkbox"/>	VEI - Area A
<input type="checkbox"/>	VEI - Area B
<input type="checkbox"/>	VEI - Stations
<input checked="" type="checkbox"/>	Federal Class I
<input type="checkbox"/>	Monitors
Waste Programs	
Water Quality	
Schools	
Political	
Public Land Survey System	
Transportation	
Hydrography	
Boundaries	



Pacific Southwest, Region 9

Serving: Arizona, California, Hawaii, Nevada, Pacific Islands, Tribal Nations

Air Actions, Arizona

Arizona-Wide

- [Regional Haze](#)
- [Motor Vehicle Program](#)
- State Implementation Plans (SIPs)
 - [Infrastructure SIPs](#)
 - [New Source Review Program](#)

Phoenix

- [Carbon Monoxide Actions in Phoenix](#)
- [Particulate Matter in Phoenix](#)
- [Ground-Level Ozone Actions in Phoenix](#)

Tucson

- [Carbon Monoxide Actions in Tucson](#)

Other Communities in Arizona

Ajo, AZ

- [Particulate Matter](#)
- [Sulfur Dioxide](#)

Douglas, AZ

- [Sulfur Dioxide](#)

Hayden, AZ

- [Lead \(Pb\)](#)
- [Particulate Matter](#)

Miami, AZ

- [Sulfur Dioxide](#)

Morenci

- [Sulfur Dioxide](#)

Nogales

- [Particulate Matter](#)

Paul Spur/Douglas

- [Particulate Matter](#)

Payson

- [Particulate Matter](#)

Pinal County

- [Particulate Matter](#)

San Manuel

- [Sulfur Dioxide](#)

Rillito

- [Particulate Matter](#)

Yuma

- [Particulate Matter](#)

Recent Additions

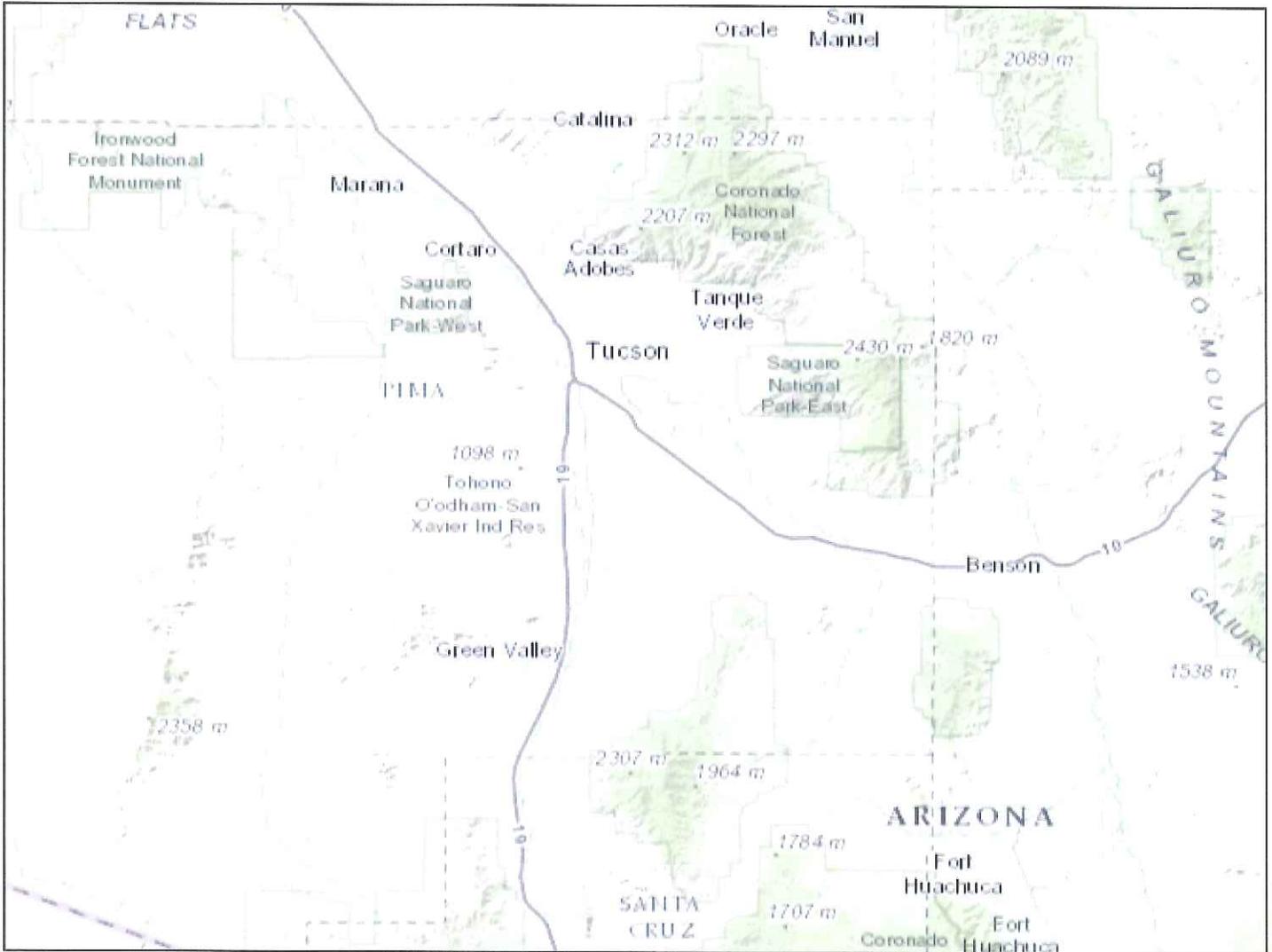
[March 5, 2015](#): Revisions to Arizona State Implementation Plan – New Source Review Program

