



CITY OF TUCSON
HOUSING & COMMUNITY DEVELOPMENT DEPARTMENT
ADMINISTRATION DIVISION

September 29, 2015

Ernest Molins
Regional Environmental Officer
Office of Environment & Energy
One Sansome Street, Suite 1200
San Francisco, CA 94104-4430

Via Email: Ernest.Molins@hud.gov

Subject: Downtown Motor Lodge Objections to Release of Funds – Response

Dear Mr. Molins:

This letter serves to provide the response to objections received by HUD to the release of funds related to the Downtown Motor Lodge in accordance to the letter dated September 23, 2015. After reviewing the objections received both during and prior to the formal objection period I, as the certifying official, provide the following response to the allegation that the City of Tucson (COT), Housing and Community Development (HCD) Department, as the Responsible Entity, has “omitted” the following “steps:”

1. “documenting compliance with 24 CFR 58.5(a), Section 106 of the National Historic Preservation Act, including but not limited to steps taken to mitigate adverse effects on historic properties”
 - a. The Section 106 Process as regulated at 36 CFR 800 requires the following four steps:
 - i. Initiate the Process (36 CFR 800.3)
 1. Establish an undertaking
 - a. When the complete and accepted HOME application was forwarded from the HOME Program staff to the environmental officer on 10/14/14 the environmental officer forwarded the information to the City’s Historic Preservation Officer (HPO), Dr. Jonathan Mabry, in accordance with the HCD’s Environmental Review process.
 - b. The HPO reviewed the project and determined it to be an undertaking in accordance with 36 CFR 800.16(y) and that it was the type of activity that had the potential to cause effects on historic properties and that the project was not located on tribal land.
 2. Coordinate with other reviews



- a. The City of Tucson HCD coordinates the Section 106 Process with the National Environment Policy Act (NEPA) review in accordance with 36 CFR 800.3(b)
3. Notify SHPO/THPO
 - a. The HPO reviewed the Programmatic Agreement among the City of Tucson, the Advisory Council on Historic Preservation (ACHP), and the Arizona State Historic Preservation Officer.
 - b. On 10/15/14 a conference call was held with the HUD Environmental Office, AZ SHPO, the City of Tucson, and the developer to clarify that in accordance with Section IV(D) of the Programmatic Agreement the project would require SHPO consultation as it proposed demolition of an eligible or listed property.
 - c. The AZ SHPO was notified as required and participated in the 10/15/14 conference call
4. Plan to involve the public
 - a. On 10/23/14 two public meetings were scheduled for 10/28/14 & 11/20/14
 - b. The City developed a website (<https://www.tucsonaz.gov/hcd/downtown-motor-hotel-section-106-process>) for the Section 106 Process where project and process updates and public comments and responses are updated continuously.
5. Identify tribes and other consulting parties
 - a. The entitled consulting parties in accordance with 36 CFR 800.2(c) were identified as: the City of Tucson as the Agency Official and Representative of local governments, the ACHP, the State Historic Preservation Officer, the Applicant, and Indian Tribes and Native Hawaiian Organizations
 - b. In accordance with the Programmatic Agreement Section V(F) 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. Dr. Jonathan Mabry reviewed the archaeological report completed by Aztlan Archaeology, Inc on 11/17/14 revised 12/30/14 and deemed the project will not have an adverse affect on prehistoric archaeological resources and therefore the tribes were not consulted.
 - c. Additional consulting parties were identified through consultation with SHPO and participation in the public meetings and the following organizations were identified as consulting parties:
 - i. The Tucson Historic Preservation Foundation (THPF) – as the largest private organization preserving and celebrating the distinctive and irreplaceable historic resources of Tucson, Pima County and Southern Arizona.
 - ii. The Tucson Pima County Historical Commission, Plans Review Subcommittee (TPCHC-PRS)– as an additional representative of local government and participating organization in the Programmatic Agreement between the City of Tucson, the Arizona State Historic Preservation Office, and the ACHP.



