RECORD OF DECISION

SOUTH LOGAN TO PROVIDENCE TRANSPORTATION CORRIDOR

100 East: 300 South (Logan) to Providence Lane (Providence)

Logan and Providence Cities
Cache County, Utah

Federal Highway Administration
Utah Department of Transportation
UDOT Project No. STP-LC05(12)
FHWA-UT-EIS-06-02-F

NOVEMBER 2007
# TABLE OF CONTENTS

1.0 DECISION .................................................................................................................. 1

2.0 ALTERNATIVES CONSIDERED ............................................................................... 1

2.1 Summary of the Alternatives .................................................................................... 2

2.1.1 Alternative Development Process .................................................................. 2

2.1.2 No-Action Alternative .................................................................................... 3

2.1.3 Transportation System Management (TSM) and Mass Transit Alternatives .... 3

2.1.4 Alignment Connecting 100 East with Providence Lane Using Existing Infrastructure of Gateway Drive and Spring Creek Parkway ........................................ 3

2.1.5 Direct Alignment Connecting 100 East with Providence Lane ......................... 4

2.1.6 Alignment Connecting 100 East With Providence Lane Using Existing Infrastructure of Golf Course Drive and Spring Creek Parkway ............................... 5

2.1.7 Alignment of 100 East Entirely within City of Logan Boundary Alternative ...... 5

2.1.8 Use of 72-Foot Right-of-Way (ROW) Alternative ........................................... 6

2.2 Summary of the Potential Variations in Residential Area: 300 South Street and Logan River ........................................................................................................... 7

2.2.1 Variation Development Process ....................................................................... 7

2.2.2 Transition to the South of 300 South Street Using Existing 100 East Street Centerline .............................................................................................................. 7

2.2.3 Transition to the North of 300 South Street Using Existing 100 East Street Centerline .............................................................................................................. 7

2.2.4 Transition to the North of 300 South Street Widening Entirely on West Side of 100 East Street ......................................................................................... 8

2.2.5 Transition to the North of 300 South Street Widening Entirely on East Side of 100 East Street ......................................................................................... 8

2.3 Alignment Variations Advanced for Detailed Study ............................................. 8

2.4 Alternatives Advanced for Detailed Study ............................................................... 9

2.4.1 Alternative 1: No-Action Alternative ................................................................ 9

2.4.2 Alternative 2: Alignment Connecting 100 East With Providence Lane Using Existing Infrastructure of Gateway Drive and Spring Creek Parkway ........... 9

2.4.3 Alternative 3: Direct Alignment Connecting 100 East with Providence Lane..... 10

2.4.4 Alternative 4: Alignment Connecting 100 East with Providence Lane Using Existing Infrastructure of Golf Course Road and Spring Creek Parkway ... 12

2.5 Preferred Alternative ............................................................................................... 13

2.5.1 Environmentally Preferred Alternative ............................................................ 13

2.6 Selected Alternative ............................................................................................... 14
4.0 MEASURES TO MINIMIZE HARM FROM THE SELECTED ALTERNATIVE .......... 15

4.1 Land Use Conflicts ................................................................................. 16
4.2 Relocation Impacts and Partial Property Acquisitions ....................... 16
4.3 Noise ........................................................................................................ 16
4.4 Water Resources .................................................................................... 17
4.5 Wildlife and Vegetation ........................................................................ 18
4.6 Wetlands .................................................................................................. 18
4.7 Cultural Resources .................................................................................. 19
4.8 Hazardous Waste ................................................................................... 19
4.9 Visual Impacts ........................................................................................ 20
4.10 Construction Impacts ......................................................................... 20
4.11 Permits, Certifications, and Approvals ................................................. 21

5.0 MONITORING AND ENFORCEMENT PROGRAM ................................ 21

6.0 STATUTE OF LIMITATIONS .................................................................. 21

7.0 FINAL ENVIRONMENTAL IMPACT STATEMENT COMMENTS
   AND RESPONSES ..................................................................................... 21

7.1 U.S. Environmental Protection Agency (EPA) ....................................... 22
7.2 Russell Goodwin ...................................................................................... 22
7.3 Debby Bronson and Graham Hunter (2 Comment Letters) .................... 22
7.4 Michael Jablonski ................................................................................... 23
7.5 Robert Schunk, President Spring Creek Office Condominium Owners
   Association (SCOCOA) ........................................................................... 24

8.0 CONCLUSION .......................................................................................... 26

APPENDIX A: MITIGATION COMMITMENTS

APPENDIX B: COMMENT LETTERS ON THE FINAL ENVIRONMENTAL IMPACT STATEMENT
1.0 DECISION

This Record of Decision (ROD) was prepared by the Federal Highway Administration’s Utah Division for the proposed South Logan to Providence Transportation Corridor: 100 East from 300 South (Logan City) to Providence Lane (Providence City) in Cache County, Utah, Final Environmental Impact Statement (Final EIS) dated August 10, 2007. This ROD completes the National Environmental Policy Act (NEPA) process according to the requirements of Chapter 40 of the Code of Federal Regulations (CFR) 1502.2 and Chapter 23 CFR 771.127. This document also provides the basis for the decision to select the Preferred Alternative (Alternative 2 with the Center Variation) identified on page 2-42 of the Final EIS (Alignment Connecting 100 East With Providence Lane Using Existing Infrastructure of Gateway Drive and Spring Creek Parkway). The FHWA has considered input from the public and other agencies in the course of approving the Preferred Alternative and concluded that this alternative maximizes transportation benefits, minimizes environmental impacts, and best meets the project’s purpose and need.

The Selected Alternative implements a transportation project consisting of:

- Reconstruction of the existing 100 East Street through the residential neighborhood from 300 South Street to the Logan River. Reconstruction includes widening the existing cross-section from approximately 66 feet to 80 feet.

- Construction of a new bridge over the Logan River.

- Construction of a new roadway with an 80-foot right-of-way (ROW) from the Logan River south and east to Gateway Drive in Providence. The new road will consist of two travel lanes, a center turn lane, paved shoulders functioning as bicycle lanes, curb and gutter, landscaped park strips, and sidewalks. This typical section will be consistent with the typical sections of the reconstructed 100 East Street and Gateway Drive.

- Reconstruction of the existing Gateway Drive to accommodate the selected typical cross section within an 80-foot right-of-way (ROW)

- Construction of a new roadway with an 80-foot ROW connecting Gateway Drive with Spring Creek Parkway in Providence. The new road will accommodate the selected typical cross section and include a new culvert crossing of Spring Creek.

The following is based on information presented in the Final EIS prepared by FHWA and the Utah Department of Transportation (UDOT) and released for public review on August 10, 2007. The Final EIS and the entire Project record are available for review at the FHWA Utah Division upon request.

2.0 ALTERNATIVES CONSIDERED

The purpose of the South Logan to Providence 100 East Corridor Project is to expand the local transportation infrastructure to serve rapidly emerging land use patterns in the immediate area, support planned economic development, and address forecasted increases in travel demand between south Logan and the commercial center of Providence.
Specific project purposes are as follows:

- meet the priority objectives of the Cache Metropolitan Planning Organization (CMPO) Long Range Transportation Plan;

- supply immediately needed transportation infrastructure for rapidly developing properties within the area;

- support the economic development strategies of Logan and Providence Cities (Cities) within the area;

- provide an alternative travel route between the Cities, thereby increasing mobility and reducing traffic congestion on parallel facilities including Main Street (US 89/91);

- provide opportunities for new pedestrian, bicycle, and transit routes between the cities.

This Record of Decision is based on the consideration of all the alternatives that were described and evaluated in Chapter 2: Alternatives, and Chapter 4: Environmental Consequences, of the Draft EIS and the Final EIS.

2.1 Summary of the Alternatives

2.1.1 Alternative Development Process

Alternatives were identified and developed through a process that included agency consultation, two public meetings, and project team meetings (FHWA, UDOT, and Local Governments). Potential alternatives were screened based on the ability to meet Project purpose and needs. Screening also included a review of the opportunity to avoid or minimize substantial environmental issues including avoidance of properties eligible under the National Register of Historic Places as required by Section 4(f) of the U.S. Department of Transportation Act of 1966.

As part of the EIS analysis, a broad array of alternatives were initially considered to address the project purpose and need. As described in the Draft and Final EISs, both build and no-build alternatives were evaluated. The no-build options considered included the No-Action Alternative and a Transportation System Management (TSM) Alternative. The build alternatives considered three different alignments that would provide a corridor connection between the logical termini of the existing 100 East in Logan and Providence Lane (1200 South) in Providence. Each of these options is discussed in this section.

Several other stand-alone alternatives that did not fit into the categories of alternative transportation measures or build alternatives were among options initially considered and eliminated. These included:

- 200 East Street Corridor
- Eastern/Western Bypass – Belt Route
- Improvements to the “Y” Intersection (State Route [SR]-165 and SR-91)
• Build Road South of Logan River Only

The option for a 200 East Street Corridor would meet the purpose and need of the Project, but was dismissed from further consideration because this corridor is considered as part of the Cache Metropolitan Planning Organization (CMPO) 2030 Long Range Plan (LRTP) and has been identified for implementation during Phase 2 of the LRTP as an independent and necessary project. The Build Road South of Logan River Only and to Make Improvements to the “Y” Intersection (SR-165 and SR-91) alternatives were determined to only provide isolated benefits, but would not benefit the corridor overall. The Eastern/Western Bypass was dismissed as impracticable for inclusion in the LRTP. These three alternatives were eliminated during the first round of screening because they would not meet the purpose of and need of the Project and are not consistent with the LRTP.

2.1.2 No-Action Alternative

Under the No-Action Alternative, FHWA and UDOT would not make any improvements to the 100 East Corridor in the Project Area. Local governments would continue routine maintenance of existing roads. The CMPO would continue implementation of the 2030 Long Range Plan. Under the No-Action Alternative, infrastructure would not be provided for rapidly developing land uses to meet development needs in the Project Area. As such, the No-Action Alternative does not meet the Project purpose and transportation needs. However, the NEPA requires that a No-Action Alternative be considered to facilitate decision making by serving as basis for comparing the environmental impacts of the action alternatives, and it was advanced for detailed study.

2.1.3 Transportation System Management (TSM) and Mass Transit Alternatives

According to FHWA Technical Advisory T6640.8A, the limited construction alternative of TSM is typically “only relevant for major projects proposed in urban areas over 200,000 in population.” The FHWA Technical Advisory also indicates that mass transit need only be considered under the same circumstances. Because the Logan Urban Area has a population of less than 200,000 and the proposed Project is only 1.2 miles long, it was determined that neither the TSM nor Mass Transit Alternatives would be relevant alternatives for the Project. Therefore, both TSM and Mass Transit Alternatives were eliminated from further analysis in the EIS.

It is important to note that both TSM and Mass Transit Alternatives have been considered as part of the CMPO regional transportation planning process. Both TSM and mass transit are fundamental elements of the current transportation system and incorporated into both the CMPO 2030 LRTP as well as the CMPO 2006-2010 Transportation Improvement Plan (TIP). The TSM and Mass Transit Alternatives are not required for this EIS and, therefore, were not advanced for detailed study. However, both strategies were fully considered under the parallel planning processes of the CMPO including the 2030 LRTP, the 2008 Unified Planning Work Plan, and the Cache Valley Transit District Short-term Transit Plan (2003-2007).

