MOUNTAIN VIEW CORRIDOR

ENVIRONMENTAL

IMPACT STATEMENT

Record of Decision

of the
Environmental Impact Statement

Mountain View Corridor Project in Salt Lake and Utah Counties

by Federal Highway Administration, Utah Division
in cooperation with Utah Department of Transportation

U.S. Department of Transportation
Federal Highway Administration

UDOT CONNECTING COMMUNITIES

UDOT Project No SP-067(3)0
FHWA-UT-EIS-07-2-F

November 17, 2008

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1.0 Introduction and Summary

This document is the Federal Highway Administration's (FHWA) Record of Decision (ROD) for the proposed Mountain View Corridor (MVC) project located in Salt Lake and Utah Counties, Utah. For the MVC project, the project purpose addressed separate needs for Salt Lake County (north-south travel demand) and Utah County (east-west and north-south travel demand). Therefore, alternatives were developed for each county that would connect at the county line to provide a complete transportation solution. This ROD selects a roadway alternative for each county ("Selected Alternatives").

This ROD constitutes FHWA's approval of the general location of the roadway elements of the MVC project (5800 West Freeway Alternative in Salt Lake County and 2100 North Freeway Alternative in Utah County) as depicted below in Figure 1 and Figure 2 of this ROD ("Selected Alternatives"). The Selected Alternatives are described in Section 2.2, Description of Alternatives Carried Forward for Detailed Study, of the Final Environmental Impact Statement and Section 4(f) Evaluation ("Final EIS") issued on September 26, 2008. This approval is conditioned upon the Utah Department of Transportation's (UDOT) compliance with the phased approach to implementing the project as outlined in Chapter 36, Project Implementation (Phasing), of the Final EIS, including but not limited to the conditions listed in Section 36.2, Implementation Phases, of the Final EIS and described in Section 2.3, Project Implementation, of this ROD. FHWA will require UDOT, as part of this approval, to implement the mitigation features planned for this project and described more fully in this ROD.

This decision is based on the information presented in the Final EIS and supporting technical documents; the associated project file; and input received from the public and interested local, state, and federal agencies. In making this decision, FHWA considered the potential impacts of the project and alternative courses of action under the National Environmental Policy Act (NEPA), Section 4(f), and other laws, balancing the need for safe and efficient transportation with national, state, and local environmental protection goals. FHWA also has a statutory responsibility under 23 United States Code (U.S.C.) 109(h) to reach a project decision that is in the best overall public interest taking into account the need for safe, fast, and efficient transportation and public services while eliminating or minimizing adverse natural environmental and community effects.

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Figure 1. 5800 West Freeway Alternative – Salt Lake County

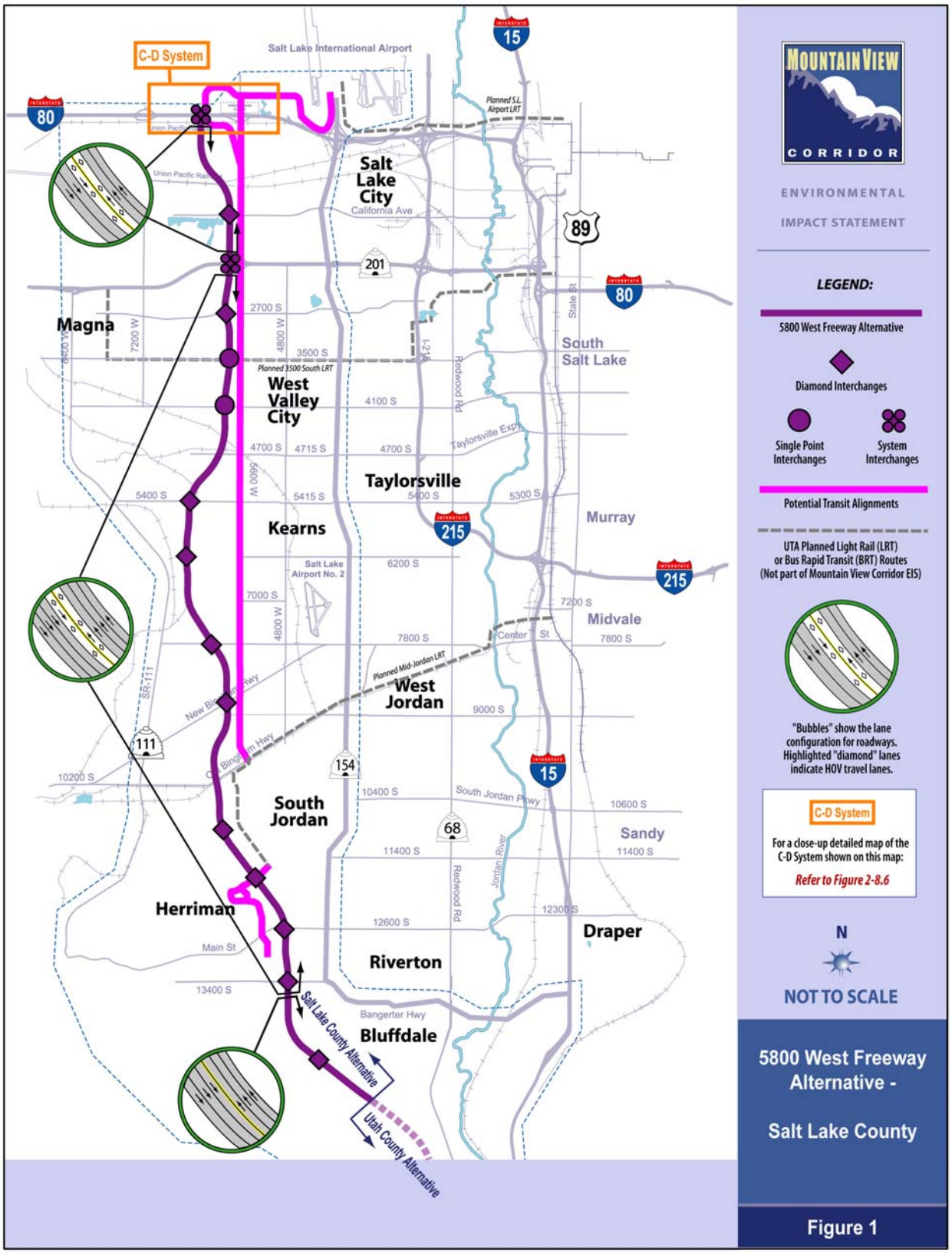

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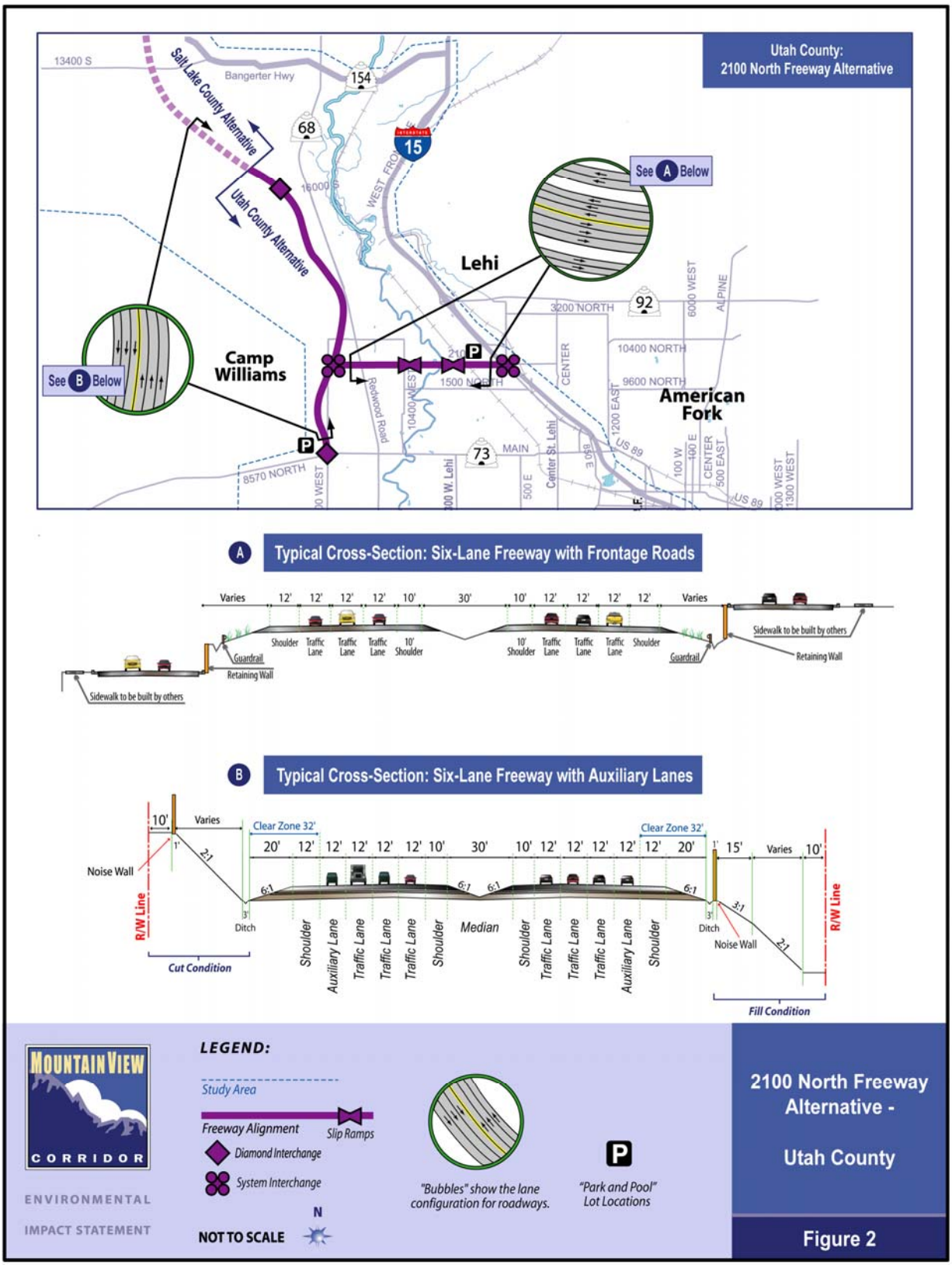
Figure 2. 2100 North Freeway Alternative



Due to the difficulty of balancing transportation, environmental, and socioeconomic needs, any decision would have been controversial to some members of the community and public officials. The Selected Alternatives minimize harm to the natural and human environments wherever possible through engineering modifications made to the proposed project. Context-sensitive design principles will be incorporated to further minimize harm as the engineers prepare the final design plans and specifications for the project. A comprehensive mitigation package compensates for unavoidable impacts to the communities and natural resources in the MVC study area. With these wide-ranging mitigation commitments, construction of the Selected Alternatives is in the best overall public interest because the alternatives will best satisfy the purpose and need identified for the project, and the environmental impacts are minimized.

This ROD explains the rationale and key values that were central to FHWA's decision. The ROD is organized as follows:

- Section 1.0 summarizes the history of the project, including previous studies and key steps in the current study.
- Section 2.0 summarizes the decisions being made in this ROD. It describes the Selected Alternatives and the conditions of FHWA's approval including project phasing, mitigation measures, and plans for monitoring implementation of the mitigation commitments.
- Section 3.0 summarizes the other alternatives that were considered and the reasons why they were rejected.
- Section 4.0 summarizes the rationale for selection of the Selected Alternatives rather than other alternatives that were considered in detail in the EIS.
- Section 5.0 includes a determination that FHWA has complied with Section 4(f) of the Department of Transportation Act of 1966 and summarizes the basis for that determination.
- Section 6.0 summarizes FHWA's compliance with applicable air quality requirements including air quality conformity requirements under the Clean Air Act.
- Section 7.0 summarizes various permits and other approvals that will be needed for the Selected Alternatives and the remaining steps that will be taken to obtain those approvals.
- Section 8.0 provides an overview of the statute of limitations regarding project approvals.

- Section 9.0 includes responses to comments on the Final EIS and on the air quality conformity determination that was included in the Final EIS.
- Section 10.0 is the conclusion of the ROD.

1.1 History

The need for a continuous north-south transportation facility from western Salt Lake County to northern Utah County has been identified in long-range transportation plans since the 1960s. A corridor near 5600 West was part of the original *Salt Lake Area Transportation Study* in 1965. During the 1990s, FHWA, UDOT, the Wasatch Front Regional Council (WFRC), and the local governments began an EIS for 5600 West as an arterial with at-grade intersections (controlled by traffic lights) with a southern terminus at Old Bingham Highway. During the EIS process, WFRC determined that an arterial with at-grade intersections would not accommodate the expected traffic projections. In subsequent years, the transportation systems in the study area were the subject of other studies and plans concerning the need to satisfy future transportation demands. Two studies, the *Western Transportation Corridor Study, I-80 to Salt Lake/Utah County Line* and the *North Valley Connectors Study*, address the need for major transportation facilities in the study area.

The current NEPA study was initiated in May 2003 with public scoping and agency coordination meetings (Federal Register, Volume 68, Number 85, May 2, 2003). A Stakeholder Committee that consisted of study area mayors, property owners, and non-government organizations was formed at the start of the EIS process. The committee's primary purpose was to guide decisions related to multi-modal transportation improvements and land use changes in the MVC study area (see Chapter 3, Growth Choices, of the Final EIS). After the Growth Choices process was complete, the MVC team continued to meet with the Stakeholder Committee during the development of the Draft EIS to provide project updates and gain input to the EIS process. In addition, meetings with federal and state agencies were scheduled throughout the process to develop methodologies to be used in the EIS and to review and comment on the analyses developed by the MVC study team.

As part of the MVC EIS process, UDOT requested that Envision Utah facilitate a process, referred to as the Growth Choices Study, to help the cities in the study area understand the relationship between land-use policy changes and transportation choices in order to facilitate agreement on a vision of future development with unified land-use and transportation policies. The process also included representatives from Salt Lake and Utah Counties, 14 cities, four nongovernmental organizations, a school district, two chambers of commerce,

and five landowners in the MVC study area. At the conclusion of the process, the Mountain View Vision Voluntary Agreement was signed by representatives of the cities that participated in the Growth Choices Study as well as other participating stakeholders. The agreement contained a set of principles central to the future of the Mountain View Corridor. These principles included working toward a common vision; implementing pedestrian-oriented, mixed-use town centers and corridors; providing a variety of housing choices; providing a balanced transportation system; protecting the environment by planning for more open space; supporting the Mountain View Corridor Vision EIS Alternative; and including elements of the Vision in future WFRC and Mountainland Association of Governments (MAG) long-range plans.

For the MVC project, a comprehensive public involvement plan was implemented that offered all interested citizens and organizations an active role in the NEPA process. Initial public scoping meetings were held May through July 2003 and were attended by 300 people. Following these scoping meetings and as part of the Growth Choices process, all steps were taken to work with the affected public and government agencies. The draft project purpose and need that was written by the lead and cooperating agencies was presented to the public and agencies for comment between July and September 2004. Public and agency input was also solicited on the identification of alternatives, review of the Draft EIS, and review of the Final EIS. Public participation included multiple strategies designed at maximizing public involvement including an interactive website, open houses, workshops, informational meetings, a “talk truck,” regular e-mail updates, community council briefings, many informal meetings with community groups and business associations, a toll-free phone number, newsletters and publications, bilingual outreach, and three public hearings that were attended by 567 people in November 2007.

2.0 Decision

Roadway Location. This ROD constitutes FHWA's approval of the general location of the roadway elements of the MVC project (5800 West Freeway Alternative in Salt Lake County and 2100 North Freeway Alternative in Utah County) as shown above in Figure 1 and Figure 2 of this ROD. The Selected Alternatives are described in Section 2.2, Description of Alternatives Carried Forward for Detailed Study, of the Final EIS issued on September 26, 2008.

Phasing Commitments. This ROD is conditioned upon UDOT's compliance with the phased approach to implementing the project as outlined in Chapter 36, Project Implementation (Phasing), of the Final EIS.

This ROD constitutes FHWA's approval of the general location of the roadway elements of the MVC project. This approval is conditioned upon UDOT's compliance with the phased approach to implementing the project as outlined in Chapter 36, Project Implementation (Phasing), of the Final EIS, including but not limited to the conditions listed in Section 36.2.1, Implementation Phases in Salt Lake County, and Section 36.2.2, Implementation Phases in Utah County.

This ROD authorizes UDOT to proceed with construction of Phases 1 and 2 of the roadway, as well as right-of-way acquisition and design for all three phases of the MVC project. This ROD does not authorize construction of Phase 3 of the roadway. Before Phase 3 of the roadway can be constructed, FHWA shall issue an additional ROD pursuant to applicable regulations and law specifically for construction of Phase 3. FHWA will be responsible for determining the level of NEPA documentation that is required prior to issuance of the additional ROD for construction of Phase 3.

Mitigation Commitments. This ROD also is conditioned upon implementation of all mitigation commitments that were included in the Final EIS and are summarized in this ROD.

Potential for Tolling. The current WFRC and MAG long-range plans include the MVC project as non-tolled facility. Because of air quality conformity requirements, FHWA can issue this ROD for only the version of the project that is included in the currently conforming long-range plans (a non-tolled road). Therefore, FHWA is issuing this ROD for MVC as a non-tolled road. This decision does not preclude UDOT from proceeding with MVC as a toll road in the future. If the Utah Transportation Commission decides to implement the MVC project as a toll road, the WFRC and MAG plans will need to be amended to designate the MVC as a toll road. Amending the long-range plans would require revising the regional modeling and making a new regional air quality

conformity determination. Implementing the MVC project as a toll road would also require a revised hot-spot analysis for carbon monoxide (CO), particulate matter (PM_{10}), and all other applicable pollutants and a revised project-level conformity determination. After the long-range plans are amended and the required air quality conformity determinations are made, FHWA could issue a revised ROD approving the MVC as a toll road. The revised ROD would be based on the Final EIS, pursuant to 23 Code of Federal Regulations (CFR) 771.127(b), which studies a tolling option for the MVC in the same level of detail as the non-tolled version of the project. However, FHWA also could determine that additional environmental review is needed prior to issuing the revised ROD for MVC as a toll road. If federal funds are to be used, tolling also will require a Section 129 agreement between FHWA and UDOT (or an equivalent agreement under another program). A Section 129 agreement is authorized under 23 U.S.C. 129; it allows tolling on a highway that has been or will be constructed with federal funds. The Section 129 agreement would likely be executed after the revised ROD is issued.

Transit Improvements. The transit component of the MVC project is under the authority of the Utah Transit Authority (UTA) and does not require any approval by FHWA. Therefore, FHWA will not be making a decision on this component of the MVC project. The Selected Transit Alternative has been approved by UTA and will be constructed in phases as discussed in Section 2.3, Project Implementation, of this ROD. Appendix A, Transit Resolution, provides information regarding the UTA decision on the Selected Transit Alternative. If federal funds are used for the transit component, additional NEPA review by the Federal Transit Administration (FTA) could be required.

2.1 Roadway Component

The Selected Roadway Alternatives—the 5800 West Freeway Alternative and 2100 North Freeway Alternative—together extend from Interstate 80 (I-80) in Salt Lake City on the north at about 5800 West to Interstate 15 (I-15) on the south at 2100 North in Lehi. This section provides a description of each of these Selected Alternatives. Note that this description is based on full build-out of the alternatives, which will involve construction of a freeway. As described in Chapter 36, Project Implementation (Phasing), of the Final EIS, UDOT intends to implement the alternatives with a phased approach, under which UDOT will begin by constructing arterial roadways and later expand those arterial sections to freeways. Implementation of the phased approach is required by this ROD. The timing of implementation depends on funding availability. Additional public outreach will occur prior to construction in each segment.

2.1.1 5800 West Freeway Alternative (Salt Lake County)

The 5800 West freeway will include a collector-distributor system and a freeway-to-freeway interchange at I-80 and will consist of a freeway for the entire length of the alternative in Salt Lake County as shown above in Figure 1 of this ROD.

Number of Lanes

The 5800 West Freeway Alternative will have varying lane configurations at different locations based on the expected travel demand. Table 2-1 shows the lane configuration for the 5800 West Freeway Alternative.

Table 2-1. Salt Lake County Lane Configuration – 5800 West Freeway Alternative

Freeway Segment	Lanes in Each Direction		Total Lanes[a]
	General-Purpose	HOV	
I-80 to SR 201	2	1	6
SR 201 to 13400 South	3	1	8
13400 South to Utah County line	3	0	6

[a] Auxiliary lanes will be required at certain locations to allow traffic to merge on and off the freeway. Between 4100 South and 6200 South, an additional lane will be required in the south direction for a total of nine lanes plus auxiliary lanes. The additional lane functions primarily as an auxiliary lane in this area. A detailed analysis of the auxiliary lanes is provided in Technical Memorandum 19, Roadway Level of Service Goals and Designation.

Freeway Elevation

The 5800 West freeway is expected to be constructed above-ground except from 5200 South in West Valley City to 7400 South in West Jordan and from 10500 South in South Jordan to 15400 South in Herriman, where it will be depressed.

Structures and Cross-Street Configurations

This alternative will cross numerous streets and will require various cross-street configurations: interchanges, overpasses, underpasses, and cul-de-sacs. Table 2-2 below provides an overview of the cross-street configurations for the 5800 West Freeway Alternative. The final location of the interchanges could be revised as the project area develops between initial construction and full-build out in 2030. FHWA will determine whether any changes to the interchange locations require additional environmental review and approval.

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Table 2-2. Salt Lake County Cross Streets – 5800 West Freeway Alternative

Cross Street	Road Jurisdiction[a]	MVC Cross-Street Treatment			
		Interchange[b]	Cross Street Over	Cross Street Under	Cul-de-Sac
North Temple Street	Salt Lake City				X
I-80	Salt Lake City	Freeway to freeway		X	
700 South	Salt Lake City			X	
California Avenue/1300 South	Salt Lake City	Diamond		X	
2100 South (north frontage road)	Salt Lake City/West Valley City Line			X[c]	
SR 201	Salt Lake City/West Valley City Line	Freeway to freeway		X	
2100 South (south frontage road)	West Valley City		X[d]		
Parkway Boulevard/2700 South	West Valley City	Partial diamond		X	
Brud Drive/3100 South	West Valley City			X	
3500 South	West Valley City	SPUI		X	
Darle Avenue	West Valley City				X[e]
Cilma Drive	West Valley City			X	
Dixie Drive	West Valley City				X
4100 South	West Valley City	Diamond		X	
4300 South	West Valley City			X	
Cape Cod Drive	West Valley City			X	
4700 South	West Valley City			X	
Westridge Boulevard	West Valley City				X
6055 West	West Valley City			X	
6400 West	West Valley City		X		
5400 South	West Valley City	Diamond	X		
6200 South	West Valley City	Diamond	X		
7000 South	West Jordan		X		
7400 South	West Jordan		X		
7800 South	West Jordan	Diamond		X	
8200 South	West Jordan			X	
8600 South	West Jordan			X	
9000 South	West Jordan	Diamond		X	
9400 South (Dannon Way)	West Jordan			X	
9800 South (Wells Park Road)	West Jordan			X	
Old Bingham Highway	West Jordan			X	
10200 South	West Jordan			X	
10600 South	South Jordan			X	
11000 South	South Jordan	Diamond	X		
11400 South	South Jordan	Diamond	X		
12600 South	Herriman/Riverton	Diamond	X		

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Cross Street	Road Jurisdiction[a]	MVC Cross-Street Treatment			
		Interchange[b]	Cross Street Over	Cross Street Under	Cul-de-Sac
11800 South	Herriman		X[f]		
12800 South	Riverton				X
13200 South	Riverton		X		
13400 South	Riverton	Diamond	X		
Juniper Crest Road	Riverton		X		
Rosecrest Road	Riverton		X		
14600 South	Herriman	Diamond		X	
3600 West	Herriman		X		

[a] Indicates the jurisdiction where the road crosses the MVC alignment.

[b] Interchange types are provided for reference, but might be modified during the final design phase of the project to take specific conditions into account.

[c] The 2100 South north frontage road will be realigned to 1730 South.

[d] The 2100 South frontage road on the south side of the MVC will be a cul-de-sac on the west side and will tie into 5600 West on the east side.

[e] A pedestrian undercrossing will be built in this area to maintain a connection to Hunter Park.

[f] 11800 South will be realigned and will cross the MVC on a structure to the south of the current alignment.

Trail

Three separate trail segments have been identified as feasible trail locations in Salt Lake County and have been developed to connect to other proposed or existing trails. The three trail segments in Salt Lake County will be from 2700 South to 7800 South, 11400 South to 12600 South, and 13400 South to the Utah County line. Where the MVC trail crosses major arterials, the continuity of the trail will be provided at the nearest signalized intersection or by a tunnel or structure under or over the arterial. The method by which each trail crosses each arterial will be decided during the final design phase of the project.

2.1.2 2100 North Freeway Alternative (Utah County)

This alternative consists of a freeway that extends from the 5800 West Freeway Alternative in Salt Lake County south to State Route (SR) 73 in Lehi, plus a freeway along 2100 North from the MVC to the 1200 West interchange at I-15. In addition to the two freeway components of this alternative, two one-way frontage roads will extend from SR 68 to just past the commuter rail tracks west of I-15. At the connection of the MVC roadway and SR 73, southbound lanes will connect with SR 73 at a signalized intersection, and SR 73 will connect with the northbound lanes of the MVC roadway using either a direct-access ramp with a bridge over SR 73 (westbound SR 73 to northbound MVC) or a signal (eastbound SR 73 to northbound MVC). The connection at I-15 on the 2100 North segment will provide both a local-access interchange and a direct freeway-

to-freeway interchange (MVC to I-15). Figure 2 of this ROD (above) shows the proposed alignment of the 2100 North Freeway Alternative.

Number of Lanes

Under this alternative, the freeway will have varying lane configurations based on the expected travel demand. Table 2-3 shows the lane configuration for the 2100 North Freeway Alternative.

Table 2-3. Utah County Lane Configuration – 2100 North Freeway Alternative

Freeway Segment	Lanes in Each Direction		Total Lanes[a]
	General-Purpose	HOV	
Utah County line to SR 73 (1000 South)	3	0	6
2100 North Freeway MVC to I-15	3	0	6

[a] Auxiliary lanes will be required at certain locations to allow traffic to merge on and off the freeway. A detailed analysis of the auxiliary lanes is provided in *Technical Memorandum 19*, *Roadway Level of Service Goals and Designation*.

Freeway Elevation

Under this alternative, the freeway elevation will be depressed (below grade) from the southern boundary of Camp Williams to the Harvest Hills subdivision (Saratoga Springs), from the connection with the MVC to just east of SR 68, and from the Jordan River to just past the railroad tracks west of I-15.

Structures and Cross-Street Configurations

This alternative will cross numerous streets in Utah County and will require various cross-street configurations: interchanges, overpasses, underpasses, at-grade signalized intersections, and cul-de-sacs. Table 2-4 below provides an overview of the cross-street configurations for the 2100 North Freeway Alternative.

Table 2-4. Utah County Cross Streets – 2100 North Freeway Alternative

Cross Street	Road Jurisdiction[a]	MVC Cross-Street Treatment				
		Interchange[b]	Cross Street Over	Cross Street Under	Cul-de-Sac	At-Grade Intersection
MVC Freeway						
Porter Rockwell Blvd.	Herriman	Diamond		X		
Local access road	Camp Williams			X		
2100 North	Saratoga Springs	System	X	X		
Local access road	Saratoga Springs			X		
11600 West	Saratoga Springs				X	
SR 73	Lehi					X
MVC 2100 North Freeway						
MVC	Saratoga Springs	System				
SR 68 (Redwood Road)	Utah County		X			
10400 West	Utah County	Service		X[d]		
2300 West	Lehi	Diamond	X[c]			
I-15	Lehi	SPUI		X		
I-15	Lehi	System	X			

[a] Indicates the jurisdiction where the road crosses the MVC alignment. Information on other nearby jurisdictions is included in the table if they are within 2 miles of the cross street listed.

[b] Interchange types are provided for reference, but might be modified during the final design phase of the project to take specific conditions into account.

[c] The 2100 North freeway segment of the MVC will connect to 2300 West with a partial interchange due to the conflict with the frontage roads and the close proximity of I-15.

[d] The ramps in and around 10400 West do not connect by a traditional diamond interchange but are slip ramps onto the one-way frontage road system.

Trail

The trail will extend from the Utah County line south to SR 73.

Park-and-Pool Lots

The park-and-pool lots will be near the interchange of I-15 and 1200 West and at the interchange of the MVC and SR 73. Park-and-pool lots are typically smaller than park-and-ride lots and are intended exclusively for motorists to form carpools and vanpools.

Post–Final EIS Refinements Included in the 2100 North Freeway Alternative

Since the publication in the Final EIS in September 2008, refinements to the Preferred Alternative in Utah County have continued to be evaluated. As the project design is being progressed, requests have been made by Lehi City and the public, and additional survey work has been completed. This additional work

required modifying the 2100 North Freeway Alternative (see page 2-88 of the Final EIS). The proposed refinements consist of providing a 10-foot-wide trail and a 5-foot park strip on the north side of the roadway west of the river; providing a continuous bicycle lane on both the north and south sides of the roadway; revising the configuration of the intersection and connection to I-15 to meet local access needs; revising the intersection at 2100 North and SR 68 to improve safety; at the request of Lehi City, combining two detention basins into one and reshaping the single detention basin so it can be used as soccer fields; and raising the bridge over the Jordan River to meet required clearances over a canal. The final survey also showed that the Jordan River Trail would require additional modification, but trail continuity would not be affected. All proposed changes have been coordinated with Lehi City, the public, and local property owners.

These refinements were evaluated for impacts by considering the same resources and using the same methodology as in the Final EIS. The data used to evaluate the impacts are the same as in the Final EIS except for wetlands. Since the Final EIS was published, UDOT has conducted a wetland delineation for the MVC project and used these new data for this evaluation. Based on the evaluation, there would not be any changes to the resources analyzed except for farmlands and floodplains. Under this refinement, 2.9 additional acres of farmlands would be affected and 0.2 acre of floodplains. The refinements would not have any additional impacts to wetlands and would reduce prime farmland impacts by 1.4 acres. Overall, about an additional 3.9 acres of potentially developable land would be converted to roadway use through permanent acquisition or perpetual easements. As adopted, these refinements result in minor additional environmental impacts alone or in combination with other impact evaluated in the Final EIS and, therefore, do not alter any conclusions reached in the Final EIS or this ROD.

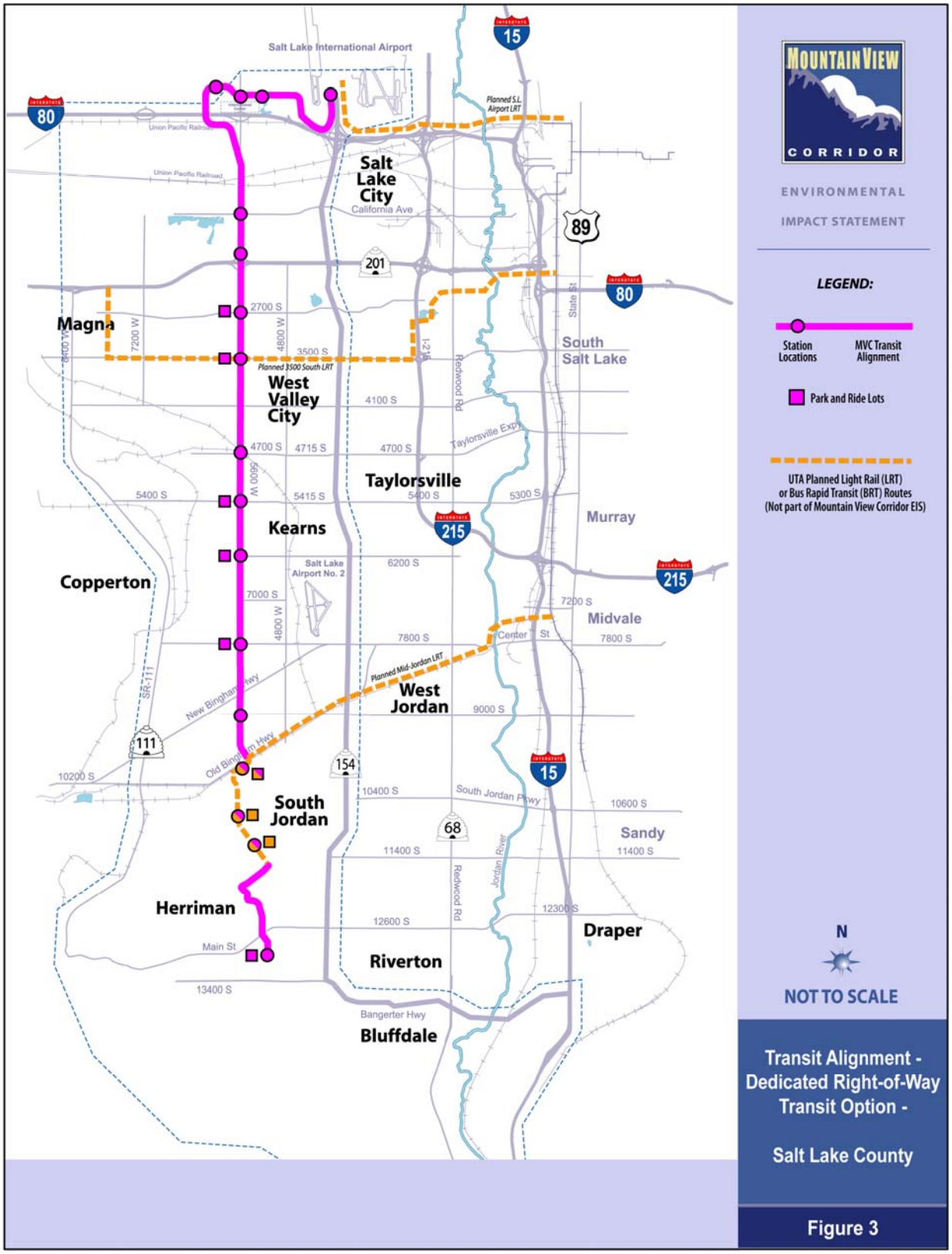
2.2 Transit Component

The transit component of the MVC project is under the authority of UTA and does not require FHWA approval. Therefore, FHWA will not be making a decision on this component of the MVC project. Like the roadway component, the Selected Transit Alternative will also be constructed in phases as discussed in Section 2.3, Project Implementation, of this ROD. Appendix A, Transit Resolution, provides information regarding the UTA decision on the Selected Transit Alternative. The relative timing of transit and roads is further described in Section 2.3, Project Implementation, of this ROD.

The transit component includes construction of a fixed-guideway transit facility on the existing 5600 West arterial roadway in Salt Lake County. Two options were considered for this facility: the Dedicated Right-of-Way Transit Option and the Mixed-Traffic Transit Option. The Dedicated Right-of-Way Transit Option has been chosen by UTA and is therefore considered the Selected Transit Alternative. This option will consist of an area in the center of the roadway dedicated solely for the use of transit vehicles, with street traffic using general-purpose lanes on the outside of the roadway. Transit stations will be located in the roadway median. The transit system will initially start as bus rapid transit (BRT) and will later be converted to rail transit as described in Section 2.3, Project Implementation, of this ROD.

Figure 3 below shows the proposed 24-mile transit alignment on 5600 West, including the 17 proposed transit stations. The transit alignment will operate within the future street networks and will continue north to 11800 South. The transit line turns east to follow 11800 South and crosses the proposed MVC alignment on a structure that will be shared with the vehicle traffic on 11800 South. The transit line follows the main street of the planned Daybreak development. From this location northward to Old Bingham Highway, the MVC transit line will operate within the same right-of-way as the Mid-Jordan light-rail transit line. From Old Bingham Highway, the MVC transit line will run in the existing right-of-way for 5600 West from Old Bingham Highway to about 700 South. Additional right-of-way will be required at station locations and where left-turn and right-turn lanes will be needed.

The alignment leaves 5600 West at the existing railroad crossing north of 700 South and crosses under I-80 at the existing railroad crossing. After crossing under I-80, the alignment turns east along Amelia Earhart Drive just beyond its intersection with Wright Brothers Drive. From here, the transitway follows I-80 and connects to the proposed light-rail line from Salt Lake City to the Salt Lake City International Airport. If there is a need to change the layout of the Salt Lake City International Airport in the future because of an increase in air travel, to improve airport facilities, or for other reasons, the connection shown in the EIS could be modified. Any modification will be evaluated for environmental impacts.


Salt Lake International Airport
Planned S.L. Airport LRT
Union Pacific Railroad
Salt Lake City
California Ave
Magna
2700 S
3500 S
Planned 3500 South LRT
West Valley City
4100 S
4700 S
4715 S
Taylorsville
5400 S
5415 S
Kearns
Copperton
Salt Lake Airport No. 2
6200 S
7000 S
7800 S
Planned Mid-Jordan LRT
West Jordan
9000 S
10200 S
10400 S
South Jordan
South Jordan Pkwy
10600 S
11400 S
Herriman
Main St
12600 S
13400 S
Riverton
Bangerter Hwy
Bluffdale
South Salt Lake
Murray
5300 S
6200 S
7200 S
Midvale
Center St
Sandy
12300 S
Draper
Redwood Rd
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7200 W
6400 W
5600 W
SR-111
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LEGEND:
Station Locations
MVC Transit Alignment
Park and Ride Lots
UTA Planned Light Rail (LRT) or Bus Rapid Transit (BRT) Routes (Not part of Mountain View Corridor EIS)
N
NOT TO SCALE
Transit Alignment - Dedicated Right-of-Way Transit Option -
Salt Lake County
Figure 3

2.3 Project Implementation

The Final EIS analyzes full-build out (2030) of the MVC project. As described below and in Chapter 36, Project Implementation (Phasing), of the Final EIS, the project will be constructed in three phases.

This ROD constitutes FHWA's approval of the general location of the roadway elements of the MVC project. This approval is conditioned upon UDOT's compliance with the phased approach to implementing the project as outlined in Chapter 36 of the Final EIS, including but not limited to the conditions listed in Section 36.2.1, Implementation Phases in Salt Lake County, and Section 36.2.2, Implementation Phases in Utah County.

This ROD authorizes UDOT to proceed with construction of Phases 1 and 2 of the roadway, as well as right-of-way acquisition and design for all three phases of the MVC project. This ROD does not authorize construction of Phase 3 of the roadway. Before Phase 3 of the roadway can be constructed, FHWA shall issue an additional ROD pursuant to applicable regulations and law specifically for construction of Phase 3. FHWA will be responsible for determining the level of NEPA documentation that is required prior to issuance of the additional ROD for construction of Phase 3.

FHWA has determined that this phased implementation of the Selected Roadway Alternatives meets the project's purpose and need and is consistent with the regulatory provision 23 CFR 771.111(f). The transit components of the MVC will also be constructed in phases by UTA (see Chapter 36, Project Implementation [Phasing], of the Final EIS).

2.3.1 Roadway Component

Through collaborative discussions with stakeholders, UDOT developed a phased approach to project implementation for the roadway component of the MVC in both Salt Lake County and Utah County. In each county, project implementation will proceed in three phases. These project implementation phases are described below and in Section 36.2, Implementation Phases, of the Final EIS. As part of Phase 1 in a section, UDOT will acquire the right-of-way necessary to build all three phases in that section and will implement the full mitigation required for impacts to farmland, community impacts, relocations, economic impacts, pedestrian and bicyclist impacts, impacts to archeological and paleontological resources, and impacts to hazardous waste sites in that section.

5800 West Freeway Alternative Phasing

Phase 1 will include the following:

- Construct a four-lane arterial street (two lanes in each direction) with the northbound and southbound lanes built to the outer edge of the right-of-way to allow for future widening in the median.
- Construct signalized intersections at the locations at future interchange locations.
- Construct interchanges at SR 201 and I-80.
- Implement the MVC trail on the portions of the road under construction.
- Construct bridges over minor cross streets. Bridges will be constructed to match the full build-out elevation and to accommodate widening for additional lanes.
- Construct the Phase 1 roadway at or near full build-out elevation except between 4700 South and 2700 South. UDOT will construct Phase 1 of the section from 4700 South to 2700 South at grade as much as possible while accommodating grade-separated pedestrian, residential, and railroad crossings. Starting at 4700 South and moving north, the facility will be elevated over 4700 South, will remain elevated over two railroad crossings and three residential street crossings at the future Giovengo Drive, Cape Cod Drive, and 4300 South, and will transition to an at-grade section at 4100 South. The facility will continue north at grade, will be elevated over a pedestrian crossing to Hunter Park, and will return to an at-grade section at 3500 South. Cilma Drive will remain closed until Phase 2 of the project, when a grade-separated crossing might be constructed at Cilma Drive. North of Cilma Drive, the facility will continue at grade, will be elevated 3100 South, and will continue elevated over 2700 South.
- Do not allow access between intersections (build Phase 1 as a limited-access facility).
- Relocate utilities.
- Acquire right-of-way for all three phases.

Phase 2 will include the following:

- Convert the four-lane arterial to a freeway by grade-separating the connections and converting the signalized intersections to interchanges.
- Add auxiliary lanes to accommodate merging and weaving movements between the newly constructed freeway interchanges.
- Modify freeway interchanges at I-80 and SR 201 by adding directional ramps where necessary to accommodate traffic flow.

Phase 3 will include the following:

- Construct additional freeway lanes in the median.
- Finish full build-out of interchanges and freeway-to-freeway connections.

Implementation of the Phased Approach in Salt Lake County

UDOT and UTA have coordinated extensively with one another and with WFRC (the metropolitan planning organization [MPO] for Salt Lake County) regarding the timing of implementation of the roadway and transit elements of the MVC project. Consistent with the spirit of the Growth Choices process, UDOT and UTA jointly seek to ensure that the roadway and transit improvements (Phases 1 through 3) are implemented together, with the goal of first establishing and then incrementally expanding each facility based on transportation needs and funding availability.

Accordingly, UDOT and UTA have committed to proceed with the transit and roadway elements as follows in Salt Lake County:

- UDOT will proceed with Phase 1 of the 5800 West Freeway Alternative immediately following issuance of the ROD for this project, to the fullest extent possible given available funding.
- UTA will take all actions necessary to (1) complete Phase 1 of the 5600 West Transit Alternative and begin revenue operation by December 31, 2015, and (2) complete Phase 2 of that alternative and begin revenue operation of that phase by December 31, 2025.
- UDOT will not initiate construction of Phase 2 of the roadway until after Phase 1 of transit is in revenue operation, except as follows: UDOT may initiate construction of interchanges on the roadway south of 10200 South if either of the following conditions is met: (1) Phase 1 of transit is in revenue operation, or (2) Phase 1 of the roadway has been completed from 10200

South to the Utah County border and the Mid-Jordan TRAX line is in revenue operation.

- UDOT will not proceed with construction of Phase 3 of the roadway until after Phase 2 of transit is in revenue operation.
- Within each phase, the timing of the roadway and transit improvements are not tied together except as stated above.

Amendments to Regional Transportation Plan. At the request of UDOT and UTA, WFRC has amended the regional transportation plan for Salt Lake County to reflect the phased implementation of the 5800 West Freeway Alternative and the 5600 West Transit Alternative.

Project Permitting. This project will require environmental permits, including Section 404 permits under the Clean Water Act. UDOT could seek a single Section 404 permit for the entire roadway project or could apply for permits for individual project phases or sections.

2100 North Freeway Alternative Phasing

Phase 1 will include the following:

- Construct a north-south four-lane arterial street with the northbound and southbound lanes built to the outer edge of the right-of-way to allow for future widening in the median during Phases 2 and 3.
- Construct signalized intersections at Porter Rockwell Boulevard, 2100 North, SR 68, SR 73, 10400 West, and 2300 West.
- Construct two-lane, one-way roads (two westbound and two eastbound lanes) from Redwood Road to I-15 (the one-way roads will merge to become a typical arterial street near I-15). The one-way roads will generally be built at grade with the some exceptions at the crossing with the railroad east of the Jordan River.
- Construct bridges at locations shown in the EIS with the exception of those locations where a signalized intersection will be built as well as a grade-separated crossing at the railroad tracks.
- Property access between intersections on the east-west, one-way roads will be allowed but limited. Access will not be allowed between intersections for the north-south arterial.
- Construction a single-point urban interchange at I-15 and 2100 North.
- Preserve right-of-way for all three phases.