- iii. The Armory Park Historic Zone Advisory Board (APHZAB) – although the subject property is not in the local Armory Park Historic Preservation Zone it is in the Armory Park Historic District.
 - iv. The Armory Park Neighborhood Association (APNA) – as the neighborhood association in which the subject property is located.
 - d. The City received and reviewed over a hundred requests from individual property owners requesting to participate as consulting parties. The City determined in consultation with SHPO that it was not reasonably possible to include all interested property owners as consulting parties and that the interests of the individual property owners were being represented by the neighborhood association, historic zone advisory board, historic commission subcommittee and the private foundation who in turn consulted with their respective committees and others. The City later consulted with ACHP and the decision was affirmed.
 - i. The City responded to each request advising that individual property owners would not be included as consulting parties but that their comments, letters, and correspondence would be reviewed and considered as part of the Public Comment portion of the process and encouraged them to watch the website for the most current information which was updated regularly. A copy of the response can be found at https://www.tucsonaz.gov/files/hcd/12-24-2014_Response2.pdf
 - ii. Many public comments and objections received were related to individual property owners stating they were blocked from participating in the Section 106 Process when they were not as they were advised of item i. above.
- ii. Identify Historic Properties (36 CFR 800.4)
- 1. Determine Area of Potential Effect (APE)
 - a. In accordance with 36 CFR 800.4(a) the HPO consulted with SHPO to determine and document the APE.
 - b. The HPO and SHPO concurred that the APE was the Armory Park Historic District in accordance with 36 CFR 800.16(d)
 - c. After meeting with consulting parties and considering their input the APE was expanded to include Barrio Libre – the SHPO concurred. https://www.tucsonaz.gov/files/hcd/1-28-2015_Attachment_F_SHPO_letter-return-CONCUR.pdf
 - d. Due to expanding the APE to include Barrio Libre an invitation was extended to the Barrio Historico Historic District Advisory Board (BHHDAB) to participate as a consulting party as it is the historic advisory board that covers the Barrio Libre.
 - e. The City received multiple public comments and objections from the public that stated they felt the Section 106 Process was flawed because the City adjusted the APE when in fact the adjustment of the APE following



consultation validated adherence to the consultative nature, spirit, and regulations of the Section 106 Process.

2. Identify historic properties
 - a. Steps taken to identify historic properties within the expanded APE include checking the National Register of Historic Places, referencing maps of National Register-listed properties with the City, and an archaeological site records check, and site visit.
 3. Consult with SHPO and other consulting parties
 - a. As indicated, the City consulted with the consulting parties, including SHPO concerning the APE and identification of historic properties and the original APE was expanded to include Barrio Libre
 4. Involve the public
 - a. The City posted the APE determination and the concurrence by SHPO on its website page designated for this project and received and posted public comments to the same
- iii. Assess Adverse Effect (36 CFR 800.5)
1. Apply criteria of adverse effect
 - a. In consultation with SHPO the City applied the adverse effect criteria and determined the planned project will adversely effect the contributing property at 383 South Stone Avenue because it will involve demolition of the majority of the existing 1941 early modern building. The City also found that there were no adverse effects upon the Armory Park and Barrio Libre Historic Districts.
 - b. On 1/13/15 the SHPO concurred with this finding.
 - c. On 1/28/15 the City notified the ACHP of the adverse effect determination and invited them to participate in consultation.
 - d. The ACHP elected to participate in consultation
 - e. Following consultation with consulting parties the City revised its finding of adverse effect to include that there are also direct and cumulating adverse effects of the undertaking on the Armory Park Historic District because of the loss of a historic property contributing to the district and the cumulative adverse effects to the District because of the additional loss of historic fabric. The City also found that there are no direct, indirect, or cumulative adverse effects on the Barrio Libre Historic District.
 - f. On 4/15/15 the Tucson Historic Preservation Foundation and the Barrio Historico Historic District Advisory Board submitted objections to the City's finding of adverse effect in that it excluded the Barrio Libre.
 - g. On 4/16/15 in accordance with 36 CFR 800.5(c)(3)(i) the City requested the ACHP to review the finding.
 - h. On 5/1/15 the City received ACHP's opinion regarding the objections and in which the ACHP "found the City's consideration of the adverse effect to be thorough" and found "The City's finding of no adverse effect to the Barrio



Libre Historic District, with which the Arizona State Historic Preservation Officer (SHPO) has concurred, is therefore reasonable.”