2.1.4 Alignment Connecting 100 East with Providence Lane Using Existing Infrastructure of Gateway Drive and Spring Creek Parkway (Selected Alternative)
This build alternative was identified by the Cities as the Locally Preferred Alternative (LPA) because it offered the opportunity to utilize the existing ROW. By using the existing ROW of Gateway Drive and Spring Creek Parkway, the Cities hoped to lower overall Project costs while minimizing the number of acres of land needed for roadway construction. This alternative would have two river crossings, but it would not encroach upon commercial developments along Providence Lane.

The mobility improvements associated with this alternative have been modeled using the CMPO Traffic Demand Model. The alternative has been found to contribute to the reduction of traffic congestion on routes adjacent to the project area including Main Street (US 89/91), 400 East Street, and the planned 200 East Street Project identified in the CMPO 2030 LRTP.

This build alternative meets the purpose and need by implementing the Priority One Project identified in the CMPO 2030 LRTP, thus maintaining consistency with the priority objectives of the Plan. This alternative would also supply needed transportation infrastructure to currently isolated parcels of property in the Project Area. Providing this additional infrastructure to the Project Area would facilitate development of those parcels and support the economic development strategies set forth by the Cities. Construction of this alternative would result in a new collector road connecting the Cities. The alternative would also address the need for expanded infrastructure to support alternative modes of transportation by providing adequate facilities for pedestrians, bicyclists, and local transit services through the Project Area. Because this alternative meets the transportation needs and purpose of the Project, it was advanced for detailed study.

2.1.5 Direct Alignment Connecting 100 East with Providence Lane

A second build alternative with an alignment connecting 100 East Street directly to Providence Lane with termini at 300 South Street to the north and at Providence Lane to the south was identified as a potential alternative alignment. The alignment of this alternative allows for connection of 100 East Street between 300 South Street and Providence Lane without sharing part of the planned 200 East Street corridor; both proposed corridors would remain spatially separated and parallel as envisioned in the 2030 LRTP. Additionally, due to its central location, this alternative provides the best access to parcels slated for development within the South Logan Redevelopment Area (RDA). This alternative serves the need for improved access for properties along the east side of Main Street (US 89/91) between the Logan River and Providence Lane by providing direct access to the east side of these properties.

The mobility improvements associated with this alternative have been modeled using the CMPO Traffic Demand Model. The alternative has been found to contribute to the reduction of traffic congestion on routes adjacent to the Project Area including Main Street (US 89/91), 400 East Street, and the planned 200 East Street Project identified in the CMPO 2030 LRTP.

This build alternative would meet the purpose and need by implementing the Priority One Project identified in the CMPO 2030 LRTP, thus maintaining consistency with the priority objectives of the Plan. This alternative would also supply needed transportation infrastructure to currently isolated parcels of property in the Project Area. By providing this infrastructure to the Project Area, this alternative would facilitate the development of those parcels, thereby supporting the
economic development strategies set forth by the Cities. This alternative would also provide a new connection between the Cities. Furthermore, it would address the need for expanded infrastructure to support alternative modes of transportation by providing adequate facilities for pedestrians, bicyclists, and local transit services through the Project Area. Because this alternative meets the transportation needs and purpose of the Project, it was advanced for detailed study.

2.1.6 Alignment Connecting 100 East With Providence Lane Using Existing Infrastructure of Golf Course Drive and Spring Creek Parkway

A third build alternative with an alignment connecting 100 East Street to Golf Course Road and Spring Creek Parkway with termini at 300 South to the north and at Providence Lane to the south was identified as a potential alternative alignment for the proposed Project. This alternative is a variation of the direct alternative described under Section 2.1.5 that eliminates a new crossing of Spring Creek and reduces proximity impacts to commercial developments along Providence Lane that were recently constructed or are currently under construction. This alternative would require a new ROW between the Logan River and Golf Course Road. It would also provide direct access to the east side of properties along the east side of Main Street (US 89/91) within the South Logan RDA between the Logan River and Golf Course Road.

The mobility improvements associated with this alternative were modeled using the CMPO Traffic Demand Model. The alternative has been found to contribute to the reduction of traffic congestion on routes adjacent to the Project Area, including Main Street (US 89/91), 400 East Street, and the planned 200 East Street Project identified in the CMPO 2030 LRTP.

This alternative would meet the purpose and need by implementing the Priority One project identified in the CMPO 2030 LRTP, thus maintaining consistency with the priority objectives of the Plan. This alternative would also supply needed transportation infrastructure to currently isolated parcels of property in the Project Area. By providing this additional infrastructure to the Project Area, this alternative would facilitate parcel development, thereby supporting the economic development strategies set forth by the Cities. This alternative would also provide a new connection between the Cities. Furthermore, the proposed Project would also address the need for expanded infrastructure to support alternative modes of transportation by providing adequate facilities for pedestrians, bicyclists, and local transit services in the Project Area. Because this alternative meets the transportation needs and purpose of the Project, it was advanced for detailed study.

2.1.7 Alignment of 100 East Entirely within City of Logan Boundary Alternative

The practicability of connecting 100 East Street with Providence Lane using a ROW entirely within the City of Logan Boundary was evaluated to avoid conflict with recent commercial site approvals and development that has occurred along Providence Lane at the point where a direct alignment of 100 East Street would terminate. For the length of the alignment, the roadway would remain entirely within the City of Logan. The alignment would connect to Providence Lane approximately 500 feet to the east of the existing intersection of SR-165 and Providence Lane.
This proposal was evaluated based on whether a new intersection at this specific location would interfere with the intersection of Providence Lane and SR-165 to the west. The American Association of State Highway and Transportation Officials (AASHTO) standards for roadway spacing were used as the criteria for evaluation. According to AASHTO standards, urban road intersections should be spaced no less than 660 feet. Conceptual engineering details of the proposed intersection indicate that if the alignment of a 100 East Street extension were to connect with Providence Lane at the point indicated (500 feet), this intersection would not conform to AASHTO standards. Therefore, to avoid conflicting with the intersection of Providence Lane and SR-165, a 100 East Street direct to Providence Lane route would not be feasible using an alignment that is entirely within the City of Logan municipal boundary. As such, this alternative was not considered for detailed study.

### 2.1.8 Use of 72-Foot Right-of-Way (ROW) Alternative

During the scoping process, the necessary ROW width for the proposed Project was discussed to determine whether a narrower ROW could be used to minimize impacts to homes resulting from roadway widening. A 72-foot ROW was evaluated that was symmetrically comprised of one 12-foot-wide center turn lane, two 11-foot-wide travel lanes, two 6.5-foot-wide shoulders, two 4-foot-wide sidewalks, and two 6.5-foot-wide landscaped park strips with 2.5-foot-wide curb and gutter on both sides.

The evaluation of the 72-foot ROW width was based on a comparison of benefit (in terms of reducing impacts to homes) and performance (in terms of safety and whether the narrower ROW could meet the purpose and need).

The limited benefits of minimizing the average width of roadway and subsequent property impacts are offset by the constraints a reduced ROW would have on mobility, safety, and consistency with the City of Logan’s transportation goals. A 72-foot ROW would preclude the possibility of allowing both on-street parking and bicycle lanes. Since both features are deemed important components of the collector road facility and are consistent with the City of Logan’s goals and the CMPO Long-Range Pedestrian and Bicycle Plan, the purpose and need would not be met if one of these features was excluded.

Also, since the planned roadway would include driveway access for the residents along 100 East Street, the ability for residents to back into traffic from their driveways becomes a safety concern. A 72-foot ROW with a reduced paved shoulder space was identified as being a potential safety hazard due to the limited maneuver room for motorists seeking access to and egress from their driveways. In addition, the limited maneuver room of the reduced paved shoulder would create additional points of conflict that could affect mobility through this portion of the collector route.

The 72-foot ROW was dismissed from detailed study in the EIS because it could not provide the necessary transportation components to minimize points of conflict (on-street parking at driveway access points) while maintaining safe travel for motorized vehicles and non-motorized travel (bicycle lanes).
2.2 Summary of the Potential Variations in Residential Area: 300 South Street and Logan River

2.2.1 Variation Development Process

Currently, the segment of 100 East Street that is north of 300 South Street is poorly aligned with the segment of 100 East Street to the south of 300 South Street. This misalignment is due to the difference in ROW widths of the two roadway segments. North of 300 South Street, 100 East Street occurs within a 99-foot ROW. South of 300 South Street, however, 100 East Street exists within a 66-foot ROW. As a result of the difference in ROW widths, the eastern edge of the southern segment of 100 East Street is approximately 20 feet west of the eastern edge of the northern segment of 100 East Street.

Variations to address this misalignment were identified and developed through a process that included Project Team meetings (FHWA, UDOT, and Local Governments) and two public meetings. Potential variations were screened based on the ability to meet design considerations for an efficient and safe intersection. Screening also included an evaluation of the opportunity to avoid or minimize substantial environmental issues, including avoidance of properties eligible under the National Register of Historic Places (NRHP) as required by Section 4(f) of the U.S. Department of Transportation Act of 1966. In addition, screening evaluated the opportunity to minimize potential residential relocations and property acquisitions.

Four alignment variations were initially identified between 300 South Street and the Logan River. These are described below.

2.2.2 Transition to the South of 300 South Street Using Existing 100 East Street Centerline

This variation would align 100 East Street through the 300 South Street intersection by shifting 100 East Street to the east immediately south of 300 South Street. Under this variation, the alignment of 100 East Street would transition back to the original centerline of 100 East Street at approximately 350 South, near the middle of the block. South of 350 South, widening of 100 East Street would be equal on both sides of the roadway. Since 100 East Street is currently 66-feet wide between 300 South Street and 400 South Street, 7 feet of additional ROW would be needed on either side of the existing ROW between 350 South and 400 South Street. South of 400 South Street, the centerline would shift slightly to the west to minimize impacts to homes on the east side of 100 East Street. Between approximately 408 South and the Logan River, the eastern edge of the ROW would match the existing eastern edge of ROW. On the west side of this same segment of roadway, 14 feet of additional ROW would be needed to accommodate roadway widening.

2.2.3 Transition to the North of 300 South Street Using Existing 100 East Street Centerline

This variation would create a smooth transition of 100 East Street through the 300 South Street intersection by starting the transition at approximately 250 South, near the middle of the block. To accommodate this transition, a narrow and relatively short triangular strip of ROW would be
needed along the northwest corner of the intersection of 100 East Street and 300 South Street. The transition would end at 300 South Street where the center lines of both the north and south segments of 100 East Street would meet. Between 300 South Street and 400 South Street, 7 feet of additional ROW would be needed on either side of the existing ROW to accommodate roadway widening. South of 400 South Street, the alignment of this variation would be identical to that described for the first variation (Section 2.2.2).

2.2.4 Transition to the North of 300 South Street Widening Entirely on West Side of 100 East Street

This alignment was identified to avoid any residential property acquisition or use of NRHP-eligible properties on the east side of 100 East Street by widening entirely on the west side of 100 East Street. To address the current misalignment of 100 East Street at its intersection with 300 South Street, this variation would utilize the transition described under the second variation described above (Section 2.2.3). South of 300 South Street, the centerline of 100 East Street would continue to shift westward until approximately 325 South. Between 325 South and the Logan River, the eastern edge of the new ROW would match the eastern edge of the existing ROW. The west side of the roadway, however, would require an additional 14 feet of ROW between 325 South and the Logan River to accommodate roadway widening. This variation would avoid any residential property acquisition or use of NRHP-eligible historic properties on the east side of 100 East Street between 300 South Street and 400 South Street.