Phase 2 will include the following:

- Convert the intersections at Porter Rockwell Boulevard and 2100 North to interchanges.
- Add ramps, as needed, at SR 73, 2100 North, and I-15.
- Construct auxiliary lanes, as required, to facilitate weaving and merging movements between interchanges and ramps (east-west portion).
- Construct one-way express lanes (two westbound and two eastbound lanes) from north-south MVC to I-15 on 2100 North.
- Construct grade-separated crossings at SR 68, 10400 West, and 2300 West

Phase 3 will include the following:

- Construct additional lanes in each direction both north-south and east-west on the MVC.
- Complete the ramps not built as part of Phase 2.

Implementation of the Phased Approach in Utah County

Amendments to Regional Transportation Plan. At the request of UDOT and UTA, MAG has amended the regional transportation plan for Utah County to reflect the phased implementation of the 2100 North Freeway Alternative.
Project Permitting. This project will require environmental permits, including Section 404 permits under the Clean Water Act. UDOT could seek a single Section 404 permit for the entire roadway project or could apply for permits for individual project phases or sections.

2.3.2 Transit Component

The Selected Transit Alternative (5600 West Transit Alternative with Dedicated Right-of-Way Option) will be built in phases by UTA as funding becomes available. These project implementation phases are as follows:

- In Transit Phase 1, UTA will construct bus rapid transit in a fixed guideway (Type 3 bus rapid transit) along 5600 West from 2700 South to 6200 South. As part of Phase 1 activities, UTA also will acquire the necessary right-of-way to construct a fixed-guideway transit system along 5600 West from 11800 South to I-80 and along I-80 from 5600 West to the Salt Lake City International Airport.
- In Transit Phase 2, UTA will extend bus rapid transit in a fixed guideway along 5600 West from 6200 South southbound to 11800 South and from 2700 South northbound to I-80 and continuing along I-80 to the airport.
- In Transit Phase 3, UTA will implement a rail transit system along the entire length of 5600 West extending from the airport on the north to Herriman to the south.

The funding plan for the transit system may include sources such as federal grants, public/private investments and possible enterprise zones related to transit-oriented development, future tax revenue included in the current WFRC Regional Transportation Plan, and funds already available in the WFRC 2030 finance plan. If federal transit funds are used for the transit component (for example, under the Small Starts program), additional NEPA review by FTA will be required. If additional NEPA review by FTA is required, FTA would likely adopt the analysis in the Final EIS and then prepare (jointly with UTA) a separate Environmental Assessment (EA) that would examine the transit element of the project in more detail. If additional NEPA review by FTA is not required, then UTA could proceed based on the information contained in the Final EIS.

2.4 Monitoring and Enforcement Program

FHWA's approval of the Selected Alternatives is conditioned upon a commitment by UDOT to monitor and enforce the implementation of measures described in Section 2.6, Mitigation Package, and Section 5.2.2, Measures To Minimize Harm to Section 4(f) Properties, of this ROD. All of the mitigation measures listed in this ROD and identified in the Final EIS will be incorporated into the contract(s), plan(s), and specifications and will be monitored according to the construction/post-construction monitoring plans. Enforcement of the

contract provisions and monitoring of the project is the responsibility of the UDOT Project Manager.

2.5 Context-Sensitive Solutions

One common concern with transportation projects is how the final alternative will look in the community when it is built. Residents often wonder if they will have an opportunity to comment on design elements such as lighting, noise walls, and landscaping. These types of design elements are typically evaluated during the final design phase of the project after an alternative is selected in the ROD and funding has been allocated to construct the project.

To ensure that the public has the opportunity to be involved in final design elements, UDOT uses an approach called Context-Sensitive Solutions, or CSS. The CSS philosophy seeks to understand the larger context of a transportation project such as its physical, social, economic, community, political, and cultural impacts. The intent of CSS is to offer transportation solutions that help connect communities and improve residents' quality of life. During the final design process when decisions are made regarding specific design elements, UDOT will maintain continuous stakeholder involvement to ensure that the public has the opportunity to provide input on the portion of the project that will be located in their community.

2.6 Mitigation Package (Minimize Harm)

This section provides a summary of the mitigation measures developed to avoid, minimize, rectify, reduce, or compensate impacts from the Selected Alternatives. All practicable means to avoid or minimize environmental harm from the MVC alternatives selected have been adopted (see 40 CFR 1505.2[c]). Funding for mitigation will be included in the cost of construction for the project with UDOT having the final responsibility for implementation. UDOT or its designated contractor will implement a mitigation and monitoring tracking system to ensure that all mitigation identified in this ROD and in the Final EIS is performed and that appropriate monitoring for effectiveness takes place. If a mitigation measure is determined to be not effective, the contractor will consult with UDOT to develop other appropriate mitigation, subject to FHWA's approval. Pursuant to 23 CFR 771.109(d), UDOT agrees to ensure that all environmental mitigation listed in the Final EIS and this ROD will be implemented unless it receives concurrence from FHWA to modify or delete such mitigation.

2.6.1 Mitigation Measures for Farmland Impacts

Owners of farmland and farm-related businesses within the Mountain View Corridor right-of-way will be compensated according to the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and other state and federal guidelines if the owners' properties are affected by project construction. For indirect impacts, UDOT, in coordination with the property owner, will determine, based on cost comparison, whether to restore access to the parcel or purchase the remainder of the farmland.

Any topsoil removed from areas of prime farmland and farmland of statewide importance will be scraped and stockpiled rather than covered over. The salvaged topsoil will be reapplied to disturbed slopes, seeded, and mulched or otherwise stabilized.

2.6.2 Mitigation Measures for Community Impacts

Community Cohesion

5800 West Freeway Alternative. Hunter Park is used by the community for recreational activities and social interaction. The alternative could discourage access to the park; however, during the final design phase of the project, UDOT will consider a community crossing to reconnect the community.

Quality of Life

For areas currently that are developed with residential and commercial uses, UDOT will work with the affected communities to identify measures to lessen project-related impacts to quality of life. These measures might include noise barriers, special landscaping and lighting, and accessibility considerations (such as separated walkways). The responsibility for implementing these measures will be negotiated between the affected communities and UDOT during the final design phase of the project.

Recreation Resources

Any loss of land from recreation facilities due to the proposed alternatives will be compensated under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act and other relevant statutes for the loss of property and facilities. The following facilities are subject to property losses and compensation:

1. Lee Kay Center for Hunter Education (5800 West Freeway Alternative)
2. Hunter Park (5800 West Freeway Alternative)
3. West Ridge Golf Course (5800 West Freeway Alternative)
4. USANA Amphitheater (5800 West Freeway Alternative)

The impacts to Hunter Park will be limited to undeveloped land only. The impacts to the Lee Kay Center for Hunter Education will require the relocation of an access road, the impacts to West Ridge Golf Course will include the direct impacts to the golf course, and the impacts to USANA Amphitheater will involve a small portion of parking.

UDOT will work with the Utah Division of Wildlife Resources (UDWR) to ensure the safety of motorists and the continued operation of the Lee Kay Center for Hunter Education. UDOT has entered into a memorandum of understanding with UDWR that addresses that agency's concerns regarding this facility. UDOT has coordinated with West Valley City regarding impacts to the West Ridge Golf Course. UDOT will compensate West Valley City by reconstructing the course back to 18 holes in the same area as the existing course. The mitigation will include UDOT providing access under the 5800 West Freeway Alternative to allow the course to be used on both sides of the alternative. Based on this mitigation, West Valley City has determined that, with the redesign of the course, the overall function of the 18-hole golf course will not be lost. UDOT will coordinate with USANA Amphitheater to ensure that enough parking is available for events and that noise concerns are addressed.

Community Facilities

Any loss of land from community facilities due to the proposed alternatives will be compensated under the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act and the Utah Relocation Assistance Act for the loss of property and facilities, as appropriate. The following facilities are subject to property losses and compensation:

1. Hunter High School (5800 West Freeway Alternative)
2. Hillside Elementary School (5800 West Freeway Alternative)
3. Copper Hills Youth Center (5800 West Freeway Alternative)
4. Church of Jesus Christ of Latter-day Saints (LDS) Meeting House (2100 North Freeway Alternative)

In addition, under the 5800 West Freeway Alternative, UDOT will purchase land for the Granite School District within or near the current student assignment boundary for Hillside Elementary School for the purpose of relocating that school, if the school district decides it is necessary to do so. Granite School District might use the proceeds from the sale of the existing Hillside Elementary property to help fund construction of a relocated elementary school.

Public Services and Utilities

Most conflicts with utilities could be resolved through traditional means (such as relocating aboveground utility poles, placing the utility underground, or adjusting the height of utility poles to accommodate the roadway crossings). When a relocation or adjustment of the power lines is necessary for construction of the MVC, UDOT could, depending on the situation, acquire the right-of-way and pay the cost necessary to relocate the utilities.

For most pipeline conflicts, there are a number of possible mitigation measures. For the pipelines that are exposed but do not need realignment, the pipelines will be backfilled after construction is complete. If realignments are required in order to build the MVC, the affected pipeline(s) will be realigned within the utility corridor.

Final design details, final costs, or final agreements regarding relocations of Rocky Mountain Power, Kern River Gas Transmission Company, Questar Gas, and other utility company facilities located within the project area will be determined during the final design phase of the project. UDOT will enter into written agreements with the utility companies to address each conflict point. UDOT will ensure that any necessary approvals from the Federal Energy Regulatory Commission are obtained for the relocation of interstate natural gas pipelines.

Public Safety

Proper access will be provided across the new facility near existing and future emergency access providers. UDOT will work with emergency personnel to remove obstacles in the roadway design that could hinder emergency response times. Additionally, if the freeway becomes a toll facility, emergency providers will not have to pay the toll.

5800 West Freeway Alternative. The 5800 West Freeway Alternative could cut off student and pedestrian access to Hillside Elementary School and Hunter High School for students on the west side of this alternative. UDOT is coordinating with the Granite School District to maintain safe student access to the schools. The changes to maintain safe student access could include the following:

- Maintain residential street crossings at Cape Cod Drive and 4300 South.
- Add a new street crossing at Cilma Drive that connects to 5600 West.
- At the 4100 South interchange, provide a grade-separated pedestrian crossing of the southbound on ramp and widen the interchange to better accommodate pedestrian movement.
- Provide a community crossing at Hunter Park.

Relocations

The 5800 West Freeway Alternative would require about 175 relocations, and the 2100 North Freeway Alternative would require about 15 relocations. Property acquisitions, both partial and total, will be completed according to federal guidelines and UDOT policies that include fair compensation measures for property owners and qualified renters. UDOT will comply with Title VI of the Civil Rights Act of 1964 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The 2100 North Freeway Alternative will require the acquisition of land from Camp Williams, which is operated by the Utah Army National Guard. Camp Williams will be compensated for impacts to property and facilities as follows:

1. Reimburse for actual incurred cost for design and relocation/construction of the ammunition supply point, aircraft operations building, aircraft control tower, and helicopter pads.
2. Include a grade-separated freeway crossing at Beef Hollow accessible to Camp Williams, and two access roads connecting the freeway crossing to existing roads on the west side of the alternatives servicing the western portions of Camp Williams.

Because training and facility requirements at Camp Williams could change, specific terms of the mitigation will be developed during the final design phase of the project prior to construction.

2.6.3 Mitigation Measures for Economic Impacts

For impacts related to business displacements and relocations, appropriate compensation will be provided through the property acquisition and relocation assistance process pursuant to UDOT's standard right-of-way acquisition procedures. For businesses that experience short-term access and visibility problems during construction, a traffic access management plan will be developed and implemented by the construction contractor that maintains the public's access to the business during normal business hours.

Mitigation is generally not offered to local governments that are adversely affected when lands are removed from their tax base. Over the long term, increased property values as a result of improved regional transportation access are expected to generate enough revenue to offset the short-term impact to local government revenues.

2.6.4 Mitigation Measures for Impacts to Considerations Relating to Pedestrians and Bicyclists

Construction of any of the alternatives will disrupt bicyclists or pedestrians using the existing facilities. However, the impacts will be temporary because all crossings will be accommodated to maintain continuity and access after construction. See Section 2.6.14, Mitigation Measures for Construction Impacts, of this ROD for construction-related impacts.

The design of the pedestrian and bicyclist accommodations will be determined during the final design phase of the project. Prior to final design, UDOT will coordinate with local municipalities, MAG, WFRC, and the Trails Advisory Board to ensure that all existing and planned facilities identified in the local and regional plans are accommodated. Options for accommodations include constructing at-grade crossings, routing the facility under the MVC roadway, or routing the facility over the MVC roadway.

2.6.5 Mitigation Measures for Air Quality Impacts

The project conforms to applicable State Implementation Plans for CO and PM_{10}, the two pollutants for which this project is required to meet air quality conformity requirements under the Clean Air Act as amended (see Section 6.0, Air Quality Documentation, of this ROD). Because the project meets the air quality conformity requirements, mitigation measures have not been adopted to address those pollutants.

In response to public comments received on the Draft EIS, the following mitigation measures have been incorporated into the project to address near-roadway air quality impacts resulting from the emission of mobile-source air toxics (MSATs), fine particulate matter ($PM_{2.5}$), and other pollutants. The decision to incorporate these mitigation commitments does not represent a determination by FHWA or UDOT that the MVC project or any other road will cause measurable adverse health effects populations near roads. These commitments have been incorporated in recognition of the potential for adverse health effects and in an effort to be responsive to public concerns.

Air Quality Working Group

UDOT and UTA will facilitate the establishment and continued operation of an air quality working group (“AWG”) for the Mountain View Corridor study area in accordance with the following conditions.

Purpose. The purpose of the AWG will be to provide a forum for appropriate government agencies, experts, and stakeholders with an interest in roadway-

related air quality issues in the MVC study area to collect and analyze air quality monitoring data and make recommendations as set forth in the following sections. Specifically, the AWG will review the collection of data on MSATs and other relevant pollutants, examine those and other available data and research regarding the health effects of roadway pollution as such information applies to each phase of the roadway, and make recommendations based upon their conclusions.

Establishing the AWG. The members of the AWG will be appointed as soon as possible after the release of the ROD, but in no event more than 3 months after such date, and will continue as long as necessary to fulfill its functions.

Membership of the AWG. The AWG will be made up of eight members and one facilitator appointed as follows:

- Four members appointed jointly by the Utah Moms for Clean Air, the Utah Chapter of the Sierra Club, and Utahns for Better Transportation, or their successor organizations.
- Four members appointed jointly by UDOT and UTA, including at least one member from a state or local agency with expertise in air quality monitoring, and at least one representative of a local government.
- One facilitator, chosen jointly by all the members of the AWG, whose fees will be paid from the Monitoring Fund.
- At least one member of the AWG will have expertise in air quality modeling, and at least one member of the AWG will have medical expertise.

Convening Meetings. The members of the AWG, at the first meeting, will choose two co-conveners from among the members. The co-conveners will be responsible for setting the meeting location and times, communicating with the other members of the AWG about the meetings, and keeping notes of the meetings as necessary, or supervising the facilitator in keeping notes. The AWG will determine the frequency of meetings.

Removing and Replacing Members. Members of the AWG may be removed and replaced only by the group/agency by whom they were appointed. The facilitator may be removed and replaced only by mutual agreement of all the members of the AWG.

Voting and Decision-making. Decisions of the AWG will be made by simple majority vote. The facilitator will not have a voting role within the AWG.

Technical Support. UDOT will provide technical support for the AWG, including, where appropriate, the services of UDOT staff and/or consultants with

the appropriate expertise to collect, analyze, and document traffic and air quality data. This support may include attendance at meetings, preparation of reports, and such other activities as may be needed to enable the AWG to function effectively. UTA also may provide technical support to the AWG.

Air Quality Monitoring Program

In consultation with the AWG, UDOT and UTA will establish an air quality monitoring program (Monitoring Program) in the MVC study area, focused on near-roadway air pollution, in accordance with the following conditions.

Monitors. The AWG will determine the type and location of the air quality monitors, and the MSATs and other pollutants to be monitored, as part of the Monitoring Program. The monitors will be located at two or more locations in the MVC study area, provided that such locations are near the roadway and near one or more public school facilities in the MVC study area. The monitors will be in place at least 1 year prior to construction of Phase 1 of the MVC roadway in order to establish baseline air quality. Monitoring also will be conducted at other intervals after construction as deemed necessary by the AWG, subject to the availability of funds in the escrow account.

Data Analysis and Distribution. The Monitoring Program will include the development and distribution of air quality monitoring reports. The reports will, on a regular basis, compile and analyze data obtained from the air quality monitors. The reports will be prepared by consultants selected by the AWG. The State of Utah procurement process will be used in the selection of the consultant.. The final reports will be made available to the general public via the Internet.

Recommendations for Reducing Exposure. The Monitoring Program will include the development of recommendations for reducing human exposure to near-roadway air pollution. These recommendations will be developed by the AWG and presented to UDOT and UTA. The AWG's recommendations also will be made available to the general public via the Internet.

UDOT will provide $1,000,000 in funding in an escrow account (Monitoring Fund) for the Monitoring Program, and will spend up to that amount for monitoring expenditures recommended by the AWG.

Air Quality Mitigation Program

UDOT will fund $3,100,000 for air filters in the following schools: Hunter High School, Hillside Elementary, Whittier Elementary, West Valley Elementary, and Hunter Junior High. Pending approval by the Granite School District, filters will be placed before construction of the Phase 1 project in the area adjacent to these schools. The AWG may make recommendations on prioritizing placement of

filters in the schools closest to the roadway. The AWG may also make recommendations on filtration systems and/or different filter technologies (such as gas phase filters) that may be more appropriate in the schools closest to the roadway. Funds are to cover placement of filtration systems and ongoing maintenance until the funds are depleted.

For construction-related air quality mitigation, see Section 27.18.1, Air Quality Mitigation, of the Final EIS.

2.6.6 Mitigation Measures for Noise Impacts

This discussion of potential noise-abatement measures is based on full build-out of the action alternatives. As discussed in Chapter 36, Project Implementation (Phasing), of the Final EIS, the project will be implemented in phases. Decisions regarding appropriate noise-abatement measures will be made at each construction phase. Noise-abatement measures that are needed at full build-out might not be needed at the initial construction phase.

5800 West Freeway Alternative – Segment 3 (3500 South to 4100 South)

Barrier 2 (about 2,200 feet long) is located on the east side of the proposed 5800 West alignment through a residential development from 3500 South to just north of 4100 South. A barrier 15 feet to 19 feet high will provide up to 8 dBA of noise reduction at first-row residences and will benefit more than 100 residences. Barrier 2 is feasible and reasonable according to UDOT's noise-abatement criteria.

Barrier 3 (about 1,400 feet long) is located on the west side of the alignment from south of 3500 South to the open-space area north of 4100 South. A barrier between 15 feet and 19 feet high will provide from 7 dBA to 10 dBA of noise reduction (depending on the barrier height) to first-row residences. Barrier 3 will benefit more than 50 residences and is feasible and reasonable according to UDOT's noise-abatement criteria.

5800 West Freeway Alternative – Segment 4 (4100 South to 5400 South)

Barrier 4 (about 2,000 feet long) is located on the west side of the alignment just north of 4300 South to south and west of the Denver & Rio Grande Railroad alignment. A 19-foot-high barrier will provide up 10 dBA of noise reduction at first-row residences and will benefit about 25 residences, as well as the open field at Hillside Elementary School. A 19-foot-high barrier is both feasible and reasonable according to UDOT's noise-abatement criteria.

Barrier 5 (about 715 feet long) is located on the east side of the alignment from just south of 4100 South to about 4300 South. A barrier between 8 feet and 12 feet high will separate the roadway from the open areas associated with Hunter High School and will provide 5 dBA of noise reduction.

Barrier 6 (about 2,500 feet long) is located on the east side of the alignment from about 4300 South to south and west of the Denver & Rio Grande Railroad alignment. Barrier heights between 15 feet and 19 feet high are feasible (will provide 5 dBA of noise reduction) but will not benefit enough residences to meet the cost-effectiveness criterion of UDOT's noise-abatement policy. If UDOT's allowable cost per benefiting residence (currently $30,000) is increased in the future, it is possible that a noise barrier at this location would be cost-effective.

5800 West Freeway Alternative – Segment 5 (5400 South to 7800 South)

Barrier 7 (about 2,000 feet long) is located on the east side of the alignment from just north of Borax Avenue to just north of 6200 South. A noise barrier between 15 feet and 19 feet high will provide up to 7 dBA of noise reduction to first-row residences. Barrier 7 will benefit about 35 to 44 residences depending on the barrier height and is feasible and reasonable according to UDOT's noise-abatement criteria.

Barrier 8 (about 4,500 feet long) is located on the east side of the alignment between about 6200 South and 7000 South. A 19-foot-high noise barrier will provide 7 dBA of noise reduction to first-row residences and will benefit about 61 residences. A 19-foot-high noise barrier at this location is feasible and reasonable according to UDOT's noise-abatement criteria.

5800 West Freeway Alternative – Segment 6 (7800 South to Old Bingham Highway)

Barrier 9 (about 2,500 feet long) is located on the east side of the alignment from about 8200 South to just north of the New Bingham Highway. Barriers between 17 feet and 19 feet high will provide up to 6 dBA of noise reduction to first-row residences and will benefit about 32 residences. Noise barriers that are between 17 feet and 19 feet high are feasible and reasonable according to UDOT's noise-abatement criteria.

5800 West Freeway Alternative – Segment 8 (11800 South to 13400 South)

Barrier 11 (about 3,500 feet long) is located on the east side of the alignment between about 11800 South and 12600 South. A noise barrier between 15 feet and 19 feet high will provide up to 8 dBA of noise reduction to at least 75% of

first-row residences and will benefit about 49 to 61 residences. Barrier 11 is feasible and reasonable according to UDOT's noise-abatement criteria.

Barrier 12 (about 3,000 feet long) is located on the west side of the alignment south of 12600 South. A noise barrier 17 feet to 19 feet high will provide up to 9 dBA of noise reduction to first-row residences and will benefit about 48 to 75 residences. Barrier 12 is feasible and reasonable according to UDOT's noise-abatement criteria.

Barrier 13 (about 1,500 feet long) is located on the east side of the alignment south of 12600 South. A noise barrier between 15 feet and 19 feet high will provide up to 11 dBA of noise reduction to first-row residences and will benefit about 17 to 21 residences. Barrier 13 is feasible and reasonable according to UDOT's noise-abatement criteria.

2100 North Freeway Alternative

Barrier 5 (about 2,500 feet long) is located on the north side of the alignment between 2300 West and 1900 West near the Union Pacific railroad tracks. A noise barrier between 12 feet and 20 feet high will provide up to 11 dBA of noise reduction to first-row residences. Depending on the barrier height, a barrier at this location will benefit about 38 to 64 individual residences. Barrier 5 is feasible and reasonable according to UDOT's noise-abatement criteria.

Barrier 6 (about 1,265 feet long) is located east of the Union Pacific Railroad tracks on the south side of the alignment near the tie-in to I-15. A noise barrier between 12 feet and 20 feet high will provide up to 10 dBA of noise reduction to first-row residences. Depending on the barrier height, a barrier at this location will benefit about 22 to 26 residences. Barrier 6 is feasible and reasonable according to UDOT's noise-abatement criteria.

2.6.7 Mitigation Measures for Water Quality Impacts

This section discusses mitigation measures associated with water quality, stream crossings, culvert design, and erosion protection for the permanent roadway. Mitigation measures were determined by consulting with the water quality agencies that are familiar with the impact analysis area.

Surface Water Quality

The following mitigation measures were specifically recommended by the Utah Department of Environmental Quality (UDEQ). These measures are intended to reduce erosion and apply to all areas along the project that are proposed for construction. In addition to these measures, where appropriate, UDOT's Utah Pollutant Discharge Elimination System Phase II manual will be used.

- **Cut-and-Fill Slopes.** Provide erosion control on all cut-and-fill slopes by applying compost or mulch to the slope or through other means. Establish native vegetation on the slope where possible. Where possible, provide vegetated filter strips. Vegetated filter strips are UDEQ's preferred water quality treatment measures for the impact analysis area. Vegetation in filter strips slows the velocity of the stormwater enough that larger suspended particles settle out, metals can be taken up by the organic material in the soil, and the dissolved metal cations can be exchanged in the clay minerals in the soils or removed by the vegetation. The reduction in velocity also allows more time for oil and grease to volatilize, photodegrade, biodegrade, or be taken up by organic components in the vegetation or soils.

- **Detention Ponds.** Detention ponds will be provided for water quality treatment where it is necessary to detain runoff to reduce its peak flow rate. The proposed detention pond locations are shown in Figure 14-8 through Figure 14-13, Proposed Detention Pond Locations, of the Final EIS.

  In addition to reducing peaks and velocities in streams, detention ponds have the added benefit of reducing the levels of total dissolved solids (TDS) and metals in highway runoff. Detention basins will also help prevent stormwater runoff from increasing the temperature of receiving streams by slowly releasing potentially warmer runoff into receiving water bodies that would be flowing at a faster rate because precipitation would be falling within the entire drainage basin. Detention basins will be designed to store runoff and discharge it within about 6 hours to minimize solar heating of the ponded water. If the total maximum daily

load (TMDL) analysis concludes that urban stormwater runoff is affecting temperatures, additional stormwater mitigation measures such as infiltration basins or bioswales will also be included with detention basins to manage stormwater runoff from roadway segments that will discharge directly to impaired segments of the Jordan River.

- **Construction Permits.** Construction projects that disturb more than 1 acre of land must be covered under the statewide Utah Pollutant Discharge Elimination System (UPDES) stormwater permit. The Selected Alternatives will disturb more than 1 acre of land and will require coverage under the UPDES stormwater permit. To obtain a UPDES permit, a notice of intent must be submitted to the Utah Division of Water Quality describing the construction activities. A Storm Water Pollution Prevention Plan that includes a Temporary Erosion and Sediment Control Plan must be developed prior to submitting the notice of intent for the UPDES permit. The Temporary Erosion and Sediment Control Plan identifies best management practices as well as site-specific measures to minimize erosion and prevent eroded sediment from leaving the construction zone.

Groundwater Flow

2100 North Freeway Alternative. In areas of shallow groundwater or depressed freeway sections, the proposed roadway embankments or depressed section could compact the underlying soils and alter the groundwater flow. During the final design phase of the project, more detailed geotechnical evaluation and analysis will be required. At that time, UDOT will determine the impacts to the groundwater level and flow, as well as appropriate mitigation measures. If groundwater is drawn to the surface by the project, flow toward Utah Lake will be maintained by equalization culverts or other surface water conveyance structures. If UDOT determines that the embankments would alter subsurface water elevations, groundwater flow will be maintained by one or more of the following methods: culvert, series of culverts, French drain, corrugated strip drain, synthetic drainage net, gravel layer, or other groundwater conveyance structures. Design and construction of groundwater conveyance structures, where necessary, will minimize the potential for changes to groundwater levels and flow patterns and any localized flooding.

Groundwater Wells

If a well needs to be relocated, UDOT will purchase the water right or the land associated with the right or negotiate an agreement with the water right owner to replace the well. Impacts to groundwater caused by encroaching on wells and

drinking water source protection zones are unlikely to require a permit by the Utah Division of Water Quality.

Affected wells will be abandoned by a licensed well driller in accordance with Utah Administrative Code (UAC) Section 655-4-12. The driller must contact the State Engineer and provide an abandonment log when the closure is completed. Neat cement grout, sand cement grout, unhydrated bentonite, or bentonite grout will be used to abandon wells and boreholes (UAC R655-4).

2.6.8 Mitigation Measures for Ecosystem Impacts

Wildlife and Wildlife Habitat

Wildlife Crossings. As part of improvements to Redwood Road from Bangerter Highway in Salt Lake County south to Saratoga Springs, UDOT has proposed wildlife crossings. Redwood Road parallels the 5800 West Freeway Alternative, and therefore the MVC project will include wildlife crossings in the same locations as the Redwood Road project. The crossings include one north of Camp Williams at Milepost (MP) 38 and two on Camp Williams (MP 36.5 and MP 35.4). The proposed crossing location at MP 36.5 will occur at Beef Hollow, which the MVC project will span with a bridge. The other crossing types will be similar to those proposed for Redwood Road by including fencing with escape ramps and an underpass with fencing to funnel the wildlife to the crossing location.

In addition to wildlife crossings, UDWR recommended that wildlife fencing with escape ramps should be installed along the 5800 West Freeway Alternative alignment south of 12600 South from Riverton to Camp Williams. Additional analysis of the wildlife fencing will be conducted during the final design phase of the project in coordination with UDWR and the U.S. Fish and Wildlife Service (USFWS).

Rivers and creeks in the MVC study area such as the Jordan River, Spring Creek, American Fork Creek, and Dry Creek will be spanned so that the water course will not be altered and no fish habitat will be affected.

Wildlife. Raptor nests within the range of disturbance of project activities will be surveyed before construction if the construction will occur during the nesting season. USFWS recommends identifying nests before trees leaf out and surveying again after nesting has begun to determine which nests are active and what species are using them. If an active raptor nest is identified, UDOT will coordinate with USFWS and/or UDWR to determine appropriate buffer distances and the duration in which construction may need to be modified given the species and nest location.

Vegetation. Temporary impacts to vegetation will be mitigated immediately after construction to prevent further, permanent effects. Mitigation will include the following measures:

- Compacted soils will be ripped, stabilized, and reseeded with native seed mixes.
- Weed-control practices and monitoring will accompany revegetation efforts until the native plant communities are successfully re-established.
- The contractor will be required to follow noxious weed mitigation and control measures identified in the most recent version of UDOT's Special Provision Section 02924S, Invasive Weed Control.
- Strictly following Best Management Practices (BMPs) will also reduce the potential for weed infestations.
- Reseeding with native plants, followed by monitoring seedlings and invasive species until the vegetation has re-established, will mitigate direct-disturbance impacts and reduce the potential for weed invasions. UDOT will be responsible for monitoring and determining when vegetation becomes re-established.
- Time tree and shrub removal to occur during the non-nesting season (about September 1 to April 30). If this is not possible, conduct preconstruction surveys to determine whether active bird nests are present. Leave active nests in the area untouched until the young have fledged.
- Removal of riparian vegetation will be minimized to the greatest extent practicable. UDOT will revegetate temporarily affected riparian areas with native riparian plant mixes that include willows and cottonwoods.

Water Quality. The following mitigation measures were specifically mentioned by UDEQ. These measures are intended to reduce erosion and apply to all areas along the project that are proposed for construction. In addition to these measures, where appropriate, UDOT's Utah Pollutant Discharge Elimination System Phase II manual will be used.

- **Cut-and-Fill Slopes.** Provide erosion control on all cut-and-fill slopes by applying compost or mulch to the slope or through other means. Establish native vegetation on the slope where possible. Where possible, provide vegetated filter strips. Vegetated filter strips are UDEQ's preferred water quality treatment measures for the impact analysis area. Vegetation in filter strips slows the velocity of the stormwater enough that larger suspended particles settle out, metals can be taken up by the organic material in the soil, and the dissolved metal cations can be exchanged in the clay minerals in the soils or removed by the vegetation. The reduction in velocity also allows more time for oil and grease to volatilize, photodegrade, biodegrade, or be taken up by organic components in the vegetation or soils.

- **Detention Ponds.** Detention ponds will be provided for water quality treatment where it is necessary to detain runoff to reduce its peak flow rate.

  In addition to reducing peaks and velocities in streams, detention ponds have the added benefit of reducing the levels of TSS, total dissolved solids (TDS), and metals in highway runoff.

- **Vegetated Bioswales.** Vegetated swales will be constructed to provide additional water quality treatment before the runoff is released into detention ponds to remove heavy metals, help reduce levels of TSS and TDS, and slow runoff into detention ponds.

Best management practices (BMPs) will be implemented during roadway construction under the action alternatives. FHWA and UDOT will use a number of BMPs to ensure that wetland/riparian areas are protected from adjacent sediment sources (such as adjacent cut-and-fill activities). The BMPs that will be used to curb soil erosion could include, but are not limited to, the following:

- Silt fencing
- Straw bales or sediment logs
- Geo-fabric (erosion control matting)
- Check dams
- Seeding
- Mulching
- Contour scarification
- Contour strip seeding
- Contour berming
- Pads for construction equipment (to be used in wetland areas)

Additionally, bank stabilization will likely be needed where construction activities overlap with the riparian area. Banks will be stabilized through the use of bioengineering techniques such as streambank willow plantings. The Utah Division of Water Quality recommends the use of vegetative or bioengineered materials rather than riprap to control erosion whenever possible.

After construction, wetland/riparian areas will be restored by FHWA and UDOT or a qualified subcontractor. Seed mixes and plantings will consist of native species. The appropriate seed mixes and plantings will be prescribed on a site-specific basis by the agency land manager when applicable. The U.S. Army Corps of Engineers (USACE) has recommended that the BMPs listed in the USFWS *Recommended Best Management Practices for Work in Utah Streams* (August 18, 2003) should be used as guidance when working near wetlands.

Roadway Maintenance. A large reduction in TDS can be achieved by following proper roadway maintenance procedures. As noted in Chapter 6 of the UDOT Stormwater Management Plan UPDES Phase II measures, pollution prevention and good housekeeping can prevent and reduce pollutants from being discharged to downstream waters. UDOT has standard operating procedures for roadway maintenance. Proper roadway maintenance BMPs are as follows:

- **Snow Removal and De-icing Practices.** Apply only the minimum quantity of de-icing agent necessary to remove ice from roadway facilities. Provide training to employees and document training efforts.
- **Salt Pile Storage.** Properly cover stockpiles of salt to prevent storm runoff from contacting the material and migrating to downstream drainage facilities and receiving waters.
- **Street Sweeping.** Remove particulates and debris from paved roadway surfaces. All state paved roadways in urbanized and rural areas are swept at least once per year. Material collected will be properly disposed of at local landfills. Street-sweeping efforts help to remove fine particulate matter and other pollutants before being discharged into storm drain systems and downstream receiving waters.
- **Spill Prevention and Response Plan.** Implement an established set of policies and procedures to provide instruction and guidance in case of a hazardous material discharge or spill.

2.6.9 Wetlands

This project will require permitting under Section 404 of the Clean Water Act for impacts to jurisdictional wetlands and other waters of the U.S. UDOT could seek a single Section 404 permit for the entire roadway project or could apply for permits for individual project phases or sections.

After this ROD is issued and before constructing the Selected Alternatives, UDOT will conduct a wetland delineation in compliance with Section 404 of the Clean Water Act. The total acreage of jurisdictional wetlands identified during this process and the results of the functional assessment will determine the type and amount of mitigation required to offset impacts to waters of the U.S. For example, mitigation could include creating new wetlands from uplands, restoring wetlands in areas that have become uplands, and enhancing and/or preserving existing wetlands. The typical acreage-based mitigation ratios for concurrent mitigation efforts of mitigated area to impact area used by USACE's Utah regulatory office for these activities are 2:1 for creation, 1.5:1 for restoration, 5:1 for enhancement, and 10:1 for preservation. These ratios have been determined

based on the likelihood of success and compliance with the federal policy of "no net loss of wetlands." However, if a mitigation bank is developed before the wetland impacts occur, then these ratios could be different.

Further avoidance and minimization are also necessary as part of impact mitigation. The planning and design process for the MVC project avoided and minimized impacts to wetlands and waters of the U.S. by shifting the alignments and constructing retaining walls to the extent possible while complying with engineering specifications, such as minimum radius of curvature.

In addition to the MVC project, UDOT is planning for other projects in Salt Lake and Utah Counties that could affect wetlands and require mitigation. To mitigate these impacts, UDOT is investigating the possibility of developing a wetland mitigation bank that will cover the combined mitigation needs of these projects. UDOT is conducting a formal wetland delineation on the Selected Alternatives. Once UDOT completes the formal wetland delineation and submits a Section 404 permit application for the MVC project, UDOT and USACE will perform a more detailed analysis to determine how much mitigation, and what type of mitigation, will be required.

FHWA and UDOT will require the construction contractor to limit ground and wetland disturbance to the area necessary for the highway improvement. However, if the contractor disturbs more than the area required for improvement, the contractor will have to mitigate for the impact. To mitigate these temporary impacts associated with compacted soil, wetland areas will be ripped to break up any compacted layers. Where vegetation is disturbed or destroyed, the contractor will reseed these areas with a seed mix of native wetland plants approved by the appropriate agency. Additionally, the contractor will take steps to ensure that noxious weeds are not introduced into wetland plant communities. BMPs required by FHWA and UDOT will require that construction equipment entering the highway construction site be washed to remove noxious weed seeds.

2.6.10 Mitigation Measures for Floodplain Impacts

Measures will be taken to reduce floodplain impacts and to ensure that constructing the MVC complies with all applicable regulations. These measures include the following:

- The proposed alternatives will require a number of stream crossings. When hydraulic structures are designed, the design will follow the UDOT Manual of Instruction and Federal Emergency Management Agency (FEMA) requirements, where applicable, to determine the design flood to use for the design of all bridges and culverts necessary for these stream crossings. Where existing bridges or culverts are reused, their structural integrity and hydraulic capacity will be verified during the design phase of the project.
- Stream alteration permits will be obtained for all stream crossings. Floodplain development permits will be obtained for all locations where the proposed roadway will encroach on a regulatory floodplain, and structures will be designed to meet the more stringent of FEMA requirements and local floodplain ordinances. FEMA requires that construction within a floodway must not increase the base 100-year flood elevation. By meeting these requirements, the risk of upstream flooding will be reduced.
- Roadway elevations will be above adjacent floodplain elevations, where those elevations are defined, so that flooding will not interfere with a transportation facility needed for emergency vehicles or evacuation.

2.6.11 Mitigation Measures for Impacts to Historic, Archaeological, and Paleontological Resources

Mitigation measures are addressed in the Programmatic Agreement that has been negotiated with the Utah State Historic Preservation Officer (SHPO) (see Section 17.2.1.4, Next Steps, of the Final EIS).

2.6.12 Mitigation Measures for Impacts to Hazardous Waste Sites

During the final design phase of the project, UDOT will coordinate with the Utah Division of Environmental Response and Remediation (DERR) (a division of UDEQ) and/or the U.S. Environmental Protection Agency (EPA), the construction contractor, and the appropriate property owners. This coordination will involve determining the status of the sites of concern at the time of construction and identifying the nature and extent of remaining contamination (if any) to minimize the risk to all parties involved. The potential to affect newly

discovered sites will be identified by reviewing DERR records. UDOT will determine the need for phase I environmental site assessments at suspect properties during the final design phase to further evaluate the potential for encountering hazardous materials within the right-of-way for any of the action alternatives. If the assessments determine that contamination is still present, the remedial measures will be determined based on the nature and extent of contamination through coordination with DERR and/or EPA.

Previously unidentified sites or contamination (such as buried drums, fuel underground storage tanks [USTs], or solvent USTs) could be encountered during construction. In such a case, all work will stop in the area of the contamination according to UDOT Standard Specifications, and the contractor will consult with UDOT and DERR to determine the appropriate remedial measures. Hazardous wastes will be handled according to UDOT Standard Specifications and the requirements and regulations of UDEQ and EPA.

2.6.13 Mitigation Measures for Visual Impacts

During the preliminary design phase of the MVC project, depressing the roadway (below grade) was considered to reduce visual impacts. The use of depressed sections will be evaluated during the final design phase after more detailed geotechnical and cost studies are performed. Additional aesthetic measures such as lighting; vegetation and plantings; the color of bridges, structures, and retaining walls; and other architectural features such as railings will be considered during the final design phase of the project.

Landscaping and Lighting. The park-and-ride lots will be landscaped with native drought-tolerant vegetation to reduce water flow and to serve as an aesthetic enhancement. For all roadways, landscape plans for the roadway include replacement landscaping and median landscaping to reduce the impacts from the loss of vegetation. Directional lighting will be used where appropriate to reduce impacts to nearby residences.

2.6.14 Mitigation Measures for Construction Impacts

Air Quality Mitigation

Air emission mitigation measures for construction will be developed as part of the Emission Control Plan submitted to the State of Utah. Mitigation measures will include the following:

- **Fugitive Dust Emission-Control Plan.** The contractor will be required to submit a fugitive dust emission-control plan to UDEQ. The plan will outline project-specific activities for emission control and monitoring throughout construction in accordance with state and federal requirements. UDOT expects that strategies to control fugitive dust will include wetting excavation areas, unpaved parking and staging areas, and onsite stockpiles of debris, dirt, or dusty material; chemical stabilization; planting vegetative cover; providing synthetic cover and wind breaks; reducing construction equipment speed; covering loads; using conveyor systems; and washing haul trucks before leaving the loading site.
- **Street Sweeping.** The contractor will use street-sweeping equipment at paved site-access points.
- **Equipment Emissions.** The contractor will shut off construction equipment when it is not in direct use to reduce emissions from idling.

Other mitigation measures that could be implemented to minimize air quality impacts include the following:

- Use newer, cleaner-emitting construction equipment and properly maintain construction equipment.
- Install emission-control equipment on diesel construction equipment (such as particulate filters or traps, oxidizing soot filters, and oxidation catalysts) to the extent that is technically feasible.
- Reroute truck traffic away from schools and communities when possible.
- Evaluate the use of alternate engines and diesel fuels such as electric engines, engines that use liquefied or compressed natural gas, diesel engines that meet EPA's 2007 regulations, diesel engines fueled with low-sulfur fuel, and diesel engines outfitted with catalyzed diesel particulate filters and fueled with low-sulfur fuel (less than 15 parts per million sulfur).

Noise and Vibration Mitigation

Construction noise will be minimized by following UDOT's Standard Specifications for Environmental Protection and by complying with noise variances for the cities in which construction takes place. Construction noise will be minimized by the use of mufflers on construction equipment. Air compressors will meet federal noise level standards and will, if possible, be located away from or shielded from residences and other sensitive noise receptors. Other mitigation measures that could be used include constructing temporary noise barriers or curtains around equipment or work areas and equipping construction equipment engines with adequate mufflers and intake silencers.

The most appropriate method for reducing vibration from pile driving will be to use drilled shafts or auger cast piles in areas where vibration-sensitive buildings or utilities are located near the proposed foundation.

Visual and Light Mitigation

Impacts from lights used during nighttime construction will be minimized by aiming construction lights directly at the work area and/or shielding the lights to avoid disturbing nearby residences and mink farms.

Cultural Resources Mitigation

As stated in the MVC Programmatic Agreement for cultural resources that has been negotiated with the Utah SHPO (see Appendix 17B, Cultural Resources Correspondence, of the Final EIS), if cultural resources are discovered during construction, activities in the area of the discovery will immediately stop. The contractor will notify UDOT of the nature and exact location of the finding and will not damage or remove the resource. Work immediately adjacent to the discovery will be delayed until UDOT evaluates the extent and cultural significance of the site. The course of action and the construction delay will vary depending on the nature and location of the discovery. Construction will not resume until the contractor receives written authorization from UDOT to continue.

Vehicle, Pedestrian, Bicyclist, and Business Mitigation

The contractor will be required to develop a maintenance-of-traffic plan that defines measures to minimize construction impacts on traffic. A requirement of this plan will be that, to the extent possible, access to businesses and residences will be maintained and existing roads will be kept open to traffic unless alternate routes are provided. Signs will be placed to notify motorists that businesses are open and accessible during construction. The signs will also provide directions

for accessing the businesses. Finally, information will be made available by phone and Internet detailing construction activities and providing alternate transportation routes.

Even with the implementation of the maintenance-of-traffic plan, short-term increases in traffic congestion will occur around the construction area. Street closures will be short-term and limited to the closures that are specified in the maintenance-of-traffic plan as approved by UDOT before the start of construction.

UDOT and the contractor will coordinate with emergency service providers such as police, fire protection, and ambulance service before construction to ensure that access for their vehicles will be maintained.

Utility Service Mitigation

The construction contractor will coordinate with all utility providers to minimize utility service interruptions. UDOT will coordinate with railroad companies to ensure that operations are not affected by construction. This mitigation could require the construction of temporary tracks in the area of construction.

Hazardous Materials Mitigation

If contamination is discovered during construction, mitigation will be coordinated according to UDOT Standard Specification 01355, Environmental Protection, which directs the contractor to stop work and notify the project engineer of the possible contamination. Any hazardous materials will be disposed of according to applicable state and federal guidelines.