- i. On 5/14/15 ACHP wrote the City stating that on 5/6/15 they had received a second letter from a consulting party objecting the the City’s adverse effect finding and that the objection was similar to the previous objection and that the ACHP had already responded.
 - j. On 6/2/15 ACHP wrote the City stating that on 5/26/15 they had received a request from the Barrio Historico Advisory Board to provide clarification regarding their 5/14/15 letter. The ACHP expressed its concern about the efforts taken by the Tucson Historic Preservation Foundation, the Barrio Historico Advisory Board, and the Armory Park Historic District Advisory Board with regard to the undertaking. The ACHP wrote that “their outreach to the Arizona Department of Housing requesting that it revoke the Low Income Housing Tax Credits for the undertaking undermines the collaborative nature of historic preservation reviews.” The ACHP went on to write that the extensive information available to the consulting parties on the City’s website meets the documentation standards at 36 CFR Part 800.11(e) and that the ACHP found no basis to object to the adverse effect determination. ACHP further clarified that “consulting parties have repeatedly referenced the applicability of the Secretary of the Interior’s (SOI) Standards for Rehabilitation to this undertaking. It is important to note that when it is concluded that an undertaking will result in an adverse effect, the redevelopment does not need to meet the SOI’s Standards.”
 - k. The City received and reviewed public comments stating that the Section 106 Process was flawed because the City adjusted its adverse effect determination after considering input from consulting parties and the public; this fact again validated adherence to the consultative nature, spirit, and regulations of the Section 106 Process.
2. Consult with SHPO
 - a. As indicated in iii a and b above SHPO was consulted.
 3. Involve the Public
 - a. The City posted to the website the SHPO concurrence, notice to ACHP, map of the APE, the Archaeological site records check report, the building condition report, conceptual designs, and public comments.
- iv. Resolve Adverse Effect (36 CFR 800.6)
 1. Notify ACHP
 - a. The ACHP was notified and elected to participate.
 2. Consult with SHPO and other consulting parties
 - a. The City held several consulting parties meetings to discuss adverse effect resolutions
 3. Avoid, minimize, or mitigate adverse effects
 - a. The Building Condition report completed by Acanthus Architecture & Planning concluded that rehabilitation was not financially feasible.



https://www.tucsonaz.gov/files/hcd/1-28-2015_Attachment_C_-_Building_Condition_Report.pdf

- b. An Analysis of Alternatives (https://www.tucsonaz.gov/files/hcd/2-23-2015_COT_response_to_concerns_raised_RE-106_Process.pdf) revealed that rehabilitation of the building into only 18 units as suggested by consulting party members using tax credits, HOME funds, and a mix of low income and historic tax credits was not financially feasible and that the rehabilitation back into a motor lodge was outside of the program area of the HOME Program. The analysis was challenged by consulting parties and the City enlisted two separate affordable housing consultants, Sabino Community Development Resources (https://www.tucsonaz.gov/files/hcd/5-3-2015_analysis_of_LIHTC_financing_as_submitted_by_THPF_0.pdf) and Partners for Housing Solutions LLC (https://www.tucsonaz.gov/files/hcd/5-7-2015_partners_for_housing_solutions.pdf) to provide the analysis of the proposed alternatives and both consultants concluded that the proposed projects were not financially feasible
 - c. A Memorandum of Agreement (MOA) was drafted through several consulting parties meetings. The mitigation stipulations can be found in the executed MOA and include Rehabilitation of the Historic Sign and Portion of Hotel, Salvage, Interpretive Exhibit/Signage, Neighborhood Outreach, Mitigation Funds, and City Training.
 - d. The stipulations did not completely satisfy all consulting parties but were discussed and evaluated by all consulting parties for reasonableness in context to the loss of the historic building, the development of the new building, and the level of federal investment in the project.
 - e. A Final MOA (https://www.tucsonaz.gov/files/hcd/7-20-2015_Final_MOA_2.pdf) was executed by the required signatories of City, ACHP, and SHPO, the invited signatories of Compass Affordable Housing and Bethel Development, and the following consulting parties: the Armory Park Neighborhood Association, the Armory Park Historic District Advisory Board, and the Tucson Pima County Historic Commission Plans Review Subcommittee. The Tucson Historic Preservation Foundation and the Barrio Historico Historic District Advisory Board did not sign the MOA as concurring parties.
4. Involve the public
 - a. The Draft MOA was posted to the website along with consulting party and public comments. https://www.tucsonaz.gov/files/hcd/6-2-2015_ACHP_Draft_MOA.pdf
 - b. The final executed MOA was posted to the website and forwarded by email to all interested parties. https://www.tucsonaz.gov/files/hcd/7-20-2015_Final_MOA_2.pdf