2.2.5 Transition to the North of 300 South Street Widening Entirely on East Side of 100 East Street

This alignment was identified to avoid any residential property acquisition or use of NRHP-eligible properties on the west side of 100 East Street by widening entirely on the east side of 100 East Street. To improve the intersection of 100 East Street and 300 South Street, the transition would be the same as described above for the first variation (Section 2.2.2). However, under this variation, the centerline of the roadway would not transition back to the original centerline of 100 East Street at any point along the roadway. Instead, at approximately 325 South and continuing south to the Logan River, the western edge of the new ROW would match the existing edge of ROW on the west. On the east side of 100 East Street, an additional 14 feet of ROW would be needed between approximately 325 South and the Logan River to accommodate roadway widening.

2.3 Alignment Variations Advanced for Detailed Study

After consideration of the four alignment variations, including analysis of Federal laws and regulations, input from the public and other agencies, engineering constraints, and other impacts associated with the proposed Project, only two of the four original variations were advanced for further consideration.

Specifically, in accordance with the NRHP criteria set forth in 36 CFR 800.5, in conjunction with Section 4(f) of the Department of Transportation Act, as amended, (23 CFR 771.135 (A)(1)) it was determined that the first and fourth variation described above (Section 2.2.2 and Section 2.2.5) would cause more adverse effects to NRHP-eligible historic properties than the other two
variations. An evaluation of the variations concluded that the first and fourth variations would result in one and two adverse effects to NRHP-eligible historic properties, respectively, while the other two variations would not adversely affect any NRHP-eligible historic property.

Additionally, after review of engineering plans and analysis of other impacts associated with all four of the variations under consideration, it was determined that no additional substantial impacts or benefits would result from the removal of either the first or fourth variation from consideration.

As a result of the above analysis, the first and fourth variations were not advanced for further consideration. The other two were advanced for detailed study and became identified as the Center Variation (the second variation described above in Section 2.2.3) and West Variation (the variation described above in Section 2.2.4).

2.4 Alternatives Advanced for Detailed Study

2.4.1 Alternative 1: No-Action Alternative

The NEPA requires that a No-Action Alternative be considered to facilitate decision making by serving as basis for comparing the environmental impacts of the action alternatives. Under the No-Action Alternative, FHWA and UDOT would not make any improvements to the 100 East Corridor in the Project Area. Local governments would continue routine maintenance of existing roads. The CMPO would continue implementation of the 2030 LRTP, considered to serve as a benchmark against which decision-makers can compare the environmental impacts of the action alternatives. Under the No-Action Alternative, infrastructure would not be provided for rapidly developing land in a manner that would meet the needs in the Project Area, but is included in order to compare the various alternatives as required by NEPA.

2.4.2 Alternative 2: Alignment Connecting 100 East With Providence Lane Using Existing Infrastructure of Gateway Drive and Spring Creek Parkway (Selected Alternative)

This alternative would be 1.15 miles (6,090 feet) long, comprised of 0.52 mile (2,750 feet) of new roadway, 0.53 mile (2,800 feet) of existing roadways with widening (100 East Street and Gateway Drive), and 0.1 mile (550 feet) of existing roadway with no construction required (Spring Creek Parkway). This alternative would include widening 100 East Street between 300 South Street and the Logan River to an 80-foot ROW. Segments of other roadways that would become part of this alternative would also require widening including all of Gateway Drive and an approximately 300-foot-long segment of Spring Creek Parkway. All other segments of would require new roadway construction. The road prism would consist of two 11-foot-wide travel lanes, one 11-foot-wide center turn lane, two 5-foot-wide bicycle lanes, and two 6-foot-wide parking lanes, with 2.5-foot-wide curb and gutter, 5-foot-wide landscaped park strips, and 5-foot-wide sidewalks on either side of the roadway.

Construction of Alternative 2 would involve enhancements at the intersections of 300 South Street, 700 South Street, Golf Course Road, Spring Creek Parkway, and Providence Lane. The type of intersection control device would be determined through a traffic study conducted during final design. A new four-way intersection would be constructed at 700 South Street, and the
intersection of Golf Course Road and Gateway Drive would receive appropriate upgrades in order to accommodate the widened Gateway Drive. These intersections would include two-way stops signs for east/west traffic. A new three-way intersection would be constructed at Spring Creek Parkway. The three-way intersection at Spring Creek Parkway would include stop signs for traffic on Spring Creek Parkway. The intersection of Spring Creek Parkway and Providence Lane would include a stop sign for southbound traffic. All intersections would be designed to accommodate the predicted 2030 traffic volumes. Speed limits would remain unchanged for all roadways in the Project Area. Along the alignment the speed limit would be 30 miles per hour.

As allowed under 23 CFR 710.501(a), several portions of the required ROW for the alignment were purchased by the Cities. These purchases were made as protective buying to prevent development that would make the purchases more expensive at a later date. It is important to note, however, that early reservations of ROW do not inhibit the objective analysis of each of the alternatives. The fact that the ROW has been reserved for the alignment of this alternative was not used as criteria for evaluation in the EIS.

Alternative 2 was advanced for detailed study because it meets the purpose and need by implementing the Priority One Project identified in the CMPO 2030 LRTP, thus maintaining consistency with the priority objectives of the Plan. This alternative would also supply needed transportation infrastructure to currently isolated parcels of property in the Project Area. Providing this additional infrastructure to the Project Area would facilitate development of those parcels and support the economic development strategies set forth by the Cities. Construction of this alternative would result in a new collector road connecting the Cities. The proposed Project would address the need for expanded infrastructure to support alternative modes of transportation by providing adequate facilities for pedestrians, bicyclists, and local transit services through the Project Area.

**2.4.3 Alternative 3: Direct Alignment Connecting 100 East with Providence Lane**

The alignment of this alternative allows for connection of 100 East Street between 300 South Street and Providence Lane without sharing part of the future planned 200 East Street corridor; both proposed corridors would remain spatially separated and parallel as envisioned in the CMPO 2030 LRTP. Since this alternative would not follow the alignment of existing roadways, it requires a new ROW south of the Logan River. In addition, this alternative would also require a 60-foot-wide ROW along the southernmost 750 feet of its alignment to accommodate recently approved commercial developments.

Starting at 300 South Street, this alignment would run south along 100 East Street toward the Logan River. Immediately after crossing the Logan River on a newly constructed bridge, the alignment would shift approximately 80 feet to the east and run along the east side of the municipal boundary between the Cities. As it makes its way toward Providence Lane, the alignment would form perpendicular four-way intersections at both 700 South Street and Golf Course Road. Approximately 1,050 feet north of Providence Lane, the alignment would shift approximately 175 feet to the east in order to utilize an existing 60-foot utility easement along Providence Lane between new commercial sites with current construction and recently issued building permits. The alignment would terminate at a new three-way intersection that would be constructed at the intersection of 100 East Street and Providence Lane.
This alternative would be 1.11 miles (5,850 feet) long, comprised of 0.85 mile (4,500 feet) of new roadway and 0.26 mile (1,350 feet) of existing roadway, and require widening (100 East Street). Except for the approximately 750-foot stretch on the southern end of the alignment that would use the existing 60-foot utility easement, the entire alignment would be constructed as an 80-foot-wide collector road with the same typical cross section that was described for Alternative 2, above. Use of the existing 60-foot utility easement would require removal of on-street parking, a narrower 4-foot shoulder, a modified park strip and sidewalk configurations on either side of the roadway. The remaining 11-foot-wide travel lane and the 4-foot-wide shoulder would be acceptable for a combined bicycle/travel lane. With the limited number of business access points and the abundance of off-street parking along the southernmost 750 feet of the alignment, on-street parking and a wide shoulder would not be necessary in this area. The park strip would be eliminated on the west side of the roadway in this area to minimize impacts to the adjacent property. A 6-foot-wide sidewalk would be used instead. A 4-foot-wide park strip with a 4-foot-wide sidewalk would be used on the east side of the roadway, where such a design would be feasible within the limited 60-foot-wide ROW. At the intersection of the alignment and Providence Lane, a right-turn lane would be incorporated into the design of the roadway.

This build alternative would include modifications to the existing intersections of 100 East Street with 300 South Street and 500 South Street, and new intersections of 700 South Street at Golf Course Road and Providence Lane. The intersection at 100 East Street and 300 South Street would be upgraded and controlled either by a four-way stop sign or a lighted signal. The type of intersection-control device would be determined through a traffic study conducted during final design. The new four-way intersection at 700 South Street and at Golf Course Road would use two-way stop signs to control east/west traffic. Similarly, southbound traffic at the intersection of the alignment of Alternative 3 and Providence Lane would be controlled with a stop sign. All intersections would be designed to accommodate the predicted 2030 traffic volumes. Speed limits would remain unchanged for all roadways in the Project Area. Along the alignment of Alternative 3, the speed limit would be 30 miles per hour.

The bridge over the Logan River would be identical to that described for Alternative 2. Similarly, the culvert used to cross Spring Creek would be identical to that described for Alternative 2, albeit in a different location. The existing detention basin immediately south of Spring Creek and west of the existing 60-foot-wide utility easement would require modifications in order to accommodate the roadway at this location. The storm water design for the proposed Project would take this into account, and either a new basin would be constructed or the existing one would be modified.

New 80-foot ROW would be required for the entire 0.85 mile (4,500 feet) of newly constructed roadway, and an additional quantity of ROW would be required for the sections of 100 East Street that would require widening. Similarly, use of the existing utility easement on the southern portion of Alternative 3 may require utility relocations and modifications to access and egress points along the southern portion of the alignment. Upon final design, site-specific ROW requirements and necessary utility relocations would be identified. Such relocations would be coordinated through UDOT and the utility companies owning the infrastructure currently present within the existing utility easement. While much of the property within the Alternative 3 alignment is currently vacant land, ongoing development of parcels within the Alternative 3
alignment may result in increased costs for property acquisition in the future. Currently, no ROW has been acquired for any portion of the Alternative 3 alignment.

Alternative 3 was advanced for detailed study because it would meet the purpose and need by implementing the Priority One Project identified in the CMPO 2030 LRTP, thus maintaining consistency with the priority objectives of the Plan. This alternative would also supply needed transportation infrastructure to currently isolated parcels of property in the project area. By providing this infrastructure to the project area, this alternative would facilitate the development of those parcels, thereby supporting the economic development strategies set forth by the Logan and Providence Cities. This alternative would also provide a new connection between the Cities. Furthermore, this alternative would also address the need for expanded infrastructure to support alternative modes of transportation by providing adequate facilities for pedestrians, bicyclists, and local transit services through the project area.

2.4.4 Alternative 4: Alignment Connecting 100 East with Providence Lane Using Existing Infrastructure of Golf Course Road and Spring Creek Parkway

This alternative is a variation of the Alternative 3 described under Section 2.4.3 that eliminates a new crossing of Spring Creek and reduces proximity impacts to commercial developments along Providence Lane that were recently constructed or are currently under construction. This alternative would require a new 80-foot ROW between the Logan River and Golf Course Road. The alternative would provide direct access to the east side of properties along the east side of Main Street (US 89/91) within the South Logan RDA between the Logan River and Golf Course Road. This alternative would not require a new river crossing at Spring Creek, but it would require widening an existing crossing of Spring Creek on Golf Course Road. Because this alternative would use portions of the existing alignment of Golf Course Road and Spring Creek Parkway, users of the roadway would be required to make an additional left- and right-hand turns in order to travel between 300 South Street and Providence Lane.