2.6.15 Mitigation Measures for Indirect Effects

Neither the Council on Environmental Quality regulations nor FHWA's environmental guidance documents implementing NEPA specifically mention mitigation of indirect effects associated with highway projects. FHWA policy as stated in 23 CFR 771.105 discusses mitigation in Sections (d)(1) and (2) for adverse impacts that directly result from a project (not indirectly); this mitigation must represent a reasonable public expenditure.

The permitting requirements associated with Section 404(b)(1) guidelines governing the USACE permit are limited to requiring mitigation for indirect effects that are quite specific and predictable in terms of location and degree. More generalized indirect effects such as those associated with possible future growth in a region do not require mitigation.

The indirect effects associated with building the project alternatives are difficult to predict and describe with any certainty or specificity. The evaluation process involves designating a study area (that is, the area subject to the project's influence such as the indirect effects analysis area); using forecasts of potential growth in population and employment, in this case based on projections from the Governor's Office of Planning and Budget, which do not address transportation improvements; interpreting how this growth will translate into potential future land use (largely based on interviews with land-use decision-makers and a review of master plans); and, lastly, predicting how the potential future land use could affect natural resources.

Note that the Growth Choices process was intended to integrate transportation and land-use planning so that transportation decisions support local land-use choices. This process should help avoid the potential for impacts that are inconsistent with local land-use plans.

Due to the overall uncertainties (mainly because of the complexities involved), the results of the study of indirect effects are more informational and do not name specific areas or resources as requiring mitigation. The following sections suggest various approaches to mitigating the indirect land-use effects from the Selected Alternatives:

- Increase the density of development.
- Encourage transit-oriented development.
- Acquire open space and protect farmland.
- Promote regional planning.

Land use decision-making is the responsibility of local governments. To support implementation of any such measures, UDOT is willing to meet with the cities along the MVC project, major landowners, interested parties, and state legislators to discuss and review the Growth Choices Vision Scenario and provide a forum to discuss the relationship between land use and transportation.

Increase the Density of Development

Development issues have traditionally been addressed by the cities and counties through the administration of land-use regulations (zoning, site plan, and subdivision regulations), usually based on local master plans. The responsibility for mitigating the effects of ongoing growth, regardless of the project, rests largely with the local governments that have jurisdiction over land use as well as with the developers who are carrying out development projects. Nevertheless, UDOT is willing to work with the affected municipalities to help implement the regional vision that resulted from the Envision Utah process. Potential measures to mitigate the effects of growth on the environment include the following:

- Revise local master plans to accommodate even higher densities than planned and to use less land.

Salt Lake City, for example, might consider very high-density office parks and employ transit-oriented development principles for its industrial park development. Locating the front doors of these commercial buildings near the proposed transit alternative and along new feeder bus routes would provide a shuttle service between the businesses and the transit station. In addition, transportation management associations could be organized to promote carpooling. This strategy can also increase transit ridership.

- Update zoning districts to increase densities near the project to include planned community-oriented developments.

This strategy would encourage mixed-use developments and planned communities, which have become permitable in some of the cities such as Lehi, Bluffdale, and South Jordan.

Encourage Transit-Oriented Development

As transit-oriented development in the MVC study area moves from concept to implementation, many decisions will need to be made so that future development occurs in a manner that supports transit. Transit-oriented development draws on many of the same planning and development principles embraced by New Urbanism, Smart Growth, and the Livable Communities movement:

- Moderate- to higher-density development compared to the existing pattern of development
- A mix of land uses
- Compact, pedestrian-oriented designs and streetscapes
- Building design and orientation to the street to allow easy pedestrian and transit access
- A fine-grained, connected street pattern without cul-de-sacs
- A system of parks and open spaces

In addition to these principles, for development to be transit-oriented, it generally needs to be shaped by transit in terms of parking, density, and/or building orientation in comparison to conventional development. Therefore, coordination with UTA is critical as the transitway may be funded in part by FTA, which places a high priority on land use that supports transit. A successful transit-oriented development would reinforce the community and the transit system.

Acquire Open Space and Protect Farmland

An open-space-acquisition program can help shape and restrict the area of development. Further, it can preserve areas for viewsheds (areas from which natural features are visible), a unique environmental asset of the western Salt Lake Valley. Just a slight rise in elevation provides views of the River Valley, Utah Lake, and the spectacular Wasatch and Oquirrh Mountains that define the edges of the Salt Lake and Utah Valleys. The West Jordan master plan, for example, intends to preserve stream beds as open-space links throughout the developing western half of the city.

Farmlands and grazing lands are another source of open space and could be protected from conversion for development, where appropriate and feasible. This rural feature can relieve the pattern of uninterrupted urban development and retain some of the historic uses in the Salt Lake Valley. Such an open-space acquisition plan can be accomplished by a partnership among the local, county, and state governments.

Promote Regional Planning

The overall development pattern in the MVC study area is already well established, but it is not too late for the above strategies to be implemented. For best results, they should be coordinated with long-range regional and interjurisdictional planning so that the cumulative effects of individual and incremental land-use decisions can be better understood. WFRC, MAG, and Envision Utah are already well-established regional organizations that foster this longer-range view. But implementation of long-range policies that can change the current low-density development pattern, such as those planning policies resulting from the Growth Choices effort, can be successful only if development approval decisions employ principles that are coordinated and consistent with a regional vision.

2.7 Next Steps

After this ROD is issued, UDOT plans to proceed with the remaining steps of project development, (that is, right-of-way acquisition, final engineering, and construction) in accordance with the phased approach described in Chapter 36, Project Implementation (Phasing), of the Final EIS. A financial plan and a project management plan will be completed and updated annually until the project is completed in accordance with FHWA's requirements for major projects. UDOT or its contractors will obtain all required permits and federal approvals for constructing the project. UDOT will complete procurement for a construction contractor or contractors.

UDOT also plans to promptly begin more-detailed analysis and project development of the environmental mitigation. Until the project construction is complete, including environmental commitments, UDOT plans to continue to coordinate with the resource agencies. After the ROD is issued, FHWA will provide oversight on the procurement, design, and construction of the MVC project in accordance with the project management plan. FHWA will have full oversight of environmental mitigation to ensure compliance.

3.0 Alternatives Considered

3.1 Project Purpose

The Mountain View Corridor project has both primary and secondary purposes. The primary purposes were used as the main criteria to screen or eliminate alternatives that were not reasonable or practicable. The secondary purposes were used to further refine project alternatives (for example, to make minor shifts to the alignments) but were not used to determine whether an alternative was not reasonable or practicable.

The MVC is primarily intended to achieve the following objectives:

- **Improve Regional Mobility by Reducing Roadway Congestion.** Improve regional mobility for automobile, transit, and freight trips by reducing roadway congestion compared to the No-Action conditions on roadways serving the major north-south travel movements in the Salt Lake County portion of the study area and the major east-west and north-south travel movements in the Utah County portion of the study area.
- **Improve Regional Mobility by Supporting Increased Transit Availability.** Improve regional mobility by supporting increased availability of transit compared to the No-Action conditions as an alternative to automobile trips for the major north-south travel movements in the Salt Lake County portion of the study area and the major east-west and north-south travel movements in the Utah County portion of the study area.

Other secondary objectives of the project are as follows:

- **Support Local Growth Objectives.** Support local economic development and growth objectives as expressed through locally adopted land-use and transportation plans and policies, including the principles reflected in the Growth Choices Vision by providing transportation improvements that complement locally established land-use plans.
- **Increase Roadway Safety.** Reduce accident rates and the number of high-accident locations (compared to the No-Action conditions) on the roadways serving the major north-south travel movements in the Salt Lake County portion of the study area and the major east-west and north-south travel movements in the Utah County portion of the study area.
- **Support Increased Bicycle and Pedestrian Options.** Support increased availability of bicycle and pedestrian options consistent with the adopted regional transportation plans in the portions of the study area in Salt Lake and Utah Counties.

3.2 Summary of the Alternative Development Process

The alternatives development process identified and evaluated a full range of alternatives that were brought forward during the NEPA scoping process, identified in previous studies, developed as part of the Envision Utah Growth Choices process (see Chapter 3, Growth Choices, in the Final EIS), or brought forward during the EIS process. FHWA, FTA, UDOT, and UTA participated in the screening process that evaluated the alternatives. Each alternative was considered and reviewed against the project's purpose and against a set of measures to determine if the alternative would be carried forward for detailed study in the EIS.

The process took a large number of suggested recommendations and screened and refined them to produce the alternatives that were studied in detail in the EIS. The alternatives development process consisted of the following seven steps:

- Identification of preliminary alternatives
- Level 1 screening
- Level 2 screening
- Alternatives Screening Report (with public and agency input)
- Refinement of the Salt Lake and Utah County alternatives
- Reconsideration of the Utah County alternatives
- Evaluation of alternatives after the release of the Draft EIS

3.2.1 Identification of Preliminary Alternatives

The preliminary alternatives came from numerous sources including the following:

- Preliminary alternatives identified from previous studies
- Preliminary alternatives identified through public and agency input
- Preliminary alternative identified from development of the Growth Choices "Vision" Scenario (see Chapter 3, Growth Choices, of the Final EIS)
- Preliminary transit alternatives

The alternatives identified during the identification of preliminary alternatives were evaluated using a two-step screening process that narrowed the many possible alternatives into the alternatives that were studied in detail in the EIS. Level 1 screening examined highway, transit, land use, and geographic alternatives that focused on potential locations within and outside the study area. Level 1 screening was primarily qualitative. Alternatives that passed Level 1 screening were then evaluated using the Level 2 screening process. Level 2

screening involved an in-depth analysis that was primarily quantitative to identify a range of alternatives to be studied in more detail in the EIS.

In July and August 2004, the results of Level 1 and Level 2 screening were provided to the public, local officials, and resource agencies. The purpose of informing these groups about the alternatives was to seek input on the alternatives so that they could be refined further. This process included holding nine meetings throughout the study area at which the public could obtain additional information, ask questions, and provide further input into the alternatives development process. In addition, meetings with community councils, local officials, and resource agencies were held to further publicize the screening results and seek input. Information on the screening process and alternatives considered was also made available on the MVC Web site (www.udot.utah.gov/mountainview).

3.2.2 Alternatives Screening – Level 1

The goal of Level 1 screening was to consistently review the transportation solutions and alternatives from the preliminary identification process and qualitatively assess whether an alternative or portions of an alternative should be eliminated or carried forward to Level 2 screening for further analysis. The transportation solutions and alternatives identified were organized and screened against a broad range of criteria to determine whether each alternative or suggested action should be eliminated. If an alternative or suggested action was not eliminated in Level 1 screening, it was advanced into the Level 2 screening.

Each suggested action or alternative was assessed during the Level 1 screening process to determine if it (1) was a reasonable alternative, (2) was part of a reasonable alternative, or (3) should be eliminated. Table 3-1 below summarizes the alternatives or actions that were eliminated in Level 1 Screening.

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Table 3-1. Level 1 Screening – Alternatives or Actions Eliminated

Modal Concepts Eliminated	Roadway Locations Eliminated	Transit Location and Technology Concepts Eliminated
Land-Use Changes Only – NSC, NSP	Original Western Transportation Corridor (5800 West from 7800 South to 4800 South) – TIP	Bus rapid transit on freeway corridor – NSP
Transit Only – NSC, NSP	North-south freeway along SR 111 – DNW, TIP, NSP	Transitway on 7200 West – NSP[b]
Highway Only – NSP[a]	North-south freeway along Bangerter Highway – DNW, TIP, LRTP, NSP	Transitway on 6400 West – NSP[b]
Transit and Land-Use Changes Only – NSC, NSP	New highway west of Camp Williams to Eagle Mountain – TIP, DNW, NSP	Transitway along SR 111 – NSP[b]
Widen Existing Arterials (No Freeway) – NSC, NSP	New highway west of Utah Lake – DNW	Transitway along Bangerter Highway – NSP, LRTP
Transportation System Management (TSM) and/or Transportation Demand Management (TDM) – NSC, LRTP, NSP	Build causeway/bridge across Utah Lake – DNW, TIP, NSP	Transitway to Magna – LRTP
	Convert Redwood Road to freeway – TIP, NSP	Rail service along I-15 – LRTP
TSM/TDM +Transit + Widen Arterials – NSC, LRTP, NSP	Improve or widen SR 73 – TIP, NSP	Transit service using existing Welby Line from West Jordan to Magna – NSP[b]
TSM/TDM +Transit + Widen Arterials + Land-Use Changes – NSC, LRTP, NSP		East-west light rail in Utah County along SR 73 – DNW, NSP
		Commuter rail – DNW, NSP, LRTP
		Monorail – TIP

DNW = Demand not warranted; NSC = Does not provide sufficient capacity; LRTP = Separate project in long-range transportation plan; TIP = Technically or impact prohibitive; NSP = Does not support local planning policies

[a] Does not support the project purpose of providing a multi-modal solution that includes transit.

[b] The Growth Choices process showed that the optimum location for a transit solution was on 5600 West.

3.2.3 Alternatives Screening – Level 2

The goal of Level 2 screening was to select a range of alternatives to be studied in detail in the EIS. Ten roadway alternatives from Utah County and five roadway alternatives from Salt Lake County were advanced from Level 1 screening to Level 2 screening. During Level 2 screening, the alternatives carried forward from Level 1 were analyzed for two purposes: (1) to eliminate alternatives that were unreasonable based on their inability to meet the project's purpose, excessive cost or environmental impacts, or lack of technical feasibility; and (2) to determine whether the large number of potential alternatives could be reduced to a number that would represent the reasonable range of alternatives to be studied in detail. Based on the Level 2 analyses, four Salt Lake County and four Utah County alternatives were carried forward for further refinement as shown in Table 3-2 below.

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Table 3-2. Results of Level 2 Screening

Alternative	Description of Alternative	
	Transit Component	Roadway Component
Salt Lake County Alternatives		
7200 West Arterial/Freeway with 5600 West Transit Alternative	5600 West transitway with dedicated right-of-way or mixed-use right-of-way	6-lane arterial from I-80 to SR 201; freeway on 7200 West between SR 201 and 5400 South; freeway on 4800/6400 West from 5400 South to Utah County line.
7200 West Freeway with 5600 West Transit Alternative	Same as above	Freeway on 7200 West from I-80 to SR 201; freeway on 7200 West between SR 201 and 5400 South; freeway on 4800/6400 West from 5400 South to Utah County line.
5800 West Freeway with 5600 West Transit Alternative	Same as above	Freeway on 5800 West from I-80 to SR 201; freeway on 5800 West between SR 201 and 5400 South; freeway on 4800/6400 West from 5400 South to Utah County line.
5600 West Freeway with 5600 West Transit Alternative	Same as above	Freeway on 5600 West from I-80 to SR 201; freeway on 5800 West between SR 201 and 5400 South; freeway on 4800/6400 West from 5400 South to Utah County line.
Utah County Alternatives		
Southern Freeway with 2100 North Arterial Alternative	Park-and-pool lots[a]	Freeway from Salt Lake County continues west of Redwood Road and connects to I-15 at Pleasant Grove; follows 1500 South and power corridor alignments. East-west arterials: • 2100 North – 7-lane arterial
Southern Freeway with Porter Rockwell Boulevard Arterial Alternative	Park-and-pool lots[a]	Freeway from Salt Lake County continues west of Redwood Road and connects to I-15 at Pleasant Grove; follows 1500 South and power corridor alignments. East-west arterials: • Porter Rockwell Boulevard – 7-lane arterial
Arterials Alternative	Park-and-pool lots[a]	Freeway from Salt Lake County west of Redwood Road transitions to expressway between 2100 North and SR 73; no freeway connection provided to I-15. East-west arterials: • Porter Rockwell – 7-lane arterial • 2100 North – 6-lane arterial • SR 73 (1000 South) – 7-lane arterial from I-15 to 10400 West, then 7 lanes to MVC • 1900 South – 7-lane arterial
Northern Freeway Alternative	Park-and-pool lots[a]	Freeway from Salt Lake County west of Redwood Road transitions to expressway between 2100 North and SR 73; freeway connection to I-15 provided by Porter Rockwell Boulevard (6 lanes). East-west arterials: • 2100 North – 7-lane arterial • SR 73 (1000 South) – 7-lane arterial from I-15 to 10400 West, then 7 lanes to MVC • 1900 South – 7-lane arterial

[a] Although no transit service is planned as part of the MVC project for the Utah County alternatives other than park-and-pool lots, UTA, UDOT, MAG, and local municipalities would continue to implement transit service as defined in the MAG regional transportation plan. This service would include a bus transit line as part of the East-West Connector project (Lehi 1000 South). Park-and-pool lots are typically smaller than park-and-ride lots and are intended exclusively for motorists to form carpools and vanpools.

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3.2.4 Alternative Screening Report

Following the conclusion of the MVC Level 1 and Level 2 screening processes, the MVC Alternatives Screening Report was released to the public and agencies. The report was released in order to receive early input on the eight alternatives being considered for detailed study. The report provided a summary of the process that was used to identify a comprehensive list of preliminary alternatives, the Level 1 and Level 2 screening processes, the eight alternatives that advanced through the screening process to be considered in more detail, and the No-Action Alternative. An overview of the MVC screening process was provided to the resource agencies on April 13, 2004, and the results of screening were reviewed during a meeting on May 6, 2004. The Alternatives Screening Report was provided to key agencies on July 9, 2004, before its release to the public. The general public received this information during the alternatives "roll-out" which began on July 12, 2004. The comment period for the Alternatives Screening Report ended August 31, 2004.

Public Comments

Public input increased when the final eight Level 2 alternatives were presented in July 2004. Nearly 1,000 comments were received during the public comment period. In Salt Lake County, more than one-third of the commenters were concerned about right-of-way issues including property acquisition, neighborhood disruption, and potential relocations. Although an alignment on SR 111 had been eliminated during the MVC screening process, many comments were received that supported building the freeway on this existing state route. The public felt that such an alignment would have less impact on existing communities and would also serve regional travel demand as well as the 7200 West alternatives.

In Utah County, residents were primarily concerned about the amount of time before they would experience relief from traffic congestion. A high percentage indicated support for the Southern Freeway Alternative and did not support the Arterials Alternative.

Agency Comments

EPA provided comments on the Alternatives Screening Report in an e-mail in June 2006. The comments asked the MVC EIS Team to clarify which environmental resources were considered in the Growth Choices process (see Chapter 3, Growth Choices, in the Final EIS), how the screening criteria were used to eliminate alternatives or carry them forward for detailed study, and how consideration for identifying the least environmentally damaging practicable

alternative with regard to wetlands factored into the screening process. EPA also suggested that supporting local growth objectives should not be used as a criterion for screening alternatives. No other agency comments were received.

Comment Consideration

Comments received from resource agencies, city staff members, and the general public after Level 2 screening contributed to the further refinement of the eight Level 2 alternatives. Agencies helped identify wetlands that should be avoided as well as other natural resources and historic structures. Alternative alignments were adjusted to minimize impacts to resources identified by the resource agencies. Public comments also played a role in the development and refinement of alternative concepts. A number of comments suggested that the team take another look at SR 111 as an alternative alignment. With an updated model and revised population and employment data from the Governor's Office of Planning and Budget, an alignment on SR 111 was reconsidered.

Re-evaluation of the SR 111 Freeway Alternative

Because a high number of public comments recommended that the SR 111 Freeway Alternative (which was eliminated during Level 1 screening) should be re-evaluated, an additional analysis of this alternative was performed. After a review of additional data for the SR 111 Freeway Alternative, it was decided to eliminate the alternative from further study. The decision was based on the fact that the alternative would provide the least reduction in north-south traffic in the study area, would require more relocations, and would affect substantially more historic homes (Section 4(f) properties) than the other alternatives evaluated. In addition, as a result of the high number of impacts to historic buildings, the alternative is not likely to be approved under Section 4(f) regulations. Alignments west and east of SR 111 were also reviewed but were eliminated from consideration because of the high number of historic sites in the Magna area and between SR 111 and 7200 West. The evaluation also considered planning studies conducted apart from the MVC EIS process which concluded that SR 111 was too far west to serve the majority of north-south travel demand in western Salt Lake County.

3.2.5 Refinement of Alternatives

The refinement process consisted of performing a more detailed evaluation of each alternative by conducting preliminary engineering. As part of the preliminary engineering process, additional travel demand modeling was conducted, preliminary cost estimates were developed, and environmental resources were considered. The refinement process was completed after

screening to ensure that the alternatives that made it through the screening process should be carried forward for detailed study based on cost, design, impacts to the natural and human environments, and travel demand.

Alternatives Eliminated or Revised During the Refinement Process

As part of the alternatives refinement process, two alternatives carried forward from Level 2 screening were eliminated. These alternatives were the 5600 West Freeway Alternative and the 7200 West Arterial/Freeway Alternative in Salt Lake County. The 5600 West Freeway Alternative was eliminated because it would restrict business and pedestrian access and would also be incompatible with the 5600 West Transit Alternative and Salt Lake City's transportation master plan, it was eliminated from detailed study. The 7200 West Arterial/ Freeway Alternative has been eliminated from further consideration because he reduced speeds on the arterial segment would not meet driver expectations, which would undermine safety and likely result in more accidents; accident rates at the 700 South intersection would likely be high; the alternative would provide little additional access benefit compared to the 7200 West Freeway Alternative, and the alternative would place an extra travel demand burden on SR 201, which would lead to traffic volumes that exceed capacity west of 7200 West.

Reconsideration of the Porter Rockwell Boulevard Connection to I-15 in Salt Lake County

During the MVC screening process, the initial alignment for the proposed Porter Rockwell Boulevard arterial included a new connection to I-15 at about 16000 South. To make an interchange work at 16000 South, either I-15 would need to be realigned and lowered (to reduce the 100-foot grade difference) or Porter Rockwell Boulevard would need to be routed under I-15, which would require relocation of a railroad line, a canal, the frontage road, and businesses. After further consideration, an interchange at 14600 South was evaluated. A connection to I-15 at the existing 14600 South interchange would not require I-15 to be realigned and lowered and would cost about $338 million less than a connection at 16000 South. For these reasons, a new interchange connection at 16000 South was eliminated.

Reconsideration of the 1900 South Freeway Alignment in Utah County

During the Level 2 screening process, Utah County alternative UT-1 was eliminated because the proposed freeway alignment along 1900 South had substantially higher wetland impacts than a "hybrid" alignment that followed 1500 South. However, later discussions with Lehi City determined that an

alignment on 1900 South could be built with fewer wetland impacts. As a result of the reduced wetland impacts along the 1900 South alignment, both the 1500 South and 1900 South alignment options were being considered for the Southern Freeway Alternative and as part of the arterial alignments proposed under the Northern Freeway Alternative and the Arterials Alternative. However, further evaluation determined that only the 1900 South option would be carried forward with the Utah County alternatives (see the following section).

3.2.6 Reconsideration of the Utah County Alternatives

The results of the alternative screening analysis identified four MVC roadway alternatives in Utah County: the Southern Freeway with 2100 North Arterial Alternative, the Southern Freeway with Porter Rockwell Boulevard Arterial Alternative, the Arterials Alternative, and the Northern Freeway Alternative. All of the alternatives considered alignment options along 1500 South and 1900 South near Utah Lake. After the screening process, numerous meetings were held with the public, municipalities, and resource agencies from July 2006 through February 2007 regarding the Utah County alternatives. These meetings resulted in a decision in February 2007 to revise the Utah County alternatives due to the following reasons:

- Resource agencies commented that alignments south of 1500 South were too close to Utah Lake and would result in wetland and habitat fragmentation impacts. The resource agencies asked that alternatives with alignments farther north of Utah Lake be considered.
- EPA was concerned that the initial project purpose element of supporting local growth objectives might have eliminated reasonable alternatives.
- In January 2007, UDOT decided to undertake a project with an arterial on about 1000 South in Lehi, which was one of the MVC arterial alignments for the Arterials and Northern Freeway Alternatives.

To keep the intent of the alignment preferred by the resource agencies (less habitat fragmentation and fewer impacts to important wetlands near Utah Lake), and address EPA's concern about the project purpose an alternative along 2100 North was developed. This alternative (2100 North Freeway Alternative) has no roadway alignments near Utah Lake. To accommodate the concerns of Lehi and American Fork, both a freeway alignment (Southern Freeway Alternative) and an arterial alignment (Arterials Alternative) on 1900 South were included in the Utah County alternatives. An alignment on 1500 South was not considered because it did not address the cities' concerns and had similar wetland impacts as an alignment on the modified 1900 South alignment.

Lehi Point of the Mountain Concept (4800 North Alternative)

Prior to the Draft EIS, Lehi City opposed the 2100 North Freeway Alternative and wanted an alternative north of the city at Point of the Mountain evaluated in the EIS. At the end of August 2007, Lehi City presented FHWA and UDOT with a revised version of a Point of the Mountain alignment in the *4800 North Connector; I-15 to Mountain View Corridor Freeway Junction Alternative Preliminary Design and Alternative Analysis Report*, which detailed Lehi City's proposed alternative. The Lehi City alternative was received just prior to release of the MVC Draft EIS and therefore was not evaluated in detail in that document. UDOT and FHWA worked with Lehi City after release of the Draft EIS regarding the details of the 4800 North Freeway Alternative.

Conclusion of the Alternatives Refinement and Reconsideration Processes

As a result of the refinement and reconsideration processes, two Salt Lake County alternatives (the 5600 West Freeway and 7200 West Arterial/Freeway Alternatives) were eliminated and the four Utah County alternatives were refined into three alternatives. Table 3-3 below provides a summary of the alternatives that were carried forward for detailed study in the EIS.

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Table 3-3. Results of Alternatives Refinement and Reconsideration Processes

Level 2 Screening Results	Alternatives Considered after the Refinement Process	Alternatives Considered after Reconsideration of the Utah County Alternatives
	Salt Lake County Alternatives	
5600 West Freeway Alternative 5800 West Freeway Alternative	5800 West Freeway Alternative	5800 West Freeway Alternative
7200 West Freeway Alternative 7200 West Arterial/Freeway Alternative	7200 West Freeway Alternative	7200 West Freeway Alternative
5600 West Transit Alternative with Dedicated Right-of-Way Transit Option or Mixed-Traffic Transit Option	5600 West Transit Alternative with Dedicated Right-of-Way Transit Option or Mixed-Traffic Transit Option	5600 West Transit Alternative with Dedicated Right-of-Way Transit Option or Mixed-Traffic Transit Option
	Utah County Alternatives	
Southern Freeway with 2100 North Arterial Alternative. Freeway from Salt Lake County continues west of Redwood Road and connects to I-15 at Pleasant Grove; follows 1500 South and power corridor alignments. East-west arterials: • 2100 North arterial *Southern Freeway with Porter Rockwell Boulevard Arterial Alternative.* Freeway from Salt Lake County continues west of Redwood Road and connects to I-15 at Pleasant Grove; follows 1500 South and power corridor alignments. East-west arterials: • Porter Rockwell Boulevard arterial	*Southern Freeway with 2100 North Arterial Alternative.* Freeway from Salt Lake County continues west of Redwood Road and connects to I-15 at Pleasant Grove; follows 1500 South or 1900 South alignments. East-west arterials: • 2100 North arterial *Southern Freeway with Porter Rockwell Boulevard Arterial Alternative.* Freeway from Salt Lake County continues west of Redwood Road and connects to I-15 at Pleasant Grove; follows 1500 South or 1900 South alignments. East-west arterials: • Porter Rockwell Boulevard arterial	*Southern Freeway Alternative.* Freeway from Salt Lake County continues west of Redwood Road and connects to I-15 at Pleasant Grove; follows 1900 South.
Arterials Alternative. Freeway from Salt Lake County west of Redwood Road transitions to expressway between 2100 North and SR 73; no freeway connection provided to I-15. East-west arterials: • Porter Rockwell arterial • 2100 North arterial • 1000 South arterial • 1900 South arterial	*Arterials Alternative.* Freeway from Salt Lake County west of Redwood Road transitions to expressway between 2100 North and SR 73; no freeway connection provided to I-15. East-west arterials: • Porter Rockwell arterial • 2100 North arterial • 1000 South arterial • 1500 or 1900 South arterial	*Arterials Alternative.* Freeway from Salt Lake County west of Redwood Road to SR 73; no freeway connection provided to I-15. East-west arterials: • Porter Rockwell arterial • 2100 North arterial • 1900 South arterial
Northern Freeway Alternative. Freeway from Salt Lake County west of Redwood Road transitions to expressway between 2100 North and SR 73; freeway connection to I-15 provided by Porter Rockwell Boulevard (6 lanes). East-west arterials: • 2100 North arterial • 1000 South arterial • 1900 South arterial	*Northern Freeway Alternative.* Freeway from Salt Lake County west of Redwood Road transitions to expressway between 2100 North and SR 73; freeway connection to I-15 provided by Porter Rockwell Boulevard (6 lanes). East-west arterials • 2100 North arterial • 1000 South arterial • 1500 or 1900 South arterial	*2100 North Freeway Alternative.* Freeway from Salt Lake County west of Redwood Road to SR 73; freeway connection along 2100 North connecting to I-15.

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3.3 Alternatives Considered for Detailed Study

3.3.1 No-Action Alternative

NEPA requires an analysis of the No-Action Alternative. This alternative serves as a baseline so that decision-makers can compare the environmental effects of the action alternatives. Under the No-Action Alternative, the MVC roadway and transit components would not be built. However, the projects identified in the WFRC and MAG regional transportation plans would likely continue to be implemented.

3.3.2 Salt Lake County Alternatives

In Salt Lake County, two roadway alternatives and a transit alternative which would be implemented as part of the roadway alternatives were considered: the 5600 West Transit Alternative, the 5800 West Freeway Alternative, and the 7200 West Freeway Alternative. For both of the Salt Lake County roadway alternatives, the freeway configuration were the same from 5400 South to the Utah County line. The transit components were also the same for both of the alternatives. Both of the roadway alternatives in Salt Lake County were considered for tolling. The overall right-of-way required for the tolling options were the same as for the non-tolled alternatives.

5600 West Transit Alternative

The 5600 West Transit Alternative would be part of both of the Salt Lake County roadway alternatives. The 5600 West Transit Alternative had two options: a Dedicated Right-of-Way Transit Option and a Mixed-Traffic Transit Option.

Dedicated Right-of-Way Transit Option

The Dedicated Right-of-Way Transit Option consisted of an area in the center of the roadway dedicated solely for the use of transit vehicles, with street traffic using general-purpose lanes on the outside of the roadway. Transit stations would be located in the roadway median. This option would have 17 transit stations.

Mixed-Traffic Transit Option

The Mixed-Traffic Transit Option consisted of transit vehicles sharing the outside lanes of 5600 West with street traffic in each direction of travel. At station locations, transit vehicles would exit the shared lane to the right, then merge back into the shared lane after leaving the station. The alignment for this option would be the same as that for the Dedicated Right-of-Way Transit Option except that the mixed-traffic option would have more transit stations (25) and the

transit would be mixed with traffic operating within the right vehicle travel lane along 5600 West in both directions.

5800 West Freeway Alternative

One of the two freeway alternatives in Salt Lake County was the 5800 West Freeway Alternative. The 5800 West freeway would begin with a collector-distributor system and a freeway-to-freeway interchange at Interstate 80 (I-80) and would consist of a freeway for the entire length of the alternative in Salt Lake County. This alternative would also include the 5600 West Transit Alternative.

7200 West Freeway Alternative

The second of the two freeway alternatives in Salt Lake County was the 7200 West Freeway Alternative. This alternative begins with a freeway-to-freeway interchange with I-80 at 7200 West and runs along the existing 7200 West roadway to 4100 South, where the alignment heads slightly east to 5400 South. After 5400 South, the alignment would be the same as for the 5800 West Freeway Alternative. This alternative would also include the 5600 West Transit Alternative.

3.3.3 Utah County Alternatives

Three roadway alternatives were considered in Utah County: two freeway alternatives and an arterials alternative. Each roadway alternative in Utah County could be matched with any roadway alternative in Salt Lake County to provide a complete MVC transportation solution. All three of the roadway alternatives in Utah County were considered for tolling. The overall right-of-way required for the tolling options were be the same as for the non-tolled alternatives.

Southern Freeway Alternative

This alternative consisted of a freeway from the Utah County line that extends south toward Utah Lake and then heads east. The eastern leg would roughly follow 1900 South in Lehi and then continue east, north of Utah Lake, to join I-15 at the existing Pleasant Grove/Lindon interchange.

2100 North Freeway Alternative

This alternative consisted of a freeway that extends from the Utah County line south to SR 73 in Lehi, plus a freeway connection on 2100 North from the MVC to the 1200 West interchange with I-15 in Lehi. In addition to the two freeway components of this alternative, there would be two one-way frontage roads that

would extend from SR 68 to just past the commuter rail tracks west of I-15. At the connection with the MVC roadway and SR 73, southbound lanes would connect with SR 73 at a signalized intersection, and SR 73 would connect with the northbound lanes of the MVC roadway using either a direct-access ramp with a bridge over SR 73 (westbound SR 73 to northbound MVC) or a signal (eastbound SR 73 to northbound MVC). The connection at I-15 at 2100 North would provide both a local-access interchange and a direct freeway-to-freeway interchange (MVC to I-15).

Arterials Alternative

This alternative consisted of a freeway from the Utah County line that extends south to SR 73 in Lehi and connects with SR 73 and three arterials: Porter Rockwell Boulevard, 2100 North, and 1900 South. At the connection with the MVC and SR 73, southbound lanes would connect with SR 73 at a signalized intersection, and SR 73 would connect with the northbound lanes of the MVC using either a direct-access ramp with a bridge over SR 73 (westbound SR 73 to northbound MVC) or a signal (eastbound SR 73 to northbound MVC).

The 1900 South arterial would follow the east-west section of the Southern Freeway Alternative and would connect to the existing Pleasant Grove/Lindon interchange at I-15. The Porter Rockwell arterial would connect to I-15 at the existing 14600 South interchange just west of Redwood Road. The 2100 North arterial would follow the same alignment as the 2100 North Freeway Alternative alignment and would connect the MVC to I-15 at 2100 North/1200 West in Lehi.

3.3.4 Additional Evaluation of Alternatives after the Release of the Draft EIS

Revised Travel Demand Modeling for the Final EIS

During the preparation of the Draft EIS, the latest version (5.0) of the WFRC/MAG travel demand model was used to evaluate transit and roadway alternatives. Version 6.0 was not available until after the analysis had been completed for the Draft EIS, so UDOT and FHWA decided to publish the Draft EIS and update the Final EIS using Version 6.0. Before using Version 6.0 of the model, UDOT and FHWA performed an evaluation of the population, household, and employment projections used by WFRC for the travel forecasting. This evaluation, which was conducted by Resource System Group, Inc. (RSG), in March 2008. The RSG evaluation of the WFRC population, household, and employment projections in Version 6.0 found that the WFRC projections on the west side of Salt Lake County did not match the actual growth in this area. The RSG evaluation was given to WFRC for review and comment in April 2008, and WFRC concurred with the evaluation. WFRC agreed that the population,

household, and employment projections recommended by RSG should be used in developing the traffic forecast for the Final EIS and would be considered in the next update of the travel demand model.

Lehi Point of the Mountain Concept (4800 North Freeway Alternative)

In August 2007, UDOT and FHWA received a report from Lehi City recommending consideration of a new alternative along 4800 North in Utah County. The 4800 North Freeway Alternative was thoroughly analyzed and compared to the 2100 North Freeway Alternative. In some respects, the 4800 North Freeway Alternative was preferable. For example, it would have fewer relocations, would cause less community disruption, would have lower wetland impacts, and would be more consistent with Lehi City's desired future land use. In addition, the 4800 North Freeway Alternative appeared to be roughly equal to the 2100 North Freeway alternative in terms of its ability to meet the project's purpose.

However, there were two significant drawbacks to the 4800 North Freeway Alternative. The first is cost; the 4800 North Freeway Alternative would involve an additional expenditure of about $523 million. The additional cost of this alternative is equivalent to the entire cost of many large transportation projects in the Salt Lake City area and elsewhere. Secondly, although this alternative could be designed to meet minimum design requirements, FHWA determined that it was less desirable from an operational and safety standpoint. Given the many competing priorities for transportation funds in Utah, FHWA and UDOT concluded that it would not be prudent to spend an additional $523 million to construct the 4800 North alternative..

Based on all of these considerations, the 4800 North Freeway Alternative was determined not a reasonable alternative for the purpose of NEPA analysis and also, in FHWA and UDOT's judgment, was not a practicable alternative as that term is used under Section 404 of the Clean Water Act. Therefore, FHWA and UDOT concluded that the 4800 North Freeway Alternative would not be advanced for detailed study in the MVC EIS process. UDOT held a public meeting at Willow Creek Middle School on March 19, 2008, to present these findings to the Lehi community.

Additional Changes to the Alternatives between the Draft EIS and Final EIS

Several refinements were incorporated for the Salt Lake and Utah County alternatives.

Avoidance of ATK Property

During the Draft EIS alternative development process, ATK staff stated during several discussions that they did not oppose the MVC project crossing parts of their property. This allowed the development of the 7200 West Freeway Alternative and the avoidance of a public golf course (a Section 4(f) property) by the 5800 West Freeway Alternative. After the Draft EIS was released, ATK stated that several of their facilities have explosive safety zones that include both the 7200 West Freeway and 5800 West Freeway Alternatives, which would prohibit the alternatives near these facilities.

Based on this information, UDOT revised the 7200 West Freeway and 5800 West Freeway Alternatives to avoid the ATK property. The revisions to the alignments also avoid impacts to Hexcel Corporation. The revised 7200 West Freeway Alternative alignment was moved farther east, which increased residential relocations and impacts to the West Valley City public golf course (West Ridge Golf Course), and the revised 5800 West Freeway Alternative was also moved east through the West Ridge Golf Course. Discussions with West Valley City determined that the part of the golf course that would be affected could be replaced and that this replacement would not affect the overall operation of the golf course. The revised alignments for each alternative were evaluated in the Final EIS.

Herriman Shift

During the Draft EIS comment period, the City of Herriman commented that they would like the MVC alignment moved farther away from Redwood Road to the west next to and onto the Camp Williams property. The City of Herriman noted that the shift to the west would provide a buffer for Camp Williams from future development. Based on this comment, UDOT met with Camp Williams and determined that an alignment on the east edge of their property was acceptable.

2100 North Freeway Alternative

During the Draft EIS comment period, Lehi City raised concerns regarding community cohesion, economic development, local access, and the width of the corridor. UDOT met with city officials, staff, and property owners for several months to revise the alternative to be more compatible with local growth objectives and reduce impacts. UDOT agreed to adopt the design option for this alternative that included one-way frontage roads on each side of the roadway, with several modifications. The corridor was narrowed through the use of walls and modification of cross streets. Slip ramps were located to facilitate local access. The footprint of the system interchange of 2100 North at I-15 has been

modified to reduce right-of-way impacts to the adjacent property. UDOT also agreed to adopt a phased approach to project implementation.

Additional Alignment Modifications

Several alignment modifications were made between the Draft EIS and Final EIS to minimize impacts as listed below:

- The Southern Freeway Alternative was revised to miss a historic property at 7364 North 9550 West. Cross-street access was also modified to eliminate impacts to North Lake Park.
- For the 2100 North Freeway Alternative, the northbound off ramp with I-15 was revised to minimize an impact to historic properties at 959 West 2100 North and 951 West 2100 North.
- For the Arterials Alternative, the Porter Rockwell alignment was revised to minimize impacts to a historic property at approximately 15400 South and the Draper Irrigation Canal.
- For the 5800 West Freeway Alternative, the utility corridor alignment was modified at SR 201 to better accommodate the Rocky Mountain Power transmission line crossing.
- For the 5800 West Freeway Alternative, the alignment was shifted to the east from Cilma Drive to 4100 South to address conflicts with the utility corridor.
- For the 7200 West Freeway Alternative, the I-80 interchange connection with the MVC was adjusted to better accommodate access between the facilities.

4.0 Rationale for the Selected Alternatives

The action alternatives studied in detail each addressed the MVC purpose in varying degrees, and each would have affected different aspects of the environment. FHWA weighed these benefits and impacts and also considered the No-Action Alternative. While a number of resources and performance measures were studied in the Final EIS, no single measure alone was determinative. Instead, an accumulation of factors led FHWA to approve the selection of the 5800 West Freeway and 2100 North Freeway Alternatives over the 7200 West Freeway, Southern Freeway, and Arterials Alternatives. The detailed comparison of alternatives is provided in Section 2.4, Summary Comparison of Alternatives, of the Final EIS. The key factors in deciding to approve the Selected Alternatives are discussed below. Based on the EIS analysis and as described below, the 5800 West Freeway Alternative and the 2100 North Freeway Alternative are considered the environmentally preferable alternatives for Salt Lake County and Utah County, respectively.

4.1 5800 West Freeway Alternative

The **5800 West Freeway Alternative** was identified by FHWA and UDOT as their Preferred Roadway Alternative in Salt Lake County. The discussion below explains the key factors considered by FHWA and UDOT and summarizes the reasons that the 5800 West Freeway Alternative (with the phased approach as described in Chapter 36, Project Implementation [Phasing], in the Final EIS) is the Selected Roadway Alternative in Salt Lake County. FHWA has determined that this phased implementation of the Selected Alternative meets the project's purpose and need and is consistent with the regulatory provision 23 CFR 771.111(f). Of the Salt Lake County alternatives, this alternative is the environmentally preferred alternative because it has less impacts to wetlands, farmlands, wildlife, floodplains, and the community and is preferred by the resource agencies.

Wetlands. To evaluate the expected impacts to wetlands, numerous meetings were held with USACE, USFWS, and UDWR. Through these meetings, a functional assessment methodology was developed to determine the wetland impacts of each alternative. In addition to the functional assessment, these resource agencies recommended focusing on rare or irreplaceable wetlands based on these wetlands' low frequency of occurrence and/or the inability to compensate for impacts to them through creating new wetlands, restoring existing wetlands, or enhancing existing wetlands.

For Salt Lake County, the playa (mineral flats) wetlands immediately south of I-80 were determined by the resource agencies to be of particular importance, given the difficulty of mitigating these wetlands. Attempts to re-create the wetland hydrology and soil chemistry fundamental to these systems have met with limited success. Therefore, the proposed alignments in Salt Lake County were assessed according to their impacts to these wetlands. Table 4-1 and Table 4-2 compare the impacts to wetlands based on the functional assessment and the impacts to playa wetlands.

Table 4-1. Comparison of Total Wetland Impacts from the Salt Lake County Freeway Alternatives

Alternative	Functional Units Lost (FCU)	Primary and Secondary Impacts to Wetlands (acres)
5800 West Freeway	38.99	119.37
7200 West Freeway	50.26	194.12

FCU = functional capacity units, which is a measure for assessing impacts to the loss of the wetland function or quality.

Table 4-2. Comparison of Impacts to Playa Wetlands in Salt Lake County

Alternative	Primary Impacts (acres)	Secondary Impacts (acres)	Total (acres)
5800 West Freeway	13.12	42.02	**55.14**
7200 West Freeway	24.37	116.71	**141.08**

As these tables show, the 7200 West Freeway Alternative would have greater overall impacts to wetlands and would have more than double the impacts to those wetlands that USACE and USFWS consider rare and irreplaceable (the playa wetlands). The large difference in wetlands impacts was given substantial weight in FHWA's decision-making because of Section 404 of the Clean Water Act. Under the Clean Water Act and through the Section 404 permitting process, USACE has been given responsibility and authority to regulate fill materials into waters of the U.S., including wetlands. Section 404 of the Clean Water Act requires selection of the practicable alternative that causes the least impact to the aquatic ecosystem, unless that alternative has other substantial adverse environmental impacts. This is known as the least environmentally damaging practicable alternative (LEDPA) requirement.

An alternative is practicable if it is available and capable of being implemented after taking into consideration cost, existing technology, and logistics in light of overall project purposes. For actions subject to NEPA, where USACE is the permitting agency or, as in this case, a cooperating agency, the analysis of alternatives required for NEPA documents must provide the information necessary for Section 404 permitting, the evaluation of alternatives, and selection of the LEDPA. Given its much lower wetland impacts, it is likely that the 5800 West Freeway Alternative will be considered the LEDPA.

