

## **APPENDIX A**

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### **SCOPING LETTERS FROM AGENCIES AND ORGANIZATIONS**

- **U.S. Army Corps of Engineers**
- **Arizona State Land Department**
- **Arizona Department of Environmental Quality**
- **Arizona Game & Fish Department**
- **Sierra Club**



**DEPARTMENT OF THE ARMY**  
 LOS ANGELES DISTRICT, CORPS OF ENGINEERS  
 ARIZONA-NEVADA AREA OFFICE  
 3636 NORTH CENTRAL AVENUE, SUITE 760  
 PHOENIX, ARIZONA 85012-1936

HRA Reach 11 Master Plan-COP  
 # 28206

SEARCHED BY
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REPLY TO  
 ATTENTION OF

August 25, 1998

Office of the Chief  
 Regulatory Branch

Bureau of Reclamation  
 Environmental Resource Management Division  
 ATTN: Sandra Eto  
 P.O. Box 9980  
 Phoenix, Arizona 85068-0980

File Number: 984-0559-RJD

Dear Ms. Eto:

Your August 20, 1998 memorandum states that you plan to develop a new recreation Master Plan for Reach 11 of the Central Arizona Project Canal. Reach 11 is located between Cave Creek Road and Scottsdale Road and has various jurisdictional waters of the United States terminating in the flood detention areas along the north side of the Central Arizona Project Canal (Sections 14, 23, 24, and 25, T4N, R4E and Sections 29, 30, 32, 33, and 34, T4N, R4E), Phoenix, Maricopa County, Arizona.

While development of the recreation Master Plan does not require a Section 404 permit, the construction activities it may propose could require a Section 404 permit. A Section 404 permit is required for the discharge of dredged or fill material into the "waters of the United States," including adjacent wetlands. Examples of activities requiring a permit are placing bank protection, temporary or permanent stock-piling of excavated material, grading roads, grading (including vegetative clearing operations) that involves the filling of low areas or leveling the land, constructing weirs or diversion dikes, constructing approach fills, and discharging dredged or fill material as part of any other activity.

Enclosed you will find a permit application form and a pamphlet that describes our regulatory program. If you have questions, please contact Robert J. Dummer at (602) 640-5385 x 224. Please refer to file number 984-0559-RJD in your reply.

Sincerely,

*Cindy Lester*

Cindy Lester  
 Chief, Arizona Section  
 Regulatory Branch

Enclosure(s)



JANE DEE HULL  
GOVERNOR

# Arizona State Land Department

1616 WEST ADAMS  
PHOENIX, ARIZONA 85007

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 10 '98	
DATE	FILED TO
9/10/98	1500
CLASSIFIED BY	



J. DENNIS WELLS  
STATE LAND COMMISSIONER

August 31, 1998

Ms. Sandra Eto  
Environmental Resource Division  
Bureau of Reclamation  
P.O. Box 9980  
Phoenix, AZ 85068-9980

Re: Reach 11 Scoping Session

Dear Ms. Eto:

Thank you for your letter dated August 20, 1998 regarding the scoping session for the Reach 11 Recreation Area. My staff has been interviewed by Dames & Moore regarding the master plan for the Reach 11 Recreation Area. Two existing master planned communities; Desert Ridge and Paradise Ridge abut the Reach 11 Area in the vicinity of the proposed E.I.S. The planning of both these master planned communities took under consideration the planned recreational opportunities in the Reach.

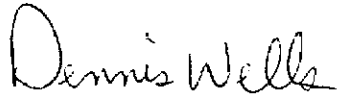
Certainly, we all agree that the primary purpose of the reach is to collect stormwater and protect not only the C.A.P. but other downstream properties from flooding. Regardless of all other issues this purpose should not be subordinated in anyway. The Department supports the use of the Reach for both passive and active recreational uses. While these uses may require contouring and altering the Reach, it should be noted that even the riparian areas may be subject to periodic grading to remove sediment buildup so the Reach can complete its primary mission which is flood control.