Alternative 4 would include modifications to the existing intersections of 100 East Street at 300 South Street and at 500 South Street, and new intersections at 700 South Street, Golf Course Road, Spring Creek Parkway, and Providence Lane. The intersection at 100 East Street and 300 South Street would be controlled either by a four-way stop sign or a lighted signal. The type of intersection-control device would be determined through a traffic study conducted during final design. The changes made at the intersection of 100 East Street and 500 South Street would be identical to those described under Alternative 2. Two-way stop signs would be used to control east/west traffic at the intersections that 700 South Street and Golf Course Road make with the alignment of Alternative 4. Similarly, southbound traffic at the intersection of Spring Creek Parkway and Providence Lane would be controlled with a stop sign. All intersections would be designed to accommodate the predicted 2030 traffic volumes. Speed limits would remain unchanged for all roadways in the Project Area. Along the alignment of Alternative 4, the speed limit would be 30 miles per hour.

Under Alternative 4 the bridge over the Logan River would be identical to that described for Alternative 2. Similarly, to accommodate the widening of Golf Course Road as required under Alternative 4, it might be necessary to improve the culvert at the existing crossing of Spring
Creek on Golf Course Road. Specifications for any changes to the culvert would be consistent with the design of the culvert specified under Alternative 2.

A uniform 80-foot ROW would be required for the entire 0.56 mile (2,950 feet) of newly constructed roadway, and an additional quantity of ROW would be required for the sections of 100 East Street that would require widening. To facilitate the widening of Golf Course Road and the required portion of Spring Creek Parkway, an additional 7-foot-wide ROW easement along each of these roads would be needed. While much of the property within the alignment of Alternative 4 is currently vacant land, ongoing development of parcels within the alignment of Alternative 4 may result in increased costs for property acquisition in the future. Currently, no ROW has been acquired for any portion of the alignment of Alternative 4.

Alternative 4 was advanced for detailed study because it would meet the purpose and need by implementing the Priority One project identified in the CMPO 2030 LRTP, thus maintaining consistency with the priority objectives of the Plan. This alternative would also supply needed transportation infrastructure to currently isolated parcels of property in the Project Area. By providing this additional infrastructure to the Project Area, this alternative would facilitate development of parcels in the Project Area, thereby supporting the economic development strategies set forth by the Cities. This alternative would also provide a new connection between the Cities. Furthermore, the proposed Project would address the need for expanded infrastructure to support alternative modes of transportation by providing adequate facilities for pedestrians, bicyclists, and local transit services in the Project Area. Because this alternative meets the transportation needs and purpose of the Project, it was advanced for detailed study.

2.5 Preferred Alternative

Alternative 2 with the Center Variation was identified as the Preferred Alternative in the Final EIS. Identification of the Preferred Alternative was based on a comparison of all the alternatives advanced for detailed study in terms of the purposes and needs of the Project, and environmental, social, and economic impacts. In addition, FHWA and UDOT considered public and resource agency input and city council recommendations or resolutions regarding the Project.

2.5.1 Environmentally Preferred Alternative

Identification of the least environmentally damaging alternative was based on possible impacts to the human and natural environments that would occur with project implementation. Based on the comparative analysis of the build alternatives, Alternative 2 with the Center Alignment was identified as the least environmentally damaging alternative. In particular, Alternative 2 with the Center Alignment does not impact the integrity of any neighborhoods, impacts the fewest total properties, relocates the fewest residences, and has fewer noise impacts. Alternative 2 with the Center Alignment disturbs the least amount of soil, has wetland impacts comparative to the other alternatives, and has the least property strip acquisitions from properties eligible for the National Register of Historic Places.
2.6 Selected Alternative

The Preferred Alternative identified in the Final EIS was selected for the 100 East: 300 South (Logan) to Providence Lane (Providence) project. All of the build alternatives carried forward for detailed study would meet the stated project purpose and needs. However, based on the detailed evaluations conducted during the EIS process, Alternative 2 with the Center Variation is considered the environmentally preferred alternative. The reasons for selecting Alternative 2 with the Center Variation as the Selected Alternative are as follows:

- Alternative 2 provides the best internal mobility benefits. Alternative 2 has been projected to have an Average Daily Traffic (ADT) volume of 8,170, while Alternative 3 would have an ADT of 6,294 and Alternative 4 would have an ADT of 6,018.

- Alternative 2 best meets current and future land use developments in the project area. All three alternatives would facilitate land use plans, but Alternative 2 would permit full development in 8-9 years, while Alternatives 3 and 4 would not permit full development for 10-12 years. Alternative 2 facilitates land use development 2 to 3 years faster than the other alternatives.

- Alternative 2 facilitates economic development in a more rapid time frame. An analysis conducted in coordination with the Logan City Department of Economic Development, determined that Alternative 2 would facilitate land use development within an earlier time frame, and accommodate more retail space than the other two build alternatives. After 12 years (full build-out), Alternative 2 has been estimated to produce $118,178,247 in tax revenue; while Alternative 3 has been estimated to produce $96,292,998 and Alternative 4 $94,657,407. Alternative 2 would produce approximately $21.9 to $23.5 million more than Alternative 3 or 4, respectively over this 12 year time frame.

- Alternative 2 with the Center Variation would have at least 3 fewer residential property impacts (strip takes) than any of the other build alternatives.

- Alternative 2 with the Center Variation would have at least 3 fewer residential relocations than any of the other build alternatives.

- Alternative 2 with the Center Variation would have at least 5 fewer impacts to sensitive noise receivers than any of the other build alternatives.

- Although none of the build alternatives would require the full take of a NRHP-eligible property, Alternative 2 with the Center Variation would require at least 4 fewer minor property takes of NRHP-eligible properties (de minimis use) than any of the other build alternatives.

- Although Alternative 2 would require approximately 0.06 acres more wetland fill than any other build alternative, Alternative 2 is considered by the U.S. Army Corps of Engineers as permitable under a Nationwide Permit.
3.0 SECTION 4(F) (CHAPTER 5 OF THE FINAL EIS)

Section 4(f) of the Department of Transportation Act of 1966 applies to the transportation facility use of land in a publicly owned park, recreation area, wildlife/waterfowl refuge, or historic site of national, state, or local significance as determined by the officials having jurisdiction over that land. The Chapter 5 Section 4(f) Evaluation of the Final EIS provides a detailed discussion of the Section 4(f) resources within the Project Area, the impacts to these resources from various alternatives, and approaches to avoiding and minimizing those impacts. Section 4(f) properties that could be affected by the build alternatives include cultural (historic) resources. No recreation areas, wildlife or waterfowl refuges are within the Project Area.

While none of the build alternatives would result in the complete use of a NRHP-eligible property, all of the build alternatives would require minor property use of NRHP-eligible properties. The Section 4(f) Evaluation determined that such minor property uses would be considered de minimis under Section 6009 of SAFETEA-LU. However, Alternative 2 with the Center Variation would have four fewer de minimis uses than the other build alternatives when combined with the Center Variation. Alternative 2 with Center Variation would have a total of 9 de minimis uses. Based on the finding of No Adverse Effect and the fact that no contributing elements to the historic properties would be affected, FHWA has determined that the use results in a de minimis impact on those properties, analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete.

4.0 MEASURES TO MINIMIZE HARM FROM THE SELECTED ALTERNATIVE

As the proposed Project was developed and reviewed through the NEPA process, various alignments and variations, including reduced ROW width, were evaluated for practicability. The description of these alignments and variations and the determination of their practicability are provided in Section 2.0. The result was the detailed evaluation of three distinct alignment alternatives and two variations. The remaining impacts associated with Project construction and operation will be minimized by following the current UDOT standard specifications for road and bridge construction and implementing a variety of Project-specific mitigation measures. The environmental impacts of the Selected Alternative were evaluated in a qualitative as well as quantitative manner in Chapter 4 Environmental Consequences of the Final EIS. The EIS evaluates both beneficial and adverse impacts and assigns mitigation measures where necessary.

The FHWA will work closely with UDOT to ensure that all practical measures to avoid or minimize adverse impacts related to construction of the Selected Alternative will be implemented. The following text summarizes these measures, which are described in detail in the EIS.

Implementing the Selected Alternative will result in impacts associated with construction-period (short-term) and long-term operation of the Project.
Areas subject to Project-related impacts include:

- Land use conflicts
- Relocations and property acquisitions
- Noise
- Water resources
- Vegetation and wildlife resources
- Wetlands
- Cultural resources
- Hazardous waste
- Visual resources

The FHWA has determined that the measures described below are appropriate impact mitigation and will be implemented. The UDOT will administer implementation of all the mitigation measures described in the EIS, and the FHWA will ensure that they are properly executed via the monitoring and enforcement program discussed in this ROD. Appendix A summarizes the Project mitigation commitments.

4.1 Land Use Conflicts

The Selected Alternative requires the acquisition of 5.56 acres of new ROW adjacent to the roadway within the Cities, as well as 0.66 acre of an agricultural parcel, which will be bisected by the Selected Alternative. Acquisitions within the Cities would be consistent with the land use and zoning plans. The Selected Alternative will cross irrigation conveyance structures associated with the Pioneer Irrigation Ditch. Disruption of irrigation water delivery would affect agriculture use and water rights.

Mitigation. During final design, coordination will be conducted with landowners to identify the location of each irrigation structure, discharge volumes, and timing of water flow to ensure all water rights and delivery are maintained. The final design will include provisions to maintain access to and irrigation of any agricultural field split by the Selected Alternative.

4.2 Relocation Impacts and Partial Property Acquisitions

The Selected Alternative may require the relocation of one single-family residence and two rental units. It is possible that final ROW evaluations may identify another single-family residence that would require relocation. In addition, possible minor property acquisitions of areas less than 10-feet wide have been identified on 41 separate parcels.

Mitigation. To mitigate the impacts to property acquisitions and relocations, ROW will be obtained according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

4.3 Noise

The Selected Alternative will have minor noise impacts along the residential corridor of 100 East Street between 300 South and 450 South. Noise levels will not approach closer than 4 dBA to the Noise Abatement Criteria, and traffic noise levels will not increase more than 5 dBA at any sensitive receiver along the 100 East residential area. Noise levels in the 700 South Street and 80 East cul-de-sac areas are not expected to exceed 58 dBA and as such would not approach the NAC of 67 dBA. Three of the residences would be expected to receive an approximately 9-dBA
increase. Projected traffic increases along 700 South will contribute to a 4-dBA increase in the area, even without the proposed project. A noise increase greater than 10 dBA or a noise increase that approaches within 2 dBA of the NAC requires an evaluation for mitigation. Since this criteria is not met, no noise abatement measures are proposed.

4.4 Water Resources

The Selected Alternative will include a new bridge over the Logan River. The bridge abutments will be placed outside the normal channel banks to reduce constriction of the river channel that currently exists with the small local bridge immediately upstream.