Even if wetlands affected by the MVC project are not jurisdictional, it is federal policy to ensure there is "no net loss" of wetlands (pursuant to Executive Order 11990). In addition, it is the policy of the U.S. Department of Transportation (USDOT) to assure the protection, preservation, and enhancement of the nation's wetlands to the fullest extent practicable during the planning, construction, and operation of transportation facilities and projects. In accordance with Executive Order 11990, Protection of Wetlands, new construction located in wetlands must be avoided unless there is no practicable alternative to the construction and the proposed action includes all practicable measures to minimize harm to wetlands that could result from such construction. For the MVC project, there are no practicable alternatives that avoid wetlands, and all measures to minimize harm to wetlands have been taken including avoidance and minimization of impacts through changes in project design.

Relocations and Impacts on Community Cohesion. Both of the Salt Lake County roadway alternatives would require the relocation of homes and businesses and would cause impacts to community cohesion. The 5800 West Freeway Alternative would have 94 fewer home relocations and 11 fewer business relocations than the 7200 West Freeway Alternative, for a total of 105 fewer relocations. The main reason for the difference in impacts between these two alternatives is that the 5800 West Freeway Alternative runs adjacent to a utility corridor, which optimizes this area and minimizes the overall footprint of these two facilities (the freeway and the utility corridor). The 7200 West Freeway Alternative would also isolate about 45 residential homes between 7200 West, 4100 South, and about 3700 South. This alterative would create an "island" of residential houses in West Valley City that would be isolated from other subdivisions and areas in West Valley City. Overall, because of both the lower number of relocations and the fact that it follows an existing utility corridor, the 5800 West Freeway Alternative would cause less disruption to community cohesion than would the 7200 West Freeway Alternative.

Farmland. The 7200 West Freeway Alternative would affect more prime and unique farmland than would the 5800 West Freeway Alternative. The Selected

Alternative would affect 23 acres of prime and unique farmland, while the 7200 West Freeway Alternative would affect 30 acres of prime and unique farmland.

Floodplains. The 7200 West Freeway Alternative would affect more floodplains than would the 5800 West Freeway Alternative. The Selected Alternative would affect 23 acres of floodplains, while the 7200 West Freeway Alternative would affect 27 acres of floodplains. In accordance with Executive Order 11988, there are no practicable alternatives that would avoid floodplains; however, the 5800 West Freeway Alternative would have the least impact to floodplains.

Noise. The 7200 West Freeway Alternative would have greater noise impacts as discussed Chapter 13, Noise, in the Final EIS. A noise impact is defined by the federal noise-abatement criteria (NAC) and other state guidelines. The 5800 West Freeway Alternative would have 379 residential noise impacts, while the 7200 West Freeway Alternative would have 763 residential noise impacts.

Section 4(f). Both of the Salt Lake County roadway alternatives would require the use of Section 4(f) resources. Overall, the 7200 West Freeway Alternative would use fewer Section 4(f) resources than would the 5800 West Freeway Alternative. However, on balance, FHWA determined that the 5800 West Freeway Alternative is consistent with Section 4(f) regulations after taking into account the overall harm associated with each alternative (including the disparity in wetland impacts, which strongly favors the 5800 West Freeway Alternative). See Section 5.0, Section 4(f) Determination, of this ROD. The U.S. Department of the Interior, in its comments on the Draft EIS, concurred with this determination. The Department stated:

> Following our review of the Section 4(f) evaluation, we concur that there is no feasible or prudent alternative to the Preferred Alternative selected in the document and that all measures have been taken to minimize harm to these resources. We acknowledge that you have consulted with the Utah State Historic Preservation Office and other agencies regarding the use of Section 4(f) properties.

Air Quality. Both of the roadway alternatives in Salt Lake County would comply with federal and state air quality standards for CO and PM_{10}. The air conformity analysis for these alternatives was conducted for the non-tolled option only. The MSAT emissions from these alternatives would be similar. For both alternatives, MSAT emissions in the study area would decline relative to current conditions (due to improved vehicle emission technologies over time) but would be somewhat higher with the project than without the project. See Chapter 12, Air Quality, in the Final EIS. During the public comment period on the Draft EIS, several public comments were received opposing the 5800 West Freeway Alternative specifically because of air quality impacts related to MSATs on

schools along that corridor. FHWA and UDOT have carefully considered those concerns while also taking into account the uncertainties associated with any assessment of localized air impacts and the fact that, overall, emissions of MSATs are declining over time due to improved vehicle emission technologies. On balance, the difference in air quality impacts does not outweigh the other benefits of the 5800 West Freeway Alternative, including the fact that it will have much lower impacts on playa wetlands. In addition, the project has been modified to include mitigation measures to address MSAT impacts. See Section 12.4.5, Mitigation Measures, of the Final EIS.

Utilities. Both the 5800 West Freeway Alternative and 7200 West Freeway Alternatives would affect existing utilities. The 5800 West Freeway Alternative would affect a greater number of existing utilities because it is located in a utility corridor. During the Draft EIS comment period, comments from the major utilities in the corridor expressed concern about the impacts of the 5800 West Freeway Alternative. Since the release of the Draft EIS, UDOT has met with each company, and many of their concerns have been addressed. UDOT will continue to coordinate with the utility companies regarding the relocation of their infrastructure and obtain necessary approvals from the Federal Energy Regulatory Commission on the relocation of interstate gas pipelines. The costs of utility relocations have been included in the construction cost of each alternative and have been fully considered in comparing the alternatives.

Local Jurisdiction Preference. West Valley City, the Magna Community Council, and the Magna Town Council have passed resolutions supporting the 5800 West Freeway Alternative. These represent all of the local jurisdictions where the 5800 West Freeway Alternative and 7200 West Freeway Alternatives follow separate corridors. No local governments recommended adoption of the 7200 West Freeway Alternative over the 5800 West Freeway Alternative.

Resource Agency Comments. The resource agencies favored the 5800 West Freeway over the 7200 West Freeway Alternative from an environmental standpoint. The resource agencies favored the 5800 West Freeway Alternative primarily because it would have fewer impacts to wetlands and wildlife resources. EPA, in its comment letter on the Draft EIS, stated their belief that the 5800 West Freeway Alternative is the LEDPA because it would have the least impacts to waters of the U.S., would affect the least amount of wildlife habitat and prime farmland, and would have the fewest noise impacts and relocations. In the letter, EPA stated:

> Although EPA has rated each of the alternatives as EC-1, we have also commented on the Least Environmentally Damaging Practicable Alternative (LEDPA). We believe the LEDPA is 5800 West in Salt Lake County for the northern half of the project and 2100 North in Utah County for the southern half

> of the project (the UDOT preferred alternative). This combination of alternatives provides the least impacts to waters of the U.S. while meeting the primary objectives of the project. In addition, this alternative has been determined to have the least impacts to wildlife habitat (fragmentation), Agriculture Protection Areas, prime farmland affected, least amount of noise impacts to residential areas, and least amount of residential and business relocations.

In the letter from the U.S. Department of the Interior dated January 29, 2008, commenting on the Draft EIS, USFWS indicated its support for the 5800 West Freeway Alternative, stating:

> The Fish and Wildlife Service (FWS) has been a cooperating agency on this project and appreciates the extensive coordination with the Utah Department of Transportation (UDOT) and the Federal Highway Administration (FHWA). The Department acknowledges the effort that the UDOT and FHWA have made to maintain the flow of information and dialog throughout the planning process and support UDOT's selection of the 5800 West alternative in Salt Lake County and the 2100 North alternative in Utah County. As indicated by the wetland functional assessment and the wildlife habitat assessments, these alternatives will have the least impact on fish and wildlife resources. We support the incorporation of transit into this project and encourage further development of transit options on the Wasatch Front.

Public Comments. The public expressed a wide range of views regarding these alternatives. In general, those who would be affected by the 7200 West alignment favored the 5800 West alignment, and those who would be affected by the 5800 West alignment favored the 7200 West alignment. In addition, a number of groups and individuals expressed strong concern about the impacts of the 5800 West alignment on schools in that corridor, in terms of that route's direct impacts on some school playing fields, its potential to limit pedestrian access to schools, and its potential air quality impacts. These groups and individuals tended to favor the 7200 West alignment in their comments on the Draft EIS and also tended to favor alternatives that did not include a new freeway or that postponed the construction of a freeway. Utilities that would be affected by the 5800 West alignment (which would require relocation of power lines and natural gas pipelines) also expressed a preference for the 7200 West alignment. FHWA and UDOT have taken steps, following the publication of the Draft EIS, to address many of the concerns raised about the 5800 West alignment (see Chapter S, Summary, in the Final EIS).

Conclusion. On balance, after taking into account all of these factors, FHWA selected the 5800 West Freeway Alternative in Salt Lake County. This alternative better meets the purpose of the project; is favored by resource agencies, local governments, and many public commenters; and would have much lower impacts on rare and irreplaceable wetlands. FHWA acknowledges that the 5800 West

Freeway Alternative will have a greater impact on Section 4(f) resources, will have greater impacts on utilities and schools, and is opposed by some public commenters. FHWA has carefully considered these concerns. However, FHWA also notes that UDOT has taken steps to address those concerns, and appropriate mitigation commitments are included with the project. Based on the full record developed through the NEPA process, the 5800 West Freeway Alternative is the Selected Roadway Alternative and Environmentally Preferred Alternative in Salt Lake County.

4.2 2100 North Freeway Alternative

The **2100 North Freeway Alternative** was identified by FHWA and UDOT in the Final EIS as the Preferred Roadway Alternative in Utah County. FHWA and UDOT considered input from the affected cities and the public and consultation with resource agencies. Provided below are the key reasons why the 2100 North Freeway Alternative (with the phased approach as described in Chapter 36, Project Implementation [Phasing], in the Final EIS) is the Selected Roadway Alternative for Utah County. FHWA has determined that this phased implementation of the Selected Alternative meets the project's purpose and need and is consistent with the regulatory provision 23 CFR 771.111(f). Of the Utah County alternatives, this alternative is the environmentally preferred alternative because it has less impacts to wetlands, farmlands, wildlife, and floodplains; has the fewest property relocations; and is preferred by the resource agencies.

Wetland Impacts. The 2100 North Freeway Alternative would have at least 43 fewer acres of primary wetland impacts than the Arterials Alternative and almost 80 fewer acres of primary wetland impacts than the Southern Freeway Alternative. The 2100 North Freeway Alternative also would have over 173 fewer acres of secondary wetland impacts than both the Arterials Alternative and the Southern Freeway Alternative. USACE, EPA, and USFWS stated a particular concern for Peteetneet wetlands. The 2100 North Freeway Alternative would not affect any Peteetneet wetlands, while the Arterials Alternative and Southern Freeway Alternative would affect 5 acres and 12 acres, respectively. Based on this information, it is likely that the 2100 North Freeway Alternative would be selected as the LEDPA in Utah County. EPA and USFWS supported the selection of this alternative in Utah County because of the lower wetland impacts.

Wildlife Habitat Fragmentation and Threatened and Endangered Species. USFWS, in the U.S. Department of the Interior letter referenced on page 73, stated that the 2100 North Freeway Alternative would result in the least amount of habitat fragmentation and overall impact to fish and wildlife resources. In

addition, the 2100 North Freeway Alternative is the only alternative in Utah County that would not affect the threatened Ute ladies'-tresses. EPA also supported the 2100 North Freeway Alternative because of the lower amount of habitat fragmentation.

Relocations. The 2100 North Freeway Alternative would have a total of 17 relocations. This is 58 fewer relocations than the Arterials Alternative and 137 fewer than the Southern Freeway Alternative.

Farmland. The 2100 North Freeway Alternative would affect 111 acres of prime farmland. This is 28 fewer acres of prime farmland than the Arterials Alternative and 69 fewer acres than the Southern Freeway Alternative. The 2100 North Freeway Alternative would not affect any Agriculture Protection Areas, while the Arterials Alternative would affect four and the Southern Freeway would affect six.

Floodplains. The 2100 North Freeway Alternative would affect 10 acres of floodplains. This is 82 fewer acres of floodplain impacts than the Arterials Alternative and 85 fewer acres than the Southern Freeway Alternative.

Noise. Under the 2100 North Freeway Alternative, 134 residences would experience noise levels above the NAC. This is one fewer residence above the NAC than the Southern Freeway Alternative and 84 fewer than the Arterials Alternative.

Air Quality. All three of the roadway alternatives in Utah County would comply with federal and state air quality standards for CO and PM_{10}. The air conformity analysis for these alternatives was conducted for the non-tolled option only. The MSAT emissions from these alternatives would be similar. No substantial public concerns were raised about local air quality impacts from the Utah County alternatives.

Construction Costs. The 2100 North Freeway Alternative is estimated to cost $34 million less than the Arterials Alternative and $176 million less than the Southern Freeway Alternative (in 2007 dollars).

Agency Comments. EPA believes that the 2100 North Freeway Alternative is the LEDPA, and USFWS stated their support for this alternative because it would have the least impact to fish and wildlife resources.

Local Jurisdiction Preference. The cities of Saratoga Springs and Eagle Mountain both passed resolutions supporting the 2100 North Freeway Alternative. The Mayor and City Council of Lehi expressed strong opposition to the 2100 North Freeway Alternative during the preparation of the Draft EIS and in their comments on the Draft EIS, as did many residents of Lehi. However, UDOT worked with Lehi City during and after the Draft EIS comment period to

address the City's concerns. In April 2008, the City passed a resolution endorsing, in concept, the construction of the 2100 North Freeway Alternative as a phased transportation corridor to I-15 that can function for both local and expressway purposes.

Conclusion. On balance, after taking into account all of these factors, FHWA selected the 2100 North Freeway Alternative in Utah County. This alternative would have, by far, the lowest wetland impacts of the Utah County alternatives. It also would cause the least habitat fragmentation, lowest impacts to farmlands, fewest relocations, lowest noise impacts, and lowest impacts to floodplains. This alternative also has the lowest construction cost of any of the Utah County alternatives. The resource agency comments all favor selection of this alternative. Lehi City expressed strong during this study, but its concerns have been addressed by the adoption of a phased approach to project implementation, and the city council passed a resolution endorsing this phased approach. Based on the full record developed through the NEPA process, the 2100 North Freeway Alternative (with the phased approach described in this ROD; see Section 2.3, Project Implementation) is the Selected Roadway Alternative and Environmentally Preferred Alternative in Utah County.

5.0 Section 4(f) Determination

Section 4(f) (49 U.S.C. 303) of the Department of Transportation Act of 1966 applies to publicly owned parks, recreation areas, and wildlife and waterfowl refuges and publicly or privately owned significant historic properties. The requirements of Section 4(f) apply only to agencies within USDOT (for example, FHWA, FTA, and the Federal Aviation Administration).

Section 4(f) prohibits USDOT agencies from approving the use of any Section 4(f) land for a transportation project, except as follows:

- The USDOT agency can approve the use of Section 4(f) land by making a determination that (1) there is no prudent and feasible alternative that would avoid the use of the Section 4(f) resource, *and* (2) the project includes all possible planning to minimize harm to that property.
- The USDOT agency can approve the use of Section 4(f) property by making a finding of *de minimis* impact for that property.

After carefully considering the mandates of Section 4(f), the Section 4(f) regulations (23 CFR Part 774), and other applicable laws, FHWA has concluded that the Selected Roadway Alternatives (5800 West Freeway Alternative and 2100 North Freeway Alternative) satisfy the stringent requirements of this statute. The basis for this determination is summarized below and is described in greater detail in Chapter 28, Section 4(f) Evaluation, of the Final EIS.

5.1 *De Minimis* Findings

For a *de minimis* impact determination, FHWA must determine that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures) committed to by the applicant, will have a *de minimis* impact on the property. For historic sites, *de minimis* impact means that FHWA has determined, in accordance with 36 CFR 800, that no historic property would be affected by the project or that the project will have "no adverse effect" on the historic property in question. For recreational resources, a *de minimis impact* was made when an alternative involved a direct physical impact on a Section 4(f) resource but there are no adverse effect on the significant qualities of the resource. If a finding of *de minimis* impact is made for a Section 4(f) resource, the requirements of Section 4(f) are satisfied, and an analysis of whether there are any "prudent and feasible avoidance alternatives" is not required for *de minimis* impacts.

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5.1.1 Salt Lake County

As shown in Table 5-1 below, the Selected Roadway Alternative in Salt Lake County (5800 West Freeway Alternative) will result in a *de minimis* impact to nine historic resources and three recreation facilities, and the 7200 West Freeway Alternative would result in a *de minimis* impact to eight historic resources and two recreational facilities. The Utah State Historic Preservation Office (SHPO) concurs with the "no adverse effect" on the historic properties, and the owner of the recreational facilities concurs that there are no adverse effects on the significant qualities of its resources (see Appendix 28F of the Final EIS).

5.1.2 Utah County

As shown in Table 5-2 below, the Selected Roadway Alternative in Utah County (2100 North Freeway Alternative) will result in a *de minimis* impact to 11 historic resources and one recreation facility, the Southern Freeway Alternative would result in a *de minimis* impact to seven historic resources and one recreational facility, and the Arterials Alternative would result in a *de minimis* impact to 17 historic resources and one recreational facility. The Utah SHPO concurs with the "no adverse effect" on the historic properties, and the owner of the recreational facility (Jordan River Parkway Trail) concurs that there are no adverse effects on the significant qualities of its resource (see Appendix 28F of the Final EIS).

5.2 Section 4(f) Use (Non–*De minimis*)

Table 5-3 below lists the Section 4(f) uses for the Salt Lake County alternatives that are not *de minimis*. In Salt Lake County, FHWA determined that the 5800 West Freeway Alternative results in the non–*de minimis* use of 12 historic resources and two recreational facilities, and the 7200 West Freeway Alternative results in the non–*de minimis* use six historic resources and no recreational facilities. FHWA has determined that there is no feasible and prudent alternative that completely avoids the use of all the land from these properties and sites and that the Selected Alternative includes all possible planning to minimize harm to these Section 4(f) properties. These findings are explained in Chapter 28, Section 4(f) Evaluation, of the Final EIS and are summarized below.

In Utah County, findings of *de minimis* impacts have been made for each of the directly affected Section 4(f) properties. Therefore, it was not necessary to analyze potential prudent and feasible avoidance alternatives in Utah County.

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Table 5-1. *De Minimis* Impacts – Salt Lake County Alternatives

Resource Identification (Name, Address, and/or Site Number)	Section 106 Type of Effect	Section 4(f) Type of Use	Alternative
Historic Resources			
West Branch Brighton Canal Extension (42SL304)	No adverse effect	*De minimis impact*	5800 West Freeway Alternative
Salt Lake Garfield and Western Railroad (42SL306)	No adverse effect	*De minimis impact*	All Salt Lake County Alternatives
Western Pacific Railroad (42SL337)	No adverse effect	*De minimis impact*	All Salt Lake County Alternatives
Union Pacific Railroad (UPRR) (42SL300)	No adverse effect	*De minimis impact*	All Salt Lake County Alternatives
Riter Canal (42SL274)	No adverse effect	*De minimis impact*	All Salt Lake County Alternatives
Utah and Salt Lake Canal (42SL295)	No adverse effect	*De minimis impact*	All Salt Lake County Alternatives
D&RGW Railroad – Garfield Branch (42SL333)	No adverse effect	*De minimis impact*	5800 West Freeway Alternative
Bingham and Garfield Railroad (42SL384)	No adverse effect	*De minimis impact*	All Salt Lake County Alternatives
D&RGW Railroad – Bingham Branch (42SL335)	No adverse effect	*De minimis impact*	All Salt Lake County Alternatives
3109 S. 7200 W.	No adverse effect	*De minimis impact*	7200 West Freeway Alternative
Recreation Resources			
Lee Kay Center for Hunter Education	N/A	*De minimis impact*	All Salt Lake County Alternatives – the 5800 West Freeway Alternative uses 90.2 acres and the 7200 West Freeway uses 1.8 acres of this 1,253-acre facility.
Hunter Park	N/A	*De minimis impact*	5800 West Freeway Alternative
West Ridge Golf Course	N/A	*De minimis impact*	All Salt Lake County Alternatives – the 5800 West Freeway Alternative uses 19.5 acres and the 7200 West Freeway uses 5 acres.

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Table 5-2. *De Minimis* Impacts – Utah County Alternatives

Resource Identification (Name, Address, and/or Site Number)	Section 106 Type of Effect	Section 4(f) Type of Use	Alternative
Historic Resources			
Provo Reservoir Canal/Murdock Ditch (42UT947)	No adverse effect	*De minimis impact*	All Utah County Alternatives
Salt Lake and Western Railroad (42UT948)	No adverse effect	*De minimis impact*	All Utah County Alternatives
Utah Lake Distributing Canal (42UT946)	No adverse effect	*De minimis impact*	All Utah County Alternatives
Gardner Canal (42UT944)	No adverse effect	*De minimis impact*	All Utah County Alternatives
Denver and Rio Grande Railroad (42UT1125)	No adverse effect	*De minimis impact*	All Utah County Alternatives
Union Pacific Railroad Provo Line (42UT1029)	No adverse effect	*De minimis impact*	All Utah County Alternatives
7364 N. 9550 W., Lehi	No adverse effect	*De minimis impact*	Southern Freeway Alternative
1025 W. State Street, Lehi	No adverse effect	*De minimis impact*	2100 North Freeway and Arterials Alternatives
1020 W. State Street, Lehi	No adverse effect	*De minimis impact*	2100 North Freeway and Arterials Alternatives
1060 W. State Street, Lehi	No adverse effect	*De minimis impact*	2100 North Freeway and Arterials Alternatives
959 W. 2100 N., Lehi	No adverse effect	*De minimis impact*	2100 North Freeway and Arterials Alternatives
951 W. 2100 N., Lehi	No adverse effect	*De minimis impact*	2100 North Freeway Alternative
Salt Lake and Utah Railroad (42SL510)	No adverse effect	*De minimis impact*	Arterials Alternative
South Jordan Canal (42SL291)	No adverse effect	*De minimis impact*	Arterials Alternative
Jordan and Salt Lake City Canal (42SL214)	No adverse effect	*De minimis impact*	Arterials Alternative
East Jordan Canal (42SL290)	No adverse effect	*De minimis impact*	Arterials Alternative
Draper Irrigation Canal (42SL350)	No adverse effect	*De minimis impact*	Arterials Alternative
15400 S. Pony Express Road, Bluffdale	No adverse effect	*De minimis impact*	Arterials Alternative
7364 N. 9550 W., Lehi	No adverse effect	*De minimis impact*	Arterials Alternative
Recreation Resources			
Jordan River Parkway Trail	N/A	*De minimis impact*	All Utah County Alternatives

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Table 5-3. Section 4(f) Uses – Salt Lake County Alternatives

Resource Identification (Name, Address, and/or Site Number)	Section 106 Type of Effect	Section 4(f) Type of Use	Alternative
Historic Resources			
5769 W. 3500 S.	Adverse effect	*Use; not* de minimis	5800 West Freeway Alternative
5765 W. 3500 S.	Adverse effect	Use; not *de minimis*	5800 West Freeway Alternative
5755 W. 3500 S.	Adverse effect	Use; not *de minimis*	5800 West Freeway Alternative
5742 W. 3500 S.	Adverse effect	Use; not *de minimis*	5800 West Freeway Alternative
5741 W. 3500 S.	Adverse effect	Use; not *de minimis*	5800 West Freeway Alternative
5724 W. 3500 S.	Adverse effect	Use; not *de minimis*	5800 West Freeway Alternative
5712 W. 3500 S.	Adverse effect	Use; not *de minimis*	5800 West Freeway Alternative
3525 S. 5750 W.	Adverse effect	Use; not *de minimis*	5800 West Freeway Alternative
3530 S. 5750 W.	Adverse effect	Use; not *de minimis*	5800 West Freeway Alternative
3547 S. 5750 W.	Adverse effect	Use; not *de minimis*	5800 West Freeway Alternative
3556 S. 5750 W.	Adverse effect	Use; not *de minimis*	5800 West Freeway Alternative
3590 S. 5750 W.	Adverse effect	Use; not *de minimis*	5800 West Freeway Alternative
3080 S. 7200 W.	Adverse effect	Use; not *de minimis*	7200 West Freeway Alternative
3372 S. 7200 W.	Adverse effect	Use; not *de minimis*	7200 West Freeway Alternative
3551 S. 7200 W.	Adverse effect	Use; not *de minimis*	7200 West Freeway Alternative
3641 S. 7200 W.	Adverse effect	Use; not *de minimis*	7200 West Freeway Alternative
3717 S. 7200 W.	Adverse effect	Use; not *de minimis*	7200 West Freeway Alternative
D&RGW Railroad – Garfield Branch (42SL333)	Adverse effect	Use; not *de minimis*	7200 West Freeway Alternative
Recreational Resources			
Hunter High School athletic fields	N/A	Use; not de minimis	5800 West Freeway Alternative
Hillside Elementary School athletic fields	N/A	Use; not de minimis	5800 West Freeway Alternative

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5.2.1 Consideration of Avoidance Alternatives

This section discusses the required evaluation to determine whether there is a feasible and prudent alternative that completely avoids the use of all Section 4(f) resources. This analysis was included in Section 28.5, Avoidance and Least-Harm Analysis, of the Final EIS. As explained in Section 28.5, potential avoidance alternatives were evaluated to determine their prudence and feasibility by considering the factors listed in 23 CFR 774.17 (see pages 28-60 to 28-62 of the Final EIS).

Avoidance alternatives were considered only for the two Salt Lake County freeway alternatives. No avoidance alternatives are required for the Utah County alternatives since all the uses for these alternatives are considered *de minimis* according to the definition of "*de minimis* impact" in 23 CFR 774.17.

No-Action and Location/Mode Avoidance Alternatives

No-Action Alternative. The No-Action Alternative was considered as an alternative for avoiding the use of Section 4(f) resources. The No-Action Alternative does not meet the project's purpose as documented in Chapter 2, Alternatives, of the Final EIS. For this reason, the No-Action Alternative was not prudent and was not considered a viable avoidance alternative.

Construct a North-South Freeway along SR 111. SR 111, in western Salt Lake County, was evaluated as a potential avoidance alternative. This north-south route begins at SR 201 on the north and terminates at about 12600 South in Riverton. An alternative was evaluated to extend SR 111 from I-80 to about 5400 South.

A freeway on SR 111 was eliminated from consideration for the following reasons:

- The travel model sensitivity analysis that was conducted during the screening process showed that a major facility on SR 111 would have limited use compared to a facility that was more geographically centered in the MVC study area and therefore would not improve mobility within the study area.
- The preliminary traffic analysis also showed that SR 111 is too far west to meet north-south travel demand. Therefore, this alternative would not meet the project purpose of improving mobility within the study area.
- The spacing analysis completed in the *Western Transportation Corridor Study* using the guidelines in the *Highway Capacity Manual* also supported eliminating this alternative.

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- SR 111 extends through portions of historic downtown Magna with 170 historic buildings that are considered Section 4(f) resources, which could be affected.
- This alternative would not provide a direct connection into Utah County. This connection between Salt Lake and Utah Counties is needed to provide necessary capacity.

A freeway along SR 111 is not an avoidance alternative because it would require the use of Section 4(f) resources in historic downtown Magna. Therefore, this alternative was evaluated using the factors in Section 774.3(c)(1) for its potential to minimize overall harm. Based on these factors, FHWA has concluded that this alternative would not minimize overall harm. Therefore, it was not considered further.

Convert Bangerter Highway to a Freeway. This alternative would convert the existing Bangerter Highway (which has at-grade intersections) to a freeway with grade-separated interchanges. Converting Bangerter Highway to a freeway is not an avoidance alternative because would require the use of Section 4(f) resources (Jordan River Parkway, other linear resources such as canals and railroad tracks, and historic houses near Redwood Road). Therefore, this alternative was evaluated using the factors in Section 774.3(c)(1) for its potential to minimize overall harm. Based on these factors, FHWA has concluded that this alternative would not minimize overall harm. Therefore, it was not considered further.

Widen Existing North-South Arterials (No Freeway). This avoidance alternative includes improving and widening north-south arterials including 4800 West, 5600 West, 6400 West, 7200 West, and 8400 West. Widening north-south arterials with no Mountain View Corridor is not an avoidance alternative because it would require the use of Section 4(f) properties adjacent to existing arterials. Therefore, this alternative was evaluated using the factors in Section 774.3(c)(1) for its potential to minimize overall harm. Based on these factors, FHWA has concluded that this alternative would not minimize overall harm. Therefore, this alternative was not considered further.

Convert Redwood Road to a Freeway. Redwood Road (SR 68) is located at about 1700 West in Salt Lake County. It is the only other connection between Salt Lake and Utah Counties other than I-15 and its associated frontage roads. Redwood Road crosses into northern Utah County near Camp Williams. Converting Redwood Road to a freeway is not an avoidance alternative because it would impact historic properties adjacent to Redwood Road. Therefore, this alternative was evaluated using the factors in Section 774.3(c)(1) for its potential to minimize overall harm. Based on these factors, FHWA has concluded that this

alternative would not minimize overall harm. Therefore, this alternative was not considered further.

Implement Transit Only. Several transit alternatives were considered, including a transit-only alternative. This avoidance alternative would provide additional transit opportunities within the MVC study area. This alternative was eliminated because a transit only alternative does not does not provide sufficient capacity to meet the requirements of the project purpose, specifically the need to reduce roadway congestion and does not fulfill the transportation goals defined in the Envision Utah Growth Choices process. Although a transit-only alternative has been eliminated, a transit alternative was considered along 5600 West from the Salt Lake City International Airport to about 13000 South in Herriman as part of the freeway alternatives in Salt Lake County.

Other Potential Avoidance Alternatives within the MVC Study Area. In addition to the alternatives described above, FHWA and UDOT also considered the potential to develop other alternatives within the MVC project study area that would completely avoid all Section 4(f) resources. Due to the linear nature of many of the historic resources (canals and railroad tracks), any new north-south freeway running the length of the study area in Salt Lake County would likely use some Section 4(f) resources. For example, there are three historic canals (West Branch of the Brighton, Riter, and Utah and Salt Lake) and seven historic railroad tracks and grades that are Section 4(f) resources. Each of these historic linear resources generally run east-west through the project study area. Also, these historic canals and railroad tracks extend beyond the limits of the Mountain View Corridor project study area. Any avoidance alternative within the project study area would have a Section 4(f) use. In addition to these linear Section 4(f) resources, there are a number of historic properties, districts, and historic subdivisions scattered throughout the project study area. For example, many homes constructed during the World War II (WWII) and the post-WWII era are now over 50 years old (or approaching 50 years of age) and therefore are considered historic. The widespread presence of these structures also precludes the development of a new north-south freeway that completely avoids all Section 4(f) resources.

Finally, it is conceivable that alternatives could be developed that would include extensive tunneling, as a method for avoiding impacts to historic properties. While tunneling may be warranted on a limited scale for historic properties that are considered highly valuable, the extreme costs (see footnote 3 on page 28-66 of the Final EIS) of tunneling are not justifiable here, where the historic properties impacted are largely common examples of widespread property types. Therefore, design modifications involving tunneling or other similar techniques were not developed.

Potential Avoidance Alternatives Outside the MVC Study Area. Alignments and alternatives outside of the MVC project study area would not meet the project's purpose and need and therefore were not evaluated. Specifically, alternatives outside of the Mountain View Corridor project study area would not improve mobility by reducing roadway congestion within the study area.

Potential Alignment Shifts

Alignment shifts were designed and evaluated for the Salt Lake County Alternatives in each location where this alternative would result in a direct, non–*de minimis* use of a Section 4(f) property.

5800 West Freeway Alternative – Alignment Shifts

Potential avoidance alternatives (alignment shifts) were designed and evaluated for the 5800 West Freeway Alternative in each location where this alternative would result in a non–*de minimis* use of a Section 4(f) property. Alternatives were considered for the 5800 West Freeway Alternative at the following locations:

- Location 1 – Historic houses near Hunter Park (3500 South and about 6000 West)
- Location 2 – Hunter High School and Hillside Elementary School athletic fields

Location 1 – Historic Houses near Hunter Park. Alignment shifts were designed as avoidance alternatives for the historic houses near Hunter Park, which is located on 3500 South at about 6000 West. At Location 1, the Section 4(f) resources include Hunter Park (*de minimis* use) and 14 historic houses; 12 of which would be adversely affected by the 5800 West Freeway Alternative. Overall, four alternatives (Alternatives A through D) were considered: three that shifted the 5800 West freeway alignment to the west and one that shifted the alignment to the east.

- **Alternative A** – Alternative A is an alignment shift to the west that would avoid Hunter Park and the 12 historic houses near the park. This alternative is possible only if the alignment is shifted more than 1,800 feet west of its proposed location. This alternative would avoid Section 4(f) resources altogether; therefore, it was evaluated to determine whether it is a "prudent and feasible avoidance alternative" as defined in 23 CFR 774.117. Alternative A was determined not to be prudent as defined in 23 CFR 774.17 (feasible and prudent avoidance alternatives). Specifically, this alternative is not prudent based on factors listed in

paragraph (3)(iii)(B), Severe Disruption to Established Community. Alternative A would result in the situation in which there is an undesirable strip of land between the 5800 West freeway alignment and the utility corridor. This alignment would create an "island" of homes and businesses between the new freeway and the utility corridor.

- **Alternative B** – Alternative B is not a Section 4(f) avoidance alternative because it would cause Section 4(f) impacts. Therefore, it was considered for its potential to minimize overall harm pursuant to 23 CFR 774.3(c) compared to the 5800 West Freeway Alternative. Alternative B is a western alignment shift that avoids the 12 historic houses that would have a Section 4(f) use by the 5800 West Freeway Alternative. However, this avoidance alternative would adversely affect Hunter Park to a point that it would no longer function as a park. Because of its greater Section 4(f) impacts and greater community impacts, Alternative B does not have the potential to minimize overall harm. Therefore, Alternative B was not considered further.

- **Alternative C** – Alternative C is not a Section 4(f) avoidance alternative. Like the 5800 West Freeway Alternative, it also would cause Section 4(f) impacts. Therefore, it was considered for its potential to minimize overall harm pursuant to 23 CFR 774.3(c). Alternative C is a western alignment shift to minimize the impacts to both of the historic properties used by the 5800 West Freeway Alternative and the impacts to Hunter Park. Because of its greater Section 4(f) impacts, mainly to Hunter Park and greater community impacts, Alternative C does not have the potential to minimize overall harm. Therefore, Alternative C was not considered further.

- **Alternative D** – Alternative D is not a Section 4(f) avoidance alternative. Like the 5800 West Freeway Alternative, it also would cause Section 4(f) impacts. Therefore, it was considered for its potential to minimize overall harm pursuant to 23 CFR 774.3(c). Alternative D is an eastern alignment shift from the 5800 West Freeway Alternative. This alternative would shift the 5800 West Freeway about 600 feet east toward 5600 West to avoid the adversely affected historic houses and Hunter Park. Alternative D would affect about 23 historic houses. Therefore, the overall Section 4(f) impacts of this alignment shift are greater than the Section 4(f) impacts from the proposed 5800 West Freeway Alternative. In addition, the alternative would result in engineering and traffic constraints, increased environmental impacts, and increased community disruption,

and therefore will cause greater overall harm. Therefore, it was not considered further.

Replacement Property for Hunter Park. Four alternatives were considered for the historic houses east of Hunter Park that would be adversely affected by the 5800 West Freeway Alternative. Due to the importance of this park according to West Valley City and Salt Lake County Parks and Recreation, replacement property was considered as part of the avoidance analysis. Considering replacement of the park was consistent with the requirement to consider "reasonable mitigation" when evaluating impacts under paragraph (3)(iii) in the definition of "feasible and prudent avoidance alternative" in 23 CFR 774.17.

Replacement property for Hunter Park was evaluated to determine whether this park could be relocated if it were substantially or entirely used by the 5800 West Freeway Alternative. Theoretically, the Hunter Park area could be used for the alignment of the 5800 West Freeway Alternative while avoiding uses to the historic resources to the east. Hunter Park is 29 acres, including the area within the power corridor that is owned by Rocky Mountain Power. The attempt to locate another area of similar size in the community was not successful, and relocation of the park was not acceptable to Salt Lake County Parks and Recreation.

Location 2 – Hunter High School and Hillside Elementary School Athletic Fields. This section discusses alignment shifts designed and evaluated as avoidance alternatives for the Hunter High School and Hillside Elementary School athletic fields at Location 2. The 5800 West Freeway Alternative would use about 0.4 acre of the Hunter High School athletic fields and would use about 1.4 acres of the Hillside Elementary School athletic fields. Since these Section 4(f) resources are in close proximity to each other, avoidance alternatives were discussed together. Two avoidance alternatives were considered: Avoidance Alternative A is a western alignment shift and Avoidance Alternative B is an eastern alignment shift.

- **Alternative A** – Alternative A would avoid Section 4(f) resources altogether. Therefore, it was evaluated to determine whether it is a "prudent and feasible avoidance alternative" as defined in 23 CFR 774.117. Alternative A is an alignment shift that completely avoids using the Hunter High School and Hillside Elementary School athletic fields. Under Alternative A, avoiding impacts to the athletic fields would require more than 333 relocations (329 residential, three commercial/ business, and one church), an increase of 202 over the 5800 West Freeway Alternative. Because Alternative A would cause increased environmental impacts (202 more home relocations) and increased

community disruption, a western alignment shift of the 5800 West Freeway Alternative was not considered feasible and prudent at this location. Specifically, this alternative was eliminated because it is not prudent based on factors listed in paragraphs (3)(iii)(B) and (D) in the definition of "feasible and prudent avoidance alternative."

- **Alternative B** – Alternative B would avoid Section 4(f) resources altogether. Therefore, it was evaluated to determine whether it is a "prudent and feasible avoidance alternative" as defined in 23 CFR 774.117. The eastern alignment shift (Alternative B) would shift the freeway away from the Rocky Mountain Power utility corridor and therefore would not optimize the space available in the corridor. The footprint for the 5800 West freeway and that of the utility corridor would not be shared. As discussed, the use of the Rocky Mountain Power corridor for the 5800 West Freeway Alternative reduces impacts. Shifting the MVC in this location outside the utility corridor would cause severe community disruption (23 CFR 774.17[3][iii][D]). West Valley City officials are strongly concerned about creating another barrier in the city similar to the power corridor. Because Alternative B would cause engineering and traffic constraints, increased environmental impacts (60 more home relocations), and increased community disruption, an eastern alignment shift of the 5800 West Freeway Alternative was not considered feasible and prudent at this location. Specifically, this alternative was eliminated because it is not prudent based on factors listed in paragraphs (3)(iii)(B) and (D) in the definition of "feasible and prudent avoidance alternative."

7200 West Freeway Alternative Alignment Shifts

The 7200 West Freeway Alternative would use six historic resources: 3080 South 7200 West, 3372 South 7200 West, 3551 South 7200 West, 3641 South 7200 West, 3717 South 7200 West, and the Denver and Rio Grande Western (D&RGW) Garfield Branch Railroad (42SL333). This section evaluates new alignments and alignment shifts at three locations along the corridor where the direct use of the six Section 4(f) resources from the 7200 West Freeway Alternative would occur. The three locations are:

- **Location 1** – Between Parkway Boulevard (about 2700 South) and 3600 South for the direct-use historic houses at 3080 South and 3372 South 7200 West.
- **Location 2** – Between 3300 South and 4100 South for the direct-use historic houses at 3351 South 7200 West, 3641 South 7200 West, and

3717 South 7200 West across the street from the LDS Bishop's Storehouse at about 3600 South 7200 West.

- **Location 3** – This area is where the 7200 West Freeway Alternative turns to connect with the 5800 West Freeway Alternative near 4100 South. This alternative requires the relocation of about 4,200 linear feet of the D&RGW Garfield Branch railroad. The 7200 West Freeway Alternative at this location was designed to avoid the ATK property.

Location 1 – 3080 South 7200 West and 3372 South 7200 West. At Location 1, two avoidance alternatives (Alternative A and Alternative B) were considered:

- **Alternative A** – Alternative A is not a Section 4(f) avoidance alternative. Like the 7200 West Freeway Alternative, it also would cause Section 4(f) impacts. Alternative A would use a school athletic field located about 1,500 feet west of 7200 West. Therefore, it has been considered for its potential to minimize overall harm pursuant to 23 CFR 774.3(c). This alternative does not have the least overall harm compared to the 7200 West Freeway Alternative. An alignment shift would increase the number of residential and business relocations through this area. The proposed location of the 7200 West Freeway Alternative would require 81 relocations between 2700 South (Parkway Boulevard) and 3600 South (just south of 3500 South), while a west alignment shift would require more than 120 relocations.
- **Alternative B** – Alternative B is not a Section 4(f) avoidance alternative. Like the 7200 West Freeway Alternative, it also would cause Section 4(f) impacts. Therefore, it has been considered for its potential to minimize overall harm pursuant to 23 CFR 774.3(c). In summary, an alignment shift to the east to completely avoid affecting the historic houses at 3080 South 7200 West and 3372 South 7200 West would not have the least overall harm compared to the 7200 West Freeway Alternative in this location. An alignment on the east side of 7200 West at this location would use two other historic resources/Section 4(f) resources (3075 South 7200 West and 3109 South 7200 West) and would require 17 more relocations along a 1-mile stretch of the corridor.

Location 2 – 3551 South 7200 West, 3641 South 7200 West, and 3717 South 7200 West. This section discusses alignment shifts that were designed and evaluated as avoidance alternatives for the historic houses at Location 2. Two alignment shifts were considered.

- **Alternative A** – An eastern alignment shift behind the historic houses was considered. Alternative A is not considered prudent according to the

definition of "feasible and prudent avoidance alternative" in 23 CFR 774.17. Specifically, this alternative is not prudent based on factors listed in paragraph (3)(iii)(B) for the reasons discussed below. An alignment behind or to the east of the historic homes at Location 2 would have wide-ranging environmental impacts including 37 more home relocations and would increase community disruption by leaving a narrow "island" of homes between the 7200 West freeway alignment and the 7200 West arterial. These homes would be located in West Valley City but would be cut off from the city itself by the freeway.

- **Alternative B** – Alternative B is not considered prudent according to the definition of "feasible and prudent avoidance alternative" in 23 CFR 774.17. Specifically, this alternative is not prudent based on factors listed in paragraphs (3)(iii)(B) and (C). In summary, Alternative B is a western alignment shift that would require the relocation of the LDS Bishop's Storehouse and would avoid the use of the three Section 4(f) resources in Location 2. However, Alternative B is not a prudent alternative for avoiding these historic structures. It would require 17 more relocations along a 1.25-mile stretch of the 7200 West Freeway Alternative. In addition, Alternative B would adversely affect the LDS Bishop's Storehouse and its associated amenities. The LDS Bishop's Storehouse supports the low-income and minority populations of the area with necessities including food, clothing, and assistance with employment. Finally, the types of historic houses used by the proposed 7200 West Freeway Alternative are found in large numbers in West Valley City and Magna. Based on all of these considerations, Alternative B is not a prudent and feasible avoidance alternative at Location 2 and therefore it was not considered further.

Location 3 – D&RGW Garfield Branch Railroad. The 7200 West Freeway Alternative would use about 4,200 feet of the historic D&RGW Garfield Branch railroad. Two alignment shifts that avoid the use of this Section 4(f) resource were designed and evaluated.

- **Alternative A –** An alternative was designed and evaluated that shifted the 7200 West Freeway Alternative to the east about 600 feet. This alternative is not considered prudent according to the definition of "no feasible and prudent avoidance alternative" in 23 CFR 774.17. Specifically, this alternative is not prudent based on the factors listed in paragraph (3)(iii)(B), principally because of increased relocations and severe social impacts and community disruption. This alternative would require about 150 additional residential relocations over the 7200 West

Freeway Alternative (between 3500 South and 4500 South, the limits of this alternative). In addition, this alternative would require the relocation of one LDS church.

- **Alternative B** – The west alignment shift would be, in essence, a return to the alignment shown in the Draft EIS for this alternative. This alternative is not considered prudent according to the definition of "feasible and prudent avoidance alternative" in 23 CFR 774.17. Specifically, this alternative is not prudent based on the factors listed in paragraph (3)(iii) and (iv). This alternative would require the relocation of buildings that contain solid rocket fuel and other very sensitive buildings on the ATK property. The cost of relocating these facilities would be at least $12 million and could be substantially higher. In addition, the relocation would be disruptive to ongoing work at the ATK facility and obtaining approval for this relocation could be time-consuming. In addition, the realignment out of the ATK property minimizes impacts to other businesses in the area including Hexcel Corporation and Frito-Lay.

