

Chapter 4: Section 4(f) Analysis

4.1 Introduction

This chapter addresses the requirements of Section 4(f) of the Department of Transportation Act of 1966 for the Interstate 15 (I-15): Farmington to Salt Lake City Environmental Impact Statement (EIS) in Davis County and Salt Lake County, Utah. Section 4(f) applies to significant publicly owned parks, recreation areas, and wildlife and waterfowl refuges and to significant publicly or privately owned historic properties.

This chapter identifies Section 4(f) resources in the Section 4(f) evaluation area, determines potential use of those resources, evaluates potential avoidance alternatives and measures to minimize harm where necessary, and describes the coordination efforts made to address Section 4(f) issues and concerns.

Section 4(f) Evaluation Area. The Section 4(f) evaluation area is the area within and adjacent to the right-of-way for the Action Alternative where Section 4(f) resources could be affected, as generally illustrated in Figure 4.2-1. For this evaluation area, *adjacent* refers to parcels that directly border the Action Alternative’s proposed right-of-way. The Section 4(f) evaluation area is limited in size to areas within and adjacent to the right-of-way because Section 4(f) applies only to directly impacted parks or recreation areas, wildlife and waterfowl refuges, and historic properties.

What is Section 4(f)?

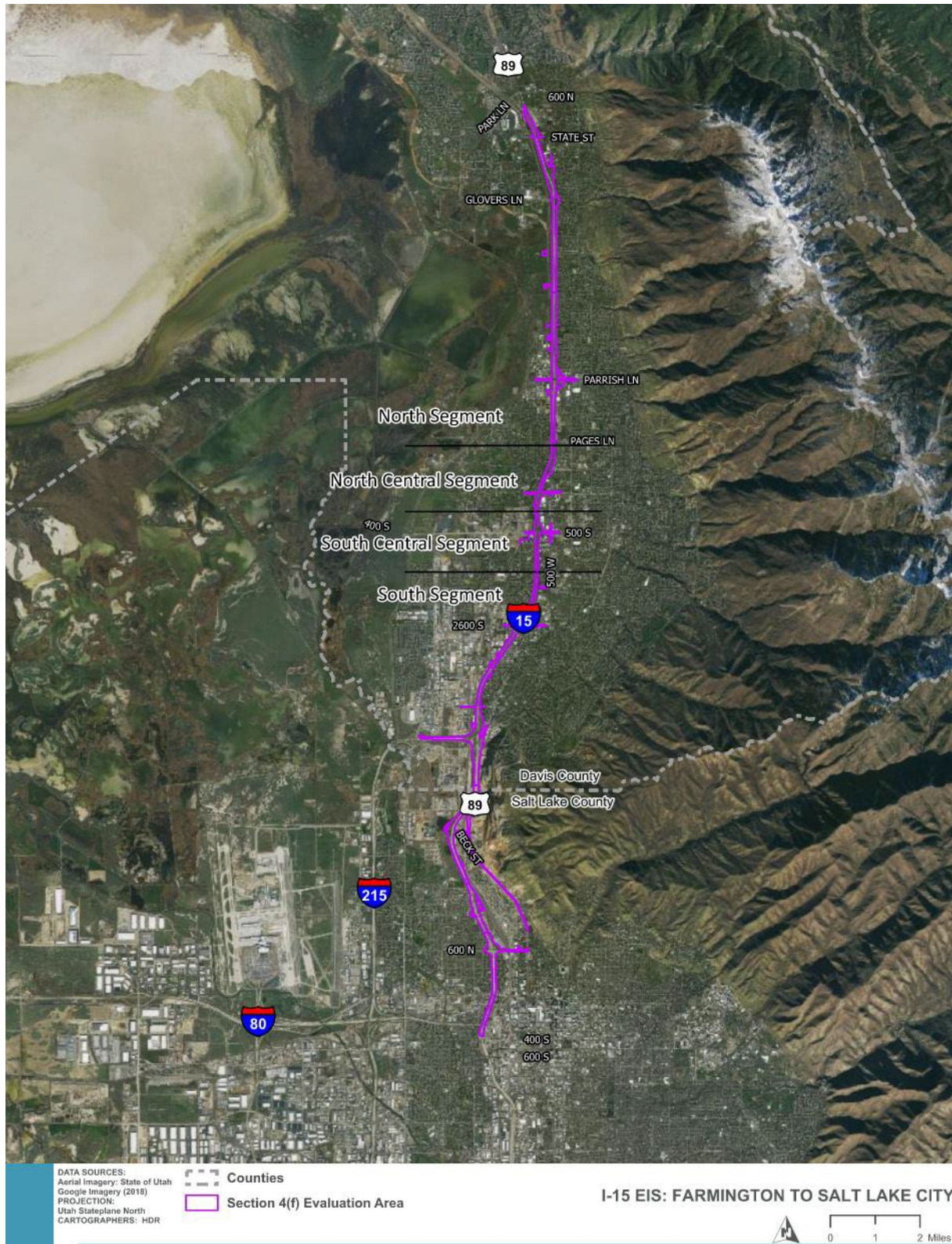
Section 4(f) of the Department of Transportation Act and the Federal Highway Administration’s implementing regulations require a project to avoid the use of protected historic properties and park and recreation areas unless there is no feasible and prudent alternative to such use or unless the lead agency determines that the impacts would be *de minimis*. If the project would use protected properties, all possible planning must be undertaken to minimize harm to these properties.

4.2 Regulatory Setting

Section 4(f) of the Department of Transportation Act of 1966 is codified at 49 United States Code (USC) Section 303, *Policy on Lands, Wildlife and Waterfowl Refuges, and Historic Sites*. It governs the use of land from publicly owned parks, recreation areas, wildlife and waterfowl refuges, and public or private historic sites.

The requirements of Section 4(f) apply only to modal administrations within the U.S. Department of Transportation: the Federal Highway Administration (FHWA), the Federal Transit Administration, the Federal Railroad Administration, and the Federal Aviation Administration. FHWA’s Section 4(f) regulations, entitled *Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites*, are codified at 23 Code of Federal Regulations (CFR) Part 774. FHWA has also developed guidance in the form of the *Section 4(f) Policy Paper* (FHWA 2012).

Figure 4.2-1. Section 4(f) Evaluation Area



NEPA Assignment. Pursuant to 23 USC Section 327, the Utah Department of Transportation (UDOT) has assumed FHWA's responsibilities under the National Environmental Policy Act of 1969 (NEPA) and all or part of the responsibilities of the Secretary of the U.S. Department of Transportation for environmental review, consultation, or other actions required or arising under federal environmental laws, including Section 4(f) with respect to the review or approval of highway projects in the state. Therefore, where the law and regulations refer to FHWA or the Secretary of Transportation, UDOT has assumed those responsibilities.

4.2.1 Definition of Section 4(f) Properties

A Section 4(f) property is defined as any of the following:

- Parks and recreation areas of national, state, or local significance that are both publicly owned and open to the public
- Publicly owned wildlife and waterfowl refuges of national, state, or local significance that are open to the public to the extent that public access does not interfere with the primary purpose of the refuge
- Historic sites of national, state, or local significance in public or private ownership regardless of whether they are open to the public

Parks and Recreation Areas. Section 4(f) applies to significant publicly owned parks and recreation areas that are open to the public. The land must be officially designated as a park or recreation area, and the officials with jurisdiction of the land must determine that its primary purpose is as a park or recreation area. The term *significant* means that, in comparing the availability and function of the property with the recreation objectives of the agency or community authority, the property in question plays an important role in meeting those objectives. Park and recreation areas that are on privately owned land are not Section 4(f) properties, even if they are open to the public. However, if a governmental body has a permanent easement, or in some cases a long-term lease, UDOT will determine on a case-by-case basis whether Section 4(f) applies. Public school playing fields that are open to the public and serve either organized or substantial walk-on recreational purposes that are determined to be significant are also subject to the requirements of Section 4(f).

Section 4(f) can also apply to *planned* parks and recreation areas. Section 4(f) applies when the land is publicly owned and the public agency that owns the property has formally designated and determined it to be significant for park or recreation purposes. The key is whether the planned facility is presently publicly owned, presently formally designated for Section 4(f) purposes, and presently significant.

Historic Sites. Historic sites include any prehistoric or historic district, site, building, structure, or object. Section 4(f) applies to historic sites that are listed on or eligible for listing on the National Register of Historic Places (NRHP), unless UDOT determines that an exception under 23 CFR Section 774.13 applies. An exception would apply if UDOT concludes that a site eligible for listing in the NRHP "is important chiefly because of what can be learned by data recovery and has minimal value for preservation in place" and the Utah State Historic Preservation Officer (SHPO) concurs with or does not object to such conclusion [23 CFR Sections 774.13(b)(1) and (b)(2)].

4.2.2 Determination of Use

After UDOT has determined which properties are eligible for Section 4(f), the next step is to determine the effects or “use” of the project on the eligible Section 4(f) properties.

“Use” in the context of Section 4(f) is defined in 23 CFR Section 774.17 and includes the following categories.

Permanent Incorporation. The most common form of use is when land is permanently incorporated into a transportation facility. This occurs either when land from a Section 4(f) property is purchased outright as transportation right-of-way or when permanent access onto the property such as a permanent easement for maintenance or other transportation-related purpose is granted.

Temporary Occupancy (Use or Exception). A second type of use of Section 4(f) property or resources is a temporary occupancy. This results when a Section 4(f) property, in whole or in part, is required for activities related to project construction. With temporary occupancy, the Section 4(f) property is not permanently incorporated into a transportation facility, but the activity is considered to be adverse in terms of the preservation purpose of Section 4(f) law and is therefore considered a Section 4(f) use.

The regulation at 23 CFR Section 774.13(d) excepts from the requirements of Section 4(f) temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f). The following conditions must be satisfied:

1. Duration must be temporary, and there should be no change in ownership of the land;
2. The scope of the work must be minor;
3. There are no anticipated permanent adverse physical impacts, nor would there be interference with the protected activities, features, or attributes of the property;
4. The land being used must be fully restored; and
5. There must be documented agreement of the officials with jurisdiction over the Section 4(f) resource regarding the above conditions.

Temporary occupancies of this kind can occur during the construction process and, if they truly cause no interference, are excepted from the requirement for Section 4(f) approval. As stated in the regulations, temporary occupancy also requires written concurrence from the officials with jurisdiction if the exception criteria listed above are applied. If all of the conditions in Section 774.13(d) are met, the temporary occupancy does not constitute a use. However, if one or more of the conditions for the exception cannot be met, then the temporary occupancy of the Section 4(f) property is considered a “use” by the project even though the duration of on-site activities would be temporary and the ownership of the property would not change.