In summary, the City of Tucson met all of the requirements at 24 CFR 58.5(a), Section 106 of the National Historic Preservation Act in relation to this project as substantiated by ACHP's letter dated



July 7, 2015 (https://www.tucsonaz.gov/files/hcd/7-16-2015_Letter_from_ACHP.pdf) in which it reads "While consulting parties may not agree with the City's determinations, the City has followed the Section 106 process that is appropriate to the scale and scope of this undertaking."

2. "considering the impact of the architectural quality and size of the proposed development on the existing neighborhood, including duly considering local zoning and preservation requirements, per HUD's Environmental Assessment review requirements (Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design)"
 - a. In accordance with 24 CFR 58.40 Preparing the environmental assessment the City utilized the *Environmental Assessment Checklist* as provided by HUD which can be found at https://www.tucsonaz.gov/files/hcd/7-20-2015_Environmental_Assessment_signed.pdf
 - i. Related to checklist items #1 Conformance with Comprehensive Plans and Zoning and #2 Compatibility and Urban Impact the City took the following steps:
 1. The City used its Property Research Online tool from the Planning and Development Services Department and determined that the property is zoned C-3.
 2. The City reviewed the City of Tucson's Unified Development Code and determined that Zone C-3 provides for mid-rise development of general commercial uses that serve the community and region, located downtown or in other major activity center areas. Residential and other related uses shall also be permitted and therefore no impact was anticipated.
 3. The City determined that although the property lies within the National Armory Park Residential Historic District it falls outside of the City of Tucson's local Historic Preservation Zone (HPZ) overlay. Because this property is not in a location that is regulated by a City HPZ overlay, the project is not subject to HPZ design guidelines or the HPZ design review process.
 4. This fact has caused much confusion and the consequences of which are the subject of many public and consulting parties' comments. The City's local HPZ overlay provides for stricter standards and more comprehensive notice requirements. Many in the public made comments objecting to not receiving notice in accordance with local HPZ requirements, but this was not required as the site lies outside of the local HPZ.
 5. Concerns over Parking related to the Urban Impact were addressed through the approval of an Individual Parking Plan completed by the City of Tucson Planning and Development Services Department on 2/11/14.
 - ii. Related to checklist item #10 Environmental Design Visual Quality – Coherence, Diversity, Compatible Use and Scale
 1. The City determined the design is in compliance with City plans, is within the zoning parameters, and appropriate for the site per the City of Tucson Planning and Development Services Design Review Board case T14SA00263 and the State Historic Preservation Office letter dated 5/15/14 and therefore no impact was anticipated.
 2. In a letter dated April 8, 2015, the City notified the Arizona State Historic Preservation Office (AZ SHPO) about a revised finding of Adverse Effect for the



federal undertaking. Included in the revised finding were analyses of direct, indirect, and cumulative adverse effects, and the conclusion that the new construction for the project is compatible with adjacent historic buildings in terms of massing, size, and scale. The AZ SHPO concurred with the revised finding on April 8, 2015. In a letter issued on May 1, 2015 in response to written objections by some of the consulting parties regarding the revised finding, the Advisory Council for Historic Preservation found the City's consideration of the adverse effects of the project to be "thorough" and "reasonable."

In summary, the City as the Responsible Entity has met HUD's Environmental Assessment review requirements. Both the AZ SHPO and ACHP concurred that the project was properly evaluated in terms of impacts on the neighborhood; City staff approved the project plans as conforming to City plans, zoning, and building codes; and local preservation requirements do not apply.