The Department wants to impress upon the B.O.R. that the City of Phoenix visioned a golf course in the vicinity of 64th Street to Scottsdale Road. Land uses in the Paradise Ridge Development Plan were developed based upon this golf course use. We understand that the City of Phoenix still supports this use. Changes in this contemplated use may result in altering the market demand for the approved uses in the Paradise Ridge Plan. Please take this under consideration during your analysis of the area.

*Reach 11 Scoping Session*  
*September 1, 1998*  
*Page Two*

Thank you for receiving our input. If you have questions please contact Gordon Taylor at 542-2647.

Sincerely,



J. Dennis Wells  
State Land Commissioner

JDW/sm

cc: Jim Burke, COP Parks  
Bill Foster, Planning & Disposition Division  
Steve Barrett, Landmark  
Jack Razor, Westcor  
Mike Phalen, Planning and Asset Management Section  
Kristin Darr, Dames & Moore



# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Governor Jane Dee Hull

Russell F. Rhoades, Director

Planning Section, 2nd Floor  
1-800-234-5677 (Arizona Only)  
FAX (602) 207-4634  
(602) 207-4630

TELEPHONE
FAX NUMBER

September 25, 1998

OCT 5 - '98

Ms. Sandra Eto  
Environmental Resource Management Division  
Bureau of Reclamation, Phoenix Area Office  
P.O. Box 9980  
Phoenix, AZ 85068-0980

DATE	ROOM NO.	INITIALS
	1500	

Re: Reach 11 Recreation Master Plan Project, Your Letter (August 20, 1998)

Dear Ms. Eto:

The Arizona Department of Environmental Quality, Division of Water Quality, Planning Section, appreciates the opportunity to comment on the Reach 11 Recreation Master Plan Project. The Arizona Department of Environmental Quality recommends that:

1. Where applicable, the Management Agency and or Owner/Operator should over-site any construction to ensure that discharges from the watershed or to all Waters of the State/Waters of the U.S. shall meet all applicable Water Quality Standards;
2. A. Best Management Practices should be implemented to protect watershed condition and riparian areas, to maintain adequate vegetative cover, and to minimize the discharge of sediment, nutrients, bacteria and manure to the watershed or to all Waters of the State/Waters of the U.S.;
- B. Best Management Practices should be implemented during and after all construction phases to protect watershed condition and riparian areas, to maintain adequate vegetative cover, and to minimize the discharge of sediment, petroleum, nutrients, bacteria and other pollutants to the watershed or to all Waters of the State/Waters of the U.S.;

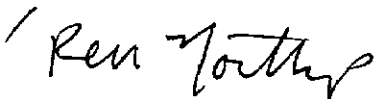
3. Best Management Practices should be implemented for construction activities for mechanical equipment to minimize ground disturbance;
4. Within Maricopa County, construction activities for mechanical equipment need to minimize the amount of particulate matter (dust) generated, including incidental emissions caused by strong winds, and tracking of dirt off the construction by mechanical equipment. Regarding rules that may apply contact **Mr. Joe Gibbs at (602) 207-2378** with the Arizona Department of Environmental Quality, Air Quality Planning Section;
5. Be aware that portable sources of air pollution, i.e. rock, sand, gravel and asphaltic concrete plants are required to be permitted by ADEQ prior to commencing operations. Contractors and subcontractors working on this project may be required to comply with these regulations. Contact **Mr. Prabhat Bhargava at (602) 207-2329** with the Arizona Department of Environmental Quality, Air Quality Permits Section;
6. A monitoring program should be implemented to evaluate the effectiveness of Best Management Practices in protecting watershed condition and Waters of the State;
7. Public or semi-public water supply systems shall be developed to comply with Public and Semi-Public Water Supply Systems Rules. Contact **Mr. Dale Ohnmeiss at (602) 207 4648** with the Arizona Department of Environmental Quality, Program Development & Outreach Unit, regarding assistance;
8. All underground storage tanks must be registered with ADEQ. Contact **Mr. Staci Munday at (602) 207-4329** with the Arizona Department of Environmental Quality, Inspection and Compliance Unit, regarding assistance in registration;
9. All solid wastes generated by the activity shall be transported to an ADEQ approved facility. Waste stored on site for more than 90 days, or will be treated or disposed of on-site, may require facility approval. Contact **Mr. David Phillips at (602) 207-4122** with the Arizona Department of Environmental Quality, Solid Waste Plan Review Unit, regarding assistance in applying for this permit;
10. Sewage treatment facilities for human waste shall be planned and developed in such a manner to ensure protection of both surface and groundwater resources. An Aquifer Protection Permit (APP) may be required for such facilities. Contact **Mr. Charles Graf at (602) 207-4661** with the Arizona Department of Environmental Quality, Aquifer Protection Program Section, regarding assistance in applying for this permit;