Least Overall Harm Analysis of the 5800 West Freeway Alternative and 7200 West Freeway Alternative

This section discusses and compares the 5800 West Freeway Alternative and 7200 West Freeway Alternative for each of the listed conditions in 23 CFR 774.3(2)(c). This regulation states, "If the analysis in paragraph (a)(1) of this section concludes that there is no feasible or prudent avoidance alternative, then the [FHWA] may approve only the alternative that causes the least overall harm in light of the statute's preservation purpose." The least overall harm is determined by balancing the factors described in the headings below.

Ability To Mitigate Adverse Impacts to Each Section 4(f) Property (23 CFR 774.3[c][i])

Historic Resources

For adverse impacts to historic resources, mitigation will be the same for both of the Salt Lake County freeway alternatives. FHWA and UDOT have entered into a Section 106 Programmatic Agreement with the Utah SHPO. The Programmatic Agreement establishes standard treatments for mitigating adverse effects on historic properties and a process for further consultation during the implementation of the project. For example, it requires documentation of adversely affected historic architectural resources through the completion of an Intensive-Level Survey. An Intensive-Level Survey will be completed for the adversely affected

historic architectural properties. The 5800 West and 7200 West Freeway Alternatives are similar in terms of their ability to mitigate the impacts to historic properties.

Consultation with the Certified Local Government of West Valley City and the Magna Township has resulted in no desire for the conservation of the historic homes affected by either Salt Lake County alternative. For the D&RGW Garfield Branch Railroad, mitigation includes the reconstruction of the tracks and a bridge. These tracks could continue to be used.

Publicly Owned Parks and Recreation Areas

The 5800 West Freeway Alternative would use the Hunter High School and Hillside Elementary School athletic fields, which are considered Section 4(f) resources. The MVC team has met with the Granite School District, which is the owner of these athletic fields, to discuss the 5800 West Freeway Alternative and its impacts to these fields.

The use at Hunter High School athletic field would be along its western border and would affect about 0.4 acre of the soccer field. Also, the Rocky Mountain Power utility corridor will be located over the soccer field. Currently, the soccer field is oriented with its goals at the west and east ends. Mitigation for the impacts to the soccer field would include realigning it so the goals are oriented to the north and south; the soccer field would function as it does today.

The use at the Hillside Elementary School athletic field would be along its eastern border. The 5800 West Freeway Alternative would require about 1.4 acres. No mitigation has been established for these athletic fields. However, an unused stormwater detention basin is located in the northeast corner of the athletic field; the majority of this unused detention basin would be affected by the 5800 West Freeway Alternative. Mitigation could include converting the approximately 0.11 acre that would remain of the unused detention basin for additional area for the Hillside Elementary School athletic field.

Conclusion

For historic resources, the ability to mitigate the adverse effects would be the same for both the 5800 West Freeway and 7200 West Freeway Alternatives. For the parks and recreation areas, the 5800 West Freeway Alternative would include measures to mitigate the adverse effects for the Hillside Elementary School and Hunter High School athletic fields as discussed above. There are no impacts to recreation resources from the 7200 West Freeway Alternative.

Severity of Remaining Harm after Mitigation to the Protected Activities, Attributes, or Features That Qualify Each Property for Section 4(f) Protection (23 CFR 774.3[c][ii])

Historic Resources

The historic houses used (not *de minimis*) by both alternatives would be completely removed.

For the D&RGW Garfield Branch Railroad, mitigation includes the reconstruction of the tracks and a bridge for the 7200 West Freeway Alternative. These tracks could continue to be used.

Publicly Owned Parks and Recreation Areas

The 5800 West Freeway Alternative would use the Hunter High School and Hillside Elementary School athletic fields, which are considered Section 4(f) resources. The MVC team has met with the Granite School District, which is the owner of these athletic fields, to discuss the 5800 West Freeway Alternative and its impacts to these fields.

As discussed in the section above titled Ability To Mitigate Adverse Impacts to Each Section 4(f) Property, after mitigation the Hunter High School athletic field would continue to function as it normally does.

The Hillside Elementary School athletic field would still be able to function. The 5800 West Freeway Alternative would require 1.4 acres or about 28% of the athletic field. This use would include the removal of one of the two informal baseball/softball diamonds. The soccer field and the other baseball/softball diamond would remain functional. Mitigation could include adding 0.11 acre of an unused detention basin to the athletic field.

Conclusion

For the historic houses, both alternatives would completely remove these resources. For each individual property, the severity of the remaining harm would be the same for both the 5800 West Freeway and 7200 West Freeway Alternatives. However, since the 5800 West Freeway uses a greater number of Section 4(f) properties, the severity of the harm to historic properties would be greater with the 5800 West Freeway Alternative.

For the parks and recreation areas, the 5800 West Freeway Alternative would use two Section 4(f) resources, whereas the 7200 West Freeway Alternative would use none. Therefore, the severity of the harm would be somewhat greater with the 5800 West Freeway Alternative. However, the recreation resources affected by the 5800 West Freeway Alternative would remain functional.

Significance of Each Section 4(f) Property (23 CFR 774.3[c][iii])

Historic Resources

The official with jurisdiction over the historic properties is the Utah State Historic Preservation Office (SHPO). The MVC team has met with the SHPO on numerous occasions throughout this project. FHWA and UDOT have prepared a Determination of Eligibility and Finding of Effect (DOE/FOE), which documented historic resources in the MVC study area. The DOE/FOE establishes the eligibility rating for each historic resource and the type of effect that each will receive from the alternatives. The SHPO has agreed to the DOE/FOE.

In addition, consultation with the Certified Local Government of West Valley City and the Magna Township has resulted in no desire for the conservation of the historic homes affected by either alternative.

Publicly Owned Parks and Recreation Areas

The primary function of the Hunter High School and Hillside Elementary School athletic fields (Section 4(f) use for the 5800 West Freeway Alternative) is for educational purposes and the education system for these schools. The significance of these two Section 4(f) resources as a public park or recreation area (that is, a park or recreation area used by the general public) is secondary to their primary purpose.

Conclusion

Each individual historic property affected by the 5800 West Freeway and 7200 West Freeway Alternatives has similar significance. In general, while these historic properties are considered eligible for the National Register, they are examples of a common property type in this area.

The recreation resources at Hunter High School and Hillside Elementary School are significant to the schools, but their use as school athletic fields is not protected by Section 4(f). These fields are protected under Section 4(f) because of their availability to the public for use during after-school hours. The public use of these fields is a secondary use. The school system does not monitor after-hours use of the fields and does not maintain records of how often these fields are use by the general public during after-school hours.

Views of Officials with Jurisdiction over Each Section 4(f) Property (23 CFR 774.3[c][iv])

Historic Resources

The official with jurisdiction over the historic properties is the Utah SHPO. The MVC team has met with the SHPO on numerous occasions throughout this project. FHWA and UDOT have prepared a Determination of Eligibility and Finding of Effect (DOE/FOE), which documented historic resources in the MVC study area. The DOE/FOE establishes the eligibility rating for each historic resource and the type of effect that each will receive from the alternatives.

In addition, consultation with the Certified Local Government of West Valley City and the Magna Township has resulted in no desire for the conservation of the historic homes used by either alternative.

Publicly Owned Parks and Recreation Areas

The official with jurisdiction over the Hunter Park High School and Hillside Elementary School athletic fields is the Granite School District. The school district considers the fields significant for school activities; however, their use for school activities is not protected by Section 4(f). The fields are protected under Section 4(f) because of their availability for public use during after-school hours. The school district does not regulate or monitor their after-hours use by the general public and has not expressed a view about the significance of these fields for after-hours use. There is no other public body with jurisdiction over the after-hours use of the fields.

Conclusion

With regard to historic properties, the official with jurisdiction is the SHPO. The SHPO has concurred in the eligibility determinations and findings of effect. The SHPO has not raised any objection to the selection of the 5800 West Freeway Alternative. The SHPO has approved a Programmatic Agreement that establishes mitigation measures that must be implemented to resolve the adverse effects of the 5800 West Freeway Alternative on historic properties.

With regard to parks and recreation areas, the official with jurisdiction over the school athletic fields is the Granite School District. The school district seeks to preserve the fields for school use, which is not protected by Section 4(f). The school district does not regulate or monitor their use by the general public after school hours.

Overall, the views of the officials with jurisdiction over Section 4(f) properties indicate that the 5800 West Freeway Alternative is the alternative with greater

impacts on Section 4(f) properties but also that the difference in impact is not necessarily great enough to outweigh other considerations in the choice between the 5800 West Freeway and 7200 West Freeway Alternatives.

Degree to Which Alternative Meets the Purpose and Need (23 CFR 774.3[c][v])

Transportation Performance and Congestion Relief

The 5800 West Freeway Alternative better meets the transportation need as identified in Chapter 1, Purpose of and Need for Action of the Final EIS. Extensive traffic modeling was conducted as part of the EIS process. This modeling indicated that more vehicles would use the 5800 West Freeway Alternative compared to the 7200 West Freeway Alternative. Travel on the east-west arterials would decrease by 3%, while the north-south arterial travel would be the same with the 5800 West Freeway Alternative as with the 7200 West Freeway Alternative.

The traffic analysis showed that traffic volumes would be higher on the 5800 West freeway than on the 7200 West freeway. Generally, motorists would use the Mountain View Corridor to travel to downtown Salt Lake City and the surrounding areas. The 7200 West freeway is farther west than the 5800 West freeway; motorists are more likely to use a facility that is closer to their destination.

Therefore, the 7200 West Freeway Alternative would carry less traffic, result in more delay, and increase traffic along the east-west arterial roadway system in western Salt Lake County compared to the 5800 West Freeway Alternative.

Conclusion

As discussed above, the 5800 West Freeway Alternative meets the project purpose better than the 7200 West Freeway Alternative.

Magnitude of Adverse Impacts on Other Resources after Reasonable Mitigation (23 CFR 774.3[c][vi])

This section discusses other environmental resources that would be affected by the Salt Lake County freeway alternatives. Considered in this section are wetlands, home and business relocations, environmental justice, community cohesion, land use plans and policies, and other environmental issues.

Wetlands

Under the federal Clean Water Act and through the Section 404 permitting process, USACE has been given responsibility and authority to regulate fill materials into waters of the U.S., including wetlands. Under Section 404 of the Clean Water Act, no discharge of dredged or fill material shall be permitted in waters of the U.S. if there is a less environmentally damaging practicable alternative to the proposed discharge. An alternative is practicable if it is available and capable of being implemented after taking into consideration cost, existing technology, and logistics in light of overall project purposes. For actions subject to NEPA, where USACE is the permitting agency or, as in this case, a cooperating agency, the analysis of alternatives required for NEPA documents must provide the information necessary for the evaluation of alternatives and selection of the LEDPA.

To evaluate the expected impacts to wetlands, numerous meetings were held with USACE, the U.S. Fish and Wildlife Service, and the Utah Division of Wildlife Resources. Through these meetings, a functional assessment methodology was developed to determine the wetland impacts of each alternative to help determine which alternative is the LEDPA. In addition to the functional assessment, the resource agencies wanted to focus on rare or irreplaceable wetlands in determining the LEDPA based on these wetlands' low frequency of occurrence and/or the inability to compensate for impacts to them through creating new wetlands, restoring existing wetlands, or enhancing existing wetlands. For Salt Lake County, playas and vegetated playas are of particular importance, given the difficulty of mitigating these types of waters of the U.S. Attempts to re-create the wetland hydrology and soil chemistry fundamental to these systems have been met with limited success. Therefore, the proposed alignments in Salt Lake County were assessed according to their impacts to playas. Table 5-4 compares the impacts to wetlands based on the functional assessment and the impacts to playa wetlands.

Table 5-4. Comparison of Wetland Impacts from the Salt Lake County Freeway Alternatives

Alternative	Functional Units Lost (FCU)	Primary and Secondary Impacts to Playa Wetlands (acres)
5800 West Freeway	39	119
7200 West Freeway	50	194

FCU = functional capacity units, which is a measure for assessing impacts to the loss of the wetland function or quality

The 7200 West Freeway Alternative has greater overall impact to wetlands in both functional units lost and impacts to playa wetlands. The most important difference between the two alternatives is the impacts to the playa wetlands; the 7200 West Freeway Alternative would affect 75 more acres of those types of wetlands. USACE considers playa wetlands rare and irreplaceable because of the limited success in creating these types of wetlands and also the considerable loss of playa wetlands along the Wasatch Front from development and agricultural activities. Based on the above information, it is likely that the 5800 West Freeway Alternative would be selected as the least damaging alternative to the aquatic environment that meets the project's purpose.

Home and Business Relocations

Both Salt Lake County alternatives would require the relocation of homes and businesses. Table 5-5 compares the number of relocations from both alternatives.

Table 5-5. Comparison of Home and Business Relocations from the Salt Lake County Freeway Alternatives

	Alternative	
Relocation Type	**5800 West Freeway**	**7200 West Freeway**
Home relocations	159	253
Business relocations	16	27
Total relocations	**175**	**280**

The 5800 West Freeway Alternative has 94 fewer home relocations and 11 fewer business relocations than the 7200 West Freeway Alternative for a total of 105 fewer relocations. The primary difference in impacts between these two alternatives is due to the fact that the 5800 West Freeway Alternative runs adjacent to the Rocky Mountain Power utility corridor, which optimizes this area and minimizes the overall footprint of these two facilities.

The 7200 West Freeway Alternative would also isolate about 45 residential homes between 7200 West, 4100 South, and about 3700 South. This alternative would create an "island" of residential houses in West Valley City that would be isolated from other subdivisions and areas in West Valley City.

Environmental Justice

One of the relocations under the 7200 West Freeway Alternative would be a Spanish Jehovah's Witnesses church at 3164 South 7200 West. Many attempts were made to contact representatives of this church to discuss the expected

impacts, but no one from the congregation responded. Removal of this church would result in an environmental justice impact. This church is considered an environmental justice resource because it is one of the few minority (Hispanic) community facilities in the study area.

Community Cohesion

The 7200 West Freeway Alternative would cause more disruption to community cohesion than would the 5800 West Freeway Alternative. The 5800 West Freeway Alternative would use as much of the utility corridor as possible by combining the footprints from the freeway and utility corridor to minimize impacts to the surrounding area. The 7200 West Freeway Alternative does not use the utility corridor and therefore would be more disruptive and have greater impacts to the surrounding communities. The existing and planned zoning in West Valley City along the utility corridor and the 5800 West Freeway Alternative is a mix of residential (low and high density), commercial, agricultural, and industrial. The 7200 West Freeway Alternative passes through areas that are mostly zoned for residential uses.

Land-Use Plans and Policies

An existing utility corridor runs the length of Salt Lake County. In the West Valley City area, this utility corridor acts as a partition within the city where no development or only limited development can occur. The 5800 West Freeway Alternative through West Valley City runs adjacent to the existing utility corridor right-of-way, an arrangement that optimizes the space between the two facilities to minimize the overall footprint. West Valley City has supported the 5800 West Freeway Alternative over the 7200 West Freeway Alternative. The West Valley City Council and Mayor prepared and signed a resolution on September 2, 2003, giving the City's support to the 5800 West Freeway Alternative. In addition, the West Valley City general plan map shows the location of the 5800 West freeway; the 7200 West freeway is not shown on this map.

Air Quality

The expected impacts to air quality are analyzed in Chapter 12, Air Quality. As stated in Chapter 12, none of the MVC alternatives would result in any federal or state air quality standard being exceeded, and all of the MVC alternatives would be in compliance with the CO and PM_{10} emission budgets in the State Implementation Plan. Both the 5800 West Freeway Alternative and the 7200 West Freeway Alternative would increase regional CO emissions in 2030 by about 4% and regional PM_{10} emissions by less than 1% compared to the No-Action Alternative.

Chapter 12 also provides a comparison of the MSAT emissions of the action alternatives. As addresses in the Final EIS, there are small differences in MSAT emissions between the Salt Lake County action alternatives. The 5800 West Freeway Alternative would produce about 1% more MSAT emissions compared to the 7200 West Freeway Alternative. Overall MSAT emissions would be substantially lower between 2006 and 2030 for all alternatives.

Other Environmental Considerations

The following environmental resources were compared to determine the overall harm of the Salt Lake County freeway alternatives:

- **Farmland.** The 7200 West Freeway Alternative would affect more farmland, including prime and unique farmland, than would the 5800 West Freeway Alternative. The 5800 West Freeway Alternative would affect 23 acres of prime and unique farmland, while the 7200 West Freeway Alternative would affect 30 acres of prime and unique farmland.
- **Floodplains.** The 7200 West Freeway Alternative would affect more floodplains than would the 5800 West Freeway Alternative. The 5800 West Freeway Alternative would affect 23 acres of floodplains, while the 7200 West Freeway Alternative would affect 27 acres.
- **Noise.** The 7200 West Freeway Alternative has greater noise impacts than the 5800 West Freeway Alternative. A noise impact is defined by the federal Noise-Abatement Criteria (NAC) and other state guidelines. The 5800 West Freeway Alternative would have 379 residential noise impacts, while the 7200 West Freeway Alternative would have 763 residential noise impacts.

Conclusion Regarding "Magnitude of Adverse Impacts on Other Resources after Reasonable Mitigation"

For the reasons discussed above, the 7200 West Freeway Alternative has greater impacts on other environmental resources than the 5800 West Freeway Alternative. In particular, the 7200 West Freeway Alternative has much greater total impacts on playa wetlands, which are considered irreplaceable. The difference in wetland impacts is a key factor that favors selection of the 5800 West Freeway Alternative in the comparison of overall harm. In addition to the differences in wetland impacts, the 5800 West Freeway Alternative, when compared to the 7200 West Freeway Alternative, would relieve congestion on the surrounding roadway network; would have 105 fewer residential and business relocations; would use an existing utility corridor to help minimize impacts to the

community; would better meet the local, regional, and statewide planning efforts; would have fewer impacts on prime and unique farmland; would have fewer impacts on floodplains; and would have half the noise impacts. Therefore, the 5800 West Freeway Alternative clearly has the least overall harm compared to the 7200 West Freeway Alternative.

Substantial Differences in Costs among Alternatives (23 CFR 774.3[c][vii])

There is no substantial difference in costs between the 5800 West Freeway Alternative and the 7200 West Freeway Alternative. Chapter 2, Alternatives, of the Final EIS includes a complete discussion of costs for both the 5800 West Freeway and 7200 West Freeway Alternatives.

Overall Conclusion – Least-Harm Comparison of 5800 West Freeway and 7200 West Freeway Alternatives

Of the two Salt Lake County roadway alternatives analyzed in detail, the Selected Roadway Alternative (5800 West Freeway Alternative) was determined to have the least overall harm. Based on the factors described in Chapter 28, Section 4(f) Evaluation, in the Final EIS, the 7200 West Freeway Alternative and the Selected Alternative have six and 14 Section 4(f) uses, respectively. While the Section 4(f) impacts would be less with the 7200 West Freeway Alternative, that alternative would cause much greater harm to irreplaceable playa wetlands (the 7200 West Freeway Alternative would affect 75 more acres of those types of wetlands). In addition, the 7200 West Freeway Alternative would carry less traffic, would provide less congestion relief, would cause more relocations (105 more) and community disruption, would be less consistent with local land-use plans, and would have a greater environmental justice impact. Based on all of these considerations, the 5800 West Freeway Alternative causes the least overall harm in light of the statute's preservation purpose (see 23 CFR 774.3(c)(1)). Therefore, the 5800 West Freeway Alternative was selected.

5.2.2 Measures To Minimize Harm to Section 4(f) Properties

Although there are no prudent and feasible alternatives that would avoid all Section 4(f) resources, measures to avoid or minimize impacts to individual resources were considered and incorporated into the MVC project. The following sections summarize the measures that were considered to minimize harm to Section 4(f) resources that would be used by the project. These measures have been developed in accordance with the definition of "all possible planning" in Section 774.17 of the FHWA Section 4(f) regulations.

According to FHWA Section 4(f) regulations, a *de minimis* impact determination under Section 774.3(b) "subsumes the requirement for all possible planning to minimize harm by reducing the impacts on the Section 4(f) property to a *de minimis* level." Therefore, the requirement for minimization of harm has been met with regard to all properties for which findings of *de minimis* impact have been made. The following discussion focuses on properties that would be used by the project, where the use was *not* found to be *de minimis.* All of the non–*de minimis* uses were located in Salt Lake County.

Measures To Minimize Harm to Historic Resources for the Selected Alternatives

The project will result in the use of 12 individual historic properties in Salt Lake County. FHWA and UDOT have entered into a Section 106 Programmatic Agreement with the Utah SHPO. The Programmatic Agreement establishes standard treatments for mitigating adverse effects on historic properties and a process for further consultation during the implementation of the project. For example, it requires documentation of adversely affected historic architectural resources through the completion of an Intensive-Level Survey. The Programmatic Agreement is included in Appendix 17B, Cultural Resources Correspondence. An Intensive-Level Survey will be completed for the historic properties adversely affected. The Intensive-Level Survey includes the following elements:

- Photographs that show such attributes as the interior, exterior, and streetscape. This will include an adequate number of professional-quality, black-and-white photographs.
- Research material including a copy and a negative of the legal historic tax card (if available).
- All materials will be placed on file with the Division of State History, Historic Preservation Office.

Compliance with the terms and conditions of the Section 106 Programmatic Agreement will fulfill the requirement to minimize harm to historic properties that will be used by the project. See 23 CFR 774.17, definition of "all possible planning" (which states that, "[w]ith regard to historic sites, the measures normally serve to preserve the historic activities, features, or attributes of the site as agreed by the Administration [FHWA] and the official(s) with jurisdiction over the Section 4(f) resource in accordance with the consultation process under 36 CFR Part 800").

Measures To Minimize Harm to Parks and Recreation Areas

The project will result in the use of two publicly owned parks and recreation areas: the Hunter High School athletic fields and the Hillside Elementary School athletic fields. Both of these properties are located in Salt Lake County. It is important to note that these athletic fields are protected under Section 4(f) solely because of their availability for use by the general public during after-school hours. Their use as recreational facilities for school activities is not protected under Section 4(f) but is considered as part of the NEPA process along with other community impacts.

Hunter High School Athletic Field. The 5800 West Freeway Alternative is the only alternative that would affect the Hunter High School athletic fields. This alternative will use about 0.4 acre of these athletic fields. In discussion with the officials at Granite School District, the use will not alter the functionality of either the softball diamond or the soccer field. A retaining wall will be used to minimize the use at this location.

The soccer field will be realigned in a north-south direction during the construction of the Mountain View Corridor. In addition, other measures to minimize harm will include the restoration of the soccer field and its amenities (sprinkler system, bleachers, grass area, goal posts). As part of the construction for the 5800 West Freeway Alternative, this athletic field will be restored to function as it does prior to construction. The measures listed above will ensure that the impacts are minimized.

Hillside Elementary School Athletic Field. The 5800 West Freeway Alternative is the only alternative that would affect the Hillside Elementary School athletic fields. This alternative will use about 1.4 acres of these athletic fields. A retaining wall will be used to minimize the use at this location. Possible mitigation includes adding about 0.11 acre of an unused stormwater detention pond located directly northeast of the athletic field. FHWA and UDOT will continue to coordinate with school officials and the Granite School District regarding the impacts and mitigation.

In addition, FHWA and UDOT will provide monetary compensation to enhance the remaining property at this athletic field. Other measures that could be implemented, depending on future coordination with Granite School District, include replacement property within the vicinity or adjacent to the school. Even though this athletic field will be smaller than it is prior to the construction of the 5800 West Freeway Alterative, UDOT and FHWA are committed to enhancing the remaining athletic area for the benefit of the school and those that use the area after school hours.

6.0 Air Quality Documentation

This section of the ROD summarizes the various air quality requirements that are applicable to the MVC and documents the Selected Alternatives' compliance with the relevant air quality requirements. Because highway-related air quality issues are highly technical, FHWA had its own national experts from the FHWA Resource Center and FHWA headquarters assist in the development of the Draft EIS, carefully review the air quality issues raised in the Final EIS, and participate in developing the project-level conformity determination. Responses to individual comments on air quality issues are included in this ROD in Appendix B, Comments and Responses for the Final EIS.

6.1 Criteria Pollutants and Transportation Conformity

For the MVC project, Salt Lake City, Salt Lake County, and Utah County are either non-attainment or maintenance areas for CO and PM_{10}. Specifically, Salt Lake County and Utah County are a non-attainment areas for PM_{10}, and Salt Lake City is a maintenance area for CO.

In accordance with Section 176(c) of the Clean Air Act (42 U.S.C. 7506[c]), transportation projects in non-attainment and maintenance areas must conform to the state air quality implementation plan. Conformance is demonstrated by meeting the criteria of the transportation conformity regulations (40 CFR 93). Project-level conformity determinations must be based on the latest planning assumptions (40 CFR 93.110), the latest emission model (40 CFR 93.111), and consultation (40 CFR 93.112). The Final EIS has met these requirements.

The transportation conformity rule (40 CFR 93.114 and 93.115) requires that a currently conforming regional transportation plan and the transportation improvement program (TIP) must be in place at the time of project approval, and the project must come from the conforming plan and TIP. The WFRC and MAG 2007 Regional Transportation Plans and the associated TIPs were adopted by their respective MPO boards, and FHWA and FTA made their conformity determinations on both MPO Regional Transportation Plans and TIPs on June 27, 2007. On October 23, 2008, WFRC and MAG approved amendments to the Regional Transportation Plans, including amendments to reflect the phased approach for implementing the roadway and transit elements of the MVC project. The MPO boards and FHWA and FTA made their conformity determinations for the plan amendments in October 2008. Both the WFRC and MAG 2007 Regional Transportation Plans and TIPs include the Selected Alternative as outlined in Section 2.1, Roadway Component, of this ROD.

The MVC project must meet the requirements for the analysis of localized CO ("hot-spot" analysis; 40 CFR 93.116) for areas in Salt Lake City CO maintenance area. The project-level CO hot-spot air quality analysis was performed for the 5800 West Freeway Alternative. The Final EIS included a draft project-level conformity determination (see Appendix 12A, Draft Project-Level Conformity Determination for the Preferred Alternatives, in the Final EIS). As part of the Final EIS, FHWA invited comments on the draft project-level conformity determination; no comments on this analysis were received. The analysis demonstrated that CO impacts from the 5800 West Freeway Alternative will not result in a violation of the National Ambient Air Quality Standards (NAAQS) 1-hour CO concentration of 35.0 ppm or the 8-hour CO concentration of 9.0 ppm at any air quality receptor location in the analysis year 2030. Thus, the project will not cause or contribute to any new localized violations of the CO NAAQS, increase the frequency or severity of any existing violations, or delay timely attainment of the NAAQS. Therefore, the project meets the conformity hot-spot requirements in 40 CFR 93.116 and 40 CFR 93.123 for CO. By meeting these regulatory requirements as well as other requirements in the conformity regulations, this conformity determination demonstrates compliance with the requirements of Clean Air Act section 176(c)(1).

Following the guidelines in the March 29, 2006, EPA and FHWA guidance, *Transportation Conformity Guidance for Qualitative Hot-Spot Analysis in $PM_{2.5}$ and PM_{10} Non-attainment and Maintenance Areas*, a comparison approach was used to qualitatively assess PM_{10} emissions at the project level for the Selected Alternatives. The Final EIS included a draft project-level conformity determination (see Appendix 12A, Draft Project-Level Conformity Determination for the Preferred Alternatives, in the Final EIS). As part of the Final EIS, FHWA invited comments on the draft project-level conformity determination; no comments on this analysis were received. The qualitative project-level analysis demonstrated that PM_{10} emissions from the Selected Alternatives in the Salt Lake County and Utah County non-attainment areas would not result in a violation of the PM_{10} NAAQS in the 2030 analysis year. The Selected Alternatives would not cause or contribute to any new localized violations of the PM_{10} NAAQS, increase the severity of any existing violations, or delay timely attainment of the NAAQS. Therefore, the project meets the conformity hot-spot requirements in 40 CFR 93.116 and 40 CFR 93.123 for PM_{10}. By meeting these regulatory requirements as well as other requirements in the conformity regulations, this conformity determination demonstrates compliance with the requirements of Clean Air Act section 176(c)(1).

Based on the regional and project-level analyses described above, it is concluded that the 5800 West Freeway Alternative would not cause or contribute to new

violations of the CO or PM_{10} NAAQS, increase the frequency or severity of existing violations, or delay timely attainment of the NAAQS for those pollutants. It was also concluded that the 2100 North Freeway Alternative would not cause or contribute to new violations of the PM_{10} NAAQS, increase the frequency or severity of existing violations, or delay timely attainment of the PM_{10} NAAQS. Therefore, the project meets all of the applicable Clean Air Act section 176(c) requirements for federally funded or approved transportation projects.

The MVC study area is within the northern Wasatch Front and Utah Valley proposed $PM_{2.5}$ non-attainment areas. EPA intends to make official attainment and non-attainment designations by December 2008, and those designations would become effective in early 2009. The conformity requirements would apply to FHWA 1 year after the effective date (early 2010). A project-level conformity determination is required for the first federal approval action after the 1-year grace period for new non-attainment areas expires, which is expected to be in April 2010 for $PM_{2.5}$. Since additional federal approvals for this project are expected after April 2010, project-level conformity will eventually apply to this project (assuming that the area is designated non-attainment for $PM_{2.5}$), and the U.S. Department of Transportation will comply with whatever $PM_{2.5}$ conformity requirements apply at that time.

6.2 Mobile-Source Air Toxics

For both the No-Action and action alternatives, MSAT emissions in the design year (2030) will decrease greatly from current conditions (year 2005). The amount of the decrease varies from 44% to 86% depending on the MSAT and alternative considered. Higher MSAT emissions are predicted for the Selected Alternatives than for the No-Action Alternative. Specifically, under the Selected Alternatives in the design year (2030), the modeled results show 9% to 22% more MSAT emissions in the MVC Study area than under the No-Action Alternative, primarily due to increased vehicle-miles traveled for the Selected Alternatives. This difference is negligible given the uncertainties associated with the analytical techniques and in light of the dramatic declines anticipated by 2030. There is no conformity determination performed for MSATs because EPA has not established NAAQS for MSATs. With the analysis in the Final EIS, FHWA complied with NEPA requirements for MSATs.

Mitigation Measures for Air Quality Impacts. See Section 2.6.5, Mitigation Measures for Air Quality Impacts, and Section 2.6.14, Mitigation Measures for Construction Impacts, of this ROD for descriptions of the MVC air quality mitigation measures.

7.0 Permits, Certifications, and Approvals

The permits and certifications required for the Selected Alternatives include a Section 404 permit granted by USACE, a Section 401 Certification granted by the Utah Division of Water Quality, a Section 402 Permit (UPDES) granted by the Utah Division of Water Quality, an Air Quality Approval Order granted by the Utah Division of Air Quality, a Water Rights Permit from the Utah Division of Water Resources, and possibly a Certificate of Public Convenience and Necessity under Section 7 of the Natural Gas Act (Federal Energy Regulatory Commission). Additional permit requirements are discussed in Chapter 26, Permits, Reviews, and Approvals, of the Final EIS.

8.0 Statute of Limitations

FHWA will publish a notice in the Federal Register, pursuant to 23 U.S.C. 139(1), indicating that one or more federal agencies have taken final action on permits, licenses, or approvals for this transportation 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 publication date of the notice, or within such shorter time period as is specified in the federal laws pursuant to which judicial review of the federal action is allowed.

9.0 Comments on the Final EIS

The MVC Final EIS was announced in the Federal Register on September 26, 2008, and the 30-day wait period ended on October 27, 2008. The Final EIS was posted on the project Web site and was sent to agencies and some members of the public prior to September 26, 2008. Copies of the Final EIS were also made available at local libraries and city offices. During the 30-day wait period, 22 comment submissions were received on the Final EIS from individuals, organizations, and government agencies. The comment submissions took the form of letters, e-mails, and Web site submissions. The number of comments on the Final EIS was substantially less than the approximately 2,500 comments received on the Draft EIS from the public, cities, agencies, and nongovernmental organizations.

During the comment period on the Final EIS, comments were received from only one agency: the U.S. EPA. In addition, comments were received from several cities (Lehi, Bluffdale, and South Jordan), one company (Kern River Gas Transmission Company), and three organizations (Utah Moms for Clean Air, Utahns for Better Transportation, and Sierra Club). The three organizations submitted one letter that included all of their comments.

Each comment received was assigned an identification number and entered into the project record. FHWA and UDOT reviewed and responded to each comment and confirmed that no new information had been presented that would require a Supplemental EIS. Appendix B, Comments and Responses for the Final EIS, of this ROD includes the comments that were received on the Final EIS and the responses to those comments.

During the comment period on the Final EIS, the mayor of Lehi (Mayor Howard Johnson) resubmitted some pre–Final EIS correspondence that had been given to the Utah State Transportation Commission on June 12, 2008, which was before the release of the Final EIS in September 2008. Because the comments were made before to September 2008, they did not address the analysis in the Final EIS. Responses to these comments can be found in letter 1909 of the Final EIS in Chapter 35, Comments on the Draft EIS. UDOT responded to the mayor's resubmitted comments on October 24, 2008.

Kern River Gas Transmission Company, which submitted a comment letter on the Final EIS (dated October 24, 2008), also submitted another letter (dated October 7, 2008) during the Final EIS comment period. The October 7 letter from Kern River is not a comment on the Final EIS but has been considered and included in the project file; it is addressed in Section 1.6.4, Public Services and Utilities, in Appendix B of this ROD.

9.1 Summary of Comments

Some of the comments received on the Final EIS were similar to those submitted during the comment period for the Draft EIS. For those comments, a reference was provided back to the response provided in Chapter 35, Response to Comments, of the Final EIS. Comments that were new or unique to the Final EIS are responded to in Appendix B, Comments and Responses for the Final EIS, of this ROD. The following paragraphs describe the major themes of the comments on the Final EIS.

U.S. Environmental Protection Agency. EPA concurred that the Selected Alternatives are the Least Environmentally Damaging Practicable Alternatives and that they avoid more than 350 acres of primary and secondary wetland impacts compared to the other alternatives. The combination of the Selected Alternatives provides the least impacts to waters of the United States while meeting the primary objectives of the project. EPA also commented that they have been negotiating language for MSAT impact analysis, risks, and mitigation measures with FHWA and that there was no agreed-upon language on this topic to be included in the Final EIS.

Kern River Gas Transmission Company. Kern River expressed its acknowledgment of and appreciation for UDOT's efforts to address Kern River's comments on the Draft EIS and noted that UDOT had modified the MVC highway alignment in a manner that avoids some of the impacts that most concerned Kern River. Kern River also raised a series of "unresolved issues" that require further coordination between Kern River and UDOT in connection with the relocation of the Kern River pipeline. Primarily, these concerns related to the need to obtain Federal Energy Regulatory Commission (FERC) approvals for the pipeline relocations. Kern River stated that, because the highway will be constructed in segments as funding becomes available, FERC could consider approving pipeline relocations for individual segments under a "blanket certificate," which would not require extensive NEPA review. If the cost of a pipeline relocation in a specific segment exceeds the threshold for a blanket certificate, then FERC would need to issue a new certificate under Section 7(c) of the Natural Gas Act. Issuance of a 7(c) certificate would require FERC to prepare an EIS. The decision about what type of FERC approval is needed, and what NEPA document should be prepared, will be made as funding becomes available for individual sections of the MVC project. In addition to addressing the FERC approval process, Kern River also raised several other issues, including (1) their concern that some of their Draft EIS comments were not accurately represented in the Final EIS, and (2) their concern that a formalized agreement has not yet been entered into between Kern River and UDOT regarding the relocation of the

pipeline. Kern River also said that it continues to prefer the 7200 West Freeway Alternative, which does not involve relocating Kern River's pipeline.

South Jordan City and Kennecott Land Company. South Jordan City and Kennecott Land Company submitted similar comments. These entities commented that they would like specific design changes, including a freeway interchange at Old Bingham Highway and a separate structure over the MVC north of the 11400 South interchange for the 5600 West Transit Alternative. They also commented that the MVC project should preserve Bingham Creek as a recreational and pedestrian corridor and that UDOT should work with them to create a sense of place for motorists as they enter South Jordan and Daybreak by providing aesthetic treatments.

Lehi City. Lehi City commented that the City believes it has an agreement with FHWA and UDOT for implementing the 2100 North Freeway Alternative but also noted that the agreement has not been put in writing. The City explained that it was submitting comments "only to preserve the issues" and requested that its comments on the Final EIS be considered only if the terms of the parties' agreement and commitments on the 2100 North Freeway Alternative do not satisfactorily appear in the ROD. Lehi City believes that there are still significant flaws in the Final EIS, including the underlying need for the project, how alternatives were screened, the basis for eliminating the 4800 North Freeway Alternative, and how cumulative impacts were analyzed. Lehi City also commented that the project purpose on transit availability is not well defined, that parts of the alternative development process are not well supported, and that they disagree with some of the analysis and conclusions in the land use, farmland, transportation, economics, pedestrian and bicyclist, cultural resources, and indirect effects chapters of the Final EIS. Finally, they commented that the Jordan River Parkway Section 4(f) evaluation and determination of *de minimis* impact is arbitrary and capricious and that a Section 4(f) evaluation should have been done for the recreational aspects of the Jordan River.

Bluffdale City. Bluffdale City commented that they prefer the Arterials Alternative with inclusion of Porter Rockwell Boulevard, but they have concerns about how this alternative would connect to I-15. Bluffdale City is opposed to the 2100 North Freeway Alternative because it would provide little benefit to the city. Finally, Bluffdale City strongly disfavors the Herriman Shift alignment modification that was made to the 5800 West Freeway Alternative as described on page 2-68 of the Final EIS because it would shift the MVC roadway farther away from Bluffdale residents and limit the development potential of property located along the east side of Camp Williams Road. Bluffdale City also commented that UDOT had not sufficiently coordinated with the City regarding the Herriman Shift.

Utah Moms for Clean Air, Utahns for Better Transportation, and Sierra Club. These organizations commented that they support the project components of the Final EIS that support the transportation goals stated in the Mountain View Vision Voluntary Agreement (#4). They also tentatively support the changes to the MVC project as stated in Chapter 36, Project Implementation (Phasing), of the Final EIS based on the changes' being included in the ROD. The organizations stated that they would prefer an alternative roadway alignment farther from schools to significantly reduce the acute air pollution impacts on children who attend the schools, but they are pleased with and support the changes included in the Final EIS that attempt to mitigate the near-roadway pollution impacts at the schools. They support UDOT's 2100 North Freeway Alternative with phased implementation as explained in Chapter 36, Project Implementation (Phasing), and Appendix 36A, Lehi Resolution, of the Final EIS. Finally, they noted that their support of the MVC project is conditional on the new provisions identified in the Final EIS being fully incorporated in the ROD.

General Public Comments. Thirteen comments were provided by the general public. These comments included a suggestion that roundabouts should be considered, a question about how and when right-of-way would be purchased, and a question about how the project would be constructed.

10.0 Conclusion

FHWA has determined that the Selected Roadway Alternatives (the 5800 West Freeway Alternative in Salt Lake County and the 2100 North Freeway Alternative in Utah County) best meet the transportation needs for the traveling public while effectively considering environmental, safety, and socioeconomic factors. This decision is based on the Final EIS and the entire project record.

In reaching our decision, 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 Alternatives were developed through a public process that included project adjustments to avoid and minimize environmental impacts. FHWA consulted with other federal and state agencies including the U.S. Fish and Wildlife Service, the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the Utah Department of Environmental Quality, the Utah Department of Natural Resources, the Utah Division of Wildlife Resources, the Utah State Historic Preservation Office, the Advisory Council on Historic Preservation, and Native American tribes. A full list of interagency coordination is included in 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 the public involvement process, FHWA approves the selection of the 5800 West Freeway and 2100 North Freeway Alternatives for the project based on the phased implementation authorized in Section 2.3, Project Implementation, of this ROD.

Date:
11/17/08

Original signed by:

Division Administrator

Federal Highway Administration

APPENDIX A

Transit Resolution

INTERLOCAL COOPERATION AGREEMENT
between
UTAH TRANSIT AUTHORITY
and
UTAH DEPARTMENT OF TRANSPORTATION

[Mountain View Corridor Project Implementation for Transit]

THIS INTERLOCAL COOPERATION AGREEMENT ("Agreement") is made and entered into this 13th day of Nov., 2008 ("Effective Date"), by the between UTAH TRANSIT AUTHORITY, a public transit district organized pursuant to Title 17B Chapter 2a Part 8 of the Utah Code ("UTA") and UTAH DEPARTMENT OF TRANSPORTATION, an agency of the State of Utah ("UDOT"). UTA and UDOT are sometimes referred to as the "Parties".

W I T N E S S E T H:

WHEREAS, the Parties recognize and agree that there is currently a need for improved regional mobility within and through western Salt Lake County and northwestern Utah County (the "Mountain View Corridor" or "MVC"), and that such need will increase as population in those areas continues to grow;

WHEREAS, in recognition of the need for improved mobility in the Mountain View Corridor, in 2003 the Parties began the process of preparing an Environmental Impact Statement in compliance with the National Environmental Policy Act ("NEPA");

WHEREAS, in conjunction with the NEPA scoping process, the Parties conducted a Growth Choices Study, involving representatives from Salt Lake and Utah Counties, 14 cities, four nongovernmental organizations, a school district, two chambers of commerce, and five landowners in the study area (the "Stakeholder Committee"), in order to help identify land use, transportation, and quality of life objectives;

WHEREAS, through the Growth Choices process, the Stakeholder Committee considered how various combinations of land-use and transportation strategies would, by the year 2030, result in different growth and transportation scenarios, and ultimately the Stakeholder Committee collaborated to develop and adopt the "Vision Scenario," which includes a balanced mix of roadway improvements, transit improvements, and land-use changes;

WHEREAS, as the NEPA process has moved forward, the Parties have remained committed to pursuing the strategies identified by the Stakeholder Committee in the Vision Scenario, and have worked together as co-sponsors of the MVC project, with UTA taking the lead in identifying and studying various transit alternatives, and eventually selecting the preferred transit alternative;

WHEREAS, the Parties recognize and agree that the ultimate success of transit in the corridor will depend in large part on the willingness of local governments to make land use changes in accordance with the Vision Scenario, and the Parties intend to support the local governments' efforts to make those changes;

WHEREAS, the Parties desire to expedite implementation of transit in the MVC, from the Salt Lake City International Airport to Herriman, sooner than has previously been contemplated, with the ultimate goal of implementing transit service concurrently with construction of the initial roadway improvements;

WHEREAS, UTA and UDOT are public agencies as defined by the Interlocal Cooperation Act, Utah Code Ann. § 11-13-101, et seq. (the "Interlocal Act"), and are authorized to enter into this Agreement to act jointly and cooperatively to achieve the purposes outlined herein.

NOW, THEREFORE, UTA and UDOT, for and in consideration of the promises and covenants contained in this Agreement, the receipt and sufficiency of which is acknowledged, covenant and agree as follows:

1. Locally Preferred Alternative. The Mountain View Corridor Final Environmental Impact Statement ("MVC EIS") identified a "Preferred Transit Alternative" for transit in the MVC, generally providing for a transit corridor along 5600 West from 11800 South to I-80, and then along I-80 to the Salt Lake City International Airport, consisting first of bus rapid transit, and later of rail transit. The Preferred Transit Alternative is more particularly described at section 2.4.5.1 and 36.2.1.1 of the MVC EIS and depicted on Exhibit A hereto. By approval of this Agreement, the UTA Board of Trustees hereby adopts such Preferred Transit Alternative as the Locally Preferred Alternative, as depicted on Exhibit A hereto. Notwithstanding the adoption herein of the Locally Preferred Alternative as depicted on Exhibit A, the location and configuration of stations and park and ride lots may be adjusted subsequent to the execution of this Agreement, as UTA deems necessary, in cooperation with UDOT, and appropriate for the project.