Constructive Use. In addition to actual, physical use of Section 4(f) property or resources (whether through direct use or temporary occupancy), the FHWA regulations at 23 CFR Section 774.15 recognize that an impact to Section 4(f) resources can occur based on a project's proximity, if the project substantially impairs the value of the Section 4(f) resource. This can also be a "use" and is called constructive use. It is defined in the FHWA regulations as occurring

... when the transportation project does not incorporate land from a Section 4(f) resource, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify a property for protection under Section 4(f) are substantially impaired. Substantial impairment occurs only when the protected activities, features, or attributes are substantially diminished. [23 CFR Section 774.15(a)]

A constructive use determination is rare. It is unusual for proximity impacts to be so great that the purpose of the property that qualifies the resource for protection would be substantially diminished. Although UDOT has assumed most of FHWA's responsibilities for environmental review, consultation, and other actions under Section 4(f), UDOT cannot make a determination that an action constitutes a constructive use without first consulting with FHWA and obtaining FHWA's views on such a determination. Per the First Renewed Memorandum of Understanding between FHWA and UDOT regarding NEPA assignment (FHWA 2022), if FHWA raises an objection, then UDOT agrees not to proceed with a constructive-use determination.

4.2.3 Approval Options

Once UDOT determines that a project might use a Section 4(f) property, there are three methods available for UDOT to approve the use:

1. Make a *de minimis* impact determination;
2. Conclude that specific conditions in an approved programmatic Section 4(f) evaluation are met; or
3. Prepare an individual Section 4(f) evaluation and conclude that there is no feasible and prudent alternative that completely avoids the use of the Section 4(f) property, that the project includes all possible planning to minimize harm, and that, if there are multiple alternatives with use(s) that have greater-than-*de minimis* impacts, the alternative with least overall harm is selected.

The project's potential uses of Section 4(f) properties would trigger both *de minimis* and individual evaluations. Requirements for making a *de minimis* impact determination and the requirements for making an individual Section 4(f) evaluation are described below. A programmatic Section 4(f) evaluation is not applicable for this project and is not discussed further.

Requirements for Making a Finding of De Minimis Impact. A *de minimis* impact determination is made for the net impact to the Section 4(f) property after considering any measures (such as avoidance, minimization, mitigation, or enhancement measures) to minimize harm to the property.

For historic properties, a *de minimis* impact finding may be made only if there is a finding under the National Historic Preservation Act that a transportation project will have "no adverse effect" or there will be "no

What is a *de minimis* impact?

For historic sites, a *de minimis* impact means that the historic property would not be affected by the project or that the project would have "no adverse effect" on the historic property.

For parks, recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact is one that would not adversely affect the activities, features, or attributes of a property that is eligible for protection under Section 4(f).

historic properties affected” and the SHPO has concurred with the finding in writing [49 USC Section 303(d)(2) and 23 CFR Section 774.5(b)].

For parks, recreation areas, and wildlife refuges, UDOT may make a finding of *de minimis* impact only if:

- (A) the Secretary has determined, after public notice and opportunity for public review and comment, that the transportation program or project will not adversely affect the activities, features, and attributes of the park, recreation area, or wildlife or waterfowl refuge eligible for protection under this section; and
- (B) the finding of the Secretary has received concurrence from the officials with jurisdiction over the park, recreation area, or wildlife or waterfowl refuge. [49 USC Section 303(d)(3)]

Requirements for Individual Section 4(f) Evaluations. An individual Section 4(f) evaluation must be completed when approving a project that requires the use of a Section 4(f) property if the use would result in a greater-than-*de minimis* impact and a programmatic Section 4(f) evaluation cannot be applied to the situation. The individual Section 4(f) evaluation requires two findings to approve the use with greater-than-*de minimis* impact:

- 1. That there is no feasible and prudent alternative that completely avoids the use of the Section 4(f) property; and
- 2. That the project includes all possible planning to minimize harm to the Section 4(f) property resulting from the transportation use. [23 CFR Section 774.3(a)]

This chapter summarizes the individual Section 4(f) evaluations required as a result of the proposed action. More information regarding feasible and prudent avoidance alternatives is provided in Section 4.6, *Avoidance Alternatives*. More information regarding all possible planning to minimize harm is provided in Section 4.7, *Least Overall Harm Analysis*, and Section 4.8, *Measures to Minimize Harm*.

4.3 Proposed Action

Chapter 1, *Purpose and Need*, of this EIS describes in detail why the I-15: Farmington to Salt Lake City Project is needed and presents the purpose of the project. Chapter 2, *Alternatives*, describes the alternatives that are evaluated in this EIS, including the Action Alternative evaluated in detail. This section summarizes the project purpose and need and the alternatives.

4.3.1 Need for the Project

As described in Section 1.4.1, *Need for the Project*, I-15 between Farmington and Salt Lake City has aging infrastructure and worsening operational characteristics for current and projected (2050) travel demand, both of which contribute to decreased safety, increased congestion, lost productivity, and longer travel times. East-west streets that access or cross I-15 are important to connect communities and support other travel modes such as biking, walking, and transit. When I-15 and its interchanges do not support travel demand, traffic is added to the

What is travel demand?

Travel demand is the expected number of transportation trips in an area. Travel demand can be met by various modes of travel, such as automobile, bus, commuter rail, carpooling, and bicycling.

local streets, which affects both the regional and local transportation system as well as safe, comfortable, and efficient travel by other travel modes.

4.3.2 Purpose of the Project

The purpose of the I-15 project is to improve safety, replace aging infrastructure, provide better mobility for all travel modes, strengthen the state and local economy, and better connect communities along I-15 from Farmington to Salt Lake City. The project purpose consists of the following objectives, which are organized by UDOT's Quality of Life Framework categories of Good Health, Connected Communities, Strong Economy, and Better Mobility.

4.3.2.1 Improve Safety

- Improve the safety and operations of the I-15 mainline, I-15 interchanges, bicyclist and pedestrian crossings, and connected roadway network.

4.3.2.2 Better Connect Communities

- Be consistent with planned land use, growth objectives, and transportation plans.
- Support the planned FrontRunner Double Track projects and enhance access and connectivity to FrontRunner, to regional transit and trails, and across I-15.

4.3.2.3 Strengthen the Economy

- Replace aging infrastructure on I-15.
- Enhance the economy by reducing travel delay on I-15.

4.3.2.4 Improve Mobility for All Modes

- Improve mobility and operations on the I-15 mainline, I-15 interchanges, connected roadway network, transit connections, and bicyclist and pedestrian facilities to help accommodate projected travel demand in 2050.

4.3.3 Alternatives Evaluated in the EIS

Based on the results of the alternatives development and screening process, UDOT advanced the following alternatives for further study in this EIS:

- No-action Alternative
- Action Alternative

The Action Alternative includes the five general-purpose lane and one high-occupancy/toll lane mainline concept combined with the concepts for each of the five geographic areas that passed Level 1 and Level 2 screening. For more information about the alternatives screening process, see Chapter 2, *Alternatives*.

The Action Alternative also includes the following subarea options:

- Farmington
 - 400 West Option
 - State Street Option
- Bountiful 400 North
 - Northern Option
 - Southern Option
- Bountiful 500 South
 - Northern Option
 - Southern Option
- Salt Lake City 1000 North
 - Northern Option
 - Southern Option

4.4 Identification of Section 4(f) Resources

This section discusses the Section 4(f) resources in the Section 4(f) evaluation area that could be affected by the Action Alternative. These resources include historic resources as well as public parks and recreation areas. There are no wildlife or waterfowl refuges near the Action Alternative. As used in this chapter, the term *historic resource* includes archaeological sites and architectural properties.

Section 4(f) applies only to parks, recreation areas, wildlife and waterfowl refuges, and historic resources of “national, state, or local significance,” according to the definition of Section 4(f) property in 23 CFR Section 774.17. All of the Section 4(f) properties discussed in this chapter have been determined to be significant pursuant to 23 CFR Section 774.11(c).

4.4.1 Historic Resources

Historic resources for this project include archaeological sites, houses and farmstead buildings, and historic linear features such as canals, utilities, and rail lines. Section 4(f) protections apply to historic resources that are listed on or eligible for listing on the National Register of Historic Places. A detailed description of the process used under Section 106 of the National Historic Preservation Act to determine eligibility is provided in Section 3.10, *Historic and Archaeological Resources*. To identify historic resources, cultural resource surveys were conducted in the Section 4(f) evaluation area. These studies documented the archaeological sites and architectural buildings in the evaluation area.

4.4.1.1 Surveys for Archaeological Resources

Eleven NRHP-eligible archaeological sites located in the Section 4(f) evaluation area could be impacted by the Action Alternative, as listed in Table 4.4-1. For more information about the process that was used to identify archaeological sites, see Section 3.10, *Historic and Archaeological Resources*. The reports *A Cultural Resource Inventory for the I-15: 600 North to Farmington Environmental Impact Study* (Horrocks 2022), *A Cultural Inventory of Additional Areas for the I-15: 600 North to Farmington Environmental Impact Study* (Horrocks 2023a), and *Supplementary Areas for the I-15: 600 North to Farmington Environmental Impact Study* (Horrocks 2023c) contain additional details. Locations are shown in Appendix 3H, *Cultural Resources Maps*.

Table 4.4-1. NHRP-eligible Archaeological Sites in the Section 4(f) Evaluation Area

Site Number(s)	Site Name	NRHP Evaluation ^a	Figure Number
42DV2	Prehistoric Artifact Scatter	Eligible (under Criterion D)	Not shown. No impacts from Action Alternative
42DV86/42SL293	Denver & Rio Grande Western Railroad Grade	Eligible (under Criterion A)	Appendix 3H: Figure 22
42DV89	Historic Earthen Berms/Lake Shore Resort	Eligible (under Criterion A)	Not shown. No impacts from Action Alternative
42DV87/42SL300	Union Pacific Railroad	Eligible (under Criteria A, B, and C)	Appendix 3H: Figures 1A, 1B, 3, 4, 5, 6, 7A, 7B, 20, 22, 23, 25, 30, and 33
42DV93	Historic Trash Deposit	Eligible (under Criterion D)	Not shown. No impacts from Action Alternative
42DV126/42SL489	Historic Oil Drain	Eligible (under Criterion A)	Not shown. No impacts from Action Alternative
42DV187	Historic Oakridge Golf Course	Eligible (under Criterion A)	Not shown. No impacts from Action Alternative
42DV197/42SL513	Historic Sewage Canal	Eligible (under Criterion A)	Not shown. No impacts from Action Alternative
42SL718	Denver & Rio Grande Western Historic Railroad Repair Yard	Eligible (under Criteria A, C, and D)	Not shown. No impacts from Action Alternative
42SL729	Historic Trolley Line	Eligible (under Criterion A)	Appendix 3H: Figure 33

^a Criterion A is for sites associated with events that have made a significant contribution to the broad patterns of our history. Criterion B are for sites associated with the lives of persons significant in the past. Criterion C is for sites that embody distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction. Criterion D is for sites that have yielded, or might likely yield, information important in prehistory or history (36 CFR Part 63).