[February 27, 2015](#): Arizona Regional Haze SIP and FIP – Apache Generating Station

FARMLAND PROTECTION POLICY

USGS National Map

The USGS Topo base map service from The National Map is a combination of contours, shaded relief, woodland and **urban tint**, along with vector layers to provide a composite topographic base map.



Esri, HERE, DeLorme, FAO, USGS, NGA, EPA, NPS

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MEMORANDUM



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FROM: William D. Vasko
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WDV:blm/ercomser



<http://www.epa.gov/environmentaljustice/basics/index.html>
Last updated on 5/24/2012

Environmental Justice

You are here: [EPA Home](#) [Environmental Justice](#) Basic Information

Basic Information

Basic Information

Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

What is meant by fair treatment and meaningful involvement?

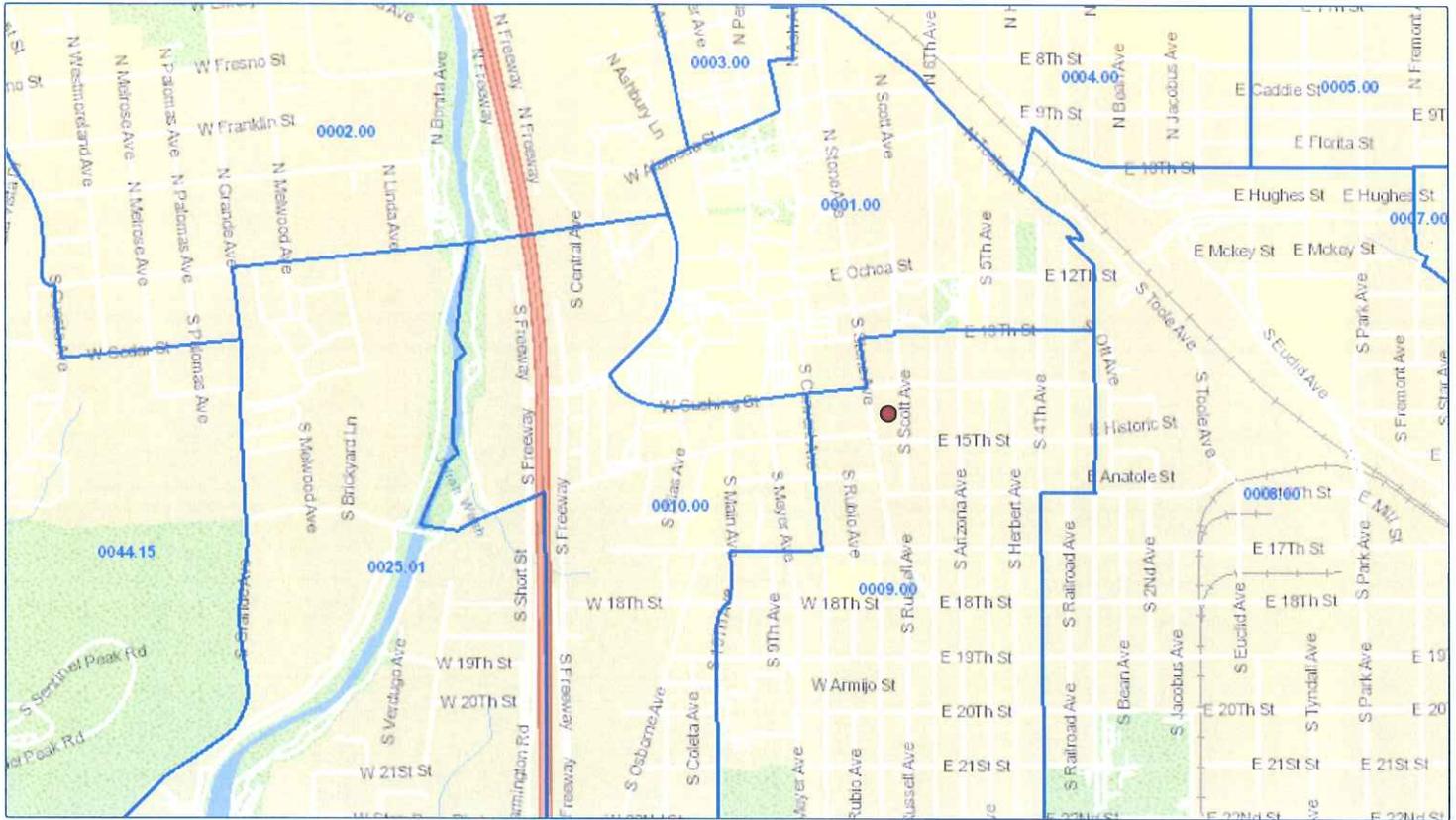
- **Fair treatment** means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies
- **Meaningful Involvement** means that:
 1. people have an opportunity to participate in decisions about activities that may affect their environment and/or health;
 2. the public's contribution can influence the regulatory agency's decision;
 3. their concerns will be considered in the decision making process; and
 4. the decision makers seek out and facilitate the involvement of those potentially affected