2. Development of MVC Transit Component. UTA agrees to assume responsibility for development of the transit component of the MVC, in accordance with the following schedule:

a. Phase 1 – 2007 to 2015:

i. UTA agrees to preserve and/or acquire the right of way necessary for construction and operation of transit along 5600 West from 11800 South to the Airport Line, as contemplated in the Locally Preferred Alternative. UTA will be responsible for the cost of acquiring the necessary right of way, and UTA will acquire the necessary properties incrementally, as funds are available. If there are any areas where alignment shifts are considered as part of the design process (e.g.,in the area around I-80 and the Salt Lake International Airport, and in the area south of 11800 South), UTA will acquire the right of way for the transit

line in that section once the alignment issues are resolved. See Paragraph 2.a.v.

ii. Where 5600 West Street is a state road under UDOT's jurisdiction, UDOT will grant to UTA, at no cost, an easement giving UTA the right to construct and operate its transit system, including TPSS sites and signal cabinets, within the 5600 West Street right of way, including the surface, subsurface, and air space, as necessary to accommodate the transit system.

iii. UTA and UDOT agree that implementation of the Locally Preferred Alternative will not result in elimination of traffic lanes or turning lanes from 5600 West Street. However, UTA and UDOT agree that 5600 West Street shall be designed as a pedestrian-friendly transit corridor, and in a manner that will minimize the need to acquire additional right of way. Specifically, UDOT agrees that shoulders currently in existence along 5600 West Street from 2700 South to 6200 South will be eliminated and converted to traffic lanes, to replace current traffic lanes that will be used for transit by UTA.

iv. UTA will not be responsible for the costs of acquiring right of way necessitated by any widening of 5600 West Street not related to the development of the Locally Preferred Alternative; any such costs will be borne by UDOT where 5600 West Street is a state road, and by the respective municipalities with jurisdiction over those portions of 5600 West that are city streets. Where 5600 West Street does not yet exist, UTA will acquire property necessary for the development of transit, but will not acquire any property necessary for creation of 5600 West Street itself.

v. The parties acknowledge that the Locally Preferred Alternative has not yet progressed to final design, but it is recognized that property acquisitions and the attendant costs may be significantly reduced by situating some portion of the alignment within the I-80 corridor. If UTA, through its design process, proposes to situate part of the alignment within the I-80 corridor, UDOT agrees to work together in good faith with UTA, considering future freeway capacity needs, safety, cost, operational issues, and other relevant factors, to identify a final alignment in the area around I-80 and the Salt Lake City International Airport. The parties agree to resolve any disputes regarding such alignment through the dispute resolution process in paragraph 10 of this Agreement. If the final alignment identified by the parties, or any portion thereof, lies within the I-80 corridor, UDOT, with FHWA approval, will grant to UTA, at no cost, an easement or substantially equivalent property interest giving UTA the right to operate its transit system within such corridor.

vi. UDOT agrees to grant to UTA, at no cost, properties it owns at 5527 West and 3500 South and at 6176 South and 5600 West, which are depicted on Exhibit B hereto. UTA agrees that the properties will only be used for transportation purposes as public park and ride lots in connection with the Locally Preferred Alternative. Such conveyances will take place within six months of the Effective Date. UDOT will prepare the instruments of conveyance.

vii. UDOT agrees to grant to UTA, at no cost, a portion of the UDOT-owned property at 5651 West and 5400 South, which is generally depicted on Exhibit B hereto. UTA will identify the portion of the property that it needs for a public park and ride lot within six months of the Effective Date. UDOT will prepare the instrument of conveyance, and will convey such portion to UTA within sixty days after UTA has identified the portion of the property it needs. UTA agrees that such property will only be used for transportation purposes, as a public park and ride lot.

viii. If UTA identifies other UDOT-owned properties as beneficial to, but not strictly necessary for, the development of the Locally Preferred Alternative (such as properties deemed suitable for transit oriented development), UDOT agrees to notify UTA before marketing such properties for sale, to allow UTA an opportunity to purchase such properties at fair market value, to be determined by independent appraisals after UDOT complies with Utah Code Ann. §78B-6-521.

ix. In order to preserve the width necessary for the Locally Preferred Alternative right of way, and reduce UTA's property acquisition costs, UDOT agrees that if it disposes of any other property it owns along the 5600 West Street corridor, it will retain ownership of strips of land adjacent to the street. The width of such retained strips shall be determined by UTA and UDOT, taking into consideration design of the transit way, passenger stations, etc.

x. UDOT further agrees that it will exercise its powers of eminent domain on behalf of UTA, if and to the extent that UTA is unable to acquire needed properties through negotiated transactions. UTA shall pay UDOT's actual costs (excluding overhead costs and costs of UDOT staff time), including the amount paid for the needed properties, if UDOT exercises its powers of eminent domain on behalf of UTA.

xi. UTA agrees to implement and begin revenue operation of a Type 3 bus rapid transit line (BRT) in the 5600 West corridor between 2700 South Street and 6200 South Street by December 31, 2015.

b. Phase 2 – 2016 to 2025:

i. UTA agrees to expand the 5600 West Type 3 BRT line to operate along 5600 West, from I-80 to 11800 South, and along I-80 to the Salt Lake City International Airport.

c. Phase 3 – 2025 and beyond:

i. UTA agrees to upgrade the Phase 2 BRT system to a rail transit line, in accordance with the then-current UTA design criteria.

3. The parties acknowledge that design modifications and alignment shifts for the Locally Preferred Alternative could be considered by UTA during subsequent stages of project development for the transit project. The parties recognize and agree that additional environmental review may be necessary if UTA identifies a final alignment that differs from the Preferred Transit Alternative as defined in the FEIS.

4. Utility Relocation. UDOT agrees that, if it becomes necessary to relocate or protect in place utility facilities in, over, or around 5600 West Street in order to implement any phase of the Locally Preferred Alternative, UDOT shall, upon the request of UTA, invoke its authority, pursuant to Utah Code Ann. § 72-6-116, to require the utility companies to relocate their facilities in accordance with such statute, and for the utility companies to pay that portion of the cost of relocation allocated to the utility company under such statute. UTA shall pay the portion of the cost of relocation allocated to UDOT pursuant to § 72-6-116.

5. System Operation and Maintenance. UTA and UDOT agree to operate and maintain the 5600 West corridor in accordance with the following provisions:

a. UTA shall be responsible for maintaining that portion of 5600 West Street designated as the transit way, including barrier curbs, transit stations (including landscaping located at the stations), TPSS sites, signal cabinets, and all other facilities ancillary to the transit system. UTA shall have no responsibility to maintain any portion of the street outside the transit way barrier curbs

b. The parties agree that, prior to commencement of revenue operations along the Locally Preferred Alternative, the parties shall develop a plan for coordinated snow removal from the 5600 West Street corridor. Such plan shall provide a reasonable means for UTA to remove snow from its transit way.

c. UDOT agrees that traffic signals along 5600 West Street shall be programmed to give signal priority to UTA system vehicles used for the Locally Preferred Alternative over automobile traffic.

d. UDOT agrees that if it ever submits a recommendation to delete 5600 West Street, or any portion thereof, from the state highway system, such recommendation would include the provisions of this section.

6. Support for Local Land Use Planning. Recognizing the importance of land use patterns to the success of the Preferred Transit Alternative, the Parties agree to work together, and with the Stakeholder Committee, to support and encourage efforts by municipalities in the

MVC to amend their land use plans and zoning ordinances in accordance with the Vision Scenario.

7. Support for Funding. The Parties agree to work together and support each other's efforts to secure necessary funding for the MVC roadway and transit improvements.

8. Additional Project Coordination and Cooperation. The Parties agree to work cooperatively to facilitate the issuance of the Record of Decision on the MVC project, and to work together in good faith to implement the transportation alternatives approved in such Record of Decision.

9. Reciprocal Obligations. This Agreement is premised on the parties' intent that hereafter, UDOT will work in good faith toward implementing the preferred roadway alternative set forth in the FEIS, and UTA will work in good faith toward implementing the preferred transit alternative set forth in the FEIS. The parties' obligations with respect to the MVC are intended to be reciprocal and the obligations set forth in this Agreement shall be of no force or effect if the party seeking to enforce such obligations is not working in good faith toward implementing the preferred roadway or transit alternatives set forth in the FEIS, as applicable.

10. Dispute Resolution. In the event that any disputes arise concerning the interpretation or administration of this Agreement, the parties shall first make every effort to resolve such disputes through discussions between UDOT's MVC Project Manager, and UTA's 5600 West Transit Project Manager. Any issues that cannot be resolved at that level shall be elevated for discussion and resolution between, UDOT's Deputy Director and UTA's Assistant General Manager. Neither party may initiate any formal legal action without first exhausting the dispute resolution process described hereunder.

11. Interlocal Cooperation Act Requirements. In satisfaction of the requirements of the Interlocal Act, and in connection with this agreement, the parties agree as follows:

This Agreement shall be authorized by resolution of the governing body of each party pursuant to Section 11-13-202.5 of the Interlocal Act;

This Agreement shall be reviewed as to proper form and compliance with applicable law a duly authorized attorney on behalf of each party, pursuant to Section 11-13-202.5 of the Interlocal Act;

A duly executed original counterpart of this Agreement shall be filed with the keeper of records of each party, pursuant to Section 11-13-209 of the Interlocal Act;

Except as otherwise specifically provided herein, each party shall be responsible for its own costs of any action done pursuant to this Agreement, and for any financing of such costs;

No separate legal entity is created by the terms of this Agreement. To the extent that this Agreement requires administration other than as set forth herein, it shall be administered by the Deputy Director of UDOT and the Assistant General Manager of UTA. No real or personal property shall be acquired jointly by the parties as a result of this Agreement. To the

extent that a party acquires, holds, or disposes of any real or personal property for use in the joint or cooperative undertaking contemplated by this Agreement, such party shall do so in the same manner that it deals with other property of such party..

12. Counterparts. This Agreement may be executed in counterparts. In such event, a duly executed original counterpart shall be filed with the keeper of records of each party pursuant to the Interlocal Act.

13. Governing Law. This Agreement shall be governed by the laws of the State of Utah both as to interpretation and performance.

14. Entire Agreement. This Agreement contains the entire agreement between the Parties, with respect to the subject matter hereof, and no statements, promises, or inducements made by either party or agents for either party that are not contained in this written contract shall be binding or valid; and this agreement may not be enlarged, modified, or altered except in writing, and signed by the parties.

IN WITNESS WHEREOF, the Parties have subscribed their names and seals the day and year first above written.

UTAH DEPARTMENT OF TRANSPORTATION

By: _____
11/13/08

Approved as to Form and Legality:
Attorney General

By: _____
Assistant Attorney General

Date: 11/13/2008

UTAH TRANSIT AUTHORITY

By: _____
John M. Inglish, General Manager

By: _____
Treasurer

Approved as to Form and Legality

UTA Legal Counsel

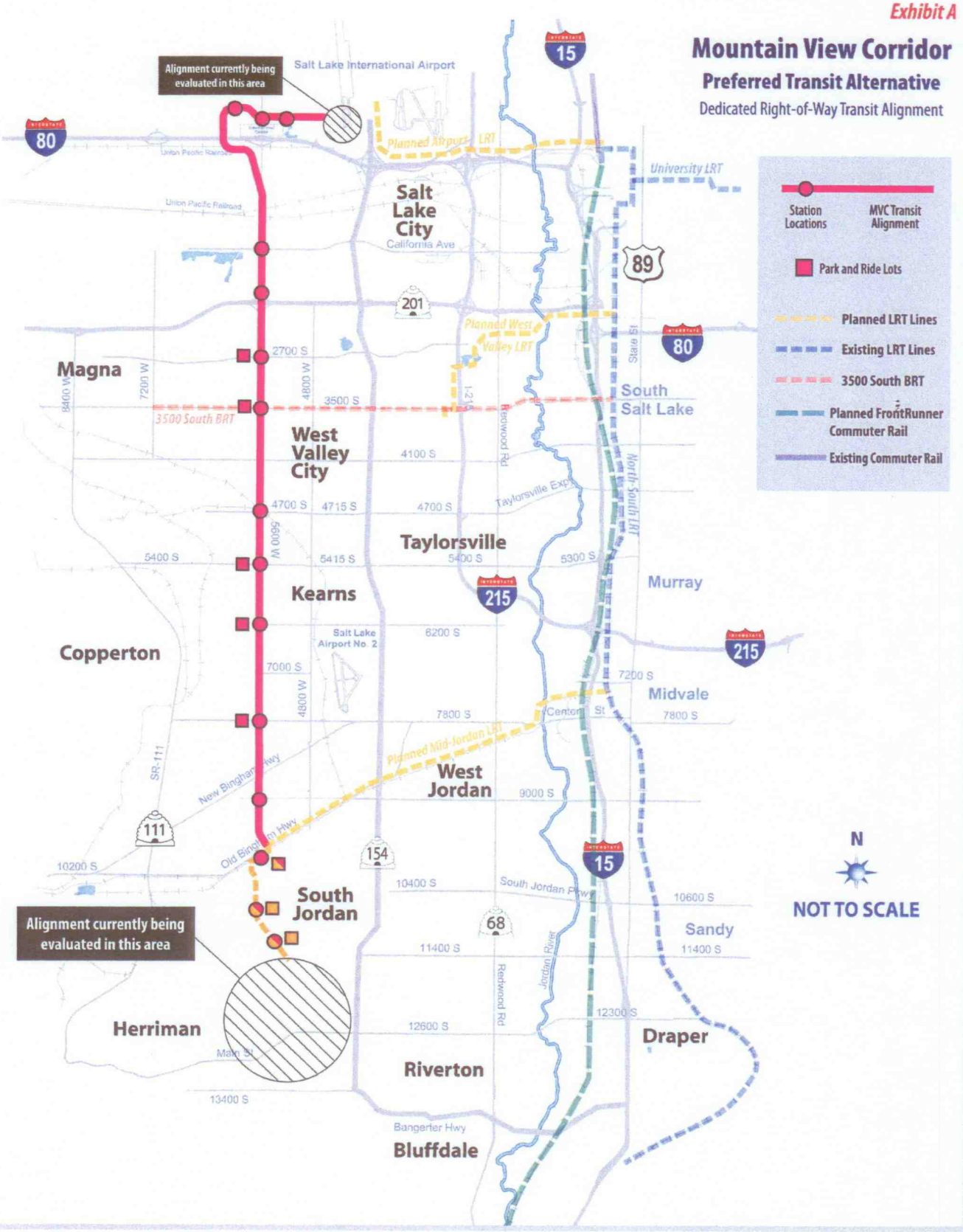
Date: 10/29/04

Exhibit A

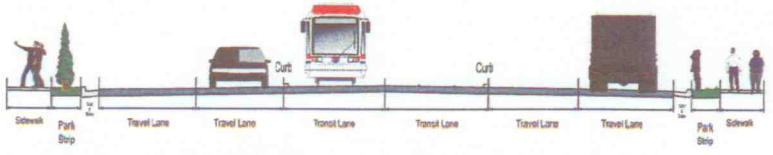
Mountain View Corridor

Preferred Transit Alternative

Dedicated Right-of-Way Transit Alignment

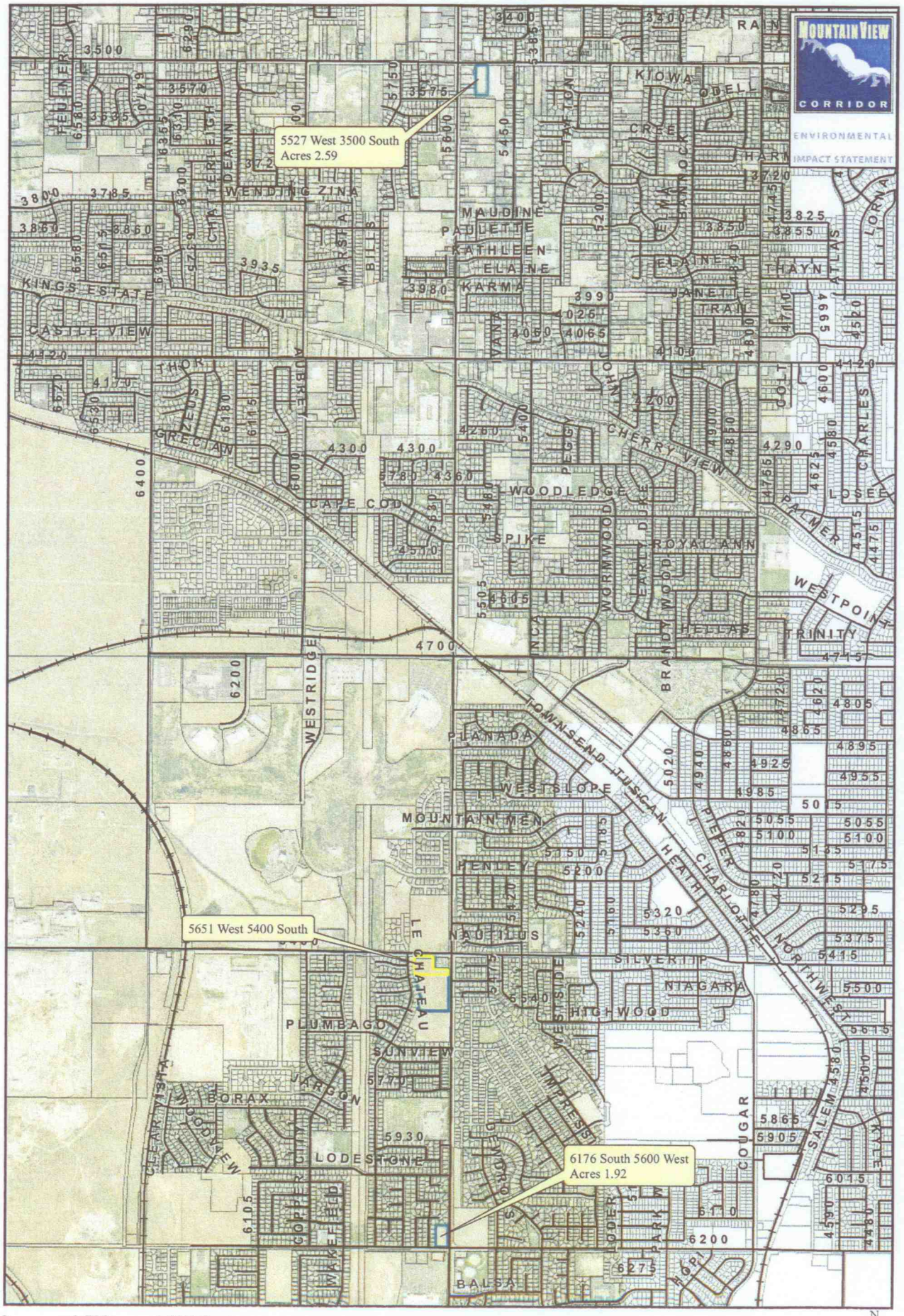


Typical Cross Section at Non-Station Areas (Between Intersections)



MVC ILA
Exhibit B

UDOT Property Along 5600 West



APPENDIX B

Comments and Responses for the Final EIS

Comments and Responses for the Final EIS

in support of the
Environmental Impact Statement

Mountain View Corridor

Federal Highway Administration
Utah Department of Transportation
Utah Transit Authority

FHWA-UT-EIS-07-02-F
*SP-0067(3)0

November 10, 2008

Contents

1.0 Responses to Comments

This Record of Decision contains the responses to comments that were received on the Mountain View Corridor (MVC) Final Environmental Impact Statement (EIS) from members of the public, government agencies, and nongovernmental organizations during the 30-day wait period from September 26, 2008, to October 27, 2008. This document provides only responses to new comments that were not addressed in the Final EIS in Chapter 35, Comments on the Draft EIS. If a comment on the Final EIS was the same as a comment on the Draft EIS, the commenter is referred to the response in Chapter 35 of the Final EIS. Individuals and agencies who commented on the Final EIS are listed alphabetically in Section 2.0, Commenter and Response Matrix, along with their associated comment number. To find the response to your comment, first find your name in Section 2.0, then find the associated response section numbers, which indicate the sections of this Record of Decision or the Final EIS that address your comment.

Section 3.0, Reproductions of Comments on the Final EIS, presents reproductions of written comments that were submitted. Each comment document is identified in Section 3.0 by its comment number, and each statement or question regarding a separate environmental issue is labeled with an associated response section in this Record of Decision or in the Final EIS.

The sections below present the responses to comments on the Final EIS that were received. The section numbers in this Record of Decision correspond to the chapters and sections in the Final EIS (for example, Section 1.12 in this Record of Decision corresponds to Chapter 12 in the Final EIS).

Summary of Comments

Twenty-three comment submissions were received on the Final EIS from individuals, organizations, and government agencies. The comments were submitted as letters, e-mails, and Web site submissions.

During the comment period, comments were received from one agency, the U.S. Environmental Protection Agency (EPA). In addition, comments were received from the Cities of Lehi, Bluffdale, and South Jordan and the Kern River Gas Transmission Company. The organizations Moms for Clean Air, Utahns for Better Transportation, and the Sierra Club submitted one letter that included all of their comments. During this period, the mayor of Lehi (Mayor Howard Johnson) resubmitted some pre–Final EIS correspondence that had been given to the Utah State Transportation Commission on June 12, 2008, which was before

the release of the Final EIS in September 2008. Because the comments were made before September 2008, they did not address the analysis in the Final EIS. Responses to these comments can be found in letter 1909 of the Final EIS in Chapter 35, Comments on the Draft EIS. The Utah Department of Transportation (UDOT) responded to the mayor's resubmitted comments on October 24, 2008.

1.1 Chapter 1 – Purpose of and Need for Action

1.1.1 Section 1.3 – Summary of Purpose and Need

A. *The City of Lehi commented that the employment projections for Utah County do not appear to match the articulated "need" of addressing expected growth in the area. Page S-2 of the FEIS [Final EIS] projects a 192,000 increase from 2005 to 2030 for employment in the area and a 341,000 increase in population. The projections do not support the underlying assumption in the FEIS that the MVC is needed to get persons living in the area to and from work; rather, it appears that many of these persons will be working closer to home. As stated on page 1-20, trips to and from Utah County in 2030 are expected to decrease. Trips to the north will decrease from 22% to 17%, and trips to the east will decrease from 43% to 38%.*

The trips percentage provided in the comment are 2030 overall trips, which include local trips during non-peak travel such as shopping. When looking at 2030 work trip distribution, the work trips to the north to Salt Lake, Davis, and Weber Counties are projected to decrease from 48% to 42%, while the work trips to the east toward the American Fork and Provo-Orem areas are projected to decrease from 39% to 36%. The north-south and northeast-southwest work trips account for 78% of all work trips originating in the study area. Although the percentages of work trips leaving the study area are projected to decrease, they still represent an overwhelming majority of work trips. These analyses support the need for transportation improvements in both the east-west and north-south directions in northwest Utah County.

B. *The City of Lehi commented that one of the purposes of the project is to support transit. This purpose is not well defined, and it is unclear how the MVC supports increased availability of transit compared to the No-Action Alternative.*

The MVC purpose for transit is to "improve regional mobility by supporting increased availability of transit compared to the No-Action conditions as an alternative to automobile trips for the major north-south travel movements in the Salt Lake County portion of the study area and the major east-west and north-south travel movements in the Utah County portion of the study area." During the alternative development process, transit was considered in both Salt Lake and

Utah Counties. Based on the alternative development process, a 5600 West Transit Alternative was carried forward for detailed analysis and will be implemented by the Utah Transit Authority (UTA). This alternative was not part of the No-Action Alternative, and therefore the 5600 West Transit Alternative will improve regional mobility by supporting increased transit availability compared to the No-Action condition.

A bus rapid transit alternative on State Route (SR) 73 in Utah County was analyzed to evaluate potential ridership. A demand analysis showed that the ridership numbers for bus rapid transit on SR 73 in Utah County would be less than 2,000 daily riders in 2030. This analysis included potential ridership from areas west of Lehi including Saratoga Springs and Eagle Mountain. The daily ridership numbers would not support a major transit investment even with the implementation of the land uses assumed by the Growth Choices Vision Scenario, and therefore the bus rapid transit alternative on SR 73 was not evaluated in detail. UDOT, UTA, and the Mountainland Association of Governments (MAG) have been working together in northern Utah County to determine the location for implementing east-west bus transit that will provide the greatest benefit to the area. To address east-west transit in northern Utah County, UDOT and UTA are planning to implement transit on the proposed Pioneer Crossing project at about 1000 South in Lehi. MAG has included transit on this route as part of its Regional Transportation Plan.

1.2 Chapter 2 – Alternatives

1.2.1 Section 2.1 – Alternatives Development Process (Screening)

A. *A commentor suggested that roundabouts be considered as part of the MVC project.*

The MVC project at full build-out (2030) as described in the EIS is planned to be a limited-access freeway. Since there would be no intersections with a freeway, roundabouts could not be implemented for full build-out. Roundabouts for Phase 1 of the MVC project, which would be an arterial with at-grade intersections, would also not be appropriate. In general, intersections that would not be good candidates include those with highly unbalanced traffic flows (that is, very high traffic volumes on the main street and very light traffic on the side street). For the MVC project, there would be a high unbalance with traffic on the MVC compared to the intersecting cross streets.

B. *The City of Lehi commented that the FEIS says on page 2-34 that it is acceptable for areas between on ramps and off ramps to function at LOS E. This statement seems to violate the purpose of the project to improve traffic congestion in the*

study area and also appears to violate UDOT's standard operating LOS requirement.

Chapter 2, Alternatives, of the Final EIS states that some ramps could operate at a level of service of LOS E. Page 2-34 also notes that, to improve the level of service to LOS D or better in these areas, additional lanes could be required. FHWA and UDOT determined that the impacts in terms of additional relocations and more impacts to the natural environment would outweigh the operational benefits from the additional lanes. In addition, other areas close to or at LOS E can be modified during the final design process to obtain LOS D by adjusting features such as turning-lane configurations to handle the proposed volume of traffic at interchanges. Because LOS E would occur only in isolated areas, it does not violate the project purpose of improving mobility. In addition, UDOT and the Wasatch Front Regional Council (WFRC) strive to reach a goal of LOS D but weigh that goal against project impacts.

C. *The City of Lehi commented that, on page 2-42 of the FEIS, a sensitivity analysis is mentioned that allegedly demonstrates that the new 12-lane I-15 Alternative that is currently being studied would not affect the need for this project. There is no information provided in the FEIS regarding how the new 12-lane I-15 Alternative will affect the traffic congestion and analysis for the MVC. It is hard to believe that adding two additional lanes on I-15 would not affect the transportation needs for this project.*

The sensitivity analysis was done to ensure that the conclusions reached in screening alternatives using versions of the WFRC/MAG model prior to Version 5.0 were still valid. The earlier versions of the model had I-15 as a 10-lane facility. The sensitivity analysis showed that the change from a 10-lane to 12-lane I-15 would only change the volumes on the MVC freeway by 0–4% and would not have affected the need for the MVC project or the results of the alternatives screening. The final modeling for the project and the resulting impact analysis were based on a 12-lane I-15. For more information, see Technical Memorandum 05, Overall Travel Demand Modeling Methodology (October 2008).

1.2.2 Section 2.2.1 – No-Action Alternative

No new comments were received on this resource during the Final EIS public wait period.

1.2.3 Section 2.2.2.1 – 5600 West Transit Alternative

No new comments were received on this resource during the Final EIS public wait period.

1.2.4 Section 2.2.2.2 – 5800 West Freeway Alternative

No new comments were received on this resource during the Final EIS public wait period.

1.2.5 Section 2.2.2.3 – 7200 West Freeway Alternative

No new comments were received on this resource during the Final EIS public wait period.

1.2.6 Section 2.2.3.1 – Southern Freeway Alternative

No new comments were received on this resource during the Final EIS public wait period.

1.2.7 Section 2.2.3.2 – 2100 North Freeway Alternative

A. *The City of Lehi commented that they believe the City has an agreement with FHWA and UDOT for the implementation of the 2100 North Alternative; this agreement has not yet been put in writing. These comments should be considered only if the terms of the parties' agreement and commitments regarding the 2100 North Alternative do not satisfactorily appear in the Record of Decision.*

The phase implementation and project commitments identified for the 2100 North Freeway Alternative in the Final EIS have been included in Section 2.3, Project Implementation, of this Record of Decision.

1.2.8 Section 2.2.3.3 – Arterials Alternative

No new comments were received on this resource during the Final EIS public wait period.

1.2.9 Section 2.1.5.2 – 4800 North Freeway Alternative

No new comments were received on this resource during the Final EIS public wait period.

1.2.10 Section 2.2.4 – Tolling Options for the MVC Alternatives

No new comments were received on this resource during the Final EIS public wait period.

1.2.11 Section 2.2.5 – Implementation of the MVC Alternatives (Construction Phasing)

A. *A commentor stated that $130 million has been allocated for 2009 construction in Utah County and wanted to know what portion of the road would be constructed first.*

The $130 million allocation for Utah County will be spent on building a segment of Phase 1 of the project. This segment is currently identified as connecting SR 68 to I-15 along the 2100 North alignment.

B. *KLC [Kennecott Land Company] and South Jordan City have worked to create a sense of place upon entering South Jordan City and Daybreak. Due to the depressed nature of the MVC through this area, the aesthetic treatment of the depressed slopes will play a vital role in promoting that sense of place. We recommend that between each phase, as described in the FEIS, that the integrity of the slopes are consistent with the sense of place that has been created. More specifically, that the landscaping, lighting, bridge treatments, and maintenance are clearly defined and coordinated with KLC and South Jordan City to protect the integrity of the aesthetic environment.*

As stated in Section 2.4.5.3, Public Input on Final Alternative Design, of the Final EIS, one common concern with transportation projects is how the final alternative will look in the community when it is built. Residents often wonder if they will have an opportunity to comment on design elements such as lighting, noise walls, and landscaping. These types of design elements are typically evaluated during the final design phase of the project after an alternative is selected in the Record of Decision and funding has been allocated to construct the project. To ensure that the public has the opportunity to be involved in final design elements, UDOT uses an approach called Context-Sensitive Solutions, or CSS. The CSS philosophy seeks to understand the larger context of a transportation project such as its physical, social, economic, community, political, and cultural impacts. The intent of CSS is to offer transportation solutions that help connect communities and improve residents' quality of life. During the final design process when decisions are made regarding specific design elements, UDOT will maintain continuous stakeholder involvement to ensure that the public has the opportunity to provide input on the portion of the project that would be located in their community.

1.2.12 Section 2.3 – Land Acquired to Date (Including Right-of-Way Questions)

No new comments were received on this resource during the Final EIS public wait period.

1.2.13 Section 2.4 – Summary Comparison of Alternatives (Cost, Daily Delay, Travel Time, and Environmental Impacts)

No new comments were received on this resource during the Final EIS public wait period.

1.3 Chapter 3 – Growth Choices

A. *The Utah Moms for Clean Air, Utahns for Better Transportation, and the Sierra Club commented that they support the project components of the FEIS that support the transportation goals stated in the Balanced Transportation Principle of Agreement #4 in the Mountain View Vision Voluntary Agreement (MVVVA). The MVVVA was signed March 10, 2004, by the stakeholders convened to participate in the Mountain View Corridor Growth Choices process that ran concurrently with the development of the Mountain View Corridor EIS.*

Comment noted. The Mountain View Vision Voluntary Agreement has been included in the Final EIS in Chapter 3, Growth Choices.

1.4 Chapter 4 – Land Use

A. *The City of Lehi commented that, on page 4-42, the FEIS admits that the 2100 North Alternative is not compatible with Lehi, American Fork, and Lindon's land-use plans and goes on to state that the alternative would meet the overall intent of the plans to improve both local and regional transportation infrastructure. Lehi disagrees with this comment.*

Comment noted. The analysis was based on the intent noted in each plan to improve mobility within the city limits.

1.5 Chapter 5 – Farmlands

A. *The City of Lehi commented that the FEIS also contains conclusory statements regarding the cumulative impacts to farmlands that can be expected from construction of the project. The FEIS states that no data are available on the exact amount of agricultural land that will be converted to urban uses in the two counties and goes on to state that regional development will convert more than 50% of current agricultural land or about 100,000 acres. The analysis then concludes that the MVC will only contribute to about 1.8% of the total loss of farmlands. If no data are available, how was this conclusion made? Is this the total loss of farmland directly affected, or is this the cumulative farmland that will be affected?*

The cumulative impact analysis in Chapter 5, Farmlands, of the Final EIS is a summary of the more detailed cumulative impact analysis in Chapter 25, Cumulative Impacts. As stated in Chapter 25 of the Final EIS, no data were available on the exact amount of agricultural land that will be converted to urban uses in Salt Lake and Utah Counties. However, when one compares Figure 25-1, Greater Wasatch Area Developed Land 2006, to Figure 25-2, Greater Wasatch Area Developed Land 2030, it is evident that regional development would result in a greater-than-50% loss of agricultural land in Salt Lake and Utah Counties. The figures that show the current and future land-use patterns were developed by the State of Utah. Based on 2002 state data, Salt Lake and Utah Counties had about 197,000 acres of farmland; if loss of agricultural land in these counties is about 50% in 2030, there could be an overall reduction in agricultural land of about 100,000 acres. The MVC alternatives with the highest farmland impacts would be the combination of the Southern Freeway Alternative, 5800 West Freeway Alternative, and 5600 West Transit Alternative at about 1,750 acres. Therefore, the MVC project would contribute about 1.8% or less (depending on the alternative) of the 100,000 acres of expected cumulative farmland impact in 2030. It should be noted that the 100,000 acres of cumulative impact includes infrastructure projects such as the MVC.

1.6 Chapter 6 – Community Impacts

1.6.1 Section 6.1 – Community Impacts, Quality of Life, and Safety

No new comments were received on this resource during the Final EIS public wait period.

1.6.2 Section 6.2 – Recreation Resources

No new comments were received on this resource during the Final EIS public wait period.

1.6.3 Section 6.3 – Relocations

No new comments were received on this resource during the Final EIS public wait period.

1.6.4 Section 6.4 – Public Services and Utilities

During the Final EIS comment period, Kern River Gas Transmission Company provided two letters. The first letter, dated October 7, 2008, was regarding a reimbursement agreement for relocating Kern River facilities and was not related to the Final EIS. Therefore, this letter was not included in this report. This letter

addressed two issues, the first regarding Federal Energy Regulatory Commission (FERC) requirements (addressed in response A below) and the second regarding UDOT's and FHWA's condemnation authority. Regarding the commendation authority, UDOT will continue to work with Kern River to avoid the need for any condemnation discussion regarding their facilities. UDOT and FHWA understand that condemnation is important in the right-of-way process and will evaluate the process if needed. The second letter was dated October 24, 2008, and regarded comments to the MVC Final EIS. This letter has been included in this report.

A. *The Kern River Gas Transmission Company provided the following comments:*

- *It should be noted that Kern River maintains the position that FERC should have been a cooperating agency throughout the National Environmental Impact Statement ("NEPA") process. UDOT has committed both verbally and in the FEIS to work with Kern River and FERC as necessary. This may include additional environmental analysis and obtaining the necessary FERC approval(s) to relocate portions of the Kern River system. UDOT has indicated that the highway will likely be constructed in segments over time, as funding becomes available. The timing of the pipeline relocations will depend on securing funding and the construction schedule for the highway. As such, FERC may consider approving the pipeline relocations required for individual segments of the highway project under Kern River's blanket certificate authority as a prior notice project, depending on the cost to relocate the pipeline in each segment. However, if relocation costs in a highway segment are over the annual limitations set by FERC, a Section 7(c) application would likely be required. Additionally, FERC applications will only be filed once UDOT has secured funding for each highway segment. With this in mind, the concerns raised by Kern River in the DEIS [Draft EIS] regarding FERC participation and ultimately system relocation have not been fully resolved.*

  As noted in Section 26.2.10, Certificate of Public Convenience and Necessity, of the Final EIS, UDOT understands that additional environmental documentation could be required to comply with FERC requirements. UDOT will continue to coordinate with Kern River and, if necessary, FERC to obtain the necessary project approvals based on construction requirements. UDOT also acknowledges that FERC might consider approving the pipeline relocations required for individual segments of the highway project under Kern River's blanket certificate authority as a prior-notice project, depending on the cost to relocate the pipeline in each segment.

- *Kern River continues to be of the opinion that UDOT failed to fully appreciate or acknowledge the combined concerns of the major utility companies in the DEIS. Several of the responses in the FEIS to Kern River's DEIS comments seem to misrepresent the context and intent of the comments. UDOT's abbreviated summaries of Kern River's comments effectively diminished the gravity and substance of the comments. Further, the responses citing meetings and UDOT's coordination efforts misrepresent the historical facts regarding the substance of the meetings between Kern River and UDOT. Coordination and meetings do not equate FERC participation or issue resolution and forthright communication.*

  During the development of the EIS, UDOT coordinated with Kern River to develop an understanding of the concerns of the major utility companies. As noted in Section 35.6.4, Public Service and Utilities, of the Final EIS, UDOT held 10 meetings with Kern River and over 30 meetings with Rocky Mountain Power prior to release of the Final EIS to understand their concerns. Although some comments provided on the Draft EIS were summarized in the response section, the complete comments were included in Appendix 35B, Reproduction of Comments on the Draft EIS. As described in Section 26.2.10, Certificate of Public Convenience and Necessity, of the Final EIS, UDOT understands that additional environmental documentation could be required to comply with FERC requirements. UDOT will continue to coordinate with Kern River and, if necessary, FERC to obtain the necessary project approvals based on construction requirements.

- *UDOT continues to state that formalized agreements will be reached with the several utility companies during the final design phase of the project. This approach effectively asks Kern River to trust UDOT, without reservation, to follow through with an undefined commitment to resolve outstanding issues. Kern River attached several specific issues of concern to the DEIS comments as "Appendix A – Special Risks and Considerations." The FEIS did not explicitly address these issues. They continue to be areas of concern for Kern River and must be addressed to the full satisfaction of Kern River in a formalized written agreement with UDOT before Kern River can fully subscribe to the proposed Kern River relocations as described in the Mountain View Corridor FEIS.*

  During the final design process, UDOT will continue to coordinate with the utility companies to resolve outstanding issues. UDOT plans to develop agreements with the utility companies before affecting their infrastructure. The Special Risks and Considerations provided with Kern River's comments on the Draft EIS were reviewed. The appendix addresses issues related to

construction and design that will be resolved during the development of an agreement with Kern River, the final design process, and construction. The Final EIS noted that utility conflicts, including utility disruptions to the public, could occur and that these would be resolved with the utility companies before affecting their infrastructure. UDOT understands that FERC approval is needed before the Kern River pipeline can be relocated for the MVC project.

1.7 Chapter 7 – Environmental Justice

No new comments were received on this resource during the Final EIS public wait period.

1.8 Chapter 8 – Transportation

A. *The City of Lehi commented that the FEIS fails to study transportation network effects caused by the project to local roads in the vicinity of interchanges, off ramps, and on ramps. This is a major concern to Lehi. Table 8.4-2 shows that, in 2030 under the No-Action Alternative, only two segments will perform at LOS F, Redwood Road and SR 73 and 2300 West (Lehi) and SR 73. It would make sense to study individual solutions to these two areas rather than building a new freeway to address two failing segments.*

The purpose of the transportation analysis is to compare how each MVC alternative would affect roads that connect to MVC interchanges so that an informed decision can be made. The analysis compares how the No-Action and MVC alternatives would affect streets that would connect to the MVC freeway. As shown in Chapter 8, Transportation, the intersection and streets mentioned in the comment would have a level of service of LOS F under the No-Action Alternative. Under the 2100 North Freeway Alternative, Redwood Road and the SR 73 intersection would operate at LOS C, and the 2300 West and SR 73 intersection would operate at LOS D. Both of these levels of services are within acceptable limits and would not require design modifications. Although individual solutions could be developed to address the No-Action Alternative level of service of LOS F at the two intersections, this would help only local access immediately around the area and possibly along short segments SR 73 but would not meet the project purpose of improving regional mobility for automobile, transit, and freight trips by reducing roadway congestion compared to the No-Action conditions on roads serving major east-west and north-south travel movements in the Utah County portion of the study area.

Finally, the analysis in Chapter 8 focused on those roadway segments that are likely to be affected by the MVC project and did not include the entire road. In the case of SR 73, improving the two intersections would not necessarily improve the entire road.

1.9 Chapter 9 – Economics

A. The City of Lehi commented that the FEIS makes an unsupported and conclusory statement on page 9-58 that the 2100 North Alternative will not have an effect on residential development and would not adversely affect residential property values. There was no study or data used to make this determination, and it appears to be an arbitrary conclusion not supported by any type of scientific analysis.

The analysis concludes that, overall, residential property values across the economic impact analysis area would increase slightly due to improved transportation access. This area includes both those properties adjacent to the alternative and those properties at a distance that would have improved access to a freeway, which would increase property values. Collectively, these increases would far outweigh any adverse impacts to individual property owners resulting from proximity to the road. The adverse impacts to residents directly next to the highway are described in Section 9.5.2.3, General Impacts to Property Values, in the Final EIS. As stated in that section, a new highway in a predominantly residential area would diminish property values for those properties adjacent to the highway right-of-way and for properties near the highway. This adverse impact is due to noise, visual impacts, and other effects attributable to the highway. The impact of highway noise on residential property values was demonstrated by Nelson (cited in Chapter 9, Economics, of the Final EIS), who concluded that: (1) for every 1-dBA (A-weighted decibel) increase in noise, there is a corresponding reduction in residential property value of about 0.40%; (2) noise levels above 50 dBA to 60 dBA, or conversation levels, were considered most likely to cause intrusion, with resulting impacts to property values; and (3) it takes longer to sell a property near a highway (about 4 days longer on average) according to a Realtor survey.

1.10 Chapter 10 – Joint Development

No new comments were received on this resource during the Final EIS public wait period.

1.11 Chapter 11 – Considerations Relating to Pedestrians and Bicyclists

A. *The City of Lehi commented that, as stated by Lehi in comments on the DEIS, the impacts analysis area is too small for this resource. Impacts to facilities and to pedestrians and bicyclists, whether direct or indirect, will take place outside of the arbitrary 0.5-mile impacts analysis area. It is also concerning that there is no discussion or study of safety-related issues to pedestrians and bicyclists in the FEIS.*

The pedestrian and bicyclist analysis includes the expected impacts to known facilities in the pedestrian and bicyclist impact analysis area and provides an equal comparison between the MVC action alternatives. The analysis looked at all facilities within 0.5 mile of the MVC alternatives because those are the *facilities* that are likely to be directly affected. Although trips on trails could originate outside this area, the impact would still be on the trail next to the MVC. Because the MVC project would preserve all current and future trails crossed by the proposed road, there would be no impacts to trail users or people whose trips originated outside the impact analysis area. All trails crossings will be designed according to appropriate safety standards.

1.12 Chapter 12 – Air Quality

1.12.1 Section 12.1 – General Air Quality

No new comments were received on this resource during the Final EIS public wait period.

1.12.2 Section 12.2 – Conformity

No new comments were received on this resource during the Final EIS public wait period.

1.12.3 Section 12.3 – Carbon Monoxide and Particulate Matter

No new comments were received on this resource during the Final EIS public wait period.

1.12.4 Section 12.4 – Mobile-Source Air Toxics (MSATs)

A. *EPA and FHWA have been negotiating language for mobile-source air toxic impact analysis, risks, and mitigation measures for some time. Please note that there is no agreed-upon language for inclusion in this FEIS on mobile-source air toxics.*

FHWA will continue to work with EPA regarding the inclusion of mobile-source air toxics in EISs.

B. *The Utah Moms for Clean Air, Utahns for Better Transportation, and Sierra Club commented that they were pleased with and supportive of the changes included in the FEIS that attempt to mitigate the near-roadway pollution impacts at schools. Specifically, we can express our conditional approval of the following changes to the corridor plan:*

Section 6.6.5.4 regarding the purchase of land for the possible relocation of Hillside Elementary School.

Section 12.4.5 regarding the mitigation measures to address near-roadway air pollution.

Specifically, but not exclusively, to include:

- *12.4.5.1 regarding the establishment of and funding for an Air Quality Working Group.*
- *12.4.5.2 regarding the establishment of an air quality monitoring program.*
- *12.4.5.3 regarding funding the installation and operation of air filters in specific schools near the roadway.*
- *The 5800 West road alignment shift east from Marsha Drive on to Bills Drive to create a 500-meter buffer from Hunter Junior High School (Volume 8, Sheet RD-33 of 89).*

The specific measures that were included in the sections noted above in the Final EIS have been included in this Record of Decision in Section 2.6.5, Mitigation Measures for Air Quality Impacts, and Section 2.6.2, Mitigation Measures for Community Impacts.