4.4.1.2 Surveys for Architectural Resources

The Utah Division of State History's criteria for architectural buildings state that properties are potentially eligible if they are 50 years old or older and retain most of their original appearance without major changes to the structures (FHWA and others 2017).

For this project, UDOT identified architectural sites that were a minimum of 41 years old at the time of the 2021 field surveys (that is, constructed in or before 1980) and identified which sites and buildings are eligible for listing in the NRHP. Ultimately, 429 structures in the evaluation area were determined to be eligible for listing in the NRHP. Of these, 377 structures are recommended as eligible-contributing (EC) and 52 structures are recommended as eligible-significant (ES) under the Utah Division of State History's rating system. Most of the eligible structures are residential or commercial buildings. The report *Selective Reconnaissance-level Survey for the I-15: Salt Lake City 600 North to Farmington EIS, Salt Lake and Davis Counties, Utah* (Horrocks 2023b) contains additional details including descriptions, locations, and pictures of the properties.

For a detailed description of these historic buildings and the process used under Section 106 of the National Historic Preservation Act to determine a resource's eligibility for the NRHP, see Section 3.10, *Historic and Archaeological Resources*. Descriptions and photos of the potentially affected properties are included in Appendix 3I, *Cultural Resources Correspondence*, and the locations are shown in Appendix 3H, *Cultural Resources Maps*.

What is the Utah Division of State History's rating system for historic structures?

See Section 3.10, *Historic and Archaeological Resources*, for definitions of eligible-contributing (EC) and eligible-significant (ES).

4.4.1.3 Determination of Eligibility

UDOT submitted its Determinations of Eligibility report for historic architectural and archaeological properties to the Utah SHPO on March 17, 2023. The Utah SHPO concurred with all determinations in a letter dated March 22, 2023.

This Section 4(f) evaluation examines those historic properties that would be affected by the Action Alternative. Section 106 resources for which the Section 106 process found no effect are not discussed in the Section 4(f) evaluation. (For more information about the Section 106 process, see Section 3.10, *Historic and Archaeological Resources*.)

4.4.2 Public Parks and Recreation Areas

Section 4(f) applicability for parks and recreation areas is described in Section 4.2.1, *Definition of Section 4(f) Properties*. The Section 4(f) evaluation area includes several park or recreation resources that UDOT determined to be Section 4(f) resources. The Section 4(f) resources were identified through discussion with local municipalities and a review of their official planning documents. Section 4(f) parks and recreation areas in the Section 4(f) evaluation area are described in Table 4.4-2.

Table 4.4-2. Section 4(f) Parks and Recreation Areas in the Section 4(f) Evaluation Area

Park or Recreation Resource	Ownership and/or Management	Description and/or Location	Attributes, Features, and Attributes	Address
Oakridge Preserve Trails	Farmington City	Paved recreation trails on east side of I-15, north of Park Lane, and west side of U.S. Highway 89 (U.S. 89) around Farmington Preserve neighborhood. Identified on <i>Farmington Trails Plan</i> .	Paved trails used for walking, jogging, and cycling.	855 North 1100 West, Farmington
Shepard Lane Park	Farmington City	5.6-acre park east of U.S. 89 and north of Park Lane.	Playground, pavilions, tennis courts, softball field, and sand volleyball court.	760 Shepard Lane, Farmington
Farmington Preserve Park	Farmington City	1.4-acre park east of I-15 and north of Park Lane.	Playing fields and playground.	855 North 1100 West, Farmington
Farmington Creek Trail	Farmington City	2.5-mile-long paved trail between the Davis County Fairgrounds and Farmington Canyon. The segment in the project area includes a 0.1-mile segment in Ezra T. Clark Park. The Farmington Creek Trail uses the pedestrian crossing on the south side of State Street to cross I-15, the railroad tracks, and Legacy Parkway.	Paved trail used for walking, jogging, and cycling.	400 W. State Street, Farmington
Ezra T. Clark Park	UDOT owns western part of park; Farmington City owns the 0.5-acre central parcel of park with trail and pavilion	2-acre park east of I-15 north of State Street. The middle 0.47 acre of the park that includes the Farmington Creek Trail is owned by Farmington City. The rest of the park (including the areas with the parking lot, pavilion, and historic monument) is located on parcels owned by UDOT.	Pavilion and access to Farmington Creek Trail.	400 W. State Street, Farmington

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Table 4.4-2. Section 4(f) Parks and Recreation Areas in the Section 4(f) Evaluation Area

Park or Recreation Resource	Ownership and/or Management	Description and/or Location	Attributes, Features, and Attributes	Address
Farmington Junior High School playing fields	Farmington City	8.25-acre sports fields on the east side of I-15 on the west side of Farmington Junior High School.	Grass playing fields.	150 South 200 West, Farmington
Farmington High School playing fields	Farmington City	15.4-acre sports fields on the west side of Legacy Parkway north of Glovers Lane and on the east side of Farmington High School.	Baseball field, softball field, football field, tennis courts, grass playing fields, and parking lots.	548 W. Glovers Lane, Farmington
Sound Wall Park	Farmington City	0.3-acre neighborhood park at about 100 West 1050 South.	Grass playing fields and Davis Creek Trail.	1050 S. I-15 Frontage Road, Farmington
Davis Creek Trail	Farmington City	0.4-mile-long trail between Frontage Road and 200 East.	Unpaved multi-use trail for use by hikers and joggers.	200 East 1035 South, Farmington
South Park	Farmington City	6.6-acre park east of I-15 north of 1470 South.	Basketball courts, volleyball court, playground, softball field, skate park, pavilion, and parking.	1384 S. Frontage Road, Farmington
Centerville Community Park	Centerville City	30-acre park east of I-15 at about 1200 N. Frontage Road in Centerville.	6 multisport fields, drinking fountains, 1-mile jogging path, playground, sand volleyball court, pavilions, bathrooms, and parking.	1350 North 400 West, Centerville
West Bountiful City Park	West Bountiful City	14.5-acre park west of I-15 at about 1600 North in West Bountiful.	Softball fields, soccer fields, sand volleyball courts, tennis court, pavilions, bathrooms, parking, and playground.	550 West 1600 North, West Bountiful
Woods Cross Elementary School playing fields and walking path	Woods Cross City	4.2-acre sports fields on the west side of I-15 at about 1300 South in Woods Cross and on the east side of Woods Cross Elementary School.	Grass playing fields and walking path.	745 West 1100 South, Woods Cross
Woods Cross High School playing fields	Woods Cross City	16.3-acre sports fields on the east side of I-15 at about 2200 South in Woods Cross and on the south side of Woods Cross High School.	Baseball field, softball field, football field, tennis courts, grass playing fields, and parking lots.	600 West 2200 South, Woods Cross

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Table 4.4-2. Section 4(f) Parks and Recreation Areas in the Section 4(f) Evaluation Area

Park or Recreation Resource	Ownership and/or Management	Description and/or Location	Attributes, Features, and Attributes	Address
Hatch Park	City of North Salt Lake	12.3-acre park on the east side of I-15 and the north side of Center Street in North Salt Lake.	Softball fields, tennis courts, basketball court, soccer fields, sand volleyball court, walking path, playground, parking, bathrooms, and pavilions.	50 W. Center Street, North Salt Lake
Swede Town Park	Salt Lake City	0.6-acre park at 840 West 1500 North.	Playground, sandbox, basketball court, and grass playing fields.	840 West 1500 North, Salt Lake City
Rosewood Park	Salt Lake City	29-acre park on the west side of I-15 and east of 1200 West around 1400 North.	Skate park, tennis courts, walking path, softball fields, playground, basketball court, grass playing fields, restrooms, and parking.	1400 North 1200 West, Salt Lake City
North Gateway Park	Salt Lake City	6-acre park east of U.S. 89 in Salt Lake City.	Restrooms, walking path, drinking fountains, and parking.	840 N. Beck Street, Salt Lake City
Warm Spring Park	Salt Lake City	13.5-acre park east of U.S. 89 in Salt Lake City.	Playground, restrooms, multi-use fields, tennis courts, drinking fountains, picnic tables, and parking.	840 N. Beck Street, Salt Lake City
Guadalupe Park	Salt Lake City	0.6-acre park at 500 North 600 West (east of I-15).	Playground, basketball court, and picnic tables.	619 West 500 North, Salt Lake City
Jackson Park	Salt Lake City	1-acre park at 481 N. Grant Street (west of I-15).	Playground and picnic tables.	481 N. Grant Street, Salt Lake City
Jordan River OHV State Recreation Area	Utah Department of Natural Resources	133.7-acre recreation area for off-highway vehicles (OHV). Includes trails, jumps, and training areas.	Trails, jumps, training areas, restrooms, picnic tables, pavilions, and fee station/main office.	2800 N. Rose Park Lane, Salt Lake City
Jordan River Trail Extension/Porter's Takeout Trail	Salt Lake City	Paved trail that crosses under Interstate 215 (I-215) and Legacy Parkway and connects to the Jordan River Trail and the Legacy Parkway Trail.	Paved trail used for walking, jogging, and cycling.	50 Jordan River Drive, North Salt Lake

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Table 4.4-2. Section 4(f) Parks and Recreation Areas in the Section 4(f) Evaluation Area

Park or Recreation Resource	Ownership and/or Management	Description and/or Location	Attributes, Features, and Attributes	Address
Jackson Elementary School playing fields	Salt Lake City	2.5-acre sports fields on the west side of I-15 at about 200 North in Salt Lake City and on the southeast side of Jackson Elementary School.	Grass playing fields.	750 West 200 North, Salt lake City
9-Line Bike Park	Salt Lake City	0.5-acre parcel on the south side of 900 South under I-15.	Bike jumps, pump track, and walking path.	700 West 900 South, Salt Lake City
Jordan River Trail	Salt Lake City	Paved regional trail that follows the Jordan River and connects to the Legacy Parkway Trail near I-215.	Paved trail used for walking, jogging, and cycling.	Jordan River Parkway Trail, North Salt Lake

4.5 Use of Section 4(f) Resources

The following sections describe the impacts of the No-action and Action Alternatives to Section 4(f) properties. For each Section 4(f) property, there can be one of the following findings related to use by a project alternative:

- Use with greater-than-*de minimis* impact
- Use with *de minimis* impact
- Use as a result of temporary occupancy
- Temporary occupancy with impacts so minimal as to not constitute a use
- Constructive use (proximity impact if the alternative is adjacent)
- No use (if there is no use to a Section 4(f) resource, it is not listed in the tables in this section)
- Exception to the requirement for Section 4(f) approval

Use, *de minimis* impact, temporary occupancy, constructive use, and relevant exceptions for this project are defined in the Section 4(f) regulations and guidance cited in Section 4.2, *Regulatory Setting*. The Action Alternative would have uses with greater-than-*de minimis* impacts, uses with *de minimis* impacts, and temporary occupancy impacts. These impacts would occur to historic architecture resources, archaeological resources, and to public parks or recreation areas. The ranges of the uses of Section 4(f) resources with the Action Alternative would vary based on the different options. Section 4.5.2, *Action Alternative*, provides more detail about the differences in use among the different options.