EPA and Environmental Justice

EPA's goal is to provide an environment where all people enjoy the same degree of protection from environmental and health hazards and equal access to the decision-making process to maintain a healthy environment in which to live, learn, and work.

EPA's environmental justice mandate extends to all of the Agency's work, including setting standards, permitting facilities, awarding grants, issuing licenses and regulations and reviewing proposed actions by the federal agencies. EPA works with all stakeholders to constructively and collaboratively address environmental and public health issues and concerns. The Office of Environmental Justice (OEJ) coordinates the Agency's efforts to integrate environmental justice into all policies, programs, and activities. OEJ's mission is to facilitate Agency efforts to protect environment and public health in minority, low-income, tribal and other vulnerable communities by integrating environmental justice in all programs, policies, and activities.

Learn more on the [history of Environmental Justice...](#)



● Matched Address: 383 S STONE AVE, TUCSON, AZ, 85701
 MSA: 46060 - TUCSON, AZ || State: 04 - ARIZONA || County: 019 - PIMA COUNTY || Tract Code: 0009.00

● Selected Tract
 MSA: || State: || County: || Tract Code:



2014 FFIEC Geocode Census Report

Address: 383 S STONE AVE, TUCSON, AZ, 85701
MSA: 46060 - TUCSON, AZ
State: 04 - ARIZONA
County: 019 - PIMA COUNTY
Tract Code: 0009.00

Summary Census Demographic Information

Tract Income Level	Moderate
Underserved or Distressed Tract	No
2014 FFIEC Estimated MSA/MD/non-MSA/MD Median Family Income	\$56,300
2014 Estimated Tract Median Family Income	\$36,404
2010 Tract Median Family Income	\$37,100
Tract Median Family Income %	64.66
Tract Population	2821
Tract Minority %	60.40
Tract Minority Population	1704
Owner-Occupied Units	461
1- to 4- Family Units	1174

Census Income Information

Tract Income Level	Moderate
2010 MSA/MD/statewide non-MSA/MD Median Family Income	\$57,377
2014 FFIEC Estimated MSA/MD/non-MSA/MD Median Family Income	\$56,300
% below Poverty Line	31.15
Tract Median Family Income %	64.66
2010 Tract Median Family Income	\$37,100
2014 Estimated Tract Median Family Income	\$36,404
2010 Tract Median Household Income	\$25,082

Census Population Information

Tract Population	2821
Tract Minority %	60.40
Number of Families	490
Number of Households	1403
Non-Hispanic White Population	1117
Tract Minority Population	1704
American Indian Population	78
Asian/Hawaiian/Pacific Islander Population	21
Black Population	79
Hispanic Population	1469
Other/Two or More Races Population	57

Census Housing Information

Total Housing Units	1515
1- to 4- Family Units	1174
Median House Age (Years)	68
Owner-Occupied Units	461
Renter Occupied Units	942
Owner Occupied 1- to 4- Family Units	461
Inside Principal City?	YES
Vacant Units	112

FFIEC 2014 FFIEC Geocode Census Report

Matched Address: 383 S STONE AVE, TUCSON, AZ, 85701
 MSA: 46060 - TUCSON, AZ
 State: 04 - ARIZONA
 County: 019 - PIMA COUNTY
 Tract Code: 0009.00

Summary Census Demographic Information

Tract Income Level	Moderate
Underserved or Distressed Tract	No
2014 FFIEC Estimated MSA/MD/non-MSA/MD Median Family Income	\$56,300
2014 Estimated Tract Median Family Income	\$36,404
2010 Tract Median Family Income	\$37,100
Tract Median Family Income %	64.66
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NOISE STUDY