Impervious surface area will increase by approximately 6 acres under the Selected Alternative. Urban development that is anticipated in the Project Area will also contribute to an increase in impervious surface area. Increased impervious surface area is linked to increases in storm water runoff, which could alter the hydrology and increase erosion. Often, river channels adjust to accommodate increased flows through channel scouring and bed erosion leading to channel incision and bed lowering. The impacts to the Logan River are minimized by City of Logan storm water requirements mandated by the Clean Water Act, as well as the specific storm water controls established as part of the Selected Alternative (storm gutters and detention). A new culvert will also be installed at the Spring Creek crossing in Providence. The culvert could cause channel constriction both at the intake point and slightly upstream with sediment deposition at the constriction point immediately upstream of the culvert. The culvert will be designed to accommodate a 100-year event, and the design will minimize any effect to Spring Creek water flow or sediment deposition. Any increases in storm water discharge to Spring Creek will be minimized through the design of storm gutters, diversion to existing storm drains, and detention.

The Selected Alternative will cross approximately 90 feet of the Spring Creek floodplain. The alignment is a transverse crossing that minimizes affects on floodplain values. The crossing will occur at a location with stable physical characteristics and channel morphology. The culvert designed to accommodate the 100-year flood event will ensure that flood water elevations above the crossing will not increase and that no back pooling occurs at the culvert.

The Selected Alternative will disturb approximately 6 acres of soils and increase impervious surfaces within the Project Area. Soil disturbance could impact quality of local surface waters if storm water transports eroded soils into these waterways. Increased storm water runoff could contribute to higher concentrations of pollutants into surface waters if runoff is not controlled. High loading of sediment particles and total phosphorus could affect designated beneficial uses of the Logan River and Spring Creek if runoff is not controlled.

Mitigation. Application of the following measures will ensure that impacts to water quality are minimized:

- At the Logan River crossing, plantings will be included in the final design to help stabilize the stream banks and enhance riparian areas.
- The bridge over the Logan River will be designed so that abutments are outside the river channel.
Best Management Practices (BMPs) will be employed to address construction storm water issues.

Stormwater requirements under the Clean Water Act for the Cities will be included in the final design.

A Storm Water Pollution Prevention Plan (SWPPP) will be developed during final design to reduce the amount of sediment that can reach surface waters.

Temporary erosion and sediment control devices, as described in UDOT *Temporary Erosion and Sedimentation Control Drawings*, will be used.

Implementation of the erosion and sediment control plan will be monitored during construction to ensure effectiveness.

4.5 Wildlife and Vegetation

During construction, some landscaped and natural vegetation would be disturbed along the Project corridor. However, the loss of less than 6 acres of natural vegetation is not expected to affect general vegetation characteristics in the Project Area or to substantially affect viability of local wildlife populations. No direct impacts to wildlife are expected. No habitat designated as critical, crucial, or important by the Utah Division of Wildlife Resources will be affected by implementation of the Selected Alternative.

The new crossing of the Logan River will result in the removal an approximately 70-foot-wide swath of mature willow riparian growth. This will be partially offset by the re-growth of woody riparian canopy where the existing 100 East Street bridge will be removed. However, a short-term impact will occur through the loss of approximately 120 feet of riparian forest during construction and until revegetation occurs. Short-term impacts will include loss of habitat and segmentation of the wildlife movement corridor through the riparian corridor. Such impacts are not expected to have a substantial effect on wildlife populations or communities.

The crossing of Spring Creek will adversely affect riparian shrub habitat. Carrying capacity of the riparian community will be decreased by 0.18 acre, or 11 percent.

A pair of red-tailed hawks traditionally nests within approximately 140 feet of the Selected Alternative alignment south of the Logan River Crossing. The nest is located in a tall cottonwood tree on a residential property. The nest is located approximately 260 feet from the new Logan River crossing. The pair was observed nesting during 2007 and appeared to fledge one young with the loss of another. The successful nesting occurred during ongoing large-scale construction of an office building and other buildings (June 2006). In fact, the private construction included the use of large construction equipment within the alignment of the Selected Alternative at the nearest location to the nest site (140 feet). Observations made during the May and June 2007, construction period indicated that the nesting pair was not disturbed. Bridge and road construction is expected to commence during the non-breeding season (August through April), and thus the returning pair would adjust to the construction activities, as they have done in the past. Since the birds have demonstrated tolerance to on-going human activity, including construction activity, road and bridge construction is not expected to cause the red-tailed hawks to abandon or fail to use this nest site.
Construction in the vicinity of the Logan River or Spring Creek could reduce invertebrate production in the local river reach, thus affecting the fish community, especially trout and whitefish. If stream banks or the active channel is affected as a result of bridge construction, fish habitat would be affected.

**Mitigation.** Mitigation described under Water Resources will minimize effects to the Logan River riparian corridor and aquatic resources of Logan River and Spring Creek. All temporarily disturbed areas will be revegetated.

### 4.6 Wetlands

The Selected Alternative will impact 0.29 acre from two distinct wetlands. One is 0.11 acre of wet meadow adjacent to Pioneer Ditch. The other is 0.18 acre of riparian shrub-scrub associated with Spring Creek.

**Mitigation.** The impacts will be permitted under one or more U.S. Army Corps of Engineers Nationwide Section 404 permits. During final design, the impacts will be mitigated through the development of a wetland mitigation plan approved by the U.S. Army Corps of Engineers.

### 4.7 Cultural Resources

The Selected Alternative will not affect NRHP-eligible historic properties.

No known archaeological or paleontological resources occur within the Project Area. However, it is possible that undiscovered archaeological resources exist within the Area of Potential Effect.

**Mitigation.** The UDOT Standard Specifications Section 01355, Part 1.10, Discovery of Historical, Archaeological, or Paleontological Objects will be enforced. This specification stipulates procedures to be followed should any archaeological, historic, or paleontological resources be discovered during construction of the Project. This specification has been included in the executed Memorandum of Agreement among FHWA, UDOT, and SHPO.

### 4.8 Hazardous Waste

The Selected Alternative will require the acquisition and possible demolition of two or three residential structures, depending upon the final ROW acquisition process. It is possible that structural items may contain hazardous materials.

**Mitigation.** Prior to demolition, the structures will be inspected for hazardous substances. If any such items are identified, a plan will be developed for the proper removal and disposal of these items consistent with applicable regulations. A demolition permit will be submitted to the Utah Division of Air Quality before initiating demolition operations. Debris materials will be transported to an approved disposal site in compliance with Federal, State, and municipal requirements.
4.9 Visual Impacts

Outdoor lighting is sporadic but common along the corridor. Proposed street lighting along the 100 East Street corridor will contribute to nighttime light pollution in the Project Area, especially in the rural residential area immediately south of the Logan River (500 South Street).

**Mitigation.** “Full cut-off” streetlights will be used. Full cut-off lights do not emit light above 90 degrees (i.e., above the horizontal plane). Mast heights will be designed to minimum standards allowed to ensure safety and also limit light pollution in the 500 South Street area.

4.10 Construction Impacts

Construction could result in short-term, temporary impacts related to erosion and sedimentation, dust, noise, invasive plants, inconvenience to traveling motorists, local residential access, safety, utilities, and site appearance.

**Mitigation.** The potential effects related to erosion and sedimentation will be minimized through a Utah Pollutant Discharge Elimination System General Storm Water Discharge Permit. As part of the requirement of the permit, the contractor will implement a SWPPP developed during final design. Implementation and effectiveness of the erosion and sediment control plan will be monitored during construction.

Local ordinances related to noise will be enforced, as well as the application of noise abatement measures in UDOT current *Standard Specification for Road and Bridge Construction*.

Temporary air quality impacts due to construction, will be controlled through dust and vehicle pollutant minimization Best Management Practices (BMPs) contained in UDOT’s current *Standard Specifications for Road and Bridge Construction*.

To mitigate potential introduction of invasive weeds, the invasive weeds BMPs in UDOT *Standard Specifications for Road and Bridge Construction* will be implemented and included in the plans and specification for the Project.

Some minor traffic delays or detours are likely during construction. The contractor will be required to have a public involvement plan to inform motorists of construction activities.

Degraded site appearance during construction will be minimized by maintaining staging and storage areas in an orderly manner and, where possible, off-shift equipment will be parked in designated areas to reduce visual clutter. The contractor will be responsible for removing unused or unnecessary traffic control devices or equipment.

Project specifications will require the contractor to coordinate with the Cities and utility companies.

The Contractor will be required to develop and implement a safety program for the Project. The safety program will address construction personnel and the traveling public including pedestrian traffic.
4.11 Permits, Certifications, and Approvals

Permits and certifications required for Project construction include the following:

- A Utah Pollutant Discharge Elimination System Storm Water General Permit for construction activities.
- A Stream Alteration Permit from the Utah Division of Water Rights, subject to approval of the U.S. Army Corps of Engineers, for the crossings of the Logan River and Spring Creek.
- Clean Water Section 404 Permit(s) for fill of approximately 0.29 acre of wetlands. Construction activities are expected to fall within the parameters of one or more Nationwide Permits.
- A demolition permit will be submitted to the Utah Division of Air Quality.

The contractor will be responsible for compliance with all Federal and State laws, rules, and guidelines related to environmental impact, and for obtaining any and all necessary permits and clearances needed before using any area for staging and storage of equipment, personnel, vehicles, materials, or waste.

5.0 MONITORING AND ENFORCEMENT PROGRAM

This ROD represents a commitment to monitor and enforce the measures described above to minimize harm to the surrounding environment. All of the mitigation measures listed above and identified in the Final EIS will be incorporated into the contract(s), plan(s), and specifications, and monitored according to construction monitoring plans developed during final design. Specifically, all mitigation commitments contained in this ROD will be placed directly into the plans for the Project as a spreadsheet, noting the impacted resource, mitigation required, and section of the plans showing that impacted area. Enforcement of the contract provisions and monitoring of the project is the responsibility of UDOT (via stewardship agreement with FHWA).

6.0 STATUTE OF LIMITATIONS

The FHWA will publish a notice in the Federal Register, pursuant to 23 USC 139(1), indicating that one or more Federal agencies has taken final action on permits, licenses, or approvals for this Project. After the notice is published, claims seeking judicial review of those Federal agency actions will be barred unless such claims are filed within 180 days after the date of publication of the notice, or within a shorter time period as specified in the Federal laws pursuant to which judicial review of the Federal agency action is allowed.

FINAL ENVIRONMENTAL IMPACT STATEMENT COMMENTS AND RESPONSES

Notice of the release of the Final EIS was published in the Federal Register on August 10, 2007. The end of the comment period was September 10, 2007. The Final EIS was distributed to Federal, State, and local agencies, as well as to members of the public that commented on the Draft EIS. Copies of the Final EIS were made available at local government offices and the local
library for use by the general public. The document was also placed on the CMPO web site. A Notice of Availability of the Final EIS was published in the local and regional newspapers under Legal Notices. The notice was also published on the CMPO web site.

Agency and public comments received on the Final EIS during the 30 day comment period are provided below. The full comment letters are provided as Appendix B.

7.1 U.S. Environmental Protection Agency (EPA)

Comment: EPA review found the Final EIS responsive to EPA’s concerns with the Draft EIS.

Response: No response necessary.

7.2 Russell Goodwin

Comment: The 100 East project should not, and will not, address the transportation needs of Logan City and the Logan Urbanized Area. It should not receive the endorsement of the FHWA when the 200 East corridor project is clearly and irrefutably the corridor of choice to realize our transportation and mobility requirements.