4.5.1 No-action Alternative

The No-action Alternative would not require acquisition of right-of-way and would result in no uses of Section 4(f) properties.

4.5.2 Action Alternative

The Action Alternative would use property from Section 4(f) resources. The following sections summarize these effects. Table 4.5-1, *Summary of Impacts to Section 4(f) Resources from the Action Alternative*, in Section 4.5.2.3, *Summary of Action Alternative Impacts*, summarizes all Section 4(f) uses for each segment and option for the Action Alternative.

4.5.2.1 Historical Sites

4.5.2.1.1 Architectural Resources

UDOT evaluated the historic architectural properties that were determined eligible for listing in the NRHP to determine whether the segment options would impact any portion of the resource or site and whether that impact would constitute an effect under Section 106.

For properties for which the Utah SHPO concurred that there would be an adverse effect, the Utah SHPO also concurred with the determination of a Section 4(f) use with greater-than-*de minimis* impact. Similarly, for properties for which the Utah SHPO concurred that there would be no adverse effect, the Utah SHPO also concurred with the determination of a Section 4(f) use with *de minimis* impact or a Section 4(f) temporary occupancy impact.

The sections below summarize the use of historical sites for each of the four segments of the Action Alternative.

North Segment Impacts

The impacts to architectural resources in the north segment would be the same for both the Farmington 400 West Option and the Farmington State Street Option. Both of these options would result in a use with greater-than-*de minimis* impact to two architectural resources (399 W. State Street and the Clark Lane Historic District in Farmington), would have a use with *de minimis* impact to 1 architectural resource, and would have temporary occupancy impacts for 6 architectural resources (see Appendix 3H, *Cultural Resources Maps*, Figures 1A, 1B, 2A, and 2B, and Appendix 3G, *Architectural Impacts*).

Roadway improvements with both options would impact the historic structure at 399 W. State Street and require UDOT to acquire the parcel, demolish the structure, and relocate the occupants.

The use with greater-than-*de minimis* impact to the Clark Lane Historical District would be due to the demolition of 399 W. State Street in Farmington (which is part of the Clark Lane Historical District) and the potential loss of trees on State Street east of 400 West.

North Central Segment Impacts

Bountiful 400 North – Northern Option Impacts. This option would have a use with greater-than-*de minimis* impact to 444 West 400 North in Bountiful, would have uses with *de minimis* impacts to 9 architectural resources, and would have temporary occupancy impacts for 4 architectural resources (see Appendix 3H, *Cultural Resources Maps*, Figures 6, 7A, and 8A, and Appendix 3G, *Architectural Impacts*).

Roadway improvements with the Bountiful 400 North – Northern Option would impact the historic structure at 444 West 400 North and would require UDOT to acquire the parcel, demolish the structure, and relocate the occupants (see Appendix 3H, *Cultural Resources Maps*, Figure 8A).

Bountiful 400 North – Southern Option Impacts. This option would have a use with greater-than-*de minimis* impact to 433 West 400 North in Bountiful, would have uses with *de minimis* impacts to 9 architectural resources, and would have temporary occupancy impacts for 4 architectural resources (see Appendix 3H, *Cultural Resources Maps*, Figures 6, 7B, and 8B, and Appendix 3G, *Architectural Impacts*).

Roadway improvements with the Bountiful 400 North – Southern Option would impact the historic structure at 433 West 400 North and require UDOT to acquire the parcel, demolish the structure, and relocate the occupants (see Appendix 3H, Figure 8B).

South Central Segment Impacts

Bountiful 500 South – Northern Option Impacts. This option would have an **adverse effect** on 409 South 500 West in Bountiful, would have uses with *de minimis* impacts to 6 architectural resources, and would have temporary occupancy impacts for 9 architectural resources (see Appendix 3H, *Cultural Resources Maps*, Figures 9, 10A, and 11A, and Appendix 3G, *Architectural Impacts*).

Roadway improvements with the Bountiful 500 South – Northern Option would require partial acquisition of about 0.13 acre of the 0.88-acre parcel on the west edge of the parcel for 409 South 500 West, which is a commercial property that includes the Bountiful Bowl business. The roadway improvements would remove the overhead sign and parking on west side of the building. UDOT does not anticipate needing to demolish the historic building or relocate the business. However, the impacts to the overhead sign and parking are considered a greater-than-*de minimis* impact (see Appendix 3H, *Cultural Resources Maps*, Figure 10A).

Bountiful 500 South – Southern Option Impacts. This option would have uses with greater-than-*de minimis* impacts to 409 South 500 West and 453 West 500 South in Bountiful, would have uses with *de minimis* impacts to 5 architectural resources, and would have temporary occupancy impacts for 9 architectural resources (see Appendix 3H, *Cultural Resources Maps*, Figures 9, 10B, and 11B, and Appendix 3G, *Architectural Impacts*).

The impacts to 409 South 500 West would be the same as those from the Bountiful 500 South – Northern Option. Roadway improvements with the Bountiful 500 South – Southern Option would impact the historic commercial structure at 453 West 500 South and would require UDOT to acquire the parcel, demolish the structure, and relocate the business (see Appendix 3H, *Cultural Resources Maps*, Figure 10B).

South Segment Impacts

The impacts to architectural resources in the south segment would be the same for both the Salt Lake City 1000 North – Northern Option and the Salt Lake City 1000 North – Southern Option. Both of these options would have uses with greater-than-*de minimis* impacts to two architectural resources (U.S. Bank at 1090 North 500 East in North Salt Lake and a Quonset hut at 825 N. Warm Springs Road in Salt Lake City), would have uses with *de minimis* impacts to 28 architectural resources, and would have temporary occupancy impacts for 42 architectural resources (see Appendix 3H, *Cultural Resources Maps*, Figures 12 to 33, and Appendix 3G, *Architectural Impacts*).

Roadway improvements with both options would require partial acquisition of about 0.18 acre of the 1.07-acre parcel on the north edge of the 1090 North 500 East parcel. The roadway improvements would impact the parking area on the north side of the structure and impact the drive-thru lane. UDOT might need to purchase the property and relocate the business due to impacts to drive-thru and parking area. UDOT does not anticipate needing to demolish the historic building. However, if UDOT purchases and resells the historic structure, the impact would be considered adverse and a greater-than-*de minimis* impact (see Appendix 3H, *Cultural Resources Maps*, Figure 15).

Roadway improvements with both options would demolish the historic structure at 825 N. Warm Springs Road. This historic structure is part of a 19.3-acre parcel. UDOT would need to purchase a strip of property on the west side of this parcel and work with the property owners to provide compensation to replace the impacted structure (see Appendix 3H, *Cultural Resources Maps*, Figure 28A for the Salt Lake City 1000 North – Northern Option and Figure 28B for the Salt Lake City 1000 North – Southern Option).

4.5.2.1.2 Archaeological Sites

UDOT evaluated the archaeological sites that were determined eligible for listing in the NRHP to determine whether the segment options would use any portion of the resource or site and whether that impact would constitute an effect under Section 106. The Utah SHPO concurred that no sites would have an adverse effect as a result of the Action Alternative. For sites for which the SHPO concurred that there would be no adverse effect, the Utah SHPO also concurred with the determination of a Section 4(f) use with *de minimis* impact.

The sections below summarize the use of archaeological sites for each of the four segments of the Action Alternative.

North Segment Impacts

The uses of archaeological sites in the north segment would be the same for both the Farmington 400 West Option and the Farmington State Street Option. Both of these options would require the following 10 crossings of the Union Pacific Railroad tracks and would have uses with *de minimis* impacts to site 42DV87, Union Pacific Railroad:

- Reconstruction of three existing grade-separated road crossings (road over the railroad tracks at State Street in Farmington, Glovers Lane in Farmington, and Parrish Lane in Centerville) (see Appendix 3H, *Cultural Resources Maps*, Figures 1A, 1B, 3, and 5)
- Reconstruction of one existing at-grade road and sidewalk crossing at Pages Lane in Centerville and West Bountiful (see Appendix 3H, Figure 6)
- Construction of two new grade-separated shared-use path crossings (shared-use path over the railroad tracks), at the Centerville Community Park pedestrian bridge crossing and at 200 North in Centerville (see Appendix 3H, Figures 4 and 5)
- Construction of four underground drainage crossings (drainage pipes would cross under the railroad tracks) near Lund Lane, 1825 North, 1175 North, and Chase Lane in Centerville

North Central Segment Impacts

The uses of archaeological sites in the north central segment would be the same for both the Bountiful 400 North – Northern Option and the Bountiful 400 North – Southern Option. Both of these options would require reconstructing one existing grade-separated crossing of the Union Pacific Railroad tracks (road over the railroad tracks) at 400 North in Bountiful and West Bountiful and would have a use with *de minimis* impact to site 42DV87, Union Pacific Railroad (see Appendix 3H, *Cultural Resources Maps*, Figures 7A and 7B).

South Central Segment Impacts

The uses of archaeological sites in the south central segment would be the same for both the Bountiful 500 South – Northern Option and the Bountiful 500 South – Southern Option. These options would not require use of any Section 4(f) archaeological sites.