Ms. Sandra Eto  
September 25, 1998  
Page 3

11. Sanitary waste facilities provided during construction phases shall be planned and developed in such a manner to ensure protection of both surface and groundwater resources;
12. An Aquifer Protection Permit (APP) may be required. Contact **Mr. Charles Graf at (602) 207-4661** with the Arizona Department of Environmental Quality, Aquifer Protection Program Section, regarding assistance in applying for this permit;
13. A Clean Water Act, Section 402, NPDES Permit is required for all ground disturbing activities which exceed 5 acres in impact. Contact **Mr. Robert Wilson at (602) 207-4574** with the Arizona Department of Environmental Quality regarding assistance in applying for this federal permit;
14. A Clean Water Act, Section 404 Permit may be required for the discharge of dredged or fill material into the navigable waters. Contact **Ms. Cindy Lester of the US Army Corp of Engineers at (602) 640-5385** regarding a 404 Permit application. In addition a Section 401 Certification may be required and can be obtained from ADEQ. Contact **Mr. Jayanta Das at (602) 207-4502** with the Arizona Department of Environmental Quality, Engineering Review and Permits, for assistance in obtaining certification;
15. Numeric water quality standards listed in A.A.C. R18-11-109.G. must be complied with. If you would like a copy of the A.A.C. R18-11-107, 108 and 109 water quality standards for navigable waters, please contact the Arizona Department of Environmental Quality Water Quality Division at the letterhead address.

The Arizona Water Quality Division Planning Section would appreciate receiving information on the progress of this project. Thank you for your cooperation, should you have any questions, please contact me at (602) 207-4582.

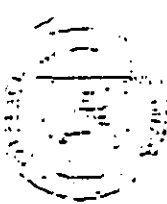
Sincerely,



Ren Northup  
Watershed Coordinator

:rn

cc: Jack Bale, ADEQ

**GAME & FISH DEPARTMENT**

2221 West Greenway Road, Phoenix, Arizona 85023-4399 (602) 942-3000

www.gf.state.az.us

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Jane D

Comin:

Chairman, Herb Guenther,

Michael M. Golightly, F

William Bertal,

M. Jean Hassell, Se

Dennis D. Manning,

I

Duane L.

Deputy

Thomas W. S

October 26, 1998

Ms. Sandra Eto  
Dames & Moore  
7500 North Dreamy Draw Drive  
Suite 145  
Phoenix, Arizona 85020

Re: Preliminary Comments; Development of a Recreation Master Plan  
for the "Reach 11 Recreation Area"

Dear Ms. Eto:

The Arizona Game and Fish Department (Department) has reviewed the Bureau of Reclamation's letter, dated August 20, 1998, regarding development of an Environmental Impact Statement (EIS) for the above-referenced Master Plan project. The following comments are provided for your consideration.