1.13 Chapter 13 – Noise

No new comments were received on this resource during the Final EIS public wait period.

1.14 Chapter 14 – Water Quality

No new comments were received on this resource during the Final EIS public wait period.

1.15 Chapter 15 – Ecosystem Resources

1.15.1 Section 15.1 – General Ecosystems

No new comments were received on this resource during the Final EIS public wait period.

1.15.2 Section 15.2 – Wildlife, Wildlife Habitat, and Migratory Birds

No new comments were received on this resource during the Final EIS public wait period.

1.15.3 Section 15.3 – Endangered Species Act

No new comments were received on this resource during the Final EIS public wait period.

1.15.4 Section 15.4 – Wetlands and Section 404

A. *EPA commented that they have worked closely with UDOT and FHWA as a cooperating agency for several years and have commented on pre-scoping, scoping, and preliminary draft versions of this document. We concur that the preferred alternative arguably represents the Least Environmentally Damaging Practicable Alternative (LEDPA) and avoids more than 350 acres of primary and secondary wetlands over other alternatives. This combination of alternatives provides the least impacts to the waters of the United States while meeting the primary objectives of the project.*

FHWA and UDOT acknowledge that EPA concurs that that the preferred alternatives identified in the Final EIS are the Least Environmentally Damaging Practicable Alternatives (LEDPA). FHWA has selected the Preferred Alternatives identified in the Final EIS in this Record of Decision.

1.16 Chapter 16 – Floodplains

No new comments were received on this resource during the Final EIS public wait period.

1.17 Chapter 17 – Historic, Archaeological, and Paleontological Resources

A. *The City of Lehi commented that, on page 17-3, the decision to shift the alignment of the alternatives considered and continue to use the same sample area to assess impacts to these resources from the old alternative alignments studied in the DEIS appears to be an arbitrary decision. A new sample area should have been considered.*

As stated in Chapter 17, Historic, Archaeological, and Paleontological Resources of the Final EIS (page 17-2), the initial survey area was defined in consultation with representatives of the Utah State Historic Preservation Office (SHPO). Over the course of the studies conducted for this EIS, the area of potential effect (APE) changed as transportation alternatives under consideration were refined based on public and agency scoping comments and in response to the identification of potentially sensitive resources. The impact analysis area, or survey area, for architectural resources was expanded to match all changes in the APE. UDOT, on behalf of FHWA and in consultation with the Utah SHPO, determined that the impact analysis area for archaeological resources did not need to be expanded in a similar fashion because field inspections for archaeological resources were already being conducted at a reconnaissance (sample) level, and the changes in the APE were not substantive enough to affect the validity of that sample.

1.18 Chapter 18 – Hazardous Waste Sites

No new comments were received on this resource during the Final EIS public wait period.

1.19 Chapter 19 – Visual Resources

No new comments were received on this resource during the Final EIS public wait period.

1.20 Chapter 20 – Energy

No new comments were received on this resource during the Final EIS public wait period.

1.21 Chapter 21 – Construction Impacts

No new comments were received on this resource during the Final EIS public wait period.

1.22 Chapter 22 – Short-Term Uses versus Long-Term Productivity

No new comments were received on this resource during the Final EIS public wait period.

1.23 Chapter 23 – Irreversible and Irretrievable Commitment of Resources

No new comments were received on this resource during the Final EIS public wait period.

1.24 Chapter 24 – Indirect Effects

A. *The City of Lehi commented that the impacts analysis area includes portions of cities outside of the MVC study area because they will be impacted by the project. These areas should have been made part of the project study area for each resource. The determination that these areas will be indirectly affected by the construction of the project provides evidence that the study area selected by the agency was too small to provide the public with information on all of the impacts that are likely to occur.*

The indirect effects analysis area was an area within an approximately 5-mile radius of the MVC project interchanges because, generally, freeway interchanges can attract highway-oriented commercial uses within 1 mile to 2 miles and residential uses within 5 miles if travel connections are good. However, the indirect analysis concluded that the actual limits of residential growth are constrained by the undevelopable steep slopes of the Oquirrh Mountains to the west and the already fully built-out areas to the east, which substantially reduces the size of the MVC indirect effects. For the resources evaluated in Chapter 24, Indirect Effects, data were gathered to capture the potential for the indirect effects from the MVC. Also note that the project study area was not intended to capture all resource impacts, which is why an independent impact analysis area was developed for each resource.

B. *The City of Lehi commented that the indirect [effects] chapter makes only generalized statements regarding the project's effect on increasing the pace of development and fails to provide the reader with any type of specific induced-growth effects that are likely to occur, in violation of NEPA. The induced growth that is likely to occur as a result of the project should have been analyzed on an alternative-by-alternative basis and not on a county-wide basis.*

The indirect effects analysis was based on the latest data that were available when the research and analysis was conducted in late 2004 and early 2005.

Further, the indirect effects analysis was qualitative. A qualitative approach was used because it gives the reader an understanding of the areas that are likely to experience increased development pressures and also avoids the uncertainties and methodological difficulties involved in any attempt to predict quantitatively the exact locations and amounts of future development.

Section 24.5.2, Indirect Effects on Land Use by Alternative, in the Final EIS provides an alternative-by-alternative comparison of the impacts of the No-Action and action alternatives on land use, including land use in Utah County. Overall, the greater increase in mobility provided by the two freeway alternatives (Southern Freeway and 2100 North Freeway Alternatives) is expected to induce more land-use impacts than the Arterials Alternative. The alternatives located near Utah Lake (Southern Freeway and Arterials Alternatives) have a greater potential to induce development that would affect the extensive wetlands in that area (see Section 24.5.5.2, Wetlands and Water Quality, in the Final EIS).

1.25 Chapter 25 – Cumulative Impacts

A. *The City of Lehi commented that, for the resources considered in the cumulative impacts analysis, the FEIS fails to analyze impacts on an alternative-by-alternative basis and instead only generally discusses the impacts. This conclusory treatment of cumulative impacts is not defensible. As discussed in a recent logging case, the Bureau of Land Management failed to disclose and consider quantified and detailed information regarding the cumulative impact of a logging project combined with past, present, and reasonably foreseeable future logging projects. See* Oregon Natural Resources Council v. United States Bureau of Land Management, *470 F.3d 818, 823 (9th Cir. 2006). The court stated that even a calculation of the total number of acres to be harvested in the watershed was not a sufficient description of the actual environmental effects that can be expected from the combined logging projects because the agencies' analysis was silent as to the degree that each environmental resource would be impacted and how the project design will reduce or eliminate the identified impacts. The court went on to hold that this "conclusory presentation does not offer any more than the kind of general statements about possible effects and some risk which we have held to be insufficient to constitute a hard look."*

The federal agency simply failed to sufficiently discuss the incremental impact that can be expected from each successive timber sale, or how those individual impacts might combine or synergistically interact with each other to affect the environment.

The cumulative impact evaluation provides an analysis that includes the expected impacts of the MVC alternatives. Because the MVC alternatives are within the

same geographic area and the impacts between alternatives are not substantially different enough given the large analysis area to have different cumulative effects, the greatest amount of expected impacts from the MVC was analyzed. This approach provides the information necessary to determine if the MVC project would contribute to cumulative impacts. It should be noted that the selected alternatives would have less of a cumulative impact when combined than the alternatives that were analyzed in Chapter 25, Cumulative Impacts, of the Final EIS.

Where possible, the impacts from past, current, and reasonably foreseeable actions were quantified in Chapter 25. For the resources analyzed, it was determined that the MVC project would not substantially contribute to additional cumulative impacts. The cumulative impact analysis describes the effects of future projects and growth trends on each resource and, by providing the amount of impact, gives the degree of the impact on the resource.

1.26 Chapter 26 – Permits, Reviews, and Approvals

No comments were received on this resource during the Final EIS public comment period.

1.27 Chapter 27 – Mitigation Summary

No new comments were received on this resource during the Final EIS public wait period.

1.28 Chapter 28 – Section 4(f) Evaluation

A. *The City of Lehi commented that, on page 6-68, it is admitted that noise along the Jordan River Parkway would experience at least a 10-dBA increase in noise and would exceed 66 dBA adjacent to the 2100 North Alternative. It is further admitted that this increase in noise level would change the quiet nature of the recreation activities of biking, jogging, and nature observation at the parkway. This level of noise would be similar to a vacuum cleaner and would make it difficult to have a conversation, let alone enjoy nature observation, biking, or jogging activities along the parkway. Furthermore, recreational fishing in the Jordan River will be dramatically affected. On page 15-116, the FEIS states that the noise from the freeway on the Jordan River will have an impact on wildlife in the area, either causing them to leave the area or have less reproductive success within 125 feet to 3,500 feet or more of the roadway. With these admitted impacts to the Jordan River and Jordan River Parkway trail, it is nearly impossible to believe that the 2100 North Alternative will only have a* de minimis *effect on this*

Section 4(f) resource. Other, much smaller crossings of the Jordan River Parkway Trail, such as at 11400 South in South Jordan, have been held by UDOT to constitute a "use" of the resource for Section 4(f) purposes. The determination of a de minimis *impact for this resource is arbitrary and capricious and flies in the face of the information presented in the FEIS concerning the major impacts that will occur should the 2100 North Alternative be constructed.*

Furthermore, it appears that the FEIS only analyzes the impacts to the trail system itself for Section 4(f) uses. The Section 4(f) analysis states that, since there would be no use of the trail, the constructive-use analysis does not apply. If only the trail was reviewed for Section 4(f) impacts, the constructive-use and entire Section 4(f) analysis is fatally flawed. The impacts to the recreational resource of the river and banks itself should have been analyzed for both direct use of those resources and constructive use. Particularly troubling is that there was no consideration in the FEIS given to the constructive use of the river corridor itself caused by noise and/or visual impacts, Given the admitted increase in noise at this location, it would be hard to say that the protected activities, features, or attributes that qualify this property as a Section 4(f) resource will not be substantially diminished in accordance with 23 CFR 774.15(a).

The Jordan River Parkway Trail was evaluated in Chapter 28, Section 4(f) Evaluation, of the Final EIS. The trail extends for about 9 miles in Utah County and is used for recreational purposes such as walking, biking, and jogging and therefore was evaluated as a recreational property. Neither the trail nor the Jordan River are considered a wildlife refuge, so they were not evaluated as such in the chapter.

As shown in Figure 28-23, Impacts to Public Parks and Recreation Areas in Utah County, there would be a use of the Jordan River Parkway Trail under the 2100 North Freeway Alternative. A constructive use of a Section 4(f) property is determined by the criteria in 23 CFR 774.15. A constructive use occurs only when there is no physical impact or use of the property. As noted in the comment, there would be an increase in noise levels on the Jordan River Parkway from the MVC project. FHWA has determined that the increase in noise levels would be neither an adverse effect nor a substantial impairment to the activities on the Jordan River Parkway.

If a project results in a use of a Section 4(f) resource such as under the 2100 North Freeway Alternative, FHWA can approve that use by making a finding of "*de minimis* impact" (23 CFR 774.17). For parks, recreation areas, and refuges, FHWA's finding of *de minimis* impact requires the concurrence of the authority

with jurisdiction over the resource, which is the Utah County Public Works Department for the Jordan River Parkway Trail. As described in Chapter 28 of the Final EIS, the MVC team met with Utah County Public Works on several occasions regarding the project and its use of the Jordan River Parkway Trail. Utah County Public Works agreed to the mitigation commitments for the impacts to the trail and provided a letter that they agree with a *de minimis* finding (see Appendix 28F, *De Minimis* Correspondence, in the Final EIS).

The public accesses the Jordan River by the Jordan River Parkway Trail to fish along the banks, which is considered a recreational activity. The status of rivers as Section 4(f) properties was addressed in FHWA's Section 4(f) Policy Paper dated March 1, 2005. As noted in question 13 of the policy paper, "In general, rivers are not subject to the requirements of Section 4(f). Rivers in the National Wild and Scenic Rivers System are subject to the requirements of Section 4(f)..." However, the Jordan River is not a National Wild and Scenic River. In addition, those portions of publicly owned rivers that are designated as recreational trails are subject to the requirements of Section 4(f). The Jordan River is not designated a recreation trail.

Finally, it should be noted that the 11400 South EIS Section 4(f) analysis for the Jordan River Parkway Trail was done prior to the current Section 4(f) implementing regulations, which include provisions for a *de minimis* finding.

1.29 Chapter 29 – Sequencing

No new comments were received on this resource during the Final EIS public wait period.

1.30 Chapter 30 – Public and Agency Consultation and Coordination

A. The Utah Moms for Clean Air, Utahns for Better Transportation, and Sierra Club commented: We would like to incorporate our comments from the DEIS into these comments on the Final Environmental Impact Statement (FEIS)—along with the Comments on Mountain View Sequencing Analysis by Smart Mobility Inc., February 9, 2007, and our letter to the Utah Department of Transportation (UDOT) on the MVC Sequencing Analysis, from UBET [Utahns for Better Transportation] and the Sierra Club, February 14, 2007—for reference in these comments for the FEIS. In general, we positively recognize and compliment UDOT on its significant efforts to address many of the key concerns raised in our DEIS comments. Support for the project and changes from the DEIS that now

appear in the FEIS is conditional upon their specific inclusion into the Record of Decision (ROD).

The comments provided on the Draft EIS were included in and responded to in Chapter 35, Comments on the Draft EIS, in the Final EIS. Other comments provided during the MVC EIS process have been included in the project administrative record. Both the Final EIS and project administrative record were considered in making the final decision in this Record of Decision. The specific measures identified in the Final EIS have been included in this Record of Decision.

B. *The City of Bluffdale commented that UDOT states on page 35-55 of the FEIS that it has coordinated with Bluffdale on the design of the interchange. The only way this statement can be true is if they mean the hollow exercise of showing Bluffdale officials their proposed alignment and design and asking for our comments and concerns. We have given them, and the proposed alignment and interchange design remain unchanged. If the Arterials Alternative is selected, the City of Bluffdale looks forward to having a real voice in determining the design of the interchange and alignment.*

The 2100 North Freeway Alternative was selected for implementation in this Record of Decision. Therefore, design changes to the Arterials Alternative are not warranted at this time.

C. *The City of Bluffdale commented that the FEIS discusses the comments from Herriman and Bluffdale on the Draft EIS on page 35-43. It states that UDOT has coordinated with Bluffdale. While UDOT has coordinated with Bluffdale about the Mountain View Corridor generally, it has not done so for the proposed Herriman Shift. It was Herriman officials that informed Bluffdale about the possibility of the Herriman Shift. The reason given that the MVC will provide a buffer between Camp Williams and future development is dubious because Herriman is proposing mixed-use and commercial development between Camp Williams Road and the MVC all the way to the northern boundary of Camp Williams as proposed in its Herriman 2020 plan (attached).*

UDOT has made an effort to work with each of the various Cities in the study area and to look at alignment changes that the Cities have presented to UDOT. When this property was part of Bluffdale, UDOT worked for several months with Bluffdale City leaders and staff to come up with an alignment that best fit Bluffdale City's plans for this region. Once this land became part of Herriman, the same courtesy was given to Herriman City and its city staff to comment on the alignment.

This shift was coordinated with Herriman City and the Utah National Guard because their lands would be affected by the shift. In addition, the shift also substantially reduced utility conflicts, which reduced UDOT's construction and right-of-way cost in this area.

D. *Lehi City commented that they incorporate by reference their comments on the Draft Environmental Impact Statement submitted on February 7, 2008, as well as comments on the DEIS from other governmental entities, resource agencies, municipalities, organizations, and citizens.*

The comments provided on the Draft EIS were included in and responded to in Chapter 35, Comments on the Draft EIS, in the Final EIS.

1.31 Other Comments

A. *A commenter suggested that UDOT should consider using extra tax money from new refineries to help pay for roads.*

Changes to state legislation regarding the tax structure are outside the scope of this EIS.

B. *Utah Moms for Clean Air, Utahns for Better Transportation, and Sierra Club commented: We compliment UDOT on the significant steps taken toward resolving many of our key concerns of the Mountain View Corridor. Our support is conditional to the full incorporation of these new provisions in the ROD. If the final approval significantly differs from the FEIS, a Supplemental EIS should be required with adequate opportunity for public comment to evaluate any changes.*

This Record of Decision includes the commitments identified in the Final EIS for the selected alternatives. The approval granted by this Record of Decision does not differ from that identified in the Final EIS, so a Supplemental EIS is not required.

1.32 Chapter 35 – Comments on the Draft EIS

No new comments were received on this resource during the Final EIS public wait period.

1.33 Chapter 36 – Project Implementation

A. *Utah Moms for Clean Air, Utahns for Better Transportation, and Sierra Club commented: We raised several issues in our previous comments in the Mountain View Corridor DEIS regarding the proposed road design and the lack of a funded sequenced and integrated mass-transit component. We acknowledge and tentatively support (based on inclusion in the ROD) the changes to the MVC project stated in Chapter 36, Project Implementation.*

Specifics include:

- *A phased road and transit construction regime combining a phased transit system (BRT-3 to rail) on 5600 West and a phased four-lane road (phase I – intersections, phase II interchanges)*
- *At-grade design change between 2700 South and 4700 South*
- *The 2100 North Lehi resolution*
- *The ROD approval of only roadway phases I and II with additional NEPA requirements necessary for phase III*
- *Inclusion of an adjacent trail south from 2500 South in WVC [West Valley City] (Figure 2-8.7)*

The project phasing included in Chapter 36, Project Implementation, of the Final EIS has been included in Section 2.3, Project Implementation, of this Record of Decision. Before Phase 3 of the roadway can be constructed, FHWA will issue an additional ROD pursuant to applicable regulations and law specifically for construction of Phase 3. FHWA will be responsible for determining the level of NEPA documentation that is required prior to issuing the additional ROD for construction of Phase 3.

1.33.1 Implementation Phases in Salt Lake County

A. *Commenters asked if their property would be affected now that the roadway will be only two lanes, if the project will have traffic signals, if interchanges will eventually be built, and if subsequent phases will cause severe congestion when interchanges and lanes are added. Another commentor does not want the MVC to be a Bangerter Highway.*

Chapter 36, Project Implementation (Phasing), of the Final EIS and Section 2.3, Project Implementation, of this ROD describe how the project will be constructed in phases. In Salt Lake County, the project will be constructed in three phases. Although only two lanes in each direction would be constructed during Phase 1, UDOT plans to acquire the right-of-way for the entire project, so properties that

will be needed for the full MVC build-out in 2030 will be acquired during Phase 1. Under the phased approach, the initial construction will include at-grade signalized intersection that will eventually be converted to interchanges as part of Phase 2 or Phase 3. UDOT will design the initial Phase 1 project so that construction of future phases will result in limited construction-related impacts on the MVC.

The MVC will be phased and designed to handle the traffic generated during each phase with the final-build project being a limited-access freeway, not an arterial like Bangerter Highway.

1.33.2 Implementation Phases in Utah County

A. A commentor asked how the 2100 North Freeway Alternative will be built and when a bridge will be built over or under the rail line.

Chapter 36, Project Implementation (Phasing), of the Final EIS and Section 2.3, Project Implementation, of this ROD describe how the project will be constructed in phases. In Utah County, the project will be constructed in three phases. As part of Phase 1, the rail line will pass over the roadway on 2100 North.

B. Utah Moms for Clean Air, Utahns for Better Transportation, and Sierra Club commented that they acknowledge and support UDOT's moving MVC alignment to 2100 North in Lehi along with the new sequenced redesign of the road explained in Chapter 36 and the Lehi resolution (Appendix 36A). This alternative will better avoid the loss of critically important wetlands of Utah Lake.

The phasing and redesign of the 2100 North Freeway Alternative as identified in Chapter 36, Project Implementation, of the Final EIS has been included in Section 2.3, Project Implementation, of this Record of Decision.

2.0 Commenter and Response Matrix

Last Name	First Name	Affiliation	Comment #	ROD Comment Category(ies)	Final EIS Comment Category(ies)
Anonymous			009	1.2.1A	
Alba	Orlando		010	1.33.2A	
Allgrunn	Dave		006	1.2.11A, 1.33.1A	
Anderson	Derek		011		35.6.3A
Appel	Jeffrey	Lehi City	021	1.30D, 1.27A, 1.3A, 1.25A, 1.3B, 2.1B, 2.1C, 1.4A, 1.5A, 1.8A, 1.9A, 1.11A, 17A, 1.24A, 1.24B, 1.28A	35.2.1CC, 35.2.9A, 35.25C
Checketts	Robert	Kern River	016	6.4A	
Cova	Cameron	Utah Moms for Clean Air, Utahns for Better Transportation, Sierra Club	018	1.30 A, 1.3A, 1.33A, 1.12.4B, 1.33.2B, 1.31B	35.12.4A, 35.2.1H
Francis	Jared	South Jordan City	013		35.31A
Gibbons	Travis	Richman Group	001		35.31A
Johnson	Trevor		007	1.31A	
King	Jason		020	1.33.1A	
Klavano	Brad	South Jordan City	019	1.12.11B	35.2.3F, 35.2.4O,
Krebs	Justin		014		35.31A
Markland	Phillip & Carol		002	1.33.1A	
Martinez	Ruby	Kearns Community Council	005		35.31A
Osier	Jon	Rio Tinto	017	1.12.11B	35.2.3F, 35.2.4O
Pickell	Vaughn	Bluffdale City	022	1.30B, 1.30C	35.2.8A, 35.2.8D, 35.2.9A, 35.2.7D, 35.2.4P
Serr	Deven		004	1.33.1A	35.2.1A, 35.2.1M
Svoboda	Larry	US EPA	015	1.15.4A, 1.12.4A	
Taylor	Aimee		008		35.31C
Wade	Byron		012	1.2.11A, 1.33.2A	
Yeates	Michele		003		35.2.4B

3.0 Reproductions of Comments on the Final EIS

Comment 1

Response Section ➥

35.31A in the Final EIS

First Name: Travis
Last Name: Gibbons
Business/Organization:

City: Arlington
County:
State: VA

Submission Date: 9/29/2008
Submission Method: Email

Submission:
Travis Gibbons wants to acquire a hard copy of the EIS or at least a DVD of the study. I have invited him to look at it on-line and he has done that, or go to a local library, but he is long distance and would like somebody to call regarding his request. Thanks for your support. Kitty Wright

Comment 2

Response Section ➥

1.33.1A in the Record of Decision

First Name: Philip & Carol
Last Name: Markland
Business/Organization:

City: West Valley City
County: Salt Lake
State: UT

Submission Date: 9/30/2008
Submission Method: Telephone

Submission:
I read in the paper today that the MVC will only be two lanes - does that mean that my property will not be impacted anymore?

▲▲

Comment 3

Response Section ➥

35.2.4B in the Final EIS

First Name: Michele
Last Name: Yeates
Business/Organization:

City: West Valley City
County: Salt Lake
State: UT

Submission Date: 10/1/2008
Submission Method: Website

Submission:
I feel that the 7200 West route would be a better solution. The 5800 West route is too close to many schools. The roads around 5800 West are already too congested. I worry about the environmental impact on the schools that it would be affecting. There are also many more homes that would feel the negative impact of the 5800 West corridor. I worry about the transient situation also that this road would bring. I worry about the depreciation of the areas around the corridor. Please take it to 7200 West where there is less impact on all. Thank you.

Comment 4

Response Section ➥

35.2.1A and 35.2.1M in the Final EIS and 1.33.1A in the Record of Decision

First Name: Deven
Last Name: Serr
Business/Organization:

City: West Jordan
County: Salt Lake
State: UT

Submission Date: 10/1/2008
Submission Method: Website

Submission:
To whom it may concern, I have a question that I wanted to have answered by the Project Engineer if possible, I am looking at the plans and reviewing the proposed alignments for the MVC and I am still wondering one thing. Why is it so critical to put the MVC along a virgin route roughly following 5600 W? My reasoning in asking the question is this, I travel both Bangeter and Bacchus Hwy's on a daily basis both north and southbound at all times of the day. These Hwy's both seem to be much better alternatives then the ROW issues you most likely are spending billions of tax dollars to settle/condemn for MVC proposed route. If cost is the issue someone has lost it in thinking the money spent on the proposed MVC Right of way would be a better investment then upgrading either Bangeter or even Bacchus to a multilane freeway. I've even heard rumor that MVC planes on traffic signals at various locations, this diminishes its usefulness even more with traffic signals all you get is another overly congested Bangeter hwy situation, that cannot be the solution to the west side growth. Thank you for your time

▼▼

Comment 5

Response Section ➥

35.31A in the Final EIS

First Name: Ruby
Last Name: Martinez
Business/Organization: Kearns Community Council

City: Kearns
County: Salt Lake
State: UT

Submission Date: 10/1/2008
Submission Method: Email

Submission:
Hi. Where can I pick up copies of the FEIS for members of the Kearns Community Council? I would need 9 copies.

Comment 6

Response Section ➥

1.2.11A in the Record of Decision

1.33.1A in the Record of Decision

First Name: Dave
Last Name: Allgrunn
Business/Organization:

City: Eagle Mountain
County: Utah
State: UT

Submission Date: 10/3/2008
Submission Method: Email

Submission:
I've been reading thru the MVC website and have a couple questions / comments for you:

(1) The "What's Next" page states "This includes $130 million for the start of construction in Summer 2009 in Utah County…". Does this mean that the Utah county portion of the road (which connects SR-73 near Eagle Mountain to I-15 via 2100 N in Lehi, and also to the Utah County line near Camp Williams) will be the first segment started and completed, and that construction will really start next year?

(2) Regarding Phase One, the website also states "The first phase of the Mountain View Corridor (MVC) project will include building an arterial roadway and signalized intersections where future interchanges will be". Does this mean that the MVC will look / function like Bangerter Highway during Phase One, in that all traffic on the MVC will be subject to traffic signals along the entire roadway?

Furthermore, during Phase Two, will these intersections be converted into full-fledged freeway-style interchanges where MVC traffic won't be subject to traffic lights unless exiting the roadway?

If my questions about phased construction are true, it seems that when Phase Two is started UDOT will have to severely and invasively modify every intersection along the entire roadway (including bridge construction, road elevation changes, etc). How is this possible without causing a huge disruption to existing MVC traffic at every single intersection, severely hampering the speeds and capacity of the entire corridor road?

Thanks for your time.

▲▲

Comment 7

Response Section ➥

1.31A in the Record of Decision

First Name: Trevor
Last Name: Johnson
Business/Organization:

City: South Jordan
County:
State: UT

Submission Date: 10/5/2008
Submission Method: Website

Submission:
I think a fabulous way to help pay for the freeway would be to use the extra tax money brought in from refining the shell oil. Utah should jump at the chance to bring refineries and the associated growth and money into this developing state.

Comment 8

Response Section ➥

35.31C in the Final EIS

First Name: Aimee
Last Name: Taylor
Business/Organization:

City:
County: Utah
State: UT

Submission Date: 10/5/2008
Submission Method: Email

Submission:
My name is Aimee Taylor, I am a student at Utah valley University. I am currently writing a paper for my english class, a proposal concerning the traffic issues along Main St in Lehi. I was wondering if I could get some statistics on the number of vehicles traveling this route and possibly estimated travel time, and any other information that might be useful Thank you

▼▼

Comment 9

Response Section

1.2.1A in the Record of Decision

First Name: Anonymous
Last Name:
Business/Organization:

City:
County:
State: UT

Submission Date: 10/6/2008
Submission Method: Email

Submission:
Think about roundabouts! Here is something quite interesting.

Thursday, Sep. 04, 2008
You Want a Revolution
By: Tim Padgett

Carmel, Ind., is driving in circles. Since 2001, the Indianapolis suburb has built 50 roundabouts, those circular alternatives to street intersections that have become a transit fixture in much of the rest of the world. Because roundabouts force cars to travel through a crossroads in a slower but more free-flowing manner — unlike traffic circles, roundabouts have no stop signals — in seven years, Carmel has seen a 78% drop in accidents involving injuries, not to mention a savings of some 24,000 gal. of gas per year per roundabout because of less car idling. "As our population densities become more like Europe's," says Mayor Jim Brainard, who received a climate-protection award this year from the U.S. Conference of Mayors, "roundabouts will become more popular."

About 1,000 roundabouts have been built in 25 states, and research bears out the benefits to states like Kansas, where the new design has produced a 65% average drop in vehicular delays, according to a recent Kansas State University study. Most roundabouts are also more aesthetically pleasing and cost much less to construct than stoplight intersections. The problem is teaching Americans how to navigate them. (Folks, cars entering a roundabout yield to those already in it.) But the heightened anxiety people feel in roundabouts makes them drive more carefully and remember that intersections are dangerous places. And as Tom Vanderbilt notes in this summer's best seller Traffic, "The system that makes us more aware of this is actually the safer one."

Comment 10

Response Section

1.33.2A in the Record of Decision

First Name: Orlando
Last Name: Alba
Business/Organization:

City: Lehi
County: Utah
State: UT

Submission Date: 10/8/2008
Submission Method: Telephone

Submission:
I am interested in what the plans are for a bridge over or under the rail line going past the Ivory Homes development at 2100 North in Lehi. What is the schedule for building a bridge?

▲▲

Comment 11

Response Section ➥

35.6.3A in the Final EIS

First Name: Derek
Last Name: Anderson
Business/Organization:

City:
County:
State: UT

Submission Date: 10/01/2008
Submission Method: Email

Submission:
Is it possible for you to tell me if the following property is in the way of the Freeway? Parcel Number 2016400014. In other words, would this be a candidate for acquisition. If not, do you know who would? Thanks.

Comment 12

Response Section ➥

1.2.11A and 1.33.2A in the Record of Decision

First Name: Byron
Last Name: Wade
Business/Organization:

City: Daytona Beach
County:
State: FL

Submission Date: 10/15/2008
Submission Method: Email

Submission:
This inquiry concerns the status of the 2100 Freeway (part of the Mountainview Corridor project). Since it is the "Preferred alternative" does that mean it will be built? What is the timing? Who is/are the people to contact to keep learn more about the details of this project? [my client is in favor of the project and is being solicited to become involved in some development on Redwood Road...so we're trying to learn what we can]. You have a first class web site! Congrats!

▼▼

Comment 13

Response Section ➥

35.31A in the Final EIS

First Name: Jared
Last Name: Francis
Business/Organization: South Jordan City

City: South Jordan
County: Salt Lake
State: Utah

Submission Date: 10/21/2008
Submission Method: Email

Submission:
I am in the engineering department at South Jordan City and I haven't been able to find a hard copy or a CD for the Mountain View Corridor FEIS. Can you please tell me whether copies were send to South Jordan City? Is it possible to obtain both a hard copy and one on CD?

Comment 14

Response Section ➥

35.31A in the Final EIS

First Name: Justin
Last Name: Krebs
Business/Organization:

City: Lehi
County: Utah
State: Utah

Submission Date: 10/22/2008
Submission Method: Email

Submission:
Attended the meeting last night on the 2100 North in Lehi project and was told that I could email this address to get PDFs of the maps that were shared at the meeting. Please email them to me at your earliest convience.

▲▲

Comment 15

Response Section ➥

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
http://www.epa.gov/region08

October 21, 2008

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 Mountain View Corridor-Salt Lake and Utah Counties. Final Environmental Impact Statement (FEIS): CEQ#: 20080367

Dear Messrs: Waidelich and Njord:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA), 42 U.S.C. Section 4231 et. seq., and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609, the U.S. Environmental Protection Agency Region 8 (EPA) has reviewed the Mountain View Corridor Final Environmental Impact Statement (FEIS). The proposed action includes year 2030 roadway and transit solutions for meeting travel demand in western Salt Lake County south of I-80 and west of Bangerter Highway and in northwestern Utah County west of I-15, south of the Salt Lake County line, and north of Utah Lake. The primary purposes of the project are to improve regional mobility by reducing roadway congestion and to improve regional mobility by supporting increased transit availability. Secondary objectives include supporting local growth objectives, increasing roadway safety and supporting increased bicycle and pedestrian options. The two roadway alternatives considered in Salt Lake County include: 5800 West Freeway Alternative and 7200 west Freeway Alternative, each of which can include a proposed transit facility along 5600 West. The three alternatives considered for Utah County include: Southern Freeway Alternative, 2100 North Freeway Alternative, and the Arterials Alternative. The preferred alternatives are the 5600 West Transit Alternative with dedicated Right-Of-Way Transit Option and 5800 West Freeway Alternative in Salt Lake County and the 2100 North Freeway alternative in Utah County.

Comment 15 (continued)

Response Section ➥

1.15.4A in the Record of Decision

1.12.4A in the Record of Decision

EPA has worked closely with Utah Department of Transportation (UDOT) and Federal Highway Administration (FHWA) as a cooperating agency for several years and has commented on pre-scoping, scoping and preliminary draft versions of this document. We concur that the preferred alternative arguably represents the Least Environmentally Damaging Practicable Alternative (LEDPA), and avoids more than 350 acres of primary and secondary wetlands over other alternatives. This combination of alternatives provides the least impacts to the waters of the United States while meeting the primary objectives of the project.

EPA and FHWA have been negotiating language for mobile source air toxic impact analysis, risks, and mitigation measures for some time. Please note that there is no agreed-upon language for inclusion in this FEIS on mobile source air toxics.

We appreciate your collaboration on this project which has resulted in the design of a complex highway in a manner that meets the purpose and need, considers and mitigates environmental impacts and attempts to meet the needs of the local communities (all of which often conflict).

If you have any questions or would like to discuss our comments, please contact me at (303) 312-6004 or Robin Coursen of my staff at (303)312-6695.

Sincerely,

Larry Svoboda
Director, NEPA Program
Office of Ecosystems Protection and Remediation

cc: Ed Woolford, FHWA (email)
Carlos Machado, FHWA
Merrell Jolley, UDOT
Betsy Herrmann, U.S. Fish and Wildlife Service (email)
Jason Gipson, U.S. Army Corps of Engineer (email)
Julia McCarthy

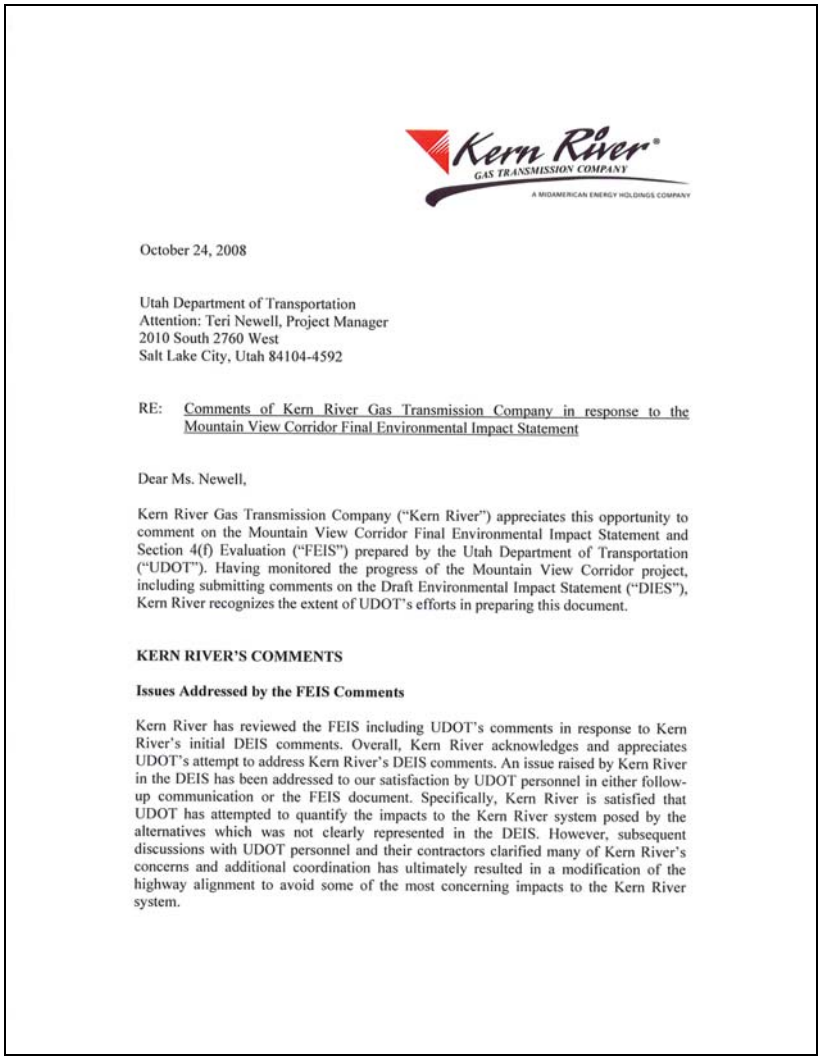
2

Printed on Recycled Paper

▼▼

Comment 16

Response Section ➥



Kern River
GAS TRANSMISSION COMPANY
A MIDAMERICAN ENERGY HOLDINGS COMPANY

October 24, 2008

Utah Department of Transportation
Attention: Teri Newell, Project Manager
2010 South 2760 West
Salt Lake City, Utah 84104-4592

RE: Comments of Kern River Gas Transmission Company in response to the Mountain View Corridor Final Environmental Impact Statement

Dear Ms. Newell,

Kern River Gas Transmission Company ("Kern River") appreciates this opportunity to comment on the Mountain View Corridor Final Environmental Impact Statement and Section 4(f) Evaluation ("FEIS") prepared by the Utah Department of Transportation ("UDOT"). Having monitored the progress of the Mountain View Corridor project, including submitting comments on the Draft Environmental Impact Statement ("DIES"), Kern River recognizes the extent of UDOT's efforts in preparing this document.

KERN RIVER'S COMMENTS

Issues Addressed by the FEIS Comments

Kern River has reviewed the FEIS including UDOT's comments in response to Kern River's initial DEIS comments. Overall, Kern River acknowledges and appreciates UDOT's attempt to address Kern River's DEIS comments. An issue raised by Kern River in the DEIS has been addressed to our satisfaction by UDOT personnel in either follow-up communication or the FEIS document. Specifically, Kern River is satisfied that UDOT has attempted to quantify the impacts to the Kern River system posed by the alternatives which was not clearly represented in the DEIS. However, subsequent discussions with UDOT personnel and their contractors clarified many of Kern River's concerns and additional coordination has ultimately resulted in a modification of the highway alignment to avoid some of the most concerning impacts to the Kern River system.

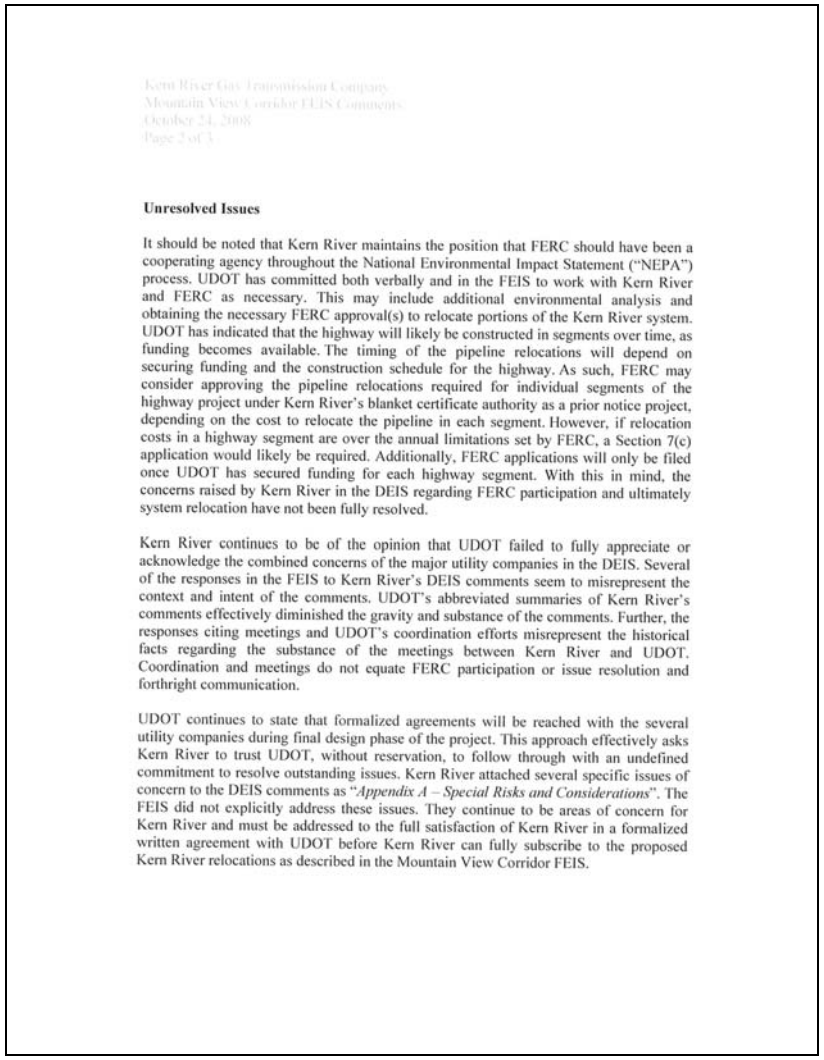
Comment 16 (continued)

Response Section ➥

6.4A in the Record of Decision

6.4A in the Record of Decision

6.4A in the Record of Decision



Unresolved Issues

It should be noted that Kern River maintains the position that FERC should have been a cooperating agency throughout the National Environmental Impact Statement ("NEPA") process. UDOT has committed both verbally and in the FEIS to work with Kern River and FERC as necessary. This may include additional environmental analysis and obtaining the necessary FERC approval(s) to relocate portions of the Kern River system. UDOT has indicated that the highway will likely be constructed in segments over time, as funding becomes available. The timing of the pipeline relocations will depend on securing funding and the construction schedule for the highway. As such, FERC may consider approving the pipeline relocations required for individual segments of the highway project under Kern River's blanket certificate authority as a prior notice project, depending on the cost to relocate the pipeline in each segment. However, if relocation costs in a highway segment are over the annual limitations set by FERC, a Section 7(c) application would likely be required. Additionally, FERC applications will only be filed once UDOT has secured funding for each highway segment. With this in mind, the concerns raised by Kern River in the DEIS regarding FERC participation and ultimately system relocation have not been fully resolved.

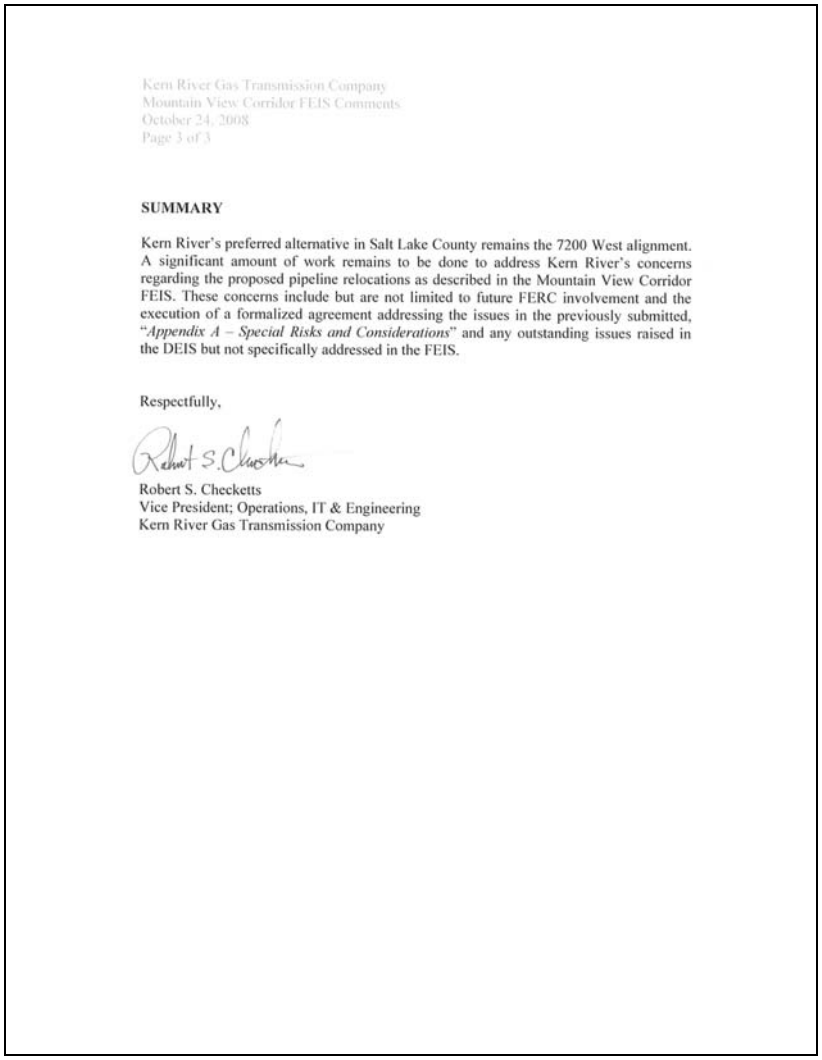
Kern River continues to be of the opinion that UDOT failed to fully appreciate or acknowledge the combined concerns of the major utility companies in the DEIS. Several of the responses in the FEIS to Kern River's DEIS comments seem to misrepresent the context and intent of the comments. UDOT's abbreviated summaries of Kern River's comments effectively diminished the gravity and substance of the comments. Further, the responses citing meetings and UDOT's coordination efforts misrepresent the historical facts regarding the substance of the meetings between Kern River and UDOT. Coordination and meetings do not equate FERC participation or issue resolution and forthright communication.