3. "providing appropriate notification of the opportunity for public comment, and considering public comment as part of the environmental review process, including for Spanish-only and English as a Second Language residents"
 - a. The City of Tucson provided multiple means for public comment including two public meetings on 10/28/14 and 11/20/14, development of a project website, development of a project overview, Facebook and Twitter postings, provided an email address for comment, and accepted written comments dropped off and mailed to HCD's main office. The City also expanded the public comment period in the Finding of No Significant Impact, Request for Release of Funds (FONSI/RROF) from 15 to 30 days.
 - i. Notification of the two public meetings were made in accordance with Arizona Revised Statutes 38-431. In addition to the required notification, the City of Tucson emailed the meeting notices to more than 350 recipients which included the list of interested parties from previous meetings/activities, all registered Neighborhood Associations in the City of Tucson, Historic Districts, and Mayor and Council. The list of email recipients can be found at https://www.tucsonaz.gov/files/hcd/email_lists_for_notifications.pdf
 - ii. The meeting notice, agenda, and sign in sheets from the 10/28/14 public meeting can be found at https://www.tucsonaz.gov/files/hcd/10-28-014_attendees_and_sign_in_sheets-Agenda_0.pdf and the meeting notice, agenda, and sign in sheets from the 11/20/14 public meeting can be found at https://www.tucsonaz.gov/files/hcd/11-20-2014_Final_Sign_in_sheets_and_agenda.pdf
 - iii. In accordance with its Limited English Proficiency (LEP) Language Assistance Plan (LAP) The City has staff bilingual in Spanish, contract interpreters, and the Language Line available for interpreting at public meetings or translation of documents should it be requested or needed.
 - iv. The project website at <https://www.tucsonaz.gov/hcd/downtown-motor-hotel-section-106-process> utilizes Google Translate that provides website content translation into 57 languages including Spanish and provides the following statement as required by our Language Access Plan: "If you require an oral interpretation in a language other than



English, please call (520) 791-4171” and “Si requiere una interpretacion oral en un idioma que no sea ingles, por favor llame al (520) 791-4171.”

- v. The project overview was written in both English and Spanish and can be found at https://www.tucsonaz.gov/files/hcd/4-16-2015_Project_Overview.pdf. The overview was posted in the Joel Valdez Main Library and the Sam Lena Library and 500 copies were provided for general distribution throughout the neighborhoods.
- b. Consulting Parties meetings were held on the following dates:
 - i. 12/10/14 Consulting Parties Meeting
 - 1. In attendance:
 - a. Sally Stang, Teresa Williams, Ramona Williams, Elaine Becherer, Jonathan Mabry, & Glenn Fournie – COT
 - b. Maryann Beerling & Mark Shoemaker – Applicant
 - c. Demion Clinco – THPF
 - d. Helen Erickson – TPCHPB-PRS
 - e. John Burr – APNA
 - 2. Invited but did not attend:
 - a. Armory Park Historic District Advisory Board
 - 3. Subject: Introductions, Section 106 Process overview and actions to date, original APE determination. Mr. Clinco, Ms. Erickson, and Mr. Burr strongly relayed that they felt the APE should include Barrio Libre and therefore the BHHZAB should be invited as a consulting party. The parties were asked to convene with their respective organizations to discuss the APE determination and possible mitigation measures the organizations may like to see included in a MOA. Discussed next meeting to be held 12/18/14 at 4:30pm unless notified otherwise.
 - ii. 12/18/14 Consulting Parties Meeting
 - 1. In attendance:
 - a. Sally Stang, Teresa Williams, Ramona Williams, Elaine Becherer, Jonathan Mabry, & Glenn Fournie – COT
 - b. Maryann Beerling & Mark Shoemaker – Applicant
 - 2. Invited but did not attend:
 - a. Demion Clinco – THPF
 - b. Helen Erickson – TPCHPB-PRS
 - c. John Burr – APNA
 - 3. Subject: Meeting was cancelled due to number of parties not present. Meeting was to provide feedback from respective organizations. Mr. Clinco, Ms. Erickson, and Mr. Burr later stated they were not aware of the 12/18/14 meeting. The City agreed to email reminder notices of future meetings.
 - iii. 2/12/15 Consulting Parties Meeting
 - 1. In attendance in person or via teleconference:
 - a. Sally Stang, Ramona Williams, Elaine Becherer, Jonathan Mabry, & Glenn Fournie – COT
 - b. Maryann Beerling, Mark Shoemaker, & Dan Terlecki – Applicant



