

Loop 202 could find a new path on Gila River tribal land

46 comments by [Sean Holstege](#), [Scott Wong](#) and [Cathryn Creno](#) - Dec. 16, 2009 12:00 AM
The Arizona Republic

The controversial [South Mountain Freeway](#) could move onto tribal land if recent behind-the-scenes negotiations gather momentum.

The Gila River Indian Community, which long has opposed the Loop 202 extension through its land, has agreed to start what could be delicate talks toward reaching a pact to move the proposed freeway. That first step would involve the tribe asking the state for a formal proposal to build the freeway south of the current route, which passes through south Phoenix.

Participants in a meeting last week of high-level officials described the understanding as a breakthrough but also called it preliminary.

"This is the first time ever that all the parties have been in a same room together," said Phoenix Councilman Sal DiCiccio, who represents Ahwatukee and has been a vocal advocate of moving the freeway. "We have a long ways to go, but this is an extremely positive first step."

One proposal being floated to secure the deal includes a land swap that would give the tribe a parcel of federal wilderness in the Sierra Estrella.

The tribe also has joined Ahwatukee residents in opposing the existing 22-mile route, which runs south from Laveen along 59th Avenue and east on Pecos Road. The route cuts through neighborhoods and slices through a ridge in South Mountain, which [tribal members](#) describe as sacred.

Attempts to build the freeway instead on desert flatlands on the Gila River Reservation stalled four years ago when the tribe told the [Arizona Department of Transportation](#) it had no interest in any freeway on its land.

Last week's promise is an about-face. At the tribe's request, as part of ongoing environmental work for the project, [ADOT](#) would study a route that skirts the park and existing neighborhoods.

Gila River spokeswoman Alia Maisonet said the tribe's governor plans to send a letter by the end of the year suggesting alignments on [tribal land](#).

"We need to see a proposal before we can have any discussion about a freeway," Maisonet said. "We would like to see South

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Mountain preserved."

She noted that the tribe favors some extension and building nothing is not an option.

Only relocating the freeway onto tribal land would meet all those goals.

Environmental studies are due next summer. Federal approval of the planned \$1.9 billion, eight-lane highway is expected by 2011.

An alignment on tribal land could save about \$200 million in construction costs, regional planners estimate. The cost to compensate the tribe for lost land and acquiring right of way remains unknown. ADOT already owns 95 percent of the right of way along Pecos Road.

The Maricopa Association of Governments convened last week's meeting after Gila River Indian Community Lt. Gov. Joseph Manuel surprised many by stating publicly in November that the tribe would be open to receiving a freeway proposal. Participants included top officials from MAG, Phoenix, the tribe, ADOT, the Federal Highway Administration and the Bureau of Indian Affairs, plus representatives for Congressmen Ed Pastor and Harry Mitchell.

In a letter to MAG, Mitchell said he was "elated" by developments last week.

Additional environmental work could push back the freeway as much as a year, ADOT spokesman Matt Burdick said. Currently, the study will compare the benefits, environmental damage and steps to minimize such damage between building the planned freeway or doing nothing at all. A new route, running less than 1 mile to the south, would require additional study.

"If something comes of this effort, it will take a combination of diplomacy, policy, technical analysis and financial resources," Burdick said.

ADOT plans to continue work on the planned freeway. The first iteration of the South Mountain Freeway appeared on regional-planning maps in 1960. In 1983, it became part of transportation plans. Maricopa County voters approved it two years later when they passed Proposition 300, which imposed a half-cent sales-tax increase per dollar to fund transportation improvements.

Voters in 2004 reaffirmed their support for a freeway around [central Phoenix](#) when they passed Proposition 400 and its half-cent sales-tax hike.

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The next year, the tribe made its opposition to a route on tribal land clear.

ADOT focused on the proposed Pecos Road alignment.

Sal DiCiccio's role

In 2006, an ADOT consultant hired DiCiccio, a realty-firm owner who was no longer on the Phoenix City Council, to negotiate with the tribe. The diplomacy fell apart. A year later, DiCiccio entered a business deal with the tribe to develop 75 acres of tribal-owned land on the corner of 40th Street and Pecos Road. DiCiccio disclosed those business dealings in May.

The property is the main entrance from Ahwatukee to the tribe's new casino, and ADOT plans an interchange at that location regardless of the alignment of the future South Mountain Freeway.

Since being appointed to a City Council vacancy in February, DiCiccio has continued to push for the freeway's relocation onto tribal land. On Sept. 30, DiCiccio met with Sen. John McCain, R-Ariz., to discuss a federal land exchange on the reservation.