The Department remains concerned about interruption of water flow in washes bisected by the Central Arizona Project aqueduct system, and associated losses of wildlife habitat (see enclosed Department letter dated May 18, 1973 regarding the "Draft Environmental Statement on Granite Reef Aqueduct"). Significant wildlife habitat values exist in the Reach 11 area on the north side of the flood control dikes which protect the aqueduct from flood flows in desert washes. Sequential mitigation (i.e., avoidance, minimization, rectification, reduction over time, and compensation as described in 40 CFR§1508.20) should be pursued and documented for all activities impacting wildlife habitat values in the project area.

Dense stands of vegetation in the project area may provide habitat for the cactus ferruginous pygmy owl (*Glaucidium brasilianum cactorum*) based on the description of habitat published by the Fish and Wildlife Service at Federal Register, Vol. 62, No. 46, pp. 10730-10747, "Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Cactus Ferruginous Pygmy Owl in Arizona," "Final Rule". Status of the cactus ferruginous pygmy owl and recovery opportunities in the project area should be addressed in the EIS.

The Department is interested in working closely with the City of Phoenix on this project and to develop cooperative wildlife habitat improvement projects in the Reach 11 area.



Ms. Sandra Eto  
October 26, 1998  
2

Thank you for the opportunity to provide preliminary comments on this project. The Department would appreciate the opportunity to review the draft EIS and Master Plan once they are ready for review. Please provide this material directly to me at WM-Habitat Branch at the letterhead address. If you have any questions, please contact me at (602) 789-3602.

Sincerely,



John Kennedy  
Project Evaluation Program Supervisor  
Habitat Branch

JK:bw

cc: Russ Haughey, Habitat Program Manager, Region VI  
Bill Werner, Aquatic Habitat Program Coordinator, Habitat  
Branch



# SIERRA CLUB

Grand Canyon Chapter • Arizona

RECEIVED

MAR 12 1999

DAMES & MOORE

Palo Verde Group  
2508 E. Heatherbrae  
Phx., Az. 85016

Mar. 10, 1999

Kristin L Darr  
Dames and Moore  
7500 N. Dreamy Draw Drive  
Suite 145  
Phx., Az. 85020

Dear Kristin Darr,

Thanks for hosting the two open house meetings and for publishing the newsletters regarding the Reach 11 Recreation Master Plan and Environmental Impact Statement. I would like to summarize our verbal comments made at the Feb. 10th open house and share some concerns our organization has regarding this phase of the EIS process and preparation of alternatives for that document.

The genesis of the EIS, as you know, is the debate that has occurred over the past several years regarding leaving the Reach 11 detention basin for wildlife and passive recreation vs development in the Reach for active recreation such as golf and soccer fields. This debate is well documented, both in private correspondence and in media coverage - we are sure you have access to most of this documentation.

According to information given at the last open house and in the past 2 newsletters, Dames and Moore's main approach towards drafting an EIS and resolving this debate has been to conduct a "Recreation Needs Assessment." Although it was pointed out this was not to be a popularity contest, the EIS process to date rather looks like one. Almost all of the last meeting was taken up with the recreation needs of particular user groups, and virtually all of the newsletters are concerned with the same information. To date, nothing regarding urban wildlife needs or values urban wildlife might have to different interest groups has been presented by staff people at open houses or discussed in newsletters. Because of this apparent shortcoming, we are listing below some issues dealing with wildlife and wildlife habitat that we think need to be addressed in the draft EIS.

1. Lack of suitable alternatives

Three alternatives were presented at the last open house that ranged from minimal development in the Reach (which

still included sports facilities near Cave Creek Road and some picnic areas near Scottsdale Road), to maximum development that included two golf courses, numerous soccer and ball fields, youth camp, polo grounds, etc. But no environmentally enhanced alternative was offered. There is no reason why the habitat in the Reach could not be further improved to support additional urban wildlife and enhance the passive recreation experience. The EIS should add and explore such an alternative, and consider different scenarios for accomplishing it, including use of volunteer labor from organizations and schools, and funding from private and public sources if needed. Additional water that might be needed to accomplish such an alternative should be examined, and careful consideration should be given to the type of habitat to be created. For example, the possibility of re-establishing cottonwood trees to provide greater vertical diversity for wildlife should be studied.