UDOT continues to state that formalized agreements will be reached with the several utility companies during final design phase of the project. This approach effectively asks Kern River to trust UDOT, without reservation, to follow through with an undefined commitment to resolve outstanding issues. Kern River attached several specific issues of concern to the DEIS comments as "*Appendix A – Special Risks and Considerations*". The FEIS did not explicitly address these issues. They continue to be areas of concern for Kern River and must be addressed to the full satisfaction of Kern River in a formalized written agreement with UDOT before Kern River can fully subscribe to the proposed Kern River relocations as described in the Mountain View Corridor FEIS.

▲▲

Comment 16 (continued)

Response Section ➥



Kern River Gas Transmission Company
Mountain View Corridor FEIS Comments
October 24, 2008
Page 3 of 3

SUMMARY

Kern River's preferred alternative in Salt Lake County remains the 7200 West alignment. A significant amount of work remains to be done to address Kern River's concerns regarding the proposed pipeline relocations as described in the Mountain View Corridor FEIS. These concerns include but are not limited to future FERC involvement and the execution of a formalized agreement addressing the issues in the previously submitted, "*Appendix A – Special Risks and Considerations*" and any outstanding issues raised in the DEIS but not specifically addressed in the FEIS.

35.6.4C in the Final EIS

Respectfully,

Robert S. Checketts
Vice President; Operations, IT & Engineering
Kern River Gas Transmission Company

This space is intentionally blank.

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Comment 17

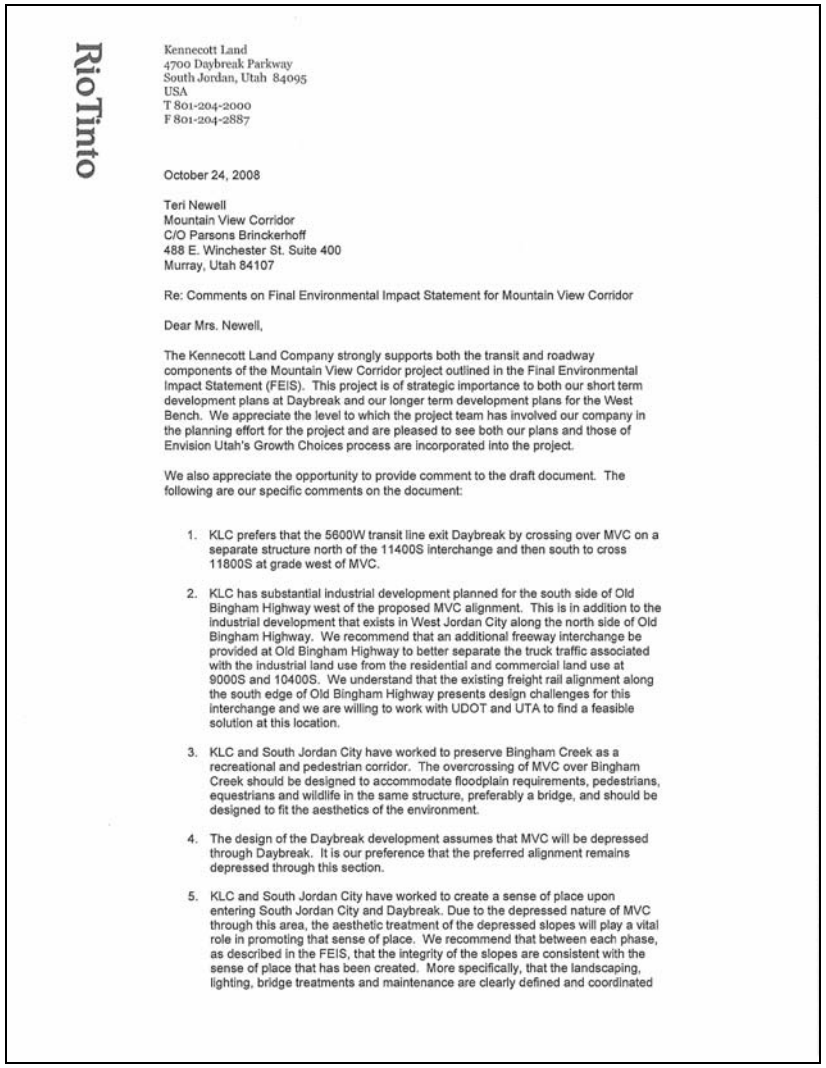
Response Section

35.2.3F in the Final EIS

35.2.4O in the Final EIS

35.2.4O in the Final EIS

1.12.11B in the Record of Decision



Rio Tinto

Kennecott Land
4700 Daybreak Parkway
South Jordan, Utah 84095
USA
T 801-204-2000
F 801-204-2887

October 24, 2008

Teri Newell
Mountain View Corridor
C/O Parsons Brinckerhoff
488 E. Winchester St. Suite 400
Murray, Utah 84107

Re: Comments on Final Environmental Impact Statement for Mountain View Corridor

Dear Mrs. Newell,

The Kennecott Land Company strongly supports both the transit and roadway components of the Mountain View Corridor project outlined in the Final Environmental Impact Statement (FEIS). This project is of strategic importance to both our short term development plans at Daybreak and our longer term development plans for the West Bench. We appreciate the level to which the project team has involved our company in the planning effort for the project and are pleased to see both our plans and those of Envision Utah's Growth Choices process are incorporated into the project.

We also appreciate the opportunity to provide comment to the draft document. The following are our specific comments on the document:

1. KLC prefers that the 5600W transit line exit Daybreak by crossing over MVC on a separate structure north of the 11400S interchange and then south to cross 11800S at grade west of MVC.
2. KLC has substantial industrial development planned for the south side of Old Bingham Highway west of the proposed MVC alignment. This is in addition to the industrial development that exists in West Jordan City along the north side of Old Bingham Highway. We recommend that an additional freeway interchange be provided at Old Bingham Highway to better separate the truck traffic associated with the industrial land use from the residential and commercial land use at 9000S and 10400S. We understand that the existing freight rail alignment along the south edge of Old Bingham Highway presents design challenges for this interchange and we are willing to work with UDOT and UTA to find a feasible solution at this location.
3. KLC and South Jordan City have worked to preserve Bingham Creek as a recreational and pedestrian corridor. The overcrossing of MVC over Bingham Creek should be designed to accommodate floodplain requirements, pedestrians, equestrians and wildlife in the same structure, preferably a bridge, and should be designed to fit the aesthetics of the environment.
4. The design of the Daybreak development assumes that MVC will be depressed through Daybreak. It is our preference that the preferred alignment remains depressed through this section.
5. KLC and South Jordan City have worked to create a sense of place upon entering South Jordan City and Daybreak. Due to the depressed nature of MVC through this area, the aesthetic treatment of the depressed slopes will play a vital role in promoting that sense of place. We recommend that between each phase, as described in the FEIS, that the integrity of the slopes are consistent with the sense of place that has been created. More specifically, that the landscaping, lighting, bridge treatments and maintenance are clearly defined and coordinated

Comment 17 (continued)

Response Section

Rio Tinto

with KLC and South Jordan City to protect the integrity of the aesthetic environment.

KLC looks forward to continuing to work with you and UDOT on the implementation of the MVC project. Please feel free to contact me if you have any questions or need further clarification.

Sincerely,

Jon Osier, PE
Senior Transportation Planner

▲▲

Comment 18

Response Section ➥

1.30A in the Record of Decision

1.3A in the Record of Decision

October 27, 2008

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

Comments on the
Final Environmental Impact Statement for Mountain View Corridor
by Utah Moms for Clean Air, Utahns for Better Transportation and Sierra Club
October 27, 2008

Utah Moms for Clean Air, Utahns for Better Transportation (UBET) and Sierra Club submitted extensive comments on the Mountain View Corridor (MVC) Draft Environmental Impact Statement (DEIS) January 24, 2008.

We would like to incorporate our comments from the DEIS into these comments on the Final Environmental Impact Statement (FEIS)—along with the Comments on Mountain View Sequencing Analysis by Smart Mobility Inc., February 9, 2007, and our letter to the Utah Department of Transportation (UDOT) on the MVC Sequencing Analysis, from UBET and the Sierra Club, February 14, 2007—for reference in these comments for the FEIS. In general, we positively recognize and compliment UDOT on its significant efforts to address many of the key concerns raised in our DEIS comments. Support for the project and changes from the DEIS that now appear in the FEIS is conditional upon their specific inclusion into the Record of Decision (ROD).

In particular, we support the project components of the FEIS that support the transportation goals stated in the Balanced Transportation, Principle of Agreement #4, in the Mountain View Vision Voluntary Agreement (MVVVA). The MVVVA was signed March 10, 2004 by the stakeholders convened to participate in the Mountain View Corridor Growth Choices process that ran concurrently with the development of the Mountain View Corridor EIS.

Balanced Transportation

We desire a balanced transportation system for our future that will involve more transportation choices. The phasing and implementation of transportation investments over the next decade will affect land use development patterns and therefore affect future travel needs and the availability and effectiveness of other viable transportation choices. The sequencing of transportation investments needs to be studied to recommend the most effective and cost efficient way to meet future travel needs, reduce the rate of growth of vehicle miles traveled, improve air quality through a better balance between auto, transit, walk and bike trips, and to recommend the best way to encourage the types of land uses throughout the corridor that will support these improvements.

1

Comment 18 (continued)

Response Section ➥

1.33A in the Record of Decision

35.12.4A in the Final EIS

1.12.4B in the Record of Decision

Project Design, Sequencing and Integration of Mass Transit

Our groups raised several issues in our previous comments in the Mountain View Corridor DEIS regarding the proposed road design and the lack of a funded sequenced and integrated mass transit component. We acknowledge and tentatively support (based on inclusion in the ROD) the changes to the MVC project stated in Chapter 36 – Project Implementation.

Specifics include:

- A phased road and transit construction regime combining a phased transit system (BRT-3 to rail) on 5600 West and a phased 4-lane road (phase I – intersections, phase II interchanges)
- At-grade design change between 2700 South and 4700 South
- The 2100 North Lehi resolution
- The ROD approval of only roadway phases I and II with additional NEPA requirements necessary for phase III
- Inclusion of an adjacent trail south from 2500 South in WVC (Figure 2-8.7)

Air Quality

Our groups submitted comments to the Mountain View Corridor DEIS regarding our concerns about the health impacts of locating the Mountain View corridor roadway in close proximity to schools. Specifically we discussed research that shows a direct correlation between exposure to roadway pollution and a number of health impacts, magnified in children, ranging from reduced lung capacity to cancer.

Our preference, as stated in those comments, would have been for UDOT to relocate the roadway to an alignment farther from these schools, in order to significantly reduce the acute air pollution impacts on children attending those schools. We are, however, pleased with and supportive of the changes included in this FEIS that attempt to mitigate the near-roadway pollution impacts at these schools. Specifically, we can express our conditional approval of the following changes to the corridor plan:

Section 6.6.5.4 regarding the purchase of land for the possible relocation of Hillside Elementary School.

Section 12.4.5 regarding the mitigation measures to address near roadway air pollution. Specifically, but not exclusively, to include:

12.4.5.1 regarding the establishment of and funding for an Air Quality Working Group.
12.4.5.2 regarding the establishment of an air quality monitoring program; and
12.4.5.3 regarding funding the installation and operation of air filters in specific schools near the roadway.
The 5800 West road Alignment shift east from Marsha Drive on to Bills Drive to create a 500 meter buffer from Hunter Jr. High School (Vol. 8, Sheet RD-33 of 89)

2

▼▼

Comment 18 (continued)

Response Section ➥

1.33.2B in the Record of Decision

35.2.1H in the Final EIS

1.31B in the Record of Decision

Wetlands

We acknowledge and support UDOT's moving of the MVC alignment to 2100 North in Lehi along with the new sequenced redesign of the road explained in Chapter 36 and the Lehi resolution (Appendix 36A). This alternative will better avoid the loss of critically important wetlands of Utah Lake.

We encourage UDOT to continue to work with UTA to develop west-east transit service on MVC to give northwest Utah County residents convenient transit alternatives to access FrontRunner commuter rail.

Conclusion

We once again compliment UDOT on the significant steps taken towards resolving many of our key concerns of the Mountain View Corridor. Our support is conditional to the full incorporation of these new provisions in the ROD. If the final approval significantly differs from the FEIS, a Supplemental EIS should be required with adequate opportunity for public comment to evaluate any changes.

Respectfully submitted,

Cameron Alston Cova
Co-founder Utah Moms for Clean Air
P.O. Box 58446
Salt Lake City, Utah 84158
(801) 583-8563
cameroncova@yahoo.com

Roger Borgenicht
Co-chair Utahns for Better Transportation
218 East 500 South
Salt Lake City, Utah 84111
(801) 355-7085
future@xmission.com

3

Comment 18 (continued)

Response Section ➥

Marc A. Heileson
Sierra Club Southwest Regional Representative
2159 South 700 East, Suite 210
Salt Lake City, Utah 84106
(801) 467-9294
marc.heileson@sierraclub.org

cc:
TeriAnne Newell, UDOT
EPA Region 8
USACE Utah Office
UTA
FTA Region 8
USFWS
WFRC

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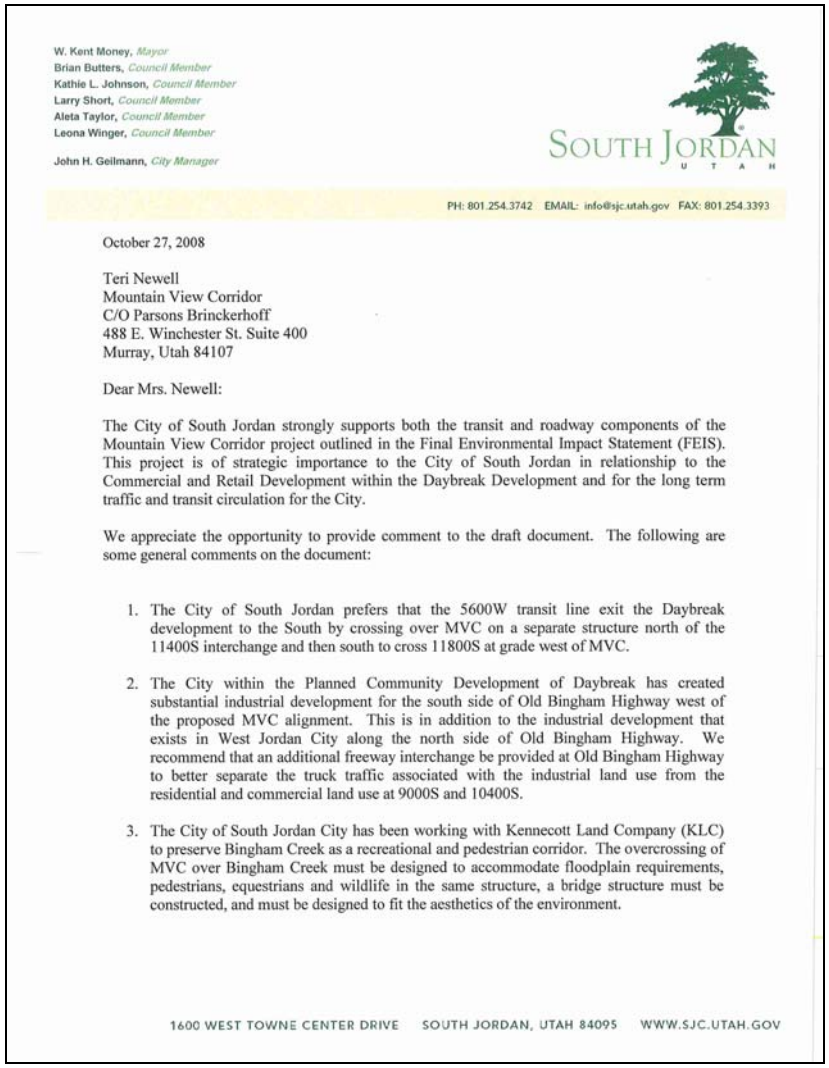
Comment 19

Response Section ➥

35.2.3F in the Final EIS

35.2.4O in the Final EIS



W. Kent Money, *Mayor*
Brian Butters, *Council Member*
Kathie L. Johnson, *Council Member*
Larry Short, *Council Member*
Aleta Taylor, *Council Member*
Leona Winger, *Council Member*

John H. Geilmann, *City Manager*

SOUTH JORDAN UTAH

PH: 801.254.3742 EMAIL: info@sjc.utah.gov FAX: 801.254.3393

October 27, 2008

Teri Newell
Mountain View Corridor
C/O Parsons Brinckerhoff
488 E. Winchester St. Suite 400
Murray, Utah 84107

Dear Mrs. Newell:

The City of South Jordan strongly supports both the transit and roadway components of the Mountain View Corridor project outlined in the Final Environmental Impact Statement (FEIS). This project is of strategic importance to the City of South Jordan in relationship to the Commercial and Retail Development within the Daybreak Development and for the long term traffic and transit circulation for the City.

We appreciate the opportunity to provide comment to the draft document. The following are some general comments on the document:

1. The City of South Jordan prefers that the 5600W transit line exit the Daybreak development to the South by crossing over MVC on a separate structure north of the 11400S interchange and then south to cross 11800S at grade west of MVC.

2. The City within the Planned Community Development of Daybreak has created substantial industrial development for the south side of Old Bingham Highway west of the proposed MVC alignment. This is in addition to the industrial development that exists in West Jordan City along the north side of Old Bingham Highway. We recommend that an additional freeway interchange be provided at Old Bingham Highway to better separate the truck traffic associated with the industrial land use from the residential and commercial land use at 9000S and 10400S.

3. The City of South Jordan City has been working with Kennecott Land Company (KLC) to preserve Bingham Creek as a recreational and pedestrian corridor. The overcrossing of MVC over Bingham Creek must be designed to accommodate floodplain requirements, pedestrians, equestrians and wildlife in the same structure, a bridge structure must be constructed, and must be designed to fit the aesthetics of the environment.

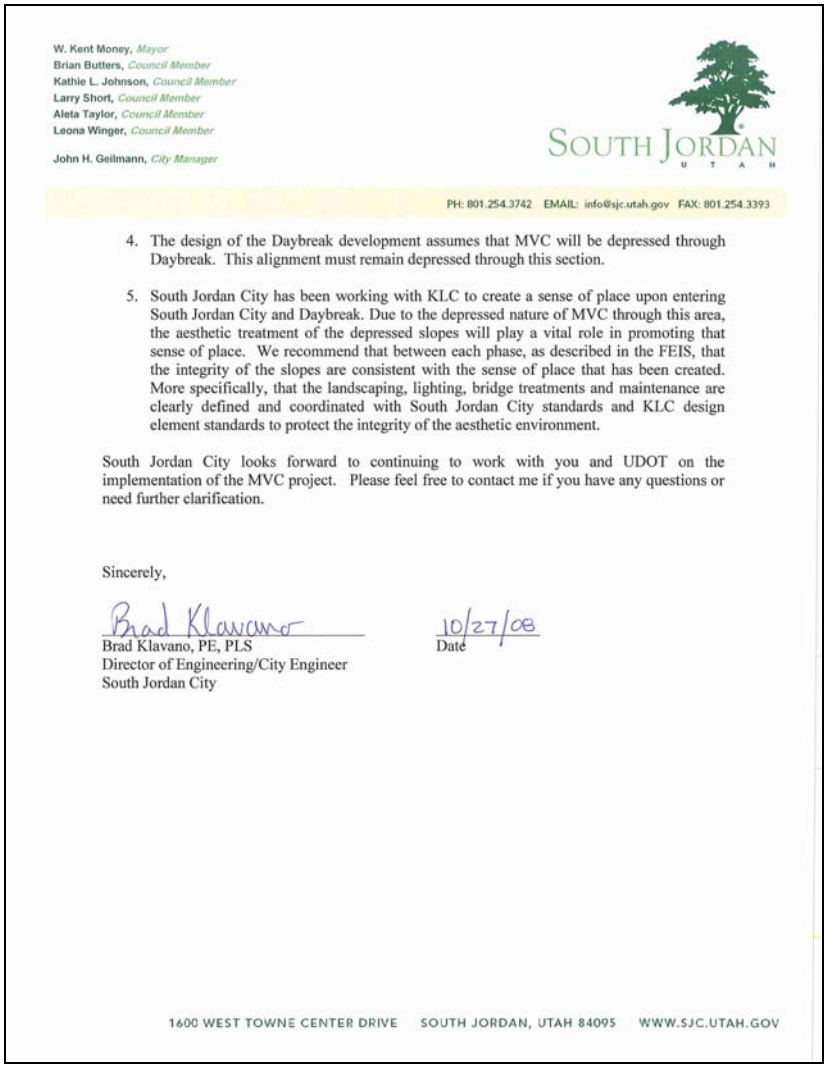
1600 WEST TOWNE CENTER DRIVE SOUTH JORDAN, UTAH 84095 WWW.SJC.UTAH.GOV

Comment 19 (continued)

Response Section ➥

35.2.4O in the Final EIS

1.12.11B in the Record of Decision



W. Kent Money, *Mayor*
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Leona Winger, *Council Member*

John H. Geilmann, *City Manager*

SOUTH JORDAN UTAH

PH: 801.254.3742 EMAIL: info@sjc.utah.gov FAX: 801.254.3393

4. The design of the Daybreak development assumes that MVC will be depressed through Daybreak. This alignment must remain depressed through this section.

5. South Jordan City has been working with KLC to create a sense of place upon entering South Jordan City and Daybreak. Due to the depressed nature of MVC through this area, the aesthetic treatment of the depressed slopes will play a vital role in promoting that sense of place. We recommend that between each phase, as described in the FEIS, that the integrity of the slopes are consistent with the sense of place that has been created. More specifically, that the landscaping, lighting, bridge treatments and maintenance are clearly defined and coordinated with South Jordan City standards and KLC design element standards to protect the integrity of the aesthetic environment.

South Jordan City looks forward to continuing to work with you and UDOT on the implementation of the MVC project. Please feel free to contact me if you have any questions or need further clarification.

Sincerely,

Brad Klavano 10/27/08

Brad Klavano, PE, PLS
Director of Engineering/City Engineer
South Jordan City

Date

1600 WEST TOWNE CENTER DRIVE SOUTH JORDAN, UTAH 84095 WWW.SJC.UTAH.GOV

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Comment 20

Response Section ➥

1.33.1A in the Record of Decision

First Name: Jason
Last Name: King
Business/Organization:

City: Magna
County: Salt Lake
State: Utah

Submission Date: 10/23/2008
Submission Method: Website

Submission:
I am disappointed to see that the initial build of the Mountain View Corridor is going be built like the horrible Bangerter Highway. I commute to work on 4100 South between 7200 West and 2700 West, and have to cross Bangerter twice a day. It is not unusual for traffic to be backed up nearly a mile, and to take nearly 10 minutes waiting for traffic at the signalized intersection. Earlier in this project, UDOT representatives promised that they would not build another Bangerter. Traffic is bad enough in this valley already for those traveling east-west; putting in another Bangerter style road will only make the problem worse.

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Comment 21

Response Section ➥

1.30D and 1.2.7A in the Record of Decision

1.3A in the Record of Decision

RAY QUINNEY & NEBEKER

October 27, 2008

Via Electronic and U.S. Mail

Walter Waidelich, Division Administrator
Ed Woolford, Environmental Program Manager
Federal Highway Administration, Utah Division
2520 West 4700 South, Suite 9A
Salt Lake City, Utah 84118-1847

Mountain View Corridor
c/o Parsons Brinkerhoff
488 E. Winchester Street, Suite 400
Murray, UT 84107
mountainview@utah.gov

RE: **Lehi City's Comments on the Mountain View Corridor Final Environmental Impact Statement**

Dear Messrs. Waidelich and Woolford:

These comments on the Mountain View Corridor Final Environmental Impact Statement are submitted by this Firm on behalf of Lehi City Council, the Mayor and citizens of Lehi City ("Lehi"). Lehi also incorporates by reference its comments on the Draft Environmental Impact Statement submitted on February 7, 2008 as well as comments on the DEIS from other governmental entities, resource agencies, municipalities, organizations and citizens. Although Lehi believes it has an agreement with FHWA and UDOT for the implementation of the 2100 North Alternative, this agreement has not yet been put in writing. These comments should be considered only if the terms of the parties' agreement and commitments regarding the 2100 North Alternative do not satisfactorily appear in the Record of Decision.

Unfortunately, Lehi still believes there are significant flaws in the FEIS that should be addressed before final approval of this project. These flaws include those previously raised in Lehi's comments on the DEIS and those discussed below. Foremost, it the employment projections for Utah County do not appear to match the articulated "need" of addressing expected growth in the area. Page S-2 of the FEIS projects a 192,000 increase from 2005 to 2030 for employment in the area and a 341,000 increase in population. The projections do not support the underlying assumption in the FEIS that the MVC is needed to get persons living in the area to and from work, rather, it appears that many of these persons will be working closer to

A PROFESSIONAL CORPORATION

Comment 21 (continued)

Response Section ➥

35.2.1CC in the Final EIS

35.2.9A in the Final EIS

35.25C in the Final EIS

1.25A in the Record of Decision

home. As stated on page 1-20 trips to and from Utah County in 2030 are expected to decrease. Trips to the north will decrease from 22% to 17% and trips to the east will decrease from 43% to 38%.

Lehi also believes that all reasonable alternatives were not reviewed in the FEIS and may have been arbitrarily screened out of review in the initial stages of alternative selection. For instance, Lehi does not believe the Level 2 screening analysis for alternatives was reasonably performed. The alternatives were screened based on different weights being assigned to different environmental resources. The weight given to each resource appears to have been arbitrarily assigned. *See* Table 2.1-6. For instance wetlands and relocations are given more emphasis and weight than impacts to endangered species without explanation in the document as to why those resources are somehow more important than the protection of wildlife.

Lehi also disagrees with the agencies conclusion that the 4800 North Freeway Alternative was unreasonable for cost and constructability reasons as well as safety. Bridges of the type proposed for the 4800 North Freeway Alternative are often built over water bodies. The projected costs for this Alternative appear to have been arbitrarily inflated by the agency.

As addressed in Lehi comments on the DEIS, the FEIS fails to review the cumulative impacts to transportation resources, community impacts, environmental justice, visual resources, economics, pedestrians, and noise. This violates NEPA. The cumulative impacts to all of these resources should have been evaluated in the FEIS.

For the resources considered in the cumulative impacts analysis, the FEIS fails to analyze impacts on an alternative by alternative basis and instead only generally discusses the impacts. This conclusory treatment of cumulative impacts is not defensible. As discussed in a recent logging case, the Bureau of Land Management failed to disclose and consider quantified and detailed information regarding the cumulative impact of a logging project combined with past, present, and reasonably foreseeable future logging projects. *See Oregon Natural Resources Council v. United States Bureau of Land Management*, 470 F.3d 818, 823 (9th Cir. 2006). The Court stated that even a calculation of the total number of acres to be harvested in the watershed was not a sufficient description of the actual environmental effects that can be expected from the combined logging projects because the agencies analysis was silent as to the degree that each environmental resource would be impacted and how the project design will reduce or eliminate the identified impacts. The Court went on to hold that this "conclusory presentation does not offer any more than the kind of general statements about possible effects and some risk which we have held to be insufficient to constitute a hard look."

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Comment 21 (continued)

Response Section ➥

1.3B in the Record of Decision

2.1B in the Record of Decision

2.1C in the Record of Decision

1.4A in the Record of Decision

1.5A in the Record of Decision

The federal agency simply failed to sufficiently discuss the incremental impact that can be expected from each successive timber sale, or how those individual impacts might combine or synergistically interact with each other to affect the environment.

Lehi also submits the following specific comments on individual Chapters of the FEIS:

Chapter 1: Purpose and Need

One of the purposes of the Project is to support transit. This purpose is not well defined and it is unclear how the MVC supports increased availability of transit as compared to the No-Action Alternative.

Chapter 2: Alternatives

The FEIS says on page 2-34 that it is acceptable for areas between on ramps and off ramps to function at LOS E. This statement seems to violate the purpose of the project to improve traffic congestion in the study area and also appears to violate UDOT's standard operating LOS requirement.

On page 2-42 of the FEIS, a sensitivity analysis is mentioned that allegedly demonstrates that the new twelve lane I-15 Alternative that is currently being studied would not affect the need for this Project. There is no information provided in the FEIS regarding how the new 12 lane I-15 Alternative will affect the traffic congestion and analysis for the MVC. It is hard to believe that adding two additional lanes on I-15 would not affect the transportation needs for this project.

Chapter 4: Land Use

On page 4-42 the FEIS admits that the 2100 North Alternative is not compatible with Lehi, American Fork, and Lindon's land use plans and goes on to state that the Alternative would meet the overall intent of the plans to improve both local and regional transportation infrastructure. Lehi disagrees with this comment.

Chapter 5: Farm Lands

The FEIS also contains conclusory statements regarding the cumulative impacts to farmlands that can be expected from construction of the Project. The FEIS states that no data is available on the exact amount of agricultural land that will be converted to urban uses in the two counties and goes on to state that regional development will convert more than 50% of

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Comment 21 (continued)

Response Section ➥

1.8A in the Record of Decision

1.9A in the Record of Decision

1.11A in the Record of Decision

17A in the Record of Decision

current agricultural land or about 100,000 acres. The analysis then concludes that the MVC will only contribute to about 1.8% of the total loss of farmlands. If no data is available, how was this conclusion made? It this the total loss of farmland directly affected or is this the cumulative farmland that will be affected?

Chapter 8: Transportation

The FEIS fails to study transportation network effects caused by the Project to local roads in the vicinity of interchanges, off ramps and on ramps. This is a major concern to Lehi.

Table 8.4-2 shows that in 2030 under the No Action Alternative only two segments will perform at LOS F, Redwood Road and SR 73 and 2300 West (Lehi) and SR 73. It would make sense to study individual solutions to these two areas rather than building a new freeway to address two failing segments.

Chapter 9: Economics

The FEIS makes an unsupported and conclusory statement on page 9-58 that the 2100 North Alternative will not have an effect on residential development and would not adversely affect residential property values. There was no study or data used to make this determination and it appears to be an arbitrary conclusion not supported by any type of scientific analysis.

Chapter 11: Pedestrian and Bicyclist Considerations

As stated by Lehi in comments on the DEIS, the impacts analysis area is too small for this resource. Impacts to facilities and to pedestrians and bicyclists, whether direct or indirect, will take place outside of the arbitrary 0.5 mile impacts analysis area. It is also concerning that there is no discussion or study of safety related issues to pedestrians and bicyclists in the FEIS.

Chapter 17: Historical Archaeological and Paleontological Resources

At page 17-3 the decision to shift the alignment of the alternatives considered and continue to use the same sample area to assess impacts to these resources from the old alternative alignments studied in the DEIS appears to be an arbitrary decision. A new sample area should have been considered.

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Comment 21 (continued)

Response Section ➥

1.24A in the Record of Decision

1.24B in the Record of Decision

35.25C in the Final EIS

1.28A in the Record of Decision

Chapter 24: Indirect Effects

This impacts analysis area includes portions of cities outside of the MVC study area because they will be impacted by the Project. These areas should have been made part of the project study area for each resource. The determination that these areas will be indirectly affected by the construction of the project provides evidence that the study area selected by the agency was too small to provide the public with information on all of the impacts that are likely to occur.

This Chapter makes only generalized statements regarding the Project's effect on increasing the pace of development and fails to provide the reader with any type of specific induced growth effects that are likely to occur, in violation of NEPA. The induced growth that is likely to occur as a result of the Project should have been analyzed on an alternative by alternative basis and not on a county wide basis.

Chapter 25: Cumulative Impacts

As stated above, the failure of the FEIS to study the cumulative impacts to transportation resources, community impacts, environmental justice, visual resources, economics, pedestrians, or noise violates NEPA.

Chapter 28: Section 4(f) Resources

On page 6-68 it is admitted that noise along the Jordan River Parkway would experience at least a 10 dBA increase in noise and would exceed 66 dBA adjacent to the 2100 North Alternative. It is further admitted that this increase in noise level would change the quiet nature of the recreation activities of biking, jogging and nature observation at the parkway. This level of noise would be similar to a vacuum cleaner and would make it difficult to have a conversation, let alone enjoy nature observation, biking or jogging activities along the parkway. Furthermore, recreational fishing in the Jordan River will be dramatically affected. On page 15-116, the FEIS states that the noise from the freeway on the Jordan River will have an impact on wildlife in the area, either causing them to leave the area or have less reproductive success within 125 feet to 3500 feet or more of the roadway. With these admitted impacts to the Jordan River and Jordan River Parkway trail, it is nearly impossible to believe that the 2100 North Alternative will only have a *de minimis* effect on this Section 4(f) resource. Other much smaller crossings of the Jordan River Parkway Trail, such as at 11400 South in South Jordan have been held by UDOT to constitute a "use" of the resource for Section 4(f) purposes. The determination of a *de minimis* impact for this resource is arbitrary and capricious and flies in the face of the information presented in

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Comment 21 (continued)

Response Section ➥

the FEIS concerning the major impacts that will occur should the 2100 North Alternative be constructed.

Furthermore, it appears that the FEIS only analyzes the impacts to the trail system itself for Section 4(f) uses. The Section 4(f) analysis states that since there would be no use of the trail, the constructive use analysis does not apply. If only the trail was reviewed for Section 4(f) impacts, the constructive use and entire Section 4(f) analysis is fatally flawed. The impacts to the recreational resource of the River and banks itself should have been analyzed for both direct use of those resources and constructive use. Particularly troubling is that there was no consideration in the FEIS given to the constructive use of the River corridor itself caused by noise and/or visual impacts. Given the admitted increase in noise at this location, it would be hard to say that the protected activities, features or attributes that qualify this property as a Section 4(f) resource will not be substantially diminished in accordance with 23 CFR 774.15(a).

Conclusion

Lehi appreciates efforts that have been made by the agencies to accommodate the City's land use plans and expects the promises and commitments made to the City regarding the 2100 North Alternative. The comments above are submitted only to preserve the issues raised herein should the parties' commitments and promises fail to appear in the ROD. Please feel free to contact me should you have any questions regarding these comments.

Very Truly Yours,

Ray, Quinney & Nebeker P.C.

Jeffrey W. Appel
Janelle P. Eurick

cc: Lehi City Mayor
Lehi City Council
Jamie Davidson, City Manager
John Njord, UDOT

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Comment 22

Response Section

35.28A in the Final EIS

35.28D in the Final EIS

BLUFFDALE CITY
14175 SOUTH REDWOOD ROAD • BLUFFDALE, UTAH 84065 • (801) 254-2200

October 23, 2008

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

Via E-mail: mountainview@utah.gov

Re: Comment on Mountain View Corridor Draft FEIS

Dear Mr. Woolford:

Thank you for giving the City of Bluffdale ("City") an opportunity to comment on the Mountain View Corridor (MVC) Final Environmental Impact Statement (EIS). Bluffdale is excited for the new transportation capacity and opportunity that the MVC will bring, but would also like to give its comments on the alignment alternatives.

As mentioned in our comment on the Draft EIS, the City of Bluffdale's first choice is the Utah County Arterials Alternative, with the inclusion of Porter Rockwell Boulevard that would be a major east-west arterial from the MVC to I-15. The Porter Rockwell Boulevard could provide a significant benefit to Bluffdale by providing a quick way for our residents to travel from the MVC or Camp Williams Road (S.R. 68) to I-15. It could also help to alleviate congestion on Camp Williams/Redwood Road by routing heavy traffic away from the Redwood Road corridor. Porter Rockwell Boulevard would also provide access to a part of Bluffdale City that has historically been difficult to reach – the sand, gravel, and concrete areas near the Point of the Mountain. This area could then see some type of development potential once the mineral material is mined out.

As also mentioned in our comment on the Draft EIS, the City of Bluffdale does have a concern with the alignment of the Porter Rockwell Boulevard as it interfaces with I-15. The City of Bluffdale has planned in its transportation planning to have the Porter Rockwell Boulevard intersect at a T with 14600 South (S.R. 140) rather than have a flyover interchange with I-15. City staff has discussed this issue with the MVC design team in previous months. As currently

Comment 22 (continued)

Response Section

1.30B in the Record of Decision

35.2.9A in the Final EIS

35.2.7D in the Final EIS

35.2.4P in the Final EIS

drawn, the interchange with its various ramps and alignment virtually obliterates property near the interchange. Subdivisions, both commercial and residential, have already been approved for this area, including the Independence at Bluffdale mixed use subdivision.[1] The proposed alignment in this area would be enormously detrimental to the City of Bluffdale and its residents if our prime development area on the I-15 corridor is dissected by ramps and roads tying Porter Rockwell Boulevard into I-15. This said, the Porter Rockwell alternative is still the City of Bluffdale's preferred alternative if the interchange could be redesigned to minimize impact on property in the vicinity by keeping as much as this freeway frontage property in a contiguous piece.

UDOT states on page 35-55 of the EIS that it has coordinated with Bluffdale on the design of the interchange. The only way this statement can be true is if they mean the hollow exercise of showing Bluffdale officials their proposed alignment and design and asking for our comments and concerns. We have given them and the proposed alignment and interchange design remain unchanged. If the arterials alternative is selected the City of Bluffdale looks forward to having a real voice in determining the design of the interchange and alignment.

The City of Bluffdale's second choice is the Lehi City 4800 North freeway alternative. This would also have many of the same benefits of the Porter Rockwell Boulevard. It would route heavy traffic away from the Redwood Road corridor and would confer development potential upon the area near the interchanges as long as access ramps are also provided to Camp Williams Road and Pony Express Road (West Frontage Road). Bluffdale City would also like to see Pony Express Road continue south into Utah County rather than end in a cul-de-sac as currently designed to improve traffic flow along the freeway corridor.

The City of Bluffdale is opposed to the 2100 North freeway alternative. It would provide little benefit to the City of Bluffdale. Both the Arterials alternative, including Porter Rockwell Boulevard, and the Lehi City 4800 North freeway alternative provide more direct access to the MVC and confer development potential upon areas within the City of Bluffdale, whereas the 2100 North freeway alternative does neither.

Concerning the Herriman City proposal for shifting the MVC further west and higher up the south hills (referred to as the "Herriman Shift" in the EIS at p. 2-68), the City of Bluffdale strongly disfavors that alternative. That proposal would push the MVC further away from Bluffdale residents and would attenuate their ability to access the MVC and diminish the development potential of property located along the east side of Camp Williams Road. Despite the reasons given in the EIS, our understanding is that one of the major reasons for Herriman's request is to divert the potential for commercial development from Bluffdale to Herriman by creating a swath of developable area between Camp Williams Road and the MVC. This would be inequitable because there would be very little potential for development on the east side of Camp Williams Road if the MVC is moved further away to the west. Where is the equity in moving the MVC for the sole purpose of conferring a benefit upon one city at the expense of another? Throughout the document are references to Bluffdale including property that has been disconnected from the City of Bluffdale and subsequently annexed to the City of Herriman. The recent disconnection and annexation accentuate the apparent inequity of the proposed Herriman Shift.

[1] Table 24.4-1 underestimates the population and households to be contained in the Independence at Bluffdale mixed use development. In fact, near 3,700 units have been approved, not just 2,371. If 3,700 units are multiplied by 3.3 persons per household, the build out population would be 12,210.

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Comment 22 (continued)

Response Section ➥

1.30C in the Record of Decision

The EIS discusses the comments from Herriman and Bluffdale on the Draft EIS on page 35-43. It states that UDOT has coordinated with Bluffdale. While UDOT has coordinated with Bluffdale about the Mountain View Corridor generally, it has not done so for the proposed Herriman Shift. It was Herriman officials that informed Bluffdale about the possibility of the Herrmian Shift. The reason given that the MVC will provide a buffer between Camp Williams and future development is dubious because Herriman is proposing mixed use and commercial development between Camp Williams Road and the MVC all the way to the northern boundary of Camp Williams as proposed in its Herriman 2020 plan (attached).

Please contact me if you have any questions.

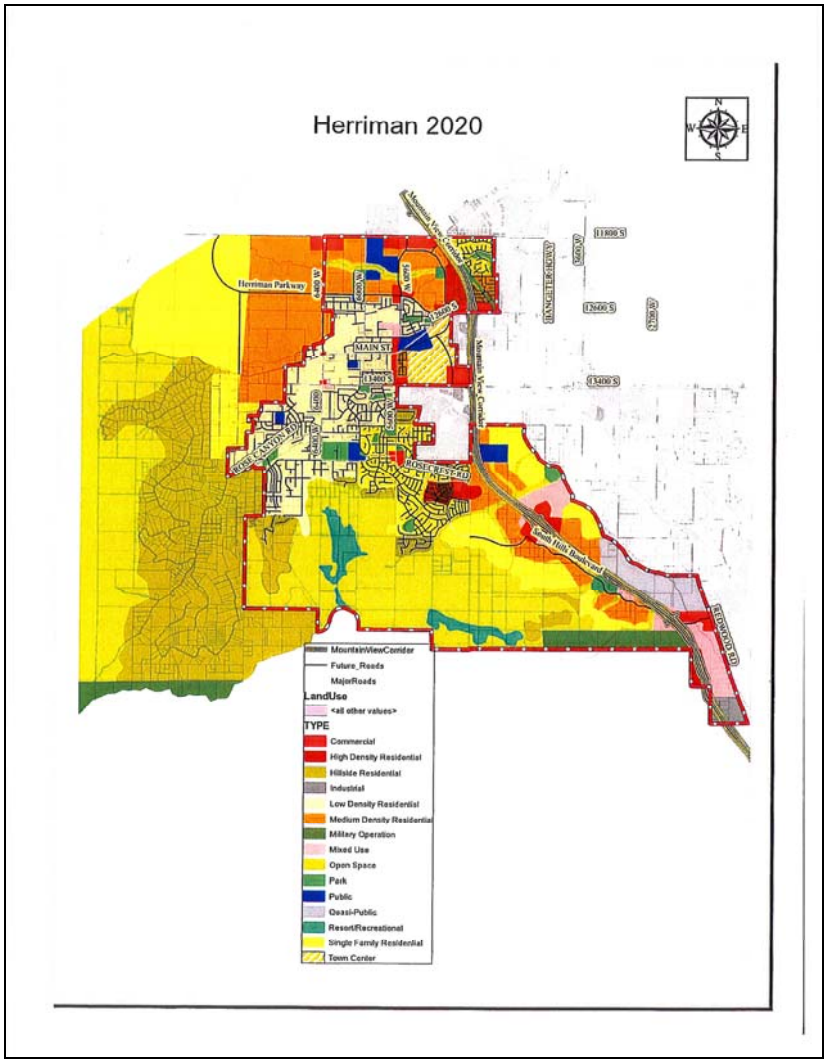
Sincerely,

Vaughn R. Pickell, Esq.
Community Development Director

Cc: Jamie Davidson, Lehi City Administrator
Lorin Powell, Lehi City Engineer
Mayor Lynn Crane, Herriman City
Brent Ventura, City Engineer
Blain Dietrich, Public Works Manager

Comment 22 (continued)

Response Section ➥



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