Response: Mr. Goodwin provided the same comments regarding the overall long-range planning process of the Cache Metropolitan Planning Organization. These comments are presented as Comment Letter 4 in the Final EIS (pages 6-17 through 6-23). The responses to these comments on page 6-24 of the Final EIS remain relevant. The purpose and need of the Project extends beyond mobility and traffic congestion relief. As described in Chapter 1 of the Final EIS, the Project is part of the solution to transportation congestion and mobility, but it is not the total solution. Neither are other projects on the 2030 Long Range Transportation Plan, including the 200 East Project. The 100 East Project is part of a systematic approach, as described in the approved 2030 LRTP.

7.3 Debby Bronson and Graham Hunter (2 Comment Letters)

Comment: About a year prior to the identification of the Center Variation as the Preferred Variation on 100 East, they were under impression that the West Variation would be the Preferred Alternative. Ms. Bronson states that this impression was based on conversations with Logan City and the Consultant preparing the EIS for FHWA when they were told that it was highly likely that the road would be widened on the west side, and therefore their home would be acquired. Based on this information, they bought another house a few blocks away in autumn 2006. They purchased this home early so that they had time to remodel the house before moving. They did not comment on the Draft EIS (December 2006) because they believed it was a done deal. With the selection of the Center Variation, they will have two homes, and with the proximity of the new alignment to their home along 100 East Street it will be difficult to sell it. The new alignment will likely take much of their landscaping including mature trees and placing the new sidewalk close (about 12 feet) to their kitchen door. They expressed strong opposition to the taking of their trees, loss of privacy, and effects on their property. They request resolution in a fair manner.
**Response:** During all coordination and communication with the public, the representatives for the Project Team emphasized that all evaluations of potential full property takes was provisional and based on an estimate of proximity of the residence to the proposed ROW. For purposes of evaluation, this estimate was determined to be 12 feet. In all cases, it was further stressed that the final decision on total acquisition could not be made until the final design and the formal right of way evaluation. The Draft EIS (page 4-20) states that the criteria for determining total acquisition is an estimated distance based on a preliminary site review. The actual distance where full property acquisition is required would be determined during final design and the formal ROW acquisition process. The evaluated relocation impacts are based on the preliminary design of the build alternatives and their variations. Actual relocation impacts may vary due to changes in final Project design or changes in the characteristics of the residences themselves, although the degree to which the impacts change is not anticipated to be substantial. The Draft EIS made clear that both variations were viable options and no Preferred Alternative or Variation was identified in the Draft EIS.

A higher level of design was conducted prior to the preparation of the Final EIS. Based on the higher-level of design evaluations, the Center Variation was identified as the Preferred Alternative because it would have one to four fewer total possible property acquisitions, four fewer residences with minor noise increases, and minimize strip takes on the west side of 100 East Street. In addition, the Center Variation would make better use of existing road infrastructure and grades (page 2-42).

This higher level of design provided additional survey information to determine proximity of proposed Variations to residences along 100 East Street. Based on this information, the Final EIS identified properties that would likely require full property take. The residence in question was not one of these properties. However, as stated in the Final EIS, relocations would require further evaluation during the final design phase to make the determination. The final ROW evaluation will consider all quantified damages to property and will be based on comparable market values. The ROW process will adhere to all requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the State of Utah Relocation Program (under the Utah Relocation Assistance Act, Utah Code 57-12).

### 7.4 Michael Jablonski

**Comment:** Please explain why Alternatives 3 and 4 were considered as alternatives given that a multi-story garage has already been constructed in the middle for these alignments.

**Response:** Alternatives 3 and 4 were identified as build alternatives prior to the approval of the site plan for the large development complex associated with this parking garage and commercial space of this structure. After approval of the site plan by the City of Logan, it was determined that Alternative 3 and 4 should continue to be assessed as viable alternatives, though it was recognized that implementation of either of these alternatives would have substantial effects on the developing site. Through the evaluation of all build alternatives, no outstanding environmental or social constraints were identified that would favor selection of either of these alternatives. In fact, the evaluation showed that the Preferred Alternative (Alternative 2) would provide the best opportunities to meet the Project purpose and needs and have the least social effects (page 2-41 and page 2-42). The selection of Alternative 2 as the preferred alternative
would be valid with or without the development referred to in this comment.

**Comment:** The Final EIS states "Construction of the parking structure began during winter 2006-2007" in the discussion about red-tailed hawks that nest in the area. It fails to state, however, that the presence of the parking garage, which is south of the Logan River, precludes building 100 East under Alternatives 3 and 4.

**Response:** Please see response to the first comment.

**Comment:** The EPA prefers Alternative 4 (Comment Letter 2 in Draft EIS). Does the EPA realize that this alternative is not realistic because of the recently constructed parking structure? Is the parking structure the "large commercial property" (page 6-12 of the Final EIS) that would have to be relocated if Alternative 4 were selected? The parking garage and "large commercial property" should be shown on aerial photos and maps to clarify EPA comments.

**Response:** The EPA has reviewed the Final EIS including the responses to their comment letter on the Draft EIS. The EPA responded to their review by stating... "Our review found the FEIS responsive to EPA's concerns with the Draft EIS." The structure includes not only a multi-story parking garage but commercial space for multiple sites. The site plan was not available for inclusion in the FEIS.

7.5 Robert Schunk, President Spring Creek Office Condominium Owners Association (SCOCOA)

**Comment:** The comment letter states that all of the concerns expressed in the SCOCOA comment letter on the Draft EIS are still valid and that the responses to the comments in the Final EIS were generally vague and incomplete. Specifically, SCOCOA remains opposed to any alternative that would adversely impact the traffic congestion and public safety within their local business community and result in unnecessary impacts to the Spring Creek stream corridor.

**Response:** The responses to the SCOCOA comments to the Draft EIS provide ample discussion of traffic congestion and safety. Traffic congestion is not expected to be a problem based on level of service. However, traffic will increase as noted in the Draft EIS. A higher level of design reviewed the intersection of Spring Creek Parkway and the Preferred Alternative. No substantial constraints were identified to designing a well-functioning intersection at this location. Final design will ensure that the intersection of Spring Creek Parkway and the Selected Alternative will meet or exceed all Federal safety and design guidelines. The comments on Spring Creek stream corridor provided a further opportunity to evaluate potential effects on Spring Creek by avoiding the crossing identified as part of the Preferred Alternative through implementing Alternative 4. Alternative 4 would require widening of Golf Course Road and a concomitant impact on the Spring Creek corridor where Golf Course Road would cross the creek. This is described as response to comment 7-5 (page 6-53 of the Final EIS) and the Wetland Evaluation on page 4-62 of the Final EIS).

**Comment:** We are specifically concerned how the project will maintain safe access into the SCOCOA property. A final decision on the preferred alternative should not be made until a closer examination is made on the feasibility of a road design that is specific to the Spring Creek
Parkway intersection, relocation of the SCOCOA access point, parking facilities and dumpster is agreed by UDOT and City of Providence.

Response: The alignment for the Preferred Alternative remains within the ROW purchase and agreement consummated with SCOCOA in 2004. All the clauses of the Agreement of May 2004 executed by SCOCOA, Providence, and UDOT will be adhered. Specifically, paragraph 8 that states... “The relocation of parking stalls and garbage enclosure will be completed as part of the construction phase of the road...” Paragraph 5 states that “Providence City will be responsible for amending the existing Condominium Subdivision Plat with the County Recorder. To the degree possible, separate access will be provided on the amended plat.” These commitments will be part of the final design. As stated for the comment above, a higher level of design reviewed the intersection of Spring Creek Parkway and the Preferred Alternative. No substantial constraints were identified to designing a well-functioning intersection at this location. Final design will ensure the intersection of Spring Creek Parkway and the Selected Alternative will meet or exceed all Federal safety and design guidelines.

Comment: How can construction feasibility, safety and relocation impacts be fully assessed without a sufficient level of roadway design?

Response: Project engineers have identified several possible design options within the identified 80-foot-wide ROW corridor that meet or exceed acceptable design standards. This is sufficient for the current NEPA evaluation and FHWA decision.

Comment: SCOCOA wants to reiterate that the Record of Decision should include a mitigation commitment to include the SCOCOA as an active participant in the roadway design and decision making process insofar as it pertains to our local relocation and safety concerns. Simply giving SCOCOA an opportunity to comment on a design is unsatisfactory. Members of SCOCOA include engineers and environmental scientists with specific experience and expertise on UDOT and local transportation projects, and have specific insight on their local needs.

Response: As stated in the response to SCOCOA comments to the Draft EIS (page 6-52 of the Final EIS), the association will be included as part of the Public Involvement Plan for final design. All commitments made in the April 2004 Right of Way Agreement among UDOT, the City of Providence, and the SCOCOA will be upheld. It is the intent of the project sponsors to closely coordinate the relocation of parking stalls and garbage enclosure in accordance with the Exchange Agreement between SCOCOA, Providence City and UDOT to develop workable context sensitive design solutions. However, the project sponsors, Providence City, UDOT and FHWA retain the right to make the final design and construction decisions on this project.

8.0 CLARIFICATIONS / ERRATA

After the close of the comment period, FHWA noted a minor typographical error in Section 2.7.1 on page 2-42 of the FEIS. In order to rectify the inadvertent minor error, the following errata is included to identify the required changes to the FEIS document.
Errata

2.7.1 Preferred Variation
Following some higher-level design evaluations, the Center Variation was recognized as
the preferred variation. When compared with the West Variation, the Center Variation
would have potentially one to four fewer residence relocations, three four fewer
residences with minor noise increases greater than 6dBA, and this variation would
minimize the amount of proximity impacts on the west side of 100 East Street. In
addition, the Center Variation would make better use of existing road infrastructure and
grades.

9.0 CONCLUSION
The FHWA has determined that the Selected Alternative (Alternative 2 with the Center
Alignment) best meets the transportation needs for the traveling public while effectively
considering environmental, safety, and socioeconomic factors. This decision is based on the
Draft and Final EISs and the entire Project record.

In reaching this decision, the FHWA has considered all of the issues raised in the record
including the information contained in (and comments to) the Draft and Final EISs. The Selected
Alternative was developed through a public process that included Project adjustments to avoid
and minimize environmental impacts. The FHWA consulted with other Federal And State
agencies including the U.S. Environmental Protection Agency, U.S. Department of Interior,
Natural Resources Conservation Service, U.S. Army Corps of Engineers, U.S. Fish and Wildlife
Historic Preservation, Utah Division of State History, Utah Division of Parks and Recreation,
Utah Geologic Service, Utah Department of Public Safety, Utah Division of Air Quality, Utah
Division of Wildlife Resources, Utah Division of Water Rights, Utah Division of Water
Resources, Utah Division of Drinking Water, Utah Governor’s Office of Planning and Budget,
and Utah Division of Environmental Response and Remediation. Details of agency coordination
can be found in Chapter 6 of the Final EIS.

Based on the analysis and evaluation in the Final EIS and after careful consideration of the social,
economic, and environmental factors and input from agencies and the public involvement
process, the FHWA approves the selection of Alternative 2 with the Center Alignment Variation
for the Project.