Another alternative that should be explored is the purchase of state trust lands to the north for active recreation use, and leaving Reach 11 for passive use. The City of Phoenix is considering funding sources for purchase of trust lands for its Sonoran Desert Preserve in the north valley, perhaps funding could be found for purchase of land north of the Reach. Advantages of this alternative, including removal of the threat of flooding of ball fields and facilities, and the elimination of cleanup costs from flooding, should be addressed. Also eliminated from all three original alternatives would be problems stemming from habitat fragmentation.

## 2. Biological Evaluation

The Biological Evaluation (BE) should be included in the Draft EIS and not merely summarized. The BE should discuss at length the habitat needed in the arid southwest for migratory songbirds, the reasons for their worldwide decline, and the present and future suitability of the Reach to provide such habitat. The document should address raptor populations in the urban area, the importance of maintaining nesting areas within the urban area, the potential of the Reach to provide such habitat, and the value raptors offer both aesthetically and in controlling overpopulation of other species. The BE should analyze the high population of small mammals noted in Game and Fish Department inventories, the unique situations that provide for their high populations, and their importance as prey base for larger mammals and raptors. The viability of other species commonly seen in the Reach - coyotes, gray fox, roadrunners, great blue heron, roadrunner, javalina, quail, etc. - should be examined as well as their potential if habitat enhancement were to be performed. The effect of habitat fragmentation from development in the Reach should be examined for each species for each alternative presented.

### 3. Location of Reach 11

The Draft EIS should analyze the geographic suitability of the Reach for urban wildlife. The relative isolation of the 1500 acre corridor due to the CAP canal and berm to the south should be pointed out, as well as the barrier effect commercial development in some areas to the north might provide. The EIS should examine the value of the CAP canal as a flyway for different species of birds and to what extent its proximity enhances the wildlife values of the Reach. The Draft should also show the Reach's proximity to other open space areas such as Cave Creek Wash, Buffalo Ridge, Union Hills, Rawhide Wash, Scottsdale's proposed Desert Greenbelt, the McDowell Mountains, etc., and the degree such proximity could provide in maintaining some semblance of wildlife populations and viability in the north valley.

### 4. Realignment of washes feeding Reach 11

The Draft EIS should try to anticipate newly forming drainages in the Reach as a result of development and re-channeling of washes to the north and the possible creation or demise of desert wash vegetation in particular areas of the detention basin.

### 5. Educational values of urban wildlife areas.

The draft should analyze at length the present availability of high quality urban wildlife areas for elementary students to make field trips for biological observation and study. Appropriate teachers at various schools should be polled to determine the level of interest for such field trips. Attention should be given to urban desert washes lost for educational use in recent years, such as stretches of Cudia City Wash near Phoenix Country Day School. The draft should note the recent changes regarding the disposition of environmental license plate monies to fund activities such as field trips to foster the education of environmental issues.

### 6. Purpose and Need

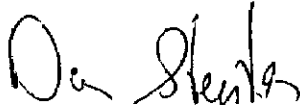
The EIS, under its Purpose and Need Section, should attempt to examine the underlying problems with respect to the lack of recreational amenities in fast-growing north Phoenix and why only Bureau of Reclamation land with high wildlife values seems to be available to meet those recreation needs. In particular, lack of sufficient impact fees on building development should be studied.

7. Other anticipated projects in Reach 11 area.

The EIS should incorporate to the fullest extent possible information on other possible projects that might impact habitat and wildlife in the Reach such as APS's proposed transmission line routes, substation locations, and effluent recharge plans.

Thanks again for the opportunity to participate in planning for Reach 11. We look forward to seeing the draft EIS.

yours,

A handwritten signature in cursive script, appearing to read "Don Steuter".

Don Steuter  
Conservation Chair

cc:

Phoenix Parks and Recreation Board