South Segment Impacts

The uses of archaeological sites in the south segment would be the same for both the Salt Lake City 1000 North – Northern Option and the Salt Lake City 1000 North – Southern Option. Both of these options would have uses with *de minimis* impacts to the following three archaeological sites:

- **Site 42DV86/42SL293 (Denver & Rio Grande Western Railroad Grade)** at I-215 would have four grade-separated crossings (road over the railroad tracks). These four grade-separated crossings include reconstruction of two existing crossings (southbound-to-eastbound ramp and westbound-to-northbound ramp) and construction of two new crossings (a new westbound connection to I-215 from U.S. 89 and a new eastbound connection from I-215 to U.S. 89) (see Appendix 3H, *Cultural Resources Maps*, Figure 22).
- **Site 42SL729 (Historic Trolley Line)** at 200 South in Salt Lake City would have a road over the historic trolley line. This would be a reconstruction of the existing I-15 crossing over the historic trolley line (see Appendix 3H, Figure 33).
- **Site 42DV87/42SL300 (Union Pacific Railroad)** would have nine crossings of the railroad tracks:
 - Reconstruction of five existing grade-separated road crossings (road over the railroad tracks) at I-215 (southbound-to-eastbound ramp and westbound-to-northbound ramp), at I-15 near 2300 North in Salt Lake City, at 600 North in Salt Lake City, and at South Temple in Salt Lake City (see Appendix 3H, Figures 22, 23, 30, and 33)
 - Reconstruction of one existing at-grade road and shared-use path crossing at Center Street in North Salt Lake (see Appendix 3H, Figure 20)
 - Construction of three new grade-separated road crossings (road over the railroad tracks) at I-215 (a new westbound connection to I-215 from U.S. 89 and a new eastbound connection from I-215 to U.S. 89) and at 2100 North in Salt Lake City (see Appendix 3H, Figures 22 and 25)

4.5.2.2 Public Parks and Recreation Areas

Once UDOT determined that a public park or recreation area would be used by the Action Alternative, UDOT assessed the nature and extent of those effects on the characteristics of the resource. If an option would not adversely affect the activities, features, or attributes of the public park or recreation area, then the use was determined to have a *de minimis* impact. For public parks or recreation areas where there would be no permanent conversion to transportation right-of-way, UDOT determined that the impacts would be considered temporary occupancy with impacts so minimal as to not constitute a Section 4(f) use. The sections below summarize the impacts to public parks and recreation areas for each of the four segments of the Action Alternative. Uses of Section 4(f) public parks and recreation areas are shown in Appendix 4A, *Figures for Section 4(f) Public Parks and Recreation Areas*.

For properties for which UDOT is proposing there would be a Section 4(f) use with *de minimis* impact, UDOT has coordinated with the officials with jurisdiction to discuss the potential Section 4(f) uses and proposed measures to minimize harm that are included in this Draft EIS and Section 4(f) Evaluation. UDOT will request formal concurrence from the officials with jurisdiction on the determination of a Section 4(f) use with *de minimis* impact for the Final EIS and Section 4(f) Evaluation.

North Segment Impacts

Farmington 400 West Option. This option would have uses with *de minimis* impacts to the Farmington Creek Trail, Ezra T. Clark Park, South Park, and Centerville Community Park, and a temporary occupancy impact to the Farmington Junior High School playing fields.

- **Farmington Creek Trail** within Ezra T. Clark Park would be realigned as a result of this option. About 874 linear feet of the Farmington Creek Trail would be realigned. This segment uses a pedestrian crossing on the south side of State Street to cross I-15, the railroad tracks, and Legacy Parkway (see Appendix 4A, *Figures for Section 4(f) Public Parks and Recreation Areas*, Figure 1A).
- **Ezra T. Clark Park** would be impacted on its western edge (partial acquisition of about 0.17 acre of the 0.47-acre parcel owned by Farmington City and about 0.75 acre of the 2-acre total park acreage (including the parcels owned by UDOT) with this option. There would be no impacts to the parking lot, pavilion, or historical monument (see Appendix 4A, Figure 1A).
- **Farmington Junior High School playing fields** would have temporary construction impacts to the west edge of the playing fields from construction of the new frontage road and potential installation of a noise wall. There would be no permanent conversion of right-of-way (see Appendix 4A, Figure 2).
- **South Park** would have 0.40 acre of land acquired on the west edge of the 6.6-acre park. There would be impacts to the park strip and landscaping between the parking lot and frontage road, and the softball field and frontage road. The skate park would be impacted with the relocation of the Central Davis Sewer District pump station. There would be no impacts to parking lot capacity (see Appendix 4A, Figure 3).
- **Centerville Community Park** would have 0.92 acre of land acquired on the west edge of the 30-acre park. There would be impacts to landscaping between the parking lot and frontage road. There would be no impacts to parking capacity. There would also be temporary impacts to 0.14 acre of the park from installing a new trail overpass of I-15, the railroad lines, and Legacy Parkway that connects to the Legacy Parkway Trail and the Denver and Rio Grande Western Trail. This new trail overpass would be considered a beneficial impact to Centerville Community Park (see Appendix 4A, Figure 4).

Farmington State Street Option. This option would have a use with a greater-than-*de minimis* impact to one public park (Ezra T. Clark Park); would have uses with *de minimis* impacts to the Farmington Creek Trail, South Park, and Centerville Community Park, and would have temporary occupancy impacts to the Farmington Junior High School playing fields. Impacts to South Park, Centerville Community Park, and the

Farmington Junior High School playing fields would be the same as with the Farmington 400 West Option described above.

- **Ezra T. Clark Park** would have impacts to the parking lot, pavilion, and historical monument from the realignment of the frontage road. These impacts would require full parcel acquisition of the 0.47-acre central section of the park from Farmington City. These impacts would place new roadway on all 2 acres of the 2-acre park, including the parcels owned by UDOT (see Appendix 4A, Figure 1B).
- **Farmington Creek Trail** within Ezra T. Clark Park would be realigned as a result of this option. About 1,126 linear feet of the Farmington Creek Trail would be realigned. This segment uses a pedestrian crossing on the south side of State Street to cross I-15, the railroad tracks, and Legacy Parkway (see Appendix 4A, Figure 1B).

North Central Segment Impacts

The impacts to public parks and recreation areas in the north central segment would be the same for both the Bountiful 400 North – Northern Option and the Bountiful 400 North – Southern Option. These options would not require use of any Section 4(f) public parks or recreation areas.

South Central Segment Impacts

The impacts to public parks and recreation areas in the south central segment would be the same for both the Bountiful 500 South – Northern Option and the Bountiful 500 South – Southern Option. These options would have temporary occupancy impacts to the Woods Cross Elementary School playing fields and walking path. This impact would be temporary construction impacts to the eastern edge of the playing fields to replace the noise wall (see Appendix 4A, *Figures for Section 4(f) Public Parks and Recreation Areas*, Figure 5).

South Segment Impacts

The impacts to public parks and recreation areas in the south segment would be the same for both the Salt Lake City 1000 North – Northern Option and the Salt Lake City 1000 North – Southern Option. Both of these options would have a use with *de minimis* impact to the Woods Cross High School playing fields and temporary occupancy impacts to Hatch Park, North Gateway Park, and Warm Springs Park.

- **Woods Cross High School playing fields** would have 0.37 acre of land acquired on the west edge of the 4.2-acre playing fields. Impacts would remove about 5 to 7 feet of property consisting of landscaping and sidewalk on the western edge of the playing fields and would require replacing the chain link fence south of the baseball field (see Appendix 4A, *Figures for Section 4(f) Public Parks and Recreation Areas*, Figure 6).
- **Hatch Park** would have temporary construction impacts on the south edge of the park to construct a new sidewalk and bike lane on City-owned park property. Additionally, the existing noise wall might be replaced and another noise wall might be added on the west edge of the park. These temporary impacts would affect about 0.21 acre of land. There would be no permanent conversion of right-of-way (see Appendix 4A, Figure 7).
- **North Gateway Park** would have temporary construction impacts to reconstruct driveway access. There would be no permanent conversion of right-of-way (see Appendix 4A, Figure 8).
- **Warm Springs Park** would have temporary construction impacts to reconstruct driveway access. There would be no permanent conversion of right-of-way (see Appendix 4A, Figure 8).

4.5.2.3 Summary of Action Alternative Impacts

Table 4.5-1 shows the uses in each segment of the Action Alternative and the total range of uses for the Action Alternative. As shown in Table 4.5-1, the Action Alternative would have uses with greater-than-*de minimis* impacts to architectural resources and public parks; uses with *de minimis* impacts to architectural resources, archaeological resources, and public parks or recreation areas; and temporary occupancy impacts to architectural resources and public parks or recreation areas.

Table 4.5-1. Summary of Impacts to Section 4(f) Resources from the Action Alternative

Segment	Option	Architectural Resource Uses	Archaeological Site Uses	Public Park and Recreation Area Uses
North	Farmington 400 West Option	<ul style="list-style-type: none"> • 2 uses with greater-than-<i>de minimis</i> impact • 1 use with <i>de minimis</i> impact • 6 temporary occupancy impacts 	<ul style="list-style-type: none"> • 1 – use with <i>de minimis</i> impact to 42DV87 (Union Pacific Railroad) 	<ul style="list-style-type: none"> • 4 – uses with <i>de minimis</i> impacts to Ezra T. Clark Park, Farmington Creek Trail, South Park, and Centerville Community Park • 1 – temporary occupancy impact to Farmington Junior High School playing fields
	Farmington State Street Option	<ul style="list-style-type: none"> • 2 uses with greater-than-<i>de minimis</i> impact • 1 use with <i>de minimis</i> impact • 6 temporary occupancy impacts 	<ul style="list-style-type: none"> • 1 – use with <i>de minimis</i> impact to 42DV87 (Union Pacific Railroad) 	<ul style="list-style-type: none"> • 1 – use with greater-than-<i>de minimis</i> impact to Ezra T. Clark Park • 3 – uses with <i>de minimis</i> impacts to Farmington Creek Trail, South Park, and Centerville Community Park • 1 – temporary occupancy impact to Farmington Junior High School playing fields
North Central	Bountiful 400 North – Northern Option	<ul style="list-style-type: none"> • 1 use with greater-than-<i>de minimis</i> impact • 9 uses with <i>de minimis</i> impacts • 4 temporary occupancy impacts 	<ul style="list-style-type: none"> • 1 – use with <i>de minimis</i> impact to 42DV87 (Union Pacific Railroad) 	<ul style="list-style-type: none"> • None
	Bountiful 400 North – Southern Option	<ul style="list-style-type: none"> • 1 use with greater-than-<i>de minimis</i> impact • 9 uses with <i>de minimis</i> impacts • 4 temporary occupancy impacts 	<ul style="list-style-type: none"> • 1 – use with <i>de minimis</i> impact to 42DV87 (Union Pacific Railroad) 	<ul style="list-style-type: none"> • None
South Central	Bountiful 500 South – Northern Option	<ul style="list-style-type: none"> • 1 use with greater-than-<i>de minimis</i> impact • 6 uses with <i>de minimis</i> impacts • 9 temporary occupancy impacts 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • 1 – temporary occupancy impact to Woods Cross Elementary School playing fields and walking path
	Bountiful 500 South – Southern Option	<ul style="list-style-type: none"> • 2 uses with greater-than-<i>de minimis</i> impact • 5 uses with <i>de minimis</i> impacts • 9 temporary occupancy impacts 	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • 1 – temporary occupancy impact to Woods Cross Elementary School playing fields and walking path
South	Salt Lake City 1000 North – Northern Option	<ul style="list-style-type: none"> • 2 uses with greater-than-<i>de minimis</i> impacts • 28 uses with <i>de minimis</i> impacts • 42 temporary occupancy impacts 	<ul style="list-style-type: none"> • 3 – uses with <i>de minimis</i> impacts to 42DV87/42SL300 (Union Pacific Railroad), 42DV86 (Denver & Rio Grande Western Railroad Grade), and 42SL729 (Historic Trolley Line) 	<ul style="list-style-type: none"> • 1 – use with <i>de minimis</i> impact to Woods Cross High School playing fields • 3 – temporary occupancy impacts to Hatch Park, North Gateway Park, and Warm Springs Park
	Salt Lake City 1000 North – Southern Option	<ul style="list-style-type: none"> • 2 uses with greater-than-<i>de minimis</i> impact • 28 uses with <i>de minimis</i> impacts • 42 temporary occupancy impacts 	<ul style="list-style-type: none"> • 3 – uses with <i>de minimis</i> impacts to 42DV87/42SL300 (Union Pacific Railroad), 42DV86 (Denver & Rio Grande Western Railroad Grade), and 42SL729 (Historic Trolley Line) 	<ul style="list-style-type: none"> • 1 – use with <i>de minimis</i> impact to Woods Cross High School playing fields • 3 – temporary occupancy impacts to Hatch Park, North Gateway Park, and Warm Springs Park

