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Governor

ARIZONA

STATE PARKS & TRAILS

Bob Broscheid
Executive Director



July 10, 2026

Christopher L. Southerland, Acting Director
Federal Aviation Administration
Central Service Center
Air Traffic Organization

RE: Phoenix Area FAA Modernization Project, Continuing Section 106 Consultation, Federal Aviation Administration (FAA); SHPO-2025-1479(187805)

Dear Mr. Southerland:

Thank you for continuing consultation with our office on the above-referenced project. SHPO review is conducted pursuant to 36 CFR Part 800, the rules implementing Section 106 of the National Historic Preservation Act (54 USC § 306108).

In previous consultation (February 6, 2026,) FAA defined the undertaking and established a preliminary Area of Potential Effects for the FAA Modernization Project. In our response letter of (March 6, 2026) SHPO concurred with the Undertaking's Area of Potential Effects (APE) but expressed concerns about FAA's identification of, and assessment of effects to, historic properties. FAA's letter of June 8, 2026 presents a refinement of the APE based on analysis of existing and proposed flight schedules, including routing, altitude, and operational variability rather than "the mere presence of overflight" and reduces the APE to only include those areas where such changes could alter the characteristics of historic properties through changes in aircraft noise exposure, and, where applicable, visual setting. SHPO concurs with the revised APE. We continue to have concerns, as expressed below.

Incomplete identification of historic properties in the APE per 36 CFR 800.4. FAA has submitted a list of National Register of Historic Places (NRHP)-listed properties in both the General Study Area (GSA) and Supplemental Study Area (SSA). The FAA consultation states that "consultations to identify other listed or eligible resources are ongoing." We are heartened to hear that the FAA considers identification efforts for this Undertaking as not yet complete, as NRHP-listed properties represent only a fraction of historic properties that could be affected by this Undertaking.

Our review notes that FAA's submission includes an Excel spreadsheet of NRHP listed properties available in the General Study Area (GSA) and Supplemental Study Area (SSA) databases. The spreadsheet does not include any properties that have not been listed, but have been determined eligible for listing in the NRHP. The data provided in the "Owner Name" field references the data source and not the actual owner or agency responsible for management of the property and is therefore not useful for Section 106 review purposes. None of the historic resources identified by points or polygons on the supplied maps can be correlated to the list provided in the Excel spreadsheet.

In addition, the consultation does not address the possibility that archaeological resources may also be considered by tribes as places of religious and cultural significance, and that these places may be the locations of ongoing ceremonial activities that could be adversely affected by the undertaking. SHPO comments are based on the information made available by the FAA and we remind the FAA that the views of Indian tribes are based on expertise and information not available and/or possessed by our staff, but are critical to informing the Section 106 of the NHPA review process. The FAA remains responsible for consulting with and considering the views of Indian tribes, which may be afforded longer review periods in accordance with the timelines established by 36 CFR Part 800. We request that the FAA provide our office with a summary of any views conveyed by Indian tribes and SHPO reserves the right to exercise our responsibility to reassess our comments as necessary.

Because good faith efforts to identify all listed and eligible resources in the APE are incomplete, **SHPO does not concur** that FAA has adequately identified historic properties that may be affected by the Undertaking, as stipulated in 36 CFR 800.4.

36 CFR 800.11 Documentation.

As mentioned above, neither the Excel spreadsheet of listed properties or the submitted maps provide sufficient detail to evaluate the presence of historic properties within the APE for the undertaking, pursuant to Section 106 of the NHPA. SHPO requests that a more robust Class I inventory of the APE be provided to our office. This Class I should include all identified cultural resources as the result of comprehensive research in multiple repositories. This inventory report should also include maps of sufficient resolution to include identifying labels for historic properties. The list of identified resources should be correlated to the maps. In addition, the data columns on the spreadsheet of properties and resources should replace GIS labels such as SHAPEFILE, OBJECTID, SHAPE, Use_Category, FEATURE_CL, and Owner Name, with qualitative labels applicable to a professional, Class I cultural resources report. SHPO Report Standards may be found at: <https://azstateparks.com/shpo-survey-report-standards>.

Inadequate evaluation of effects per 36 CFR 800.5.

FAA's consultation states that:

“Noise exposure results were evaluated for the purpose of identifying potential adverse effects to historic properties that are listed and/or eligible to be listed in the NRHP. Where significant or reportable noise increases, as defined in FAA Order 1050.1F, were identified at a receptor point, the surrounding area was examined for the presence of NRHP-listed or eligible to be listed historic properties.”

As noted previously, the FAA analysis included properties listed on the NRHP, but did not include properties determined eligible for the NRHP.

FAA should provide the metric for significant or reportable noise increases, as defined in FAA Order 1050.1F, and illustrate where these areas occur. At this time SHPO cannot fully determine

if any historic properties, districts, or archaeological sites are located in these areas. The FAA consultation further states that, “The Proposed Action, when compared to the No Action Alternative, would not result in changes in aircraft noise exposure in 2027 or 2032 that would exceed the FAA’s significance threshold for noise increases at Section 106 resources.” The use of NEPA-related language in this statement is not applicable to Section 106. Again, the FAA significance threshold is not stated nor clearly illustrated on maps in relation to historic properties.

FAA’s finding of effect for the undertaking.

FAA’s consultation states that “...the Proposed Action would not introduce new atmospheric, audible, or visual features to the area that would diminish the integrity of a property’s significant historic features. Therefore, the FAA’s finding is that the Proposed Action would not have an adverse effect on historic or cultural resources.”

Because of the deficiencies in identification and effect assessment cited above, **SHPO cannot concur** with FAA’s “no adverse effect” finding for the undertaking.

We appreciate FAA’s cooperation in complying with historic preservation requirements for federal agencies. We look forward to continuing consultation with FAA on a professional Class I report, summary of tribal consultation, and reassessment of effect on identified historic properties. If you have any questions or would like to set up a meeting to discuss our comments, please email me at dzimmerman@azstateparks.gov or call me direct at 928-732-9644.

Sincerely,



David Zimmerman, M.A.
Archaeological Compliance Specialist
Arizona State Historic Preservation Office