Rail Distance



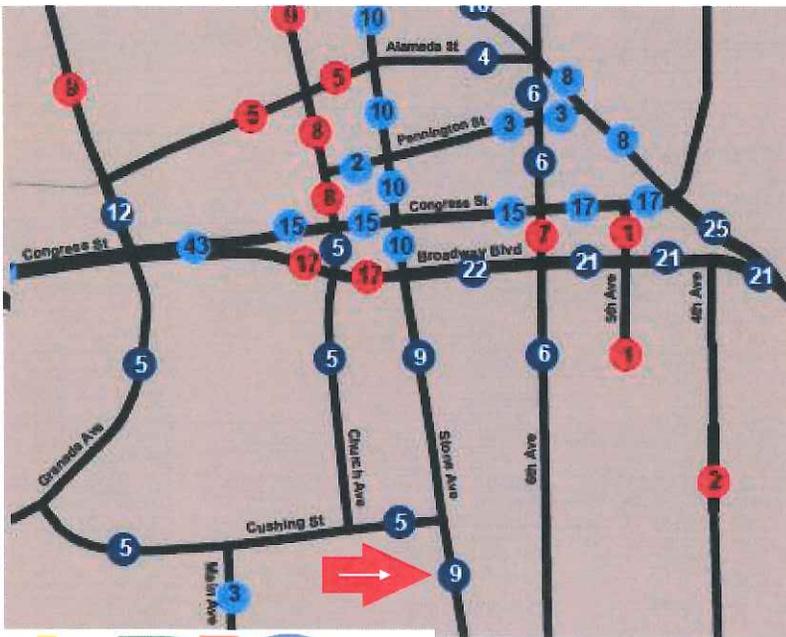
Many aspects of railine uses are restricted and initial review was conducted with UNION PACIFIC RAILROAD, CRAIG MILLER, ASST DIRECTOR PROPERTY TAX, 1400 DOUGLAS STREET, STOP 1640, OMAHA NE 68179-1640 who referred contacts to:

Brenda Mainwaring Vice President, Public Affairs
24125 Aldine Westfield Rd.
Spring, TX 77373
Phone: (281) 350-7501
and

Zoe Richmond, Director, Public Affairs
631 S. 7th St.
Phoenix, AZ 85034
Phone:(602) 322-2568
Cell: (801) 373-8842

No release of trains or engines were made by Union Pacific but Mr. Brock Nelson responding from Mr. Richmond agreed that local Tucson observations of 1 engine in use, 10-15 scheduled operations at this line, posting of 30 mph speed at this track and fewer than 150 cars was a good estimate. The only required whistle stop is at Broadway Blvd and the Rail line crossing slightly more than 2,900 feet from the subject. All railines in downtown Tucson are bolted tracks with rubberized aggregate used in noise effect suppression. All crossings are high density rubberized, flexible bridges for further noise effect reduction.

Street Distance



Our location is indicated by arrow on the Pima Association of Governments ADOT map of traffic counts at left. The traffic volume is 9,000 vehicles on average in a 24 hour period. This section of highway is prohibited from 18 wheeler through traffic.



Pima Association of Governments

177 N. Church Ave., Suite 405
Tucson, AZ 85701-1187

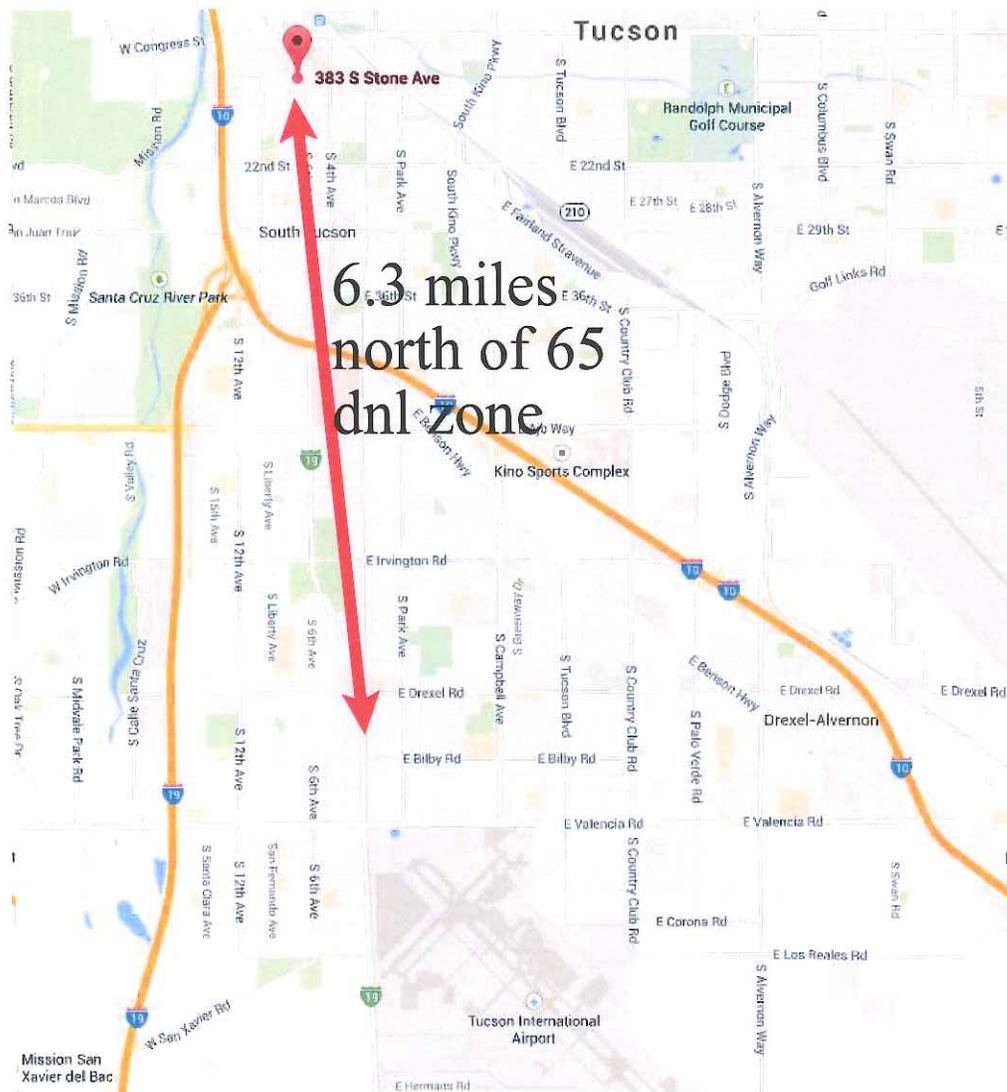
Phone: (520) 792-1093 - Fax: (520) 620-6981
Website: www.pagregion.com
Printed November 2013 - Not for resale