4.6 Avoidance Alternatives

Unless the use of land from a Section 4(f) property is determined to be a use with *de minimis* impact, UDOT must determine that no feasible and prudent avoidance alternative exists before approving the use of such land (23 CFR Section 774.3). A minimum of 6 and maximum of 8 Section 4(f) properties would have uses with greater-than-*de minimis* impacts with the Action Alternative. Section 4(f) properties that would have uses with greater-than-*de minimis* impacts are described in Section 4.5, *Use of Section 4(f) Resources*, for historical sites and public parks or recreation areas, or Appendix 3G, *Architectural Impacts*, for architectural impacts. This section evaluates whether a feasible and prudent avoidance alternative exists for using any of these 6 to 8 Section 4(f) properties.

According to 23 CFR Section 774.17, the definition of a “feasible and prudent avoidance alternative” is one that avoids using a Section 4(f) property and does not cause other severe problems of a magnitude that substantially outweighs the importance of protecting the Section 4(f) property. An alternative is not feasible if it cannot be built as a matter of sound engineering judgment. Multiple factors are listed in 23 CFR Section 774.17 that must be considered in determining whether an avoidance alternative is not prudent. An alternative is not prudent if:

1. It compromises the project to a degree that is unreasonable to proceed with the project in light of its stated purpose and need;
2. It results in unacceptable safety or operational problems;
3. After reasonable mitigation, it still causes:
 - a. Severe social, economic, or environmental impacts;
 - b. Severe disruption to established communities;
 - c. Severe disproportionate impacts to minority or low-income populations; or
 - d. Severe impacts to environmental resources protected under other federal statutes;
4. It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;
5. It causes other unique problems or unusual factors; or
6. It involves multiple factors in paragraphs 1 through 5 of this definition that, while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.

Also, the *Section 4(f) Policy Paper* states that “a project alternative that avoids one Section 4(f) property by using another Section 4(f) property is not an avoidance alternative” (FHWA 2012).

The avoidance alternatives for the I-15 project are discussed for each geographic segment of the Action Alternative in the following subsections.

4.6.1 North Segment

The Farmington 400 West Option and the Farmington State Street Option would both result in the use of a Section 4(f) property. Both options would have a use with greater-than-*de minimis* impact to a historic property (399 W. State Street). The use with greater-than-*de minimis* impact to 399 W. State Street in Farmington and the potential loss of trees on State Street east of 400 West would also be considered a use with greater-than-*de minimis* impact to the Clark Lane Historic District. There are no prudent avoidance

alternatives to the use of this historic property and the Clark Lane Historic District since the widening of I-15 with the Action Alternative would need to be shifted to the west to avoid any use of 399 W. State Street. Shifting I-15 west would require I-15 to be located on the land currently used by the Union Pacific (UP) and Utah Transit Authority (UTA) railroad tracks and would require UDOT to relocate the UP and UTA railroad tracks west. The UP railroad tracks are also a Section 4(f) resource (site 42DV87/42SL300), and relocating the tracks would be considered a Section 4(f) use with greater-than-*de minimis* impacts. As stated in the *Section 4(f) Policy Paper*, “a project alternative that avoids one Section 4(f) property by using another Section 4(f) property is not an avoidance alternative.”

The Farmington State Street Option would have a use with a greater-than-*de minimis* impact to Ezra T. Clark Park. The avoidance alternative to the use of this Section 4(f) resource is the Farmington 400 West Option. The Farmington 400 West Option avoids any impacts to the parking lot, pavilion, and historical monument and would result in a use with *de minimis* impact to Ezra T. Clark Park.

4.6.2 North Central Segment

The Bountiful 400 North – Northern Option and Bountiful 400 North – Southern Option would both result in the use of a Section 4(f) property. The Bountiful 400 North – Northern Option would have a use with greater-than-*de minimis* impact to 444 West 400 North, and the Bountiful 400 North – Southern Option would have a use with greater-than-*de minimis* impact to 433 West 400 North. There are no prudent avoidance alternatives. To meet the project needs related to improving operations on 400 North, additional turn lanes are needed at the 400 North/500 West intersection. These additional turn lanes would result in additional width on 400 North. The Bountiful 400 North – Northern Option would minimize impacts on the south side of 400 North, and the Bountiful 400 North – Southern Option would minimize impacts on the north side of 400 North. There are not any prudent or feasible options that would avoid greater-than-*de minimis* impacts to both 444 West 400 North and 433 West 400 North.

4.6.3 South Central Segment

The Bountiful 500 South – Northern Option and Bountiful 500 South – Southern Option would both have the same use with greater-than-*de minimis* impact to 409 South 500 West. To meet the project needs related to improving operations on 500 South, additional turn lanes are needed at the 500 South/500 West intersection. The greater-than-*de minimis* impact to 409 South 500 West would result from the additional turn lanes at the 500 West 500 South intersection. To avoid this impact, either option would need to be shifted west. Shifting either option west would result in greater-than-*de minimis* impact to a different Section 4(f) property, the Daniel Wood Cemetery at 350 South 500 West, so shifting either option west would not be a prudent avoidance alternative.

The Bountiful 500 South – Southern Option would also have a use with greater-than-*de minimis* impact to a Section 4(f) property, the historic property at 453 West 500 South. The avoidance alternative to the use of 453 West 500 South is the Bountiful 500 South – Northern Option. The Bountiful 500 South – Northern Option avoids any impacts to contributing features of 453 West 500 South and would require only partial acquisition, resulting in a use with *de minimis* impact.

4.6.4 South Segment

The Salt Lake City 1000 North – Northern Option and the Salt Lake City 1000 North – Southern Option would both result in the use of two Section 4(f) properties. Both options would have a use with greater-than-*de minimis* impact to two historic properties (1090 North 500 East in North Salt Lake and 825 N. Warm Springs Road in Salt Lake City).

There is no prudent avoidance alternative for the property at 1090 North 500 East. To meet the project needs related to improving operations on 2600 South, additional turn lanes are needed at the 2600 South/500 East/Wildcat Way intersection. These additional turn lanes would result in additional width on 2600 South. To avoid impacts to 1090 North 500 East, the Salt Lake City 1000 North – Northern Option and the Salt Lake City 1000 North – Southern Option would need to be shifted north. Widening 2600 South to the north would require relocating 10 businesses in three commercial buildings in the Woods Crossing shopping center on the north side of 2600 South. One of the three commercial buildings has 8 businesses. UDOT determined that the avoidance alternative is not prudent because the impact to 10 businesses would be a severe social and economic impact.

Additionally, there are no prudent avoidance alternatives to the historic property located at 825 N. Warm Springs Road. To meet the project needs related to improving operations on I-15, additional through travel lanes are needed on I-15. Avoiding impacts to the historic property at 825 N. Warm Springs Road would require shifting the Action Alternative to the west, which would result in multiple property impacts including The Village at Raintree Apartments complex (304 units) at 870 North 900 West, three commercial properties (on 900 West at 938 North, 916 North, and 910 North), two commercial properties at the 900 West and 1000 North intersection, and two residential properties on 1100 North. 916 North 900 West and 921 West 1100 North are both eligible historic properties that would have uses with greater-than-*de minimis* impacts from this avoidance alternative.

UDOT determined that the avoidance alternative for 825 N. Warm Springs Road is not prudent because the impacts to the businesses and residential properties on the west side of I-15 would result in severe disruption to established communities, severe disproportionate impacts to minority or low-income populations, and severe social and economic impacts. Additionally, as stated in the *Section 4(f) Policy Paper*, “a project alternative that avoids one Section 4(f) property by using another Section 4(f) property is not an avoidance alternative.”

4.7 Least Overall Harm Analysis

If there is no prudent and feasible overall avoidance alternative, UDOT must select the alternative that “causes the least overall harm in light of the [Section 4(f)] statute’s preservation purpose” [23 CFR Section 774.3(c)]. Under these regulations, the “least overall harm” is determined by “balancing the following factors”:

1. The ability to mitigate adverse impacts to each Section 4(f) property (including any measures that result in benefits to the property);
2. The relative severity of the remaining harm, after mitigation to the protected activities, attributes, or features that qualify each Section 4(f) property for protection;
3. The relative significance of each Section 4(f) property;
4. The views of the official(s) with jurisdiction over each Section 4(f) property;
5. The degree to which each alternative meets the purpose of and need for the project;
6. After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f); and
7. Substantial differences in costs among alternatives.

The following sections address each of these factors.

4.7.1 Ability to Mitigate Adverse Impacts

The first factor is the ability to mitigate adverse impacts to each Section 4(f) property (including any measures that result in benefits to the property).

For the 6 to 7 uses with greater-than-*de minimis* impacts to historic architecture properties, mitigation would include relocating and providing just compensation to the owner of the historic property. Additional mitigation for historic properties would include photographic recording and archiving of the historic properties as part of the Section 106 Memorandum of Agreement. The generally accepted mitigation measures for adverse effects on historic properties would be applicable to all segment options. Therefore, these options perform equally with respect to this factor.