- c. Demion Clinco – THPF
 - d. Helen Erickson – TPCHPB-PRS
 - e. Jodie Gibbs - BHHZAB
 - f. John Burr – APNA
 - g. Robert Frankenberger – AZ SHPO
 - h. Jaime Loichinger - ACHP
2. Invited but did not attend:
 - a. Armory Park Historic Zone Advisory Board
 3. Subject: Updated APE with the addition of Barrio Libre and SHPO concurrence of such, update on design changes based on public comment, assessment of adverse effects, alternatives not considered, & ACHP to respond and provide a process to move forward including needed studies, further mitigation, and opinion on adverse effects.
- iv. 3/18/15 Consulting parties meeting
1. In attendance in person or via teleconference:
 - a. Sally Stang, Teresa Williams, Ramona Williams, Jodie Barnes, Jonathan Mabry, & Glenn Fournie – COT
 - b. Maryann Beerling, Mark Shoemaker, Dan Terlecki, & Lee Puckett – Applicant
 - c. Demion Clinco – THPF
 - d. Arthur Stables – TPCHPB-PRS
 - e. John Burr – APNA
 - f. Jack McClain - APHZAB
 2. Invited but did not attend:
 - a. Barrio Historico Historic Zone Advisory Board
 3. Subject: Discussion on how the Developer arrived at 44 units, Architect explanation of estimated costs, cumulative effects, summary of the several changes to the design, new renderings, Proforma with & without tax credits, timeline.
- v. 4/9/15 Consulting parties meeting
1. In attendance in person or via teleconference:
 - a. Sally Stang, Teresa Williams, Ramona Williams, Elaine Becherer, Lynn Birkinbine, Jonathan Mabry, Jodie Barnes, & Mike Rankin – COT
 - b. Maryann Beerling, Mark Shoemaker, Dan Terlecki, & Bill Scheslinger – Applicant
 - c. Demion Clinco – THPF
 - d. Arthur Stables – TPCHPB-PRS
 - e. John Burr – APNA
 - f. Jodie Gibbs – BHHZAB
 - g. Robert Frankeberger – AZ SHPO
 - h. Jaime Loichinger - ACHP
 2. Invited but did not attend:



- a. Armory Park Historic District Advisory Board
 3. Subject: Summarize Alternative Analysis, Adverse Effect Findings, Mitigation, Timeline, & Process Discussion.
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- vi. 4/16/15 Consulting parties meeting
 1. In attendance in person or via teleconference:
 - a. Sally Stang, Ramona Williams, Jonathan Mabry, Frank Dhillon, Lynn Birkinbine, Jodie Barnes, & Glenn Fournie – COT
 - b. Maryann Beerling, Mark Shoemaker, Roger Simmons, & Dan Terlecki – Applicant
 - c. Demion Clinco – THPF
 - d. Arthur Stables – TPCHPB-PRS
 - e. John Burr – APNA
 - f. Jack McClain – APHZAB
 - g. Jodie Gibbs – BHHZAB
 - h. Jaime Loichinger & Charlene Dwin Vaughn- ACHP
 2. Invited but did not attend:
 - a. Robert Frankeberger – AZ SHPO
 3. Subject: Official objection to adverse effect determination, Stipulations, Steps to proceed, and timeline.
 - vii. 5/6/15 Consulting Parties Meeting
 1. In attendance in person or via teleconference:
 - a. Sally Stang, Teresa Williams, Ramona Williams, Lynn Birkinbine, Jonathan Mabry, & Glenn Fournie – COT
 - b. Maryann Beerling, Mark Shoemaker, & Dan Terlecki – Applicant
 - c. Demion Clinco – THPF
 - d. Terry Majewski – TPCHPB-PRS
 - e. John Burr – APNA
 - f. Jodie Gibbs – BHHZAB
 2. Invited but did not attend:
 - a. Armory Park Historic District Advisory Board
 - b. AZ SHPO
 3. Subject: ACHP Opinion, Financial Analysis provided by Bethel, THPF, and Sabino Community Development Consultants, MOA – whereas clauses, stipulations, and other required clauses, & timeline.
 - viii. 6/12/15 Consulting Parties Meeting
 1. In attendance in person or via teleconference
 - a. Sally Stang, Teresa Williams, Vanessa Gonzalez, Lynn Birkinbine, Jonathan Mabry, & Glenn Fournie – COT
 - b. Maryann Beerling, Mark Shoemaker, & Dan Terlecki – Applicant
 - c. Demion Clinco – THPF