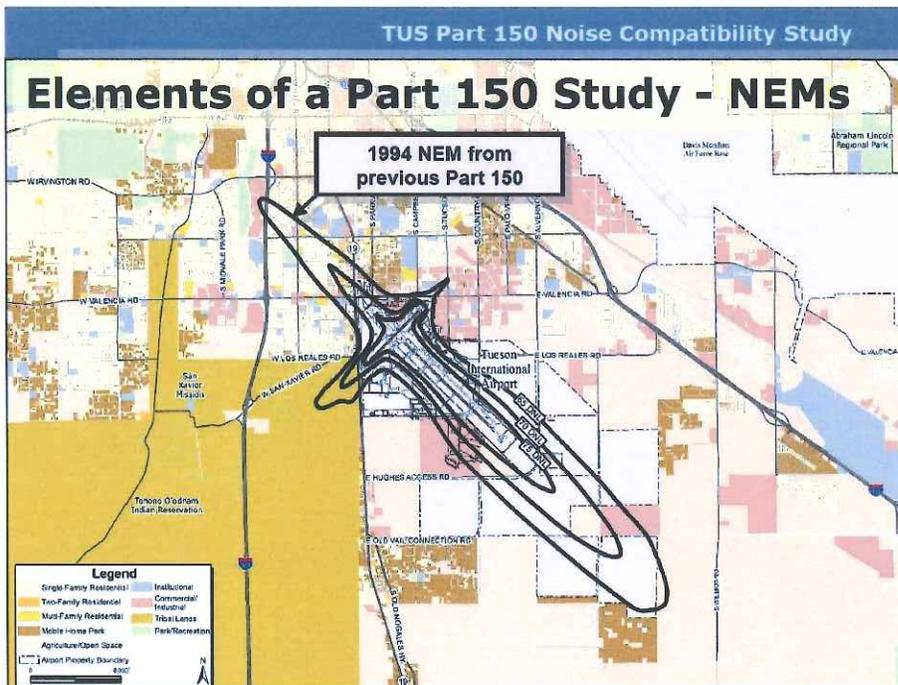


Recognizing that noise is a significant side effect of aviation, TAA developed and continues to refine a program that limits the impact of aircraft noise on the Tucson community. TAA is currently updating the Tucson International Airport Part 150 Study. The Study provides guidance and recommended strategies for ensuring the airport's compatibility with the surrounding community. Since the program's initial adoption in 1991, numerous policy, abatement and mitigation strategies have been implemented successfully; these implementing actions are further described below.

Tom Coyle, AICP
Director of Planning
tcoyle@flytucson.com
TEL: (520) 573-4811

The Tucson airport is not considered a noise effect of any adverse level to 383 S. Stone.