In the north segment, the Farmington State Street Option would have a use with greater-than-*de minimis* impact to Ezra T. Clark Park. This use would affect contributing features of the park including the parking lot, pavilion, and historical monument and would require the full property acquisition of the park parcel from Farmington City. Appropriate mitigation measures would be determined between UDOT and Farmington City if this option was included in the preferred Action Alternative.

4.7.2 Relative Severity of the Remaining Harm to Each Section 4(f) Property

The second factor is the relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) property for protection. All uses with greater-than-*de minimis* impacts from segment options, except the use of 409 South 500 West in Bountiful and

1090 North 500 East in North Salt Lake, would result in demolishing and removing the historic structure or park (for Ezra T. Clark Park in Farmington with the Farmington State Street Option).

Roadway improvements with the Bountiful 500 South – Northern Option and Bountiful 500 South – Southern Option would require partial acquisition of about 0.13 acre of the 0.88-acre parcel on the west edge of the parcel for 409 South 500 West, which is a commercial property that includes the Bountiful Bowl business. The roadway improvements would remove the overhead sign and parking on the west side of the building. UDOT does not anticipate needing to demolish the historic building or relocate the business. However, the impacts to the overhead sign and parking are considered a greater-than-*de minimis* impact.

The use of 1090 North 500 West in North Salt Lake would impact the drive-through and parking area, which would negatively affect current business operations by limiting access and amenities to customers and likely require UDOT to purchase and relocate the business. If UDOT ends up reselling the property, it is likely that the building would be torn down or remodeled. Therefore, a use with greater-than-*de minimis* impact is assumed for 1090 North 500 West in North Salt Lake from either of the south segment options.

Therefore, the relative severity of remaining harm would be less for 409 South 500 West in Bountiful and 1090 North 500 West in North Salt Lake.

4.7.3 Relative Significance of Each Section 4(f) Property

The third factor is the relative significance of each Section 4(f) property.

The Utah SHPO ratings for historic properties include eligible/significant (ES) and eligible/contributing (EC). The eligible/significant category includes historic buildings that meet the age and integrity criteria and have known historical significance and/or are individually eligible under NRHP criterion C (which are sites that embody distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction). Eligible/contributing sites meet the age and integrity criteria but do not have the known historical significance or eligibility under NRHP criterion C.

All of the eligible historic properties with greater-than-*de minimis* impacts from the Action Alternative are considered eligible/contributing and would have the same relative significance. As described in the previous paragraph, the Utah SHPO eligible/contributing criteria are strictly based on age and integrity, and there are not any attributes or known historical significance with these historic properties that would make them more or less relatively significant for the purposes of Section 4(f). Therefore, the greater-than-*de minimis* impacts from the Action Alternative to historic properties would be considered the same, and all options would perform equally with respect to this factor.

Ezra T. Clark Park in Farmington is considered a significant park for the Farmington neighborhoods on the east side of I-15 near State Street and 400 West. As discussed in Section 4.5.2.2, *Public Parks and Recreation Areas*, the Farmington State Street Option would have impacts to the parking lot, pavilion, and historical monument from realigning the frontage road, and these impacts would require acquiring the entire park from Farmington City and relocating it. The Farmington 400 West Option would have minor impacts to the west edge of Ezra T. Clark Park.

4.7.4 Views of the Officials with Jurisdiction over Each Section 4(f) Property

The fourth factor is the views of the officials with jurisdiction over each Section 4(f) property. The Utah SHPO is the official with jurisdiction over historic Section 4(f) properties, and local municipalities are the officials with jurisdiction over Section 4(f) public parks and recreation areas. Two of the segments (north and south central) have options that differ in the number of uses with greater-than-*de minimis* impacts. The Farmington 400 West Option in the north segment would not have any uses with greater-than-*de minimis* impacts to public parks, while the Farmington State Street Option would have a use with greater-than-*de minimis* impact to Ezra T. Clark Park. UDOT has discussed the impacts to Ezra T. Clark Park for both the Farmington 400 West Option and the Farmington State Street Option with Farmington City (the official with jurisdiction over Ezra T. Clark Park). Farmington City has provided input to UDOT that they would view the Farmington 400 West Option more favorably due to fewer impacts to Ezra T. Clark Park.

The Bountiful 500 South – Northern Option in the south central segment would have one use with greater-than-*de minimis* impacts to 409 South 500 West, while the Bountiful 500 South – Southern Option would have two uses with greater-than-*de minimis* impact to 409 South 500 West and 453 West 500 South and would be considered more favorable by the Utah SHPO.

4.7.5 Degree to Which Each Alternative Meets the Purpose and Need

The fifth factor is the degree to which each alternative meets the purpose of and need for the project. UDOT analyzed the transportation performance of each segment option to determine how well the options would meet the purpose of and need for the project. UDOT concluded that all options included in the Action Alternative would meet the purpose of and need for the project, so all options perform equally with respect to this factor.

4.7.6 After Reasonable Mitigation, Magnitude of Any Adverse Impacts to Resources Not Protected by Section 4(f)

The sixth factor is the magnitude of any adverse impacts (after reasonable mitigation) to resources not protected by Section 4(f). Table 4.7-1 compares the No-action Alternative and the different segment options of the Action Alternative for the resources evaluated in this Draft EIS.

As shown in Table 4.7-1, the adverse impacts to resources not protected by Section 4(f) are very similar when comparing the two options for each segment of the Action Alternative. The most notable differences in impacts are the commercial and business impacts for the north central and south central segments.

In the north central segment, the Bountiful 400 North – Northern Option would relocate 5 businesses, which is less than Bountiful 400 North – Southern Option, which would relocate 4 commercial properties (with 7 businesses) and potentially relocate 2 more commercial properties (with 10 businesses).

In the south central segment, the Bountiful 500 South – Northern Option would relocate 7 commercial properties (with 9 businesses) and potentially relocate 6 commercial properties (with 7 businesses), which is less than Bountiful 500 South – Southern Option, which would relocate 8 commercial properties (with 16 businesses) and potentially relocate 5 more commercial properties (with 6 businesses).

Table 4.7-1. Impacts to Resources Not Protected by Section 4(f)

Impact Category	Unit	No-action Alternative	Action Alternative Options							
			Farmington 400 West	Farmington State Street	Bountiful 400 North – Northern	Bountiful 400 North – Southern	Bountiful 500 South – Northern	Bountiful 500 South – Southern	Salt Lake City 1000 North – Northern	Salt Lake City 100 North – Southern
Residential relocations	Number	0	1	1	0	2	0	0	2	2
Potential residential relocations	Number	0	5	5	2	1	0	0	29	29
Commercial relocations	Number	0	0 (0)	0 (0)	5 (5)	4 (7)	7 (9)	8 (16)	3 (3)	2 (2)
Potential commercial relocations (business relocations)	Number	0	1 (1)	1 (1)	0 (0)	2 (10)	6 (7)	5 (6)	4 (4)	4 (4)
Utility relocations	Number	0	1	1	0	0	0	1	0	0
Impacts to aquatic resources	Acres	0	4.70	4.70	0.03	0.03	0.04	0.04	25.96	25.94
Hazardous waste sites affected (all categories)	Number	0	0	0	2	2	3	4	4	4
Floodplain impacts (all categories)	Acres	0	39.50	39.50	0.97	0.97	0.06	0.07	1.85	1.85
Environmental justice benefits or impacts	Yes/no	No impacts or benefits.	Yes; Action Alternative would have both benefits and impacts to environmental justice communities. None of the impacts would be disproportionate to environmental justice communities.							
Air quality impacts exceeding standards	Yes/no	No.	No; Action Alternative is part of the Wasatch Front Regional Council conforming implementation plan.							

4.7.7 Substantial Differences in Costs among Alternatives

The seventh and last factor is substantial differences in costs among alternatives. Current construction cost estimates for each of the segment options do not vary enough to be considered substantial differences, so all segment options perform equally with respect to this factor.

4.7.8 Conclusions for the Least Overall Harm

By balancing these seven factors, UDOT has made the following least overall harm determinations:

1. For the north segment, the Farmington 400 West Option would cause the least overall harm in light of the preservation purpose of 49 USC Section 303 because it would have only a use with *de minimis* impact to Ezra T. Clark Park.
2. For the south central segment, the Bountiful 500 South – Northern Option would cause the least overall harm in light of the preservation purpose of 49 USC Section 303 because it would have one use with greater-than-*de minimis* impact to Section 4(f) resources. The Bountiful 500 South – Southern Option would have two uses with greater-than-*de minimis* impact to Section 4(f) resources.
3. For the north central and south segments, both options perform equally with respect to all seven factors, so either option in these segments would be considered to cause the least overall harm in light of the preservation purpose of 49 USC Section 303.

4.8 Measures to Minimize Harm

UDOT has considered avoidance, minimization, and mitigation measures for Section 4(f) resources during the development of the Action Alternative, including those Section 4(f) resources determined to have uses with only *de minimis* impacts. *De minimis* impact determinations are based on the degree of impact after the inclusion of any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures) to address the Section 4(f) use (that is, the net impact). UDOT proposes to implement mitigation to include the following measures.

4.8.1 Section 4(f) Historic Properties

During the design process, UDOT took measures to minimize harm to Section 4(f) historic properties by minimizing the amount of property acquisition needed to accommodate the Action Alternative without affecting any of the contributing attributes of the property. For all temporary construction easements, the disturbed land would be restored and revegetated. See Section 4.7.1, *Ability to Mitigate Adverse Impacts*, for proposed mitigation for Section 4(f) properties uses with greater-than-*de minimis* impacts.

4.8.2 Section 4(f) Archaeological Sites

Table 4.8-1 describes the proposed measures to minimize harm to Section 4(f) archaeological sites.

Table 4.8-1. Measures to Minimize Harm to Section 4(f) Archaeological Sites

Site Number(s)	Site Name	Options with Effect	Avoidance, Minimization, and Mitigation Measures
42DV86/42SL293	Denver & Rio Grande Western Railroad Grade	<ul style="list-style-type: none"> Both south segment options 	<ul style="list-style-type: none"> Avoidance by installing and/or upgrading overpasses above resource.
42DV87/42SL300	Union Pacific Railroad	<ul style="list-style-type: none"> Both north segment options Both north central segment options Both south segment options 	<ul style="list-style-type: none"> Widening mainly to the east of the existing roadway to avoid any impacts that would require relocating the Union Pacific Railroad tracks. Avoidance by installing and/or upgrading overpasses above resource.
42SL729	Historic Trolley Line	<ul style="list-style-type: none"> Both south segment options 	<ul style="list-style-type: none"> Avoidance by installing and/or upgrading overpasses above resource.