- d. Terry Majewski – TPCHPB-PRS
 - e. John Burr – APNA
 - f. Jack McClain – APHDAB
 - g. Jodie Gibbs – BHHZAB
 - h. Jaime Loichinger - ACHP
2. Invited but did not attend:
 - a. AZ SHPO
 3. Subject: Draft MOA which was posted to the website and can be found at https://www.tucsonaz.gov/files/hcd/6-2-2015_ACHP_Draft_MOA.pdf and the final executed MOA was posted to the website and can be found at https://www.tucsonaz.gov/files/hcd/7-20-2015_Final_MOA_2.pdf

In summary, the City held two public meetings, eight consulting parties meetings, developed a project overview in English and Spanish, developed a project website which translates into many languages on which it posted project updates, public comments and responses, meeting summaries, project pictures, and newspaper articles about the project. The City also used social media as an alternate means to reach the public and extended the public comment period in the FONSI/RROF. The City complied with its Limited English Proficiency (LEP) Language Assistance Plan (LAP) which can be found at <https://www.tucsonaz.gov/files/hcd/LEP2014.pdf>.

4. “adequately addressing 24 CFR 58.5(j), environmental justice, in the review”
 - a. 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 through fair treatment and meaningful involvement.
 - i. As part of the environmental review the City reviewed the 2014 FFIEC Geocode Census Report and determined that the addition of the 44 units and possible 80 residents will be only a minor impact to the minority and low-income population percentages. The FFIEC report used can be found starting on page 64 of 82 at the following link: https://www.tucsonaz.gov/files/hcd/7-20-2015_Statutory_Worksheet_Backup_Docs-1.pdf
 - ii. To facilitate meaningful involvement for interested parties with limited English language proficiency the City provided the following:
 1. Throughout the Section 106 Process the City had staff bilingual in Spanish available for interpreting at public meetings should it be requested or needed.
 2. The project overview was written in both English and Spanish and can be found at https://www.tucsonaz.gov/files/hcd/4-16-2015_Project_Overview.pdf. The overview was posted in the Joel Valdez Main Library and the Sam Lena Library and 500 copies were provided for general distribution throughout the neighborhoods.
 3. The project website at <https://www.tucsonaz.gov/hcd/downtown-motor-hotel-section-106-process> utilizes Google Translate that provides website content translation into 57 languages including Spanish and provides the following statement as required by our Language Access Plan: “If you require an oral



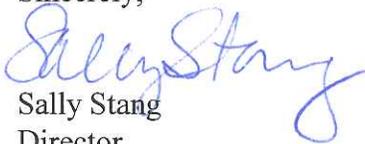
September 29, 2015

interpretation in a language other than English, please call (520) 791-4171” and “Si requiere una interpretacion oral en un idioma que no sea ingles, por favor llame al (520) 791-4171.”

In summary, the City adequately addressed environmental justice in accordance with 24 CFR 58.5(j) in the review by evaluating evidence that the project does not disproportionately affect low-income or minority populations and by following its LEP to facilitate involvement in the process by those with Limited English Proficiency. This project will construct housing affordable for low income households that will not displace any current residents, is in walking distance to a Section 108 project expected to create 160 entry level jobs, is within ¼ mile of public transportation including the Sunlink street car, is only a 2 mile commute on public transit to the Southern Arizona VA Medical Center and ¼ mile of the El Rio Health Center. The project will provide onsite supportive services provided by Compass Affordable Housing and a Veterans Resource Specialist/Case Manager provided through Primavera Foundation. All of these project attributes are a benefit to low income and minority residents.

In closing, the City of Tucson as Responsible Entity and I, as Certifying Official, contend that the City did not omit one or more of the steps set forth in subpart E of this part for the preparation, publication, and completion of the Environmental Assessment as evidenced by my response above and the information contained in the administrative records. Should you have any questions or need further information please feel free to contact me at 520-837-5395 or sally.stang@tucsonaz.gov.

Sincerely,



Sally Stang

Director

City of Tucson

Housing and Community Development Department