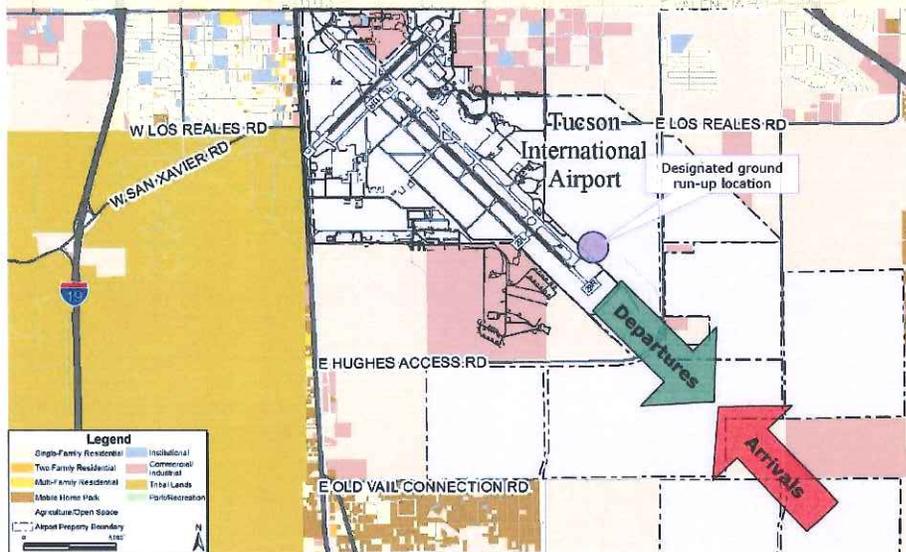




Subject site is approximately 6 miles north of the closest 65 DNL measurement and is not in a “line of flight” for the airport.

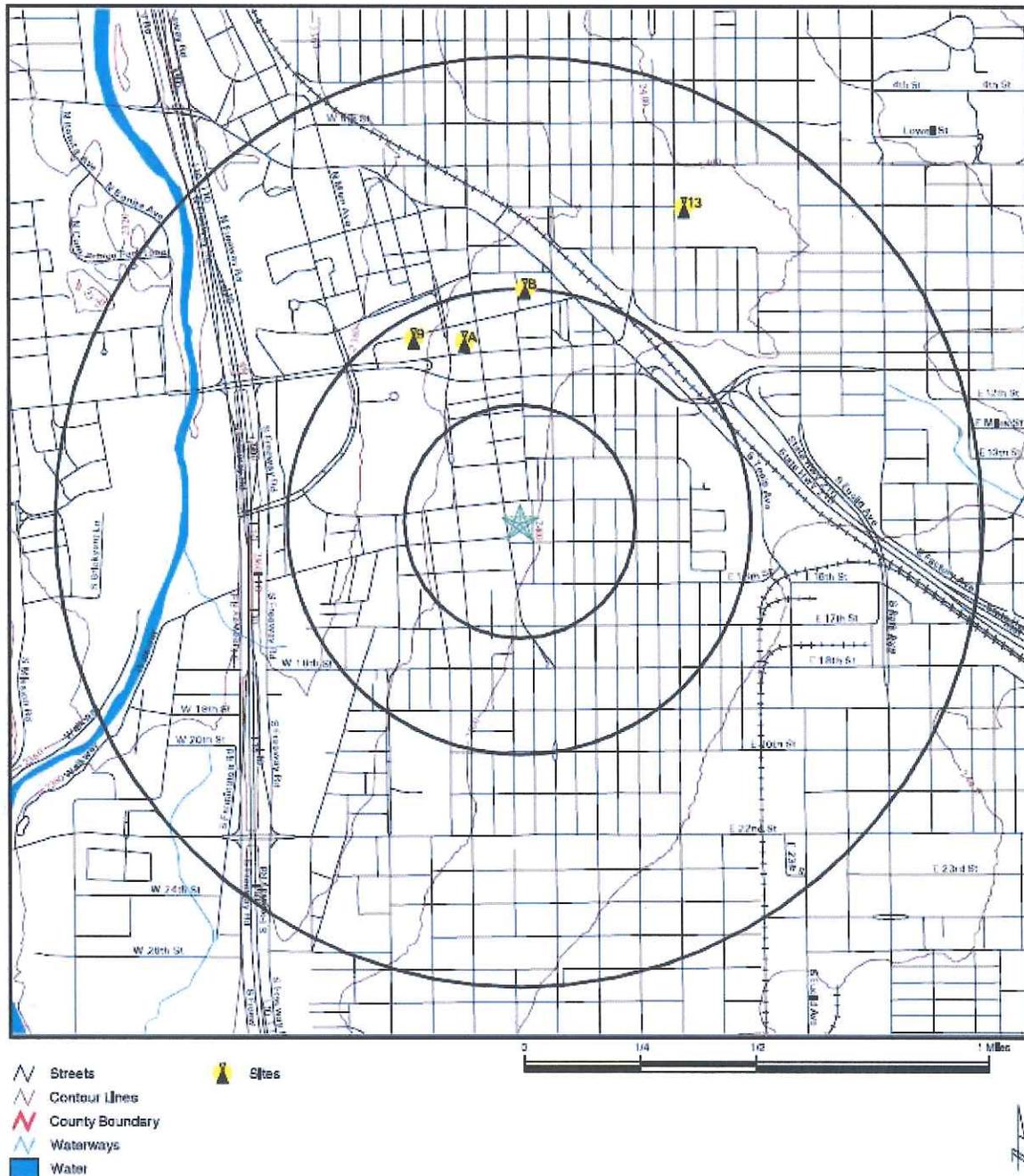
Noise Abatement Measures

- Nighttime preferential runway use focuses flights to the southeast of the airport
- Engine runups to be performed to the southeast of airport



Subject at green star at center of FCC/FAA 1 mile radius review shows no noise or other air control restrictions for the site unless greater than 10 stories in final developed height.