4.8.3 Section 4(f) Public Parks and Recreation Areas

Table 4.8-2 describes the proposed measures to minimize harm to Section 4(f) public parks and recreation areas. During the final design of the selected segment options of the Action Alternative, UDOT will work with the local municipalities with jurisdiction over the Section 4(f) public parks and recreation areas to evaluate opportunities to further mitigate impacts. For all temporary construction impacts, the disturbed land would be restored and revegetated.

Table 4.8-2. Measures to Minimize Harm to Section 4(f) Public Parks and Recreation Areas

Park or Recreation Resource	Option(s) with Effect	Avoidance, Minimization, and Mitigation Measures
Ezra T. Clark Park	<ul style="list-style-type: none"> Farmington 400 West Option 	<ul style="list-style-type: none"> Minimizes harm by requiring only partial acquisition of the park on its western edge and avoiding impacts to park features (pavilion, parking lot, and historic monument). All disturbed areas would be revegetated.
Ezra T. Clark Park	<ul style="list-style-type: none"> Farmington State Street Option 	<ul style="list-style-type: none"> Would require full acquisition; mitigation would be determined through coordination with Farmington City.
Farmington Creek Trail	<ul style="list-style-type: none"> Both north segment options 	<ul style="list-style-type: none"> Trail would be replaced to provide the same connectivity to the segments of the Farmington Creek Trail on the north and south sides of Ezra T. Clark Park. All disturbed areas adjacent to the trail would be revegetated.
Farmington Junior High School playing fields	<ul style="list-style-type: none"> Both north segment options 	<ul style="list-style-type: none"> All disturbed areas would be revegetated. Temporary construction easement would be acquired, and UDOT would coordinate with the Davis School District during construction to minimize any impacts to or closures of the playing fields.

(continued on next page)

Table 4.8-2. Measures to Minimize Harm to Section 4(f) Public Parks and Recreation Areas

Park or Recreation Resource	Option(s) with Effect	Avoidance, Minimization, and Mitigation Measures
South Park	<ul style="list-style-type: none"> Both north segment options 	<ul style="list-style-type: none"> Impacts to park recreational features besides the skate park would be avoided. All disturbed areas would be revegetated. UDOT would work with Farmington City to replace the skate park within the existing South Park boundaries.
Centerville Community Park	<ul style="list-style-type: none"> Both north segment options 	<ul style="list-style-type: none"> Beneficial impact due to new trail overpass of I-15, railroad tracks, and Legacy Parkway that connects to the Legacy Parkway Trail and Denver and Rio Grande Western Trail. Impacts to park features would be avoided. All disturbed areas would be revegetated. UDOT would coordinate with Centerville City to provide replacement property pursuant to Section 6(f) requirements [see Chapter 5, <i>Section 6(f) Analysis</i>].
Woods Cross Elementary School playing fields and walking path	<ul style="list-style-type: none"> Both south central segment options 	<ul style="list-style-type: none"> All disturbed areas would be revegetated. Temporary construction easement would be acquired, and UDOT would coordinate with the Davis School District during construction to minimize any impacts or closures to the playing fields and walking path.
Woods Cross High School playing fields	<ul style="list-style-type: none"> Both south segment options 	<ul style="list-style-type: none"> Chain link fence south of the baseball field would be replaced. UDOT would work with Davis School District to minimize any closures or detours on Wildcat Way when school is in session. Impacts would be minimized to affect only landscaping and sidewalk on the west edge of the playing fields. UDOT would work with Davis School District to reconfigure baseball fields if the fencing replacement causes spacing issues for the baseball fields. All disturbed areas would be revegetated.
Hatch Park	<ul style="list-style-type: none"> Both south segment options 	<ul style="list-style-type: none"> UDOT would construct a new sidewalk and bike lane on City-owned property on the north side of Center Street. No permanent conversion of right-of-way would be needed. All disturbed areas would be revegetated.
North Gateway Park	<ul style="list-style-type: none"> Both south segment options 	<ul style="list-style-type: none"> Driveway to parking lot would be reconstructed. Temporary construction easement would be acquired, and UDOT would coordinate Salt Lake City during construction to minimize any closures of the park during construction.
Warm Spring Park	<ul style="list-style-type: none"> Both south segment options 	<ul style="list-style-type: none"> Driveway to parking lot would be reconstructed. Temporary construction easement would be acquired, and UDOT would coordinate Salt Lake City during construction to minimize any closures of the park during construction.

4.9 Coordination

Chapter 6, *Coordination*, summarizes the meetings held with the public and agencies, including Salt Lake City, the City of North Salt Lake, Centerville City, and Farmington City, during the development of the Action Alternative and the preparation of this Draft EIS. Section 3.10, *Historic and Archaeological Resources*, summarizes the coordination efforts specific to historic resources and the National Historic Preservation Act.

4.9.1 Section 4(f) Historic and Archaeological Sites

UDOT coordinated with the Utah SHPO, the official with jurisdiction over Section 4(f) historic properties, regarding UDOT's Determinations of Eligibility and Findings of Effect (DOE/FOE). Under a 2017 programmatic agreement (FHWA and others 2017) among the Advisory Council on Historic Preservation, FHWA, the Utah SHPO, and UDOT regarding Section 4(f) *de minimis* impact determinations, the SHPO is notified of UDOT's intent to make a Section 4(f) *de minimis* impact determination when there is a Section 106 finding of no adverse effect. Because of this agreement, *de minimis* impact determinations became effective after the SHPO concurred with the FOE on July 31, 2023. The FOE is available in Appendix 3I, *Cultural Resources Correspondence*.

UDOT also coordinated with the SHPO regarding UDOT's Section 4(f) temporary occupancy findings. The SHPO concurred with UDOT's temporary occupancy findings on July 31, 2023. This concurrence is available in Appendix 3I.

4.9.2 Section 4(f) Public Parks and Recreation Areas

UDOT coordinated with Farmington City, Centerville City, the City of North Salt Lake, Salt Lake City, and the Davis County School District, the agencies with jurisdiction over Section 4(f) public parks and recreation areas in the evaluation area. Coordination occurred through discussions at meetings and by email.

Before making a *de minimis* impact determination or temporary occupancy determination for a Section 4(f) public park or recreation area, UDOT must inform the official with jurisdiction over that resource of its intent to make a *de minimis* impact determination or temporary occupancy determination. UDOT has informed the officials with jurisdiction of the intent to make *de minimis* impact and temporary occupancy determinations for the parks and recreation areas summarized in Table 4.5-1, *Summary of Impacts to Section 4(f) Resources from the Action Alternative*, above.

UDOT must also provide public notice and an opportunity for public review and comment concerning the effects on the protected activities, features, or attributes of the property. The public notice and opportunity for public review are being provided as part of the public comment period on this Draft EIS.

Following an opportunity for public review and comment, the official with jurisdiction over the Section 4(f) resource must concur in writing that the use will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection. UDOT can then finalize any *de minimis* impact findings and temporary occupancy findings concurred with by the official with jurisdiction and approve the use of the Section 4(f) property. UDOT anticipates that *de minimis* impact and temporary occupancy concurrence letters will be obtained prior to the release of the Final EIS.

4.10 Section 4(f) Summary

4.10.1 Section 4(f) Uses

The Action Alternative would have uses with *de minimis* and greater-than-*de minimis* impacts and temporary occupancy impacts. Section 4.5, *Use of Section 4(f) Resources*, describes the uses with *de minimis* and greater-than-*de minimis* impacts from each of the segment options included in the Action Alternative. UDOT has determined that the Action Alternative would not result in constructive use of Section 4(f) resources.

Table 4.10-1 summarizes the Section 4(f) impacts for each segment of the Action Alternative.

Table 4.10-1. Section 4(f) Summary

Segment	Option	Greater-than- <i>De minimis</i>	<i>De minimis</i>	Temporary Occupancy
North	Farmington 400 West	2	6	7
	Farmington State Street	3	5	7
North Central	Bountiful 400 North – Northern	1	10	4
	Bountiful 400 North – Southern	1	10	4
South Central	Bountiful 500 South – Northern	1	6	10
	Bountiful 500 South – Southern	2	5	10
South	Salt Lake City 1000 North – Northern	2	32	45
	Salt Lake City 1000 North – Southern	2	32	45

Selecting the Farmington 400 West Option in the north segment and the Bountiful 500 South – Northern Option in the south central segment would result in the fewest number of uses with greater-than-*de minimis* impacts, which is 6. The Action Alternative with the Farmington 400 West Option in the north segment and the Bountiful 500 South – Northern Option in the south central segment would be considered the least overall harm in light of the preservation purpose of Section 4(f). The options in the north central segment and the south segment of the Action Alternative do not differ in the number of uses with greater-than-*de minimis* impacts, and either option could be considered the least overall harm in light of the preservation purpose of Section 4(f).

Selecting the Farmington State Street Option in the north segment and the Bountiful 500 South – Southern Option in the south central segment would result in the greatest number of uses with greater-than-*de minimis* impacts, which is 8. UDOT could not select the Farmington State Street Option and the Bountiful 500 South – Southern Option unless the Final Section 4(f) Evaluation showed that it would cause the least overall harm in light of the preservation purpose of Section 4(f) (see Section 4.7, *Least Overall Harm Analysis*).

4.11 References

[FHWA] Federal Highway Administration

- 2012 Section 4(f) Policy Paper. <https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.aspx>. June 2.
- 2022 First Renewed Memorandum of Understanding between the Federal Highway Administration and the Utah Department of Transportation Regarding the State of Utah's Participation in the Surface Transportation Project Delivery Program Pursuant to 23 USC 317. May 26.

[FHWA and others] Federal Highway Administration, Utah State Historic Preservation Officer, Advisory Council on Historic Preservation, United States Army Corps of Engineers, Sacramento District, and Utah Department of Transportation

- 2017 Third Amended Programmatic Agreement among the Federal Highway Administration, the Utah State Historic Preservation Officer, the Advisory Council on Historic Preservation, the United States Army Corps of Engineers, Sacramento District, and the Utah Department of Transportation Regarding Section 106 Implementation for Federal-Aid Transportation Projects in the State of Utah. July 6.

[Horrocks] Horrocks Engineers

- 2022 A Cultural Resource Inventory for the I-15; 600 North to Farmington Environmental Impact Study. January.
- 2023a A Cultural Inventory of Additional Areas for the I-15; 600 North to Farmington Environmental Impact Study. February.
- 2023b Selective Reconnaissance-level Survey for the I-15: Salt Lake City 600 North to Farmington EIS, Salt Lake and Davis Counties, Utah. March.
- 2023c Supplementary Areas for the I-15 EIS; 600 North to Farmington Environmental Impact Study. June.