DATE: 11/23/01   BY: [Signature]
Division Administrator
Federal Highway Administration
APPENDIX A

MITIGATION COMMITMENTS
### Appendix A

**Mitigation Commitments**

**100 East: 300 South (Logan) to Providence Lane (Providence)**

<table>
<thead>
<tr>
<th>Environmental Component</th>
<th>Mitigation Location</th>
<th>Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use</td>
<td>All agricultural parcels (west side of corridor between 450 East and Logan River; South of Logan River to 800 South)</td>
<td>During final design, explicit coordination will be conducted with landowners to accurately identify the location of each irrigation structure, discharge volumes, and timing of water flow to ensure all water rights and delivery is not impeded. The final design will include provisions to maintain access to and irrigation of any agricultural field split by the Selected Alternative.</td>
</tr>
<tr>
<td>Relocations and Property Acquisitions</td>
<td>All project areas</td>
<td>To mitigate the impacts to property acquisitions and relocations, right-of-way will be obtained according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Commitments made under the Exchange Agreement between UDOT, Providence City, and SCOCOA will be met.</td>
</tr>
<tr>
<td>Water Resources</td>
<td>Logan River</td>
<td>At the Logan River crossing, plantings will be included in the final design to help stabilize the stream banks and enhance the riparian areas.</td>
</tr>
<tr>
<td></td>
<td>Logan River</td>
<td>The new bridge over the Logan River will be designed so that abutments are outside the river channel.</td>
</tr>
<tr>
<td></td>
<td>All project areas</td>
<td>Best Management Practices (BMPs) will be employed to address construction storm water issues.</td>
</tr>
<tr>
<td>Water Resources</td>
<td>All project areas</td>
<td>Storm water requirements under the Clean Water Act for Logan and Providence Cities will be included in the final design.</td>
</tr>
<tr>
<td></td>
<td>All project areas</td>
<td>A Storm Water Pollution Prevention Plan (SWPPP) will be developed in final design to reduce the amount of sediment that could reach surface waters.</td>
</tr>
<tr>
<td>Water Resources</td>
<td>All project areas</td>
<td>Install temporary erosion and sediment control devices as described in UDOT's Temporary Erosion and Sedimentation Control Drawings.</td>
</tr>
<tr>
<td></td>
<td>(Emphasis on Logan River, Spring Creek and Pioneer Ditch)</td>
<td>The erosion and sediment control plan will be monitored during construction to ensure effectiveness.</td>
</tr>
</tbody>
</table>
### Appendix A (Continued)

<table>
<thead>
<tr>
<th>Environmental Component</th>
<th>Mitigation Location</th>
<th>Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wildlife and Vegetation</td>
<td>All project areas</td>
<td>Mitigation measures are the same as described under Water Resources. All temporarily disturbed areas will be revegetated as to UDOT <em>Standard Specifications for Road and Bridge Construction</em>.</td>
</tr>
<tr>
<td>Wetlands</td>
<td>0.11 acres adjacent to Pioneer Ditch and 0.18 Acres adjacent to Spring Creek</td>
<td>The US Army Corps of Engineers has stated that these impacts would be permitted under one or more Nationwide Section 404 permits. During final design, the impacts will be mitigated through the development of a wetland mitigation plan in coordination with the US Army Corps of Engineers.</td>
</tr>
<tr>
<td>Cultural Resources</td>
<td>All project areas</td>
<td>UDOT Standard Specifications Section 01355, Part 1.10, Discovery of Historical, Archaeological, or Paleontological Objects will be enforced. This specification stipulates procedures to be followed should any archaeological, historic, or paleontological resources be discovered during construction of the project.</td>
</tr>
<tr>
<td>Hazardous Waste</td>
<td>Any residential properties Demolished</td>
<td>Prior to construction that would demolish any residential structures, the structures will be inspected for hazardous substances. If any such items are identified, a plan will be developed for the proper removal and disposal of these items consistent with applicable regulations. A demolition permit will be submitted to the Utah Division of Air Quality before initiating demolition operations. Debris materials will be transported to an approved disposal site in compliance with Federal State and municipal requirements.</td>
</tr>
<tr>
<td>Visual Impacts</td>
<td>All project areas with Emphasis on 500 South Street area</td>
<td>&quot;Full cut-off&quot; streetlights will be used. Full cut-off lights do not emit light above 90 degrees. Mast heights will be limited to the extent practicable to ensure safety and limit light pollution in the 500 South Street area.</td>
</tr>
<tr>
<td>Construction</td>
<td>All project areas</td>
<td><strong>Erosion and Sedimentation:</strong> Obtain a Utah Pollutant Discharge Elimination System General Stormwater Discharge Permit. Develop and implement a Storm Water Pollution Prevention Plan. Monitor implementation of the plan during construction for effectiveness. Noise: Local ordinances related to noise will be enforced, as well as the application of noise abatement measures in UDOT current <em>Standard Specifications for Road and Bridge Construction</em>. Air Quality: Temporary air quality impacts due to construction, will be controlled through dust and vehicle pollutant minimization BMPs contained in UDOT current <em>Standard Specifications for Road and Bridge Construction</em>.</td>
</tr>
</tbody>
</table>
## Appendix A (Continued)

<table>
<thead>
<tr>
<th>Environmental Component</th>
<th>Mitigation Location</th>
<th>Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>All project areas</td>
<td><strong>Invasive Weeds:</strong> To mitigate potential introduction of invasive weeds, the invasive weeds BMPs in UDOT <em>Standard Specifications for Road and Bridge Construction</em> will be implemented and included in the plans and specification for the project.</td>
</tr>
<tr>
<td></td>
<td>(especially natural areas)</td>
<td></td>
</tr>
<tr>
<td>All project areas</td>
<td><strong>Inconvenience to Motorists:</strong> The contractor will be required to have an active public involvement program to inform motorists of construction activities and to complete construction in segments to limit the amount of time each segment is under construction.</td>
<td></td>
</tr>
<tr>
<td>All project areas</td>
<td><strong>Degraded Site Appearances:</strong> maintaining staging and storage areas in an orderly manner and, where practicable, off-shift equipment will be parked in designated areas to reduce visual clutter. The contractor will be responsible for removing unused or unnecessary traffic control equipment.</td>
<td></td>
</tr>
<tr>
<td>All project areas</td>
<td><strong>Utilities:</strong> Project specifications will require the Contractor to coordinate with the Cities and utility companies to plan work activities so that any utility disruptions to a business occur when the business is closed or during off-peak times. The Contractor will be required to use care when excavating to avoid unplanned utility disruptions.</td>
<td></td>
</tr>
<tr>
<td>All project areas</td>
<td><strong>Safety:</strong> The Contractor will be required to develop and implement a safety program for the project. The safety program will address construction personnel and the traveling public including pedestrian traffic.</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX B

COMMENT LETTERS ON
THE FINAL ENVIRONMENTAL IMPACT STUDY
APPENDIX B

COMMENT LETTERS ON FEIS
Ref: 8EPR-N

Walter C. Waidelich, Division Administrator
Federal Highway Administration
2520 West 4700 South
Suite 9A
Salt Lake City, UT 84118

John Njord, Executive Director
Utah Department of Transportation
4105 South 2700 West
Salt Lake City, UT 84119

Re: Comments on 100 East: 300 South (Logan) to 1200 South (Providence), FEIS # 20070336

Dear Messrs: Waidelich and Njord:

In accordance with our responsibilities and authorities under the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act, the Region 8 office of the U.S. Environmental Protection Agency (EPA) has reviewed the Final Environmental Impact Statement (FEIS) for the Logan to Providence Project.

Our review found the FEIS responsive to EPA's concerns with the Draft EIS. Your responses to comments regarding PM 2.5 issues, including potential non attainment, are satisfactory.
If you have any further questions, please contact me at (303) 312-6004, or you may contact the lead reviewer for this project, Robin Courseen, at (303)312-6695.

Sincerely,

[Signature]
Larry Szoboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation

cc: Edward Woolford, FHWA Utah Division
Todd Emery, FHWA Utah Division
Brad Humphreys, UDOT, Ogden
1505 East 1900 North  
North Logan, Utah  84341  
September 10, 2007

Federal Highway Administration-Utah Division  
2520 West 4700 South-Suite 9A  
Salt Lake City, Utah  84118

ATTN: Mr. Doug Atkin

RE: Final Environmental Impact Statement and Final Section 4(f) Evaluation for 100 East: 300 South (Logan) to 1200 South (Providence), Utah

Mr. Atkin,

Enclosed please find the following:

➢ August 1999 Draft Technical Memorandum by Wilbur Smith Associates  
➢ October 8, 1999 Memorandum by Wilbur Smith Associates  
➢ November 1, 1999 Memorandum by Wilbur Smith Associates  
➢ July 29, 2003 Memo by Ivan Hooper of Wilbur Smith Associates  
➢ Compilation of project rankings by Russell Goodwin beginning August 13, 1999

As you know, the Cache Metropolitan Planning Organization (CMPO) began life in December, 1992. It attempted to prepare a Long Range Transportation Plan (LRTP) with the aid of Leigh, Scott, and Cleary in the person of A.T. Stoddart. It was a deeply flawed process which I repeatedly pointed out but Mr. Stoddart choose to ignore. You, as part of the Federal Highway Administration (FHWA), threw our LRTP in 1997.

The chastened CMPO tried again with the aid of M.K. Centennial to produce a second LRTP (LRTP II). This involved the most thorough and complete analysis of transportation requirements to date in Cache Valley. The documents referenced above are from this second planning effort. The August 1999 document is the preliminary results of the scientific analysis and computer modeling. As you can see, 200 East was far and away the preferred corridor. So much so that others projects required a recalibration of the graphing for them to even appear. This ranking was met with political opportunism and demagoguery such that 200 East was rendered untenable.

The subsequent documents, October 8 and November 1 represent the efforts to overcome that political malfeasance by altering and manipulating, through stand-alone modeling and playing with project termini, the project rankings such that failed proposals like the so-called “reverse-dugway” and 100 East were advanced up the project list.
The altering and manipulating were so gross that 100 East, an identified 2nd tier project, finally emerged as the top project. It took blatant stand-alone modeling and several months, after other manipulations failed, for 100 East by itself to achieve this miracle reversal from the bottom to the top!

The July 29 Memo from Ivan Hooper is an attempt by Wilbur Smith Associates to justify this deviation from correct procedure to find a project to build that does not, in fact, justify this dereliction of duty to the public trust. It would be much more helpful if Wilbur Smith Associates could supply the memorandum of September 24, 1999 and October 14, 1999 as described in the first two supplied Wilbur Smith Associates communications. The previous CMPO Transportation Planner was unable or unwilling to supply them to me.

These two memorandum, I believe, would shed much light on the duplicitous process that was utilized in the latter months of 1999 to arrive at a project list compatible with the local politicos. I believe those memorandum would confirm the skepticism I heard voiced by Jose Farran as he was repeatedly directed, again by the locals, to go back and redo the computer modeling to achieve the desired results.

I hope these documents, and especially the missing memorandum (which I hope you will pursue and send a copy to me, please!), will verify my suspicions. Nonetheless, regardless of the machinations employed, 100 East should not, and will not, address the transportation needs of Logan City and the Logan Urbanized Area (LUA). It should not receive the endorsement of the FHWA when 200 East is clearly and irrefutably the corridor of choice to realize our transportation and mobility requirements.

Thank you for your consideration of these items.