FCC & FAA Sites Map



FCC/FAA and air traffic controls do not exist on or near the subject. Only designated restriction is on building height of 10 or more stories/

The source material can be summarized as follows for the purpose of entry into the HUD noise evaluation system:

Arterial/Residential Street, Stone Avenue:

Closest Residential use in the site plans is 55 feet from center of the two way street. Using raw data from allowed setbacks it is possible to develop a residential unit within 35 feet of the centerline and so the closets possible distance is used in the review calculation. No stop sign on street within 300 feet for evaluation. Posted speed 35 mph with current traffic count estimate of 9,000 vehicles every 24 hours. Heavy trucks are prohibited as through traffic on this arterial/residential service street.

Union Pacific Rail Line:

Closest point of the rail to the subject is 2,486 feet. Estimates of 1 engine in use for every 100 cars being pulled was made with a frequency of 10-15 daily trips. An average of 150 cars was mentioned and an additional engine is required for each 100 cars, therefore; this calculation will use 2 engines and 200 cars as the evaluation as well as 15 trips daily. Allowed train speed has been used for the average which is 30 mph.



DNL Calculator

The Day/Night Noise Level Calculator is an electronic assessment tool that calculates the Day/Night Noise Level (DNL) from roadway and railway traffic. For more information on using the DNL calculator, view the [Day/Night Noise Level Calculator Electronic Assessment Tool Overview](#).

Compliance and Documentation

The environmental review record should contain **one** of the following:

- ✓ • Documentation the proposed action is not within 1000 feet of a major roadway, 3,000 feet of a railroad, or 15 miles of a military or FAA-regulated civil airfield
- ✓ • If within those distances, documentation showing the noise level is *Acceptable* (at or below 65 DNL)
- NA • If within those distances, documentation showing that there's an effective noise barrier (i.e., that provides sufficient protection)
- NA • Documentation showing the noise generated by the noise source(s) is *Normally Unacceptable* (66 – 75 DNL) and identifying noise attenuation requirements that will bring the interior noise level to 45 DNL and/or exterior noise level to 65 DNL

Noise Calculation on following page:

DNL Calculator

Site ID
Record Date
User's Name

Road # 1 Name:

Road #1

Vehicle Type	Cars <input checked="" type="checkbox"/>	Medium Trucks <input checked="" type="checkbox"/>	Heavy Trucks <input type="checkbox"/>
Effective Distance	<input type="text" value="35"/>	<input type="text" value="35"/>	
Distance to Stop Sign	<input type="text" value="0"/>	<input type="text" value="0"/>	
Average Speed	<input type="text" value="35"/>	<input type="text" value="35"/>	
Average Daily Trips (ADT)	<input type="text" value="9000"/>	<input type="text" value="360"/>	
Night Fraction of ADT	<input type="text" value="15"/>	<input type="text" value="15"/>	
Road Gradient (%)			
Vehicle DNL	56.2	52.2	
<input type="button" value="Calculate Road #1 DNL"/>	57.7	<input type="button" value="Reset"/>	

Railroad #1 Track Identifier:

Rail # 1

Train Type	Electric <input type="checkbox"/>	Diesel <input checked="" type="checkbox"/>
Effective Distance		<input type="text" value="2486"/>
Average Train Speed		<input type="text" value="30"/>
Engines per Train		<input type="text" value="2"/>
Railway cars per Train		<input type="text" value="200"/>
Average Train Operations (ATO)		<input type="text" value="15"/>
Night Fraction of ATO		<input type="text" value="15"/>
Railway whistles or horns?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
Bolted Tracks?	Yes: <input type="checkbox"/> No: <input type="checkbox"/>	Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
Train DNL		55.5
<input type="button" value="Calculate Rail #1 DNL"/>	55.5	<input type="button" value="Reset"/>

Airport Noise Level

Loud Impulse Sounds? Yes No

Combined DNL for all Road and Rail sources **59.7**

Combined DNL including Airport **N/A**

SUMMARY: Combined noise sources calculated at high levels for the average were found to be at approximately 60 DNL and below the 65 DNL level which would require special mitigations. This project does incorporate various insulation features which will have the effect of further noise reductions.