When DiCiccio ran for election to keep his seat in the fall, his opponent, Dana Marie

Kennedy, blasted him, questioning whether DiCiccio was representing the public's or his own interests. DiCiccio has said repeatedly he won't gain from a relocation, which he considers best for voters, the tribe and the state.

Next steps

Last week's summit went only far enough to lay out the steps toward an agreement.

Participants agreed that a pact might involve giving some of the federally owned Sierra Estrella Wilderness Area to the tribe.

Earlier talks also explored state land swaps, cash and turning the heavily traveled 51st Avenue, now a county road, over to the tribe.

Any proposal might be voted on by tribal members. "I would like to see it go to a vote," said Cher Thomas, a tribal member who testified against the freeway in the fall.

"No one ever gave us the respect of speaking to our leaders about how we could be involved. Everyone was working around us, and we weren't part of the decision-making process. It is time for us to sit down as equals."

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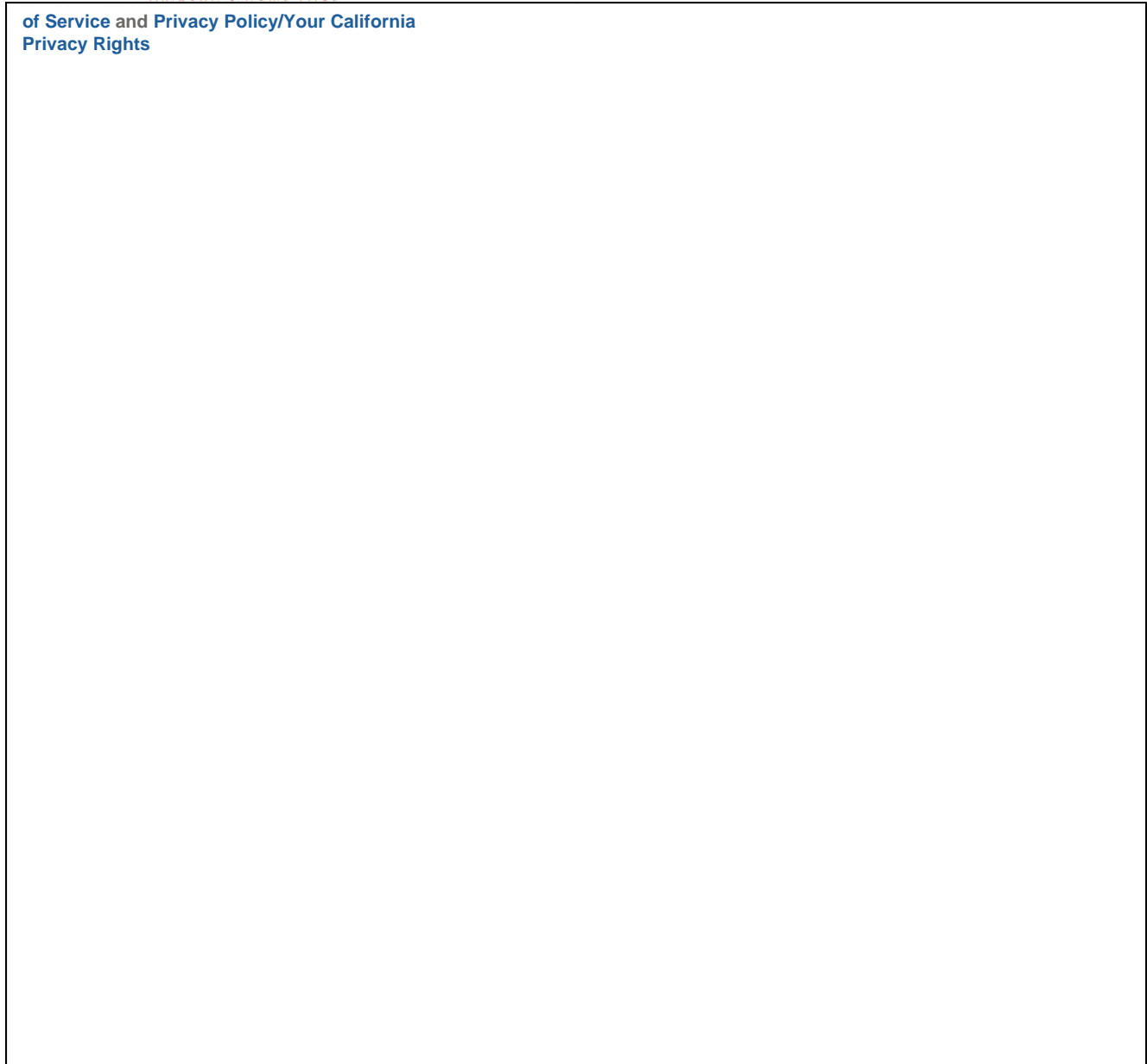
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