Regards,

Russell Goodwin
September 10, 2007

To whom it may concern

My husband and I have lived at 93 East 400 South in Logan for more than 15 years. The reasons we chose to buy our house was because of its proximity to downtown, the quiet street, and the 80-year-old willow tree in our yard (which provides shade to our house, inside and out, all summer long):

We were devastated when we heard about Logan City widening our road (100 East). We have been following the issue closely for years and have talked with city officials and Bio-West officials. About a year ago, before the decision was made as to which plan to take, city and Bio-West officials told us that it was highly likely that the road would be widened on the west side, and therefore our house would be bought by the city. Although we were both very upset that about the loss of our home, we realistically realized that we had to start looking for a new home. We decided, also, that we wanted to stay near downtown, within walking and bike riding distance to work and the downtown area. We found a house just a few blocks away last fall and bought it, thinking we would have enough time to do some remodeling before moving in. We did not comment during the last comment period because we had every reason to believe it was a done deal.

Now we know otherwise, and feel betrayed by the city. We are stuck with two homes, and cannot ethically sell our home until construction is done. And realistically we know it will be especially difficult if the city takes our willow-tree, our river birch, our mugo pines, two maple trees, three manking cherry trees and put the sidewalk just a few feet from our kitchen door.

We find that unacceptable, and at this point will do everything in our power to make sure our willow tree and other trees are not taken. We have not yet, but we will talk to a lawyer if this issue is not solved in a fair manner.

Sincerely

[Signature]

Debbi Bronson
435-753-8977
September 10, 2007

To whom it may concern,

I live at 93 east 400 south in Logan. Our lives will be impacted by the widening of 1st East. We will end up with the sidewalk about twelve feet off of our door. We will lose all our privacy and many of our trees. It’s a done deal! The only thing left is to decide if I get my way or my neighbor across the street get theirs. That seems to be the way Logan City get what they want: Pit neighbor against neighbor or neighborhood against neighborhood. Tell them what they want to hear and make them thing what they say matters. The process stinks!

Graham Hunter
September 10, 2007

To: Doug Atkin
FHWA Utah Division
2520 West 4700 South, Suite 9A
Salt Lake City, Utah 84118

From: Michael Jablonski
125 East 500 South
River Heights, Utah 84321

Re: Final Environmental Impact Statement (EIS) for 100 East 300 South (Logan) 10 1200 South (Providence), Utah

"Dear Mr. Atkin,

Please accept this letter as my comments on the Final Environmental Impact Statement for 100 East in Logan and Providence, Utah.

Please explain why alternatives 3 and 4 in the draft EIS and the final EIS were considered as alternatives given that a multi-story parking garage has already been constructed in the middle of the alignment for these alternatives.

The final EIS states "Construction of the parking structure began during winter 2006-2007" (page 3-27) in the discussion about red-tail hawks that nest in the area. It fails to state, however, that the presence of the parking garage, which is south of the Logan River, precludes building 100 East under alternatives 3 and 4.

The Environmental Protection Agency (EPA) prefers alternative 4 (see comment letter number 2). Does the EPA realize that this alternative is not realistic because of the recently constructed parking structure? Is the parking structure the "large commercial property" (page 8-12) that would have to be relocated if alternative 4 were chosen? The parking garage should be shown on all of the aerial photos and maps in the EIS. Likewise, the "large commercial property," whatever and wherever it is, should also be shown on the aerial photos and maps to clarify the response to the EPA's comments.

The omission of the parking structure in the draft and in the final EIS statements is unacceptable. My conclusion is that alternatives 3 and 4 are not, nor ever were, serious alternatives.

Michael Jaber"
September 6, 2007

Mr. Doug Atkin, Area Engineer
Federal Highway Administration
2520 West 4700 South, Suite 9A
Salt Lake City, UT 84118

RE: South Logan to Providence Transportation Corridor
Final Environmental Impact Statement and Section 4(f) Evaluation

Dear Mr. Atkin:

The purpose of this letter is to provide formal comment regarding the concerns of the Spring Creek Office Condominium Owners Association (SCOCOA) on the proposed segment of the 100 East Improvement project in Providence, Utah.

The SCOCOA consists of the owners of a professional office complex consisting of two duplex office buildings, parking facilities, a garbage (dumpster) station and irrigated landscaped open space at 221 N. Spring Creek Parkway in Providence. The office complex is situated between Spring Creek Parkway to the west, the Spring Creek stream corridor to the east, and professional medical building complexes to the south and north. The office complex is used by its business occupants Monday – Sunday.

There are presently four individual members of the SCOCOA: Trillium Properties, LC; Frontier Holdings Company, LC; Nebulous Properties, LC; and Community Nursing Service Inc. The individual members own the interior of their office condominium whereas the SCOCOA owns the exterior facilities of the office complex.

This letter supplements and reiterates all of the concerns expressed in our letter of January 20, 2007 commenting on the DEIS, which we believe still to be valid. We believe that the responses to our comments were generally vague and incomplete.

The SCOCOA remains opposed to any alternative that would adversely impact the traffic congestion and public safety within our local business community and result in unnecessary impacts to the Spring Creek stream corridor. We are specifically concerned how the project will maintain safe access into our property. We believe a final decision on the preferred alignment should not be made until a closer examination is made on the feasibility of a road design that is specific to the intersection of Spring Creek Parkway and 100 East, relocation of the SCOCOA access point, parking facilities and dumpster as was agreed by UDOT and the City of
Providence, and the relocation of the existing access points on neighboring properties.

The satisfaction of the SCOCOA relocation requirements can potentially impact adjoining and neighboring property owners, and vice versa. How can construction feasibility, safety and relocation impacts be fully assessed without a sufficient level of roadway design? We also want to reiterate that we want the Record of Decision to include a mitigation commitment to include the SCOCOA as an active participant in the roadway design and decision-making process insofar as it pertains to our local relocation and safety concerns. Simply giving us an opportunity to comment on a design is unsatisfactory. Members of the SCOCOA include engineers and environmental scientists with specific experience and expertise on UDOT and local transportation projects, and have specific insight on our local needs.

Respectfully,

Robert Schunk
President, SCOCOA

CC: see attached e-mail dated 4/29/04 to Lyle McMillan at UDOT, regarding the above issues.
Subject: Re: 100 East Right-of-Way
Date: Thu, 29 Apr 2004 11:22:24 -0600
From: "Dennis Wenger" <dwenger@frontiercorp.net>
To: "Lyle McMillan" <lmcmilian@utah.gov>
CC: <jaya@yoda.co.cachex.state.ut.us>; <g.goust@ce2engineers.com>; <dbritsch@cnsvn.org>,
<mstokes@cnsvn.org>; <jfoust@english.usu.edu>; <valaorensen@msn.com>,
<bob.schunk@spacenv.com>; <sec@spacenv.com>,
"Dian McGuire" <DMCGUIRE@utah.gov>; <srobertsengineer@yahoo.com>,
<steve.garvert@yahoo.com>; <susane53@yahoo.com>

References: 

Lyle:

It has been brought to my attention by a member of the Condo Association
that our access drive and about three parking stalls and the dumpster would
be located in the right-of-way. We would like the agreement to include that
the Condo Association may retain use of the access drive, stalls and
dumpster site until that time when the right-of-way will be developed for
the road project. The Condo Association will assume responsibility for
maintaining these sites in the interim (i.e., snow removal).

The Condo Association would also like some language how UDOT and/or the City
would replace the parking stalls and dumpster site. I imagine that this
will simply entail the relocation of these features onto a yet to be
identified site(s) within the Condo Association's common area. Until there
is a ROD and a roadway design, it seems to me that we cannot identify the
precise relocation of the stalls or dumpster. I think for now, it may
suffice to simply indicate that UDOT and the City will work cooperatively
with the Condo Association to design the relocation of these features
concurrent with the design of the roadway, and that UDOT and/or the City
would be responsible for the construction of these relocations, which will
be done either prior to or concurrent with the road construction.

Also, there is an expectation that Condo Association will be able to
maintain its own access drive and not have to share one with our neighboring
medical complex. Is it possible to state in this agreement assurances that
the future roadway will be designed such that we will maintain a separate
access drive? or at least that all efforts will be made by UDOT and the City
to design the future roadway such that the Condo Association will maintain
its own access drive?

Thanks

DW

----- Original Message ----- 
From: "Lyle McMillan" <lmcmilian@utah.gov>
To: <dwenger@frontiercorp.net>
Cc: <jaya@yoda.co.cachex.state.ut.us>; <g.goust@ce2engineers.com>; 
<dbritsch@cnsvn.org>; <mstokes@cnsvn.org>; <jfoust@english.usu.edu>; 
<valaorensen@msn.com>; <bob.schunk@spacenv.com>; <sec@spacenv.com>,
"Dian McGuire" <DMCGUIRE@utah.gov>; <srobertsengineer@yahoo.com>,
<steve.garvert@yahoo.com>; <susane53@yahoo.com>
Sent: Wednesday, April 28, 2004 9:27 AM
Subject: Re: 100 East Right-of-Way

> Dennis,
> 
> That's my understanding. I haven't received notice that Providence
> City is in agreement, yet. Once we have their piece squared away, we'll
> proceed to contract and closing.
> 
> Lyle
I spoke with Jay Aguilar and Val Sorensen today regarding the right-of-way swap. I also have spoken with each of the condo owners. The Condo Association is in favor of the proposal you and I discussed a couple of weeks ago. This essentially entails:

1. UDOT purchases the building pad from Randy, Val, and Steve Garvey.
2. UDOT simultaneously swaps the building pad for the right-of-way with the Condo Association. UDOT will own the right-of-way and the Condo Association will own the building pad.
3. UDOT and/or the City will grade off the entire "weed patch," i.e., undeveloped ground that will include the building pad, common area, and right-of-way; install a sprinkler system that will connect to the Condo Association's existing sprinkler system; and hydromulch. Essentially, the weed patch will be converted to lawn. We would like to see the lawn improvements completed and hydromulched within 45 days of executing the contract so there is ample time for grass growth and establishment prior to the onset of winter.
4. The Condo Association will assume all yard maintenance and irrigation for the newly installed yard covering the building pad, common area, and right-of-way.
5. The Condo Association would like UDOT and/or the City to make a monetary contribution toward the yard maintenance costs (grass cutting, irrigation, weed treatment, and fertilizer) on a prorated basis according to the percentage of lawn area within the right-of-way compared to the entire lawn maintenance area that the Condo Association will be maintaining, including all common areas, the building pad (which will be immediately converted to lawn and will eventually revert to common area next July), and the right-of-way. I.e., if the lawn in the right-of-way represents 10% of the total lawn area that will be maintained by the Condo Association, we would like a monetary contribution toward 10% of the total costs of the lawn maintenance. The monetary contribution would occur monthly until that time when the right-of-way is developed for the new road. The Condo Association will submit prorated billings based on actual receipts/invoices for services/materials.
6. We assume that UDOT and/or the City will be responsible for preparing whatever paperwork is necessary on behalf of all parties to amend the existing Condominium Subdivision Plat with the County Recorder. If you can provide the Condo Association with a contract worded as simply as possible covering the six points outlined above, I think the Condo Association will move very quickly in executing it.

Sincerely

DW

Dennis C. Wenger
Frontier Corporation USA
221 N. Spring Creek Parkway, Suite B
Providence, UT 84332
OFFICE: (435) 753-9502
FAX: (435) 753-9534