NEPASSIST TOXIC/HAZARDOUS SITES



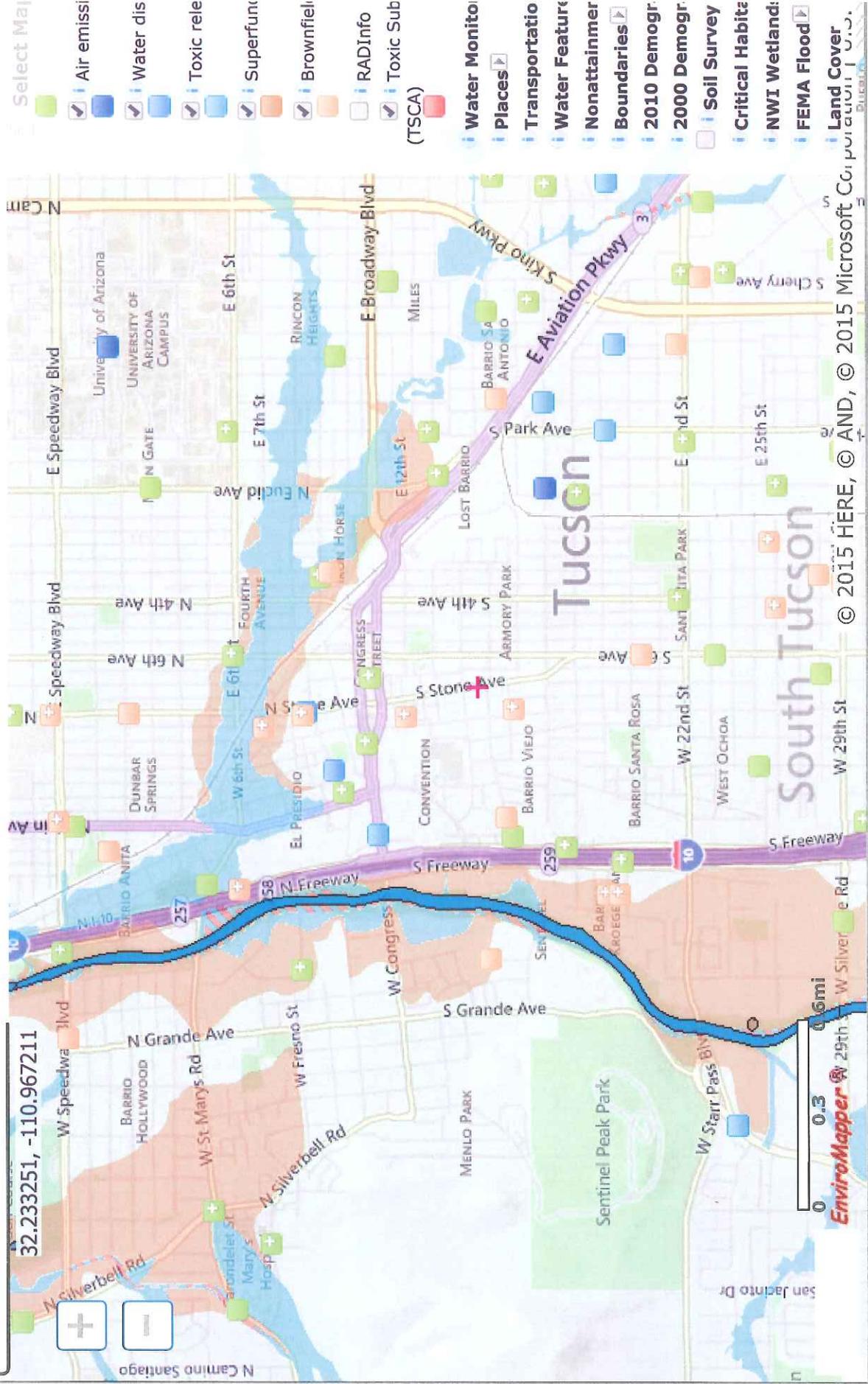
Home | Help

383 S. Stone Avenue, Tucson

32.233251, -110.967211



Print | Basemap | Imagery | Measure | Draw | Erase | More Data



EnviroMapper

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HAZARDOUS OPERATIONS



Pan Map
Navigation
Features
Information
eMaps

Layers
Legend
Forms
Features

ADEQ (agency-wide)

Air Quality

Waste Programs

- Brownfield Grant Sites
- DEUR Sites
- Hazardous Waste - LQG
- Hazardous Waste - TSD
- Landfills - Municipal
- Landfills - Non-Municipal
- Material Recovery Facilities
- Superfund
- UST - Place Facilities
- UST - Releases
- UST - Tanks

Water Quality

Schools

Political

Public Land Survey System

Transportation

Hydrography

Boundaries

Scale 1:13032

0 0.1 0.2mi



Navigation

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Features

ADEQ (agency-wide)

 **AZURITE Places**

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