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1.0 Introduction

This Supplemental Section 4(f) Evaluation for the I-15 Northbound Bangerter Highway to I-215 project (I-15 Northbound Project or Project) addresses the requirements of Section 4(f) of the Department of Transportation Act of 1966, as amended, for the mitigation property being acquired by the Project to comply with Section 6(f) of the Land and Water Conservation Fund (LWCF) Act. This document meets the requirements of Section 4(f) of the Department of Transportation (DOT) Act of 1966, as amended, and the Federal Highway Administration regulations (23 CFR Part 774) and guidance which implement Section 4(f).

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being or have been carried out by UDOT pursuant to 23 USC 327 and a Memorandum of Understanding dated January 17, 2017, and executed by FHWA and UDOT. Under this MOU, the UDOT assumes responsibility, assigned by the FHWA, for ensuring compliance with Section 4(f) of the DOT Act of 1966, as amended.

This evaluation describes the Section 4(f) resources located in the property that has been selected for mitigation of impacts to Copperview Park to comply with Section 6(f) of the LWCF Act, evaluates potential avoidance alternatives and measures to minimize harm to the Section 4(f) resources on that property, updates the least harm analysis in light of the additional property that will incur a Section 4(f) use, and describes the coordination efforts made by UDOT to address Section 4(f) issues and concerns.

The Section 4(f) property addressed in this Supplemental Section 4(f) Evaluation is the historic site located at 629 East 7300 South, Midvale, Utah 84047 (adjacent to Union Park), aka Union Community Building/Union Lions Club Building property. See Figure 1 – Section 6(f) Mitigation Replacement Property. Impacts to Copperview Park were addressed in the I-15 NB Individual Section 4(f) Evaluation. See Figure 2 – Impacts to Copperview Park.

What is Section 4(f)?

Section 4(f) is a law that requires the U.S. Department of Transportation to avoid the use of eligible or potentially eligible historic properties and recreation and wildlife areas unless the use would have de minimis impacts or unless there is no feasible and prudent alternative to such use. Even then, all measures must be taken to minimize harm to these properties.
Figure 1. Section 6(f) Mitigation Replacement Property
Figure 2. Impacts to Copperview Park
2.0 Project Background

On December 6, 2018, UDOT released the I-15 Northbound Bangerter Highway to I-215 Environmental Assessment (EA) and Section 4(f) Evaluation, which evaluated uses of Section 4(f) properties for the Preferred Alternative. Chapter 4, Individual Section 4(f) Evaluation, of the EA evaluated potential uses of Section 4(f) properties as a result of constructing and operating the Preferred Alternative, analyzed avoidance alternatives, identified measures to minimize harm to Section 4(f) properties, and conducted a “least overall harm” analysis. The Preferred Alternative was the Selected Alternative in the project’s Finding of No Significant Impact (FONSI). The Preferred Alternative was also identified in the Individual Section 4(f) Evaluation as the alternative that would cause the least overall harm in light of the Section 4(f) statute’s preservation purposes [23 Code of Federal Regulations (CFR) 774.3(c)(1)].

The Individual Section 4(f) Evaluation noted that the Preferred Alternative would result in a use with de minimis impacts to the Copperview Park and the Dry Creek Trail, a use with de minimis impacts to five historic properties, and a use with greater than de minimis impact to 16 historic properties. All of the Section 4(f) uses and impacts previously described in the Individual Section 4(f) Evaluation have not changed and would still occur with the Preferred Alternative.

As documented in the EA, while the use of a small portion of Copperview Park would have a de minimis impact for purposes of Section 4(f), Copperview Park is also protected under Section 6(f) of the LWCF Act, and under Section 6(f) the acquisition and use of Park property by the Project would comprise a conversion of Park property from a recreation use to a transportation use, requiring that UDOT work with the National Park Service (NPS), the Utah Division of State Parks and Recreation (Utah State Parks), and Salt Lake County to identify and then obtain an acceptable substitute recreational property. See EA at Secs. 3.2.1.3, 3.2.2.2 and 3.2.3. Securing NPS approval of a substitute property that meets the requirements of Section 6(f) of the LWCF Act was a committed mitigation measure in the EA and FONSI. See EA at Sec. 3.2.3 and FONSI at Section 5.0, Table 2.

After the EA was approved, UDOT has continued to work with the NPS, Utah State Parks, and Salt Lake County to identify and then obtain NPS approval of substitute recreational property to mitigate the impacts to Copperview Park and meet the requirements of Section 6(f) of the LWCF Act. The Section 6(f) conversion process also included NEPA compliance by the NPS in connection with its approval of the conversion, which took into account the EA prepared by UDOT.

**What is a de minimis impact?**

A de minimis impact is one that, after taking into account avoidance, minimization, mitigation, and enhancement measures, results in no adverse effect to the activities, features, or attributes that quality a park, recreation area, or refuge for protection under Section 4(f).

**What is Section 6(f)?**

Section 6(f) of the Land and Water Conservation Fund Act requires that property acquired or developed with LWCF assistance shall be retained and used for public outdoor recreation in perpetuity, unless NPS approves substitution property of reasonably equivalent usefulness and location and of at least equal fair market value.
3.0 Regulatory Setting

Section 4(f) of the Department of Transportation Act of 1966, as amended, is codified at 49 U.S.C. § 303, Policy on Lands, Wildlife and Waterfowl Refuges, and Historic Sites. It applies to significant publicly owned parks, recreation areas, and wildlife and waterfowl refuges and to historic properties, whether publicly or privately owned, that are included in or eligible for inclusion in the National Register of Historic Places (NRHP). The requirements of Section 4(f) apply only to agencies within the U.S. Department of Transportation; for example, FHWA, the Federal Transit Administration, and the Federal Aviation Administration.

Pursuant to 23 USC § 327, UDOT has assumed FHWA’s responsibilities for environmental review, consultation, or other actions required or arising under federal environmental laws, including the National Environmental Policy Act (NEPA) and Section 4(f) with respect to the review or approval of certain highway projects in the state. This Supplemental Section 4(f) Evaluation has been prepared by UDOT pursuant to these assumed responsibilities.

Section 6(f) of the LWCF Act, as amended, is codified at 16 U.S.C. § 4601—4 et seq. It requires that property acquired or developed with LWCF assistance shall be retained and used for public outdoor recreation, and not be converted to a non-recreational use unless the NPS approves substitution property of reasonably equivalent usefulness and location and of at least equal fair market value. NPS has adopted regulations implementing the conversion provisions of Section 6(f), at 36 CFR Part 59, which include the process and standards that must be met in order for NPS to approve the conversion of property protected under Section 6(f). A designated “State Liaison Officer,” which in Utah is the Division of State Parks and Recreation, plays an important role in the conversion approval process, including submittal of the conversion/replacement request to NPS, and shepherding the request through the approval process. See 36 CFR 59.3 and EA Sec. 3.2.1.3. Salt Lake County, as the entity that owns and operates the recreational property that would be converted, and will own and operated the proposed replacement property, is considered the “project sponsor” and also plays a significant role in the process.

4.0 Proposed Action

4.1 Summary of Purpose and Need for the I-15 Northbound Project

The purpose of the I-15 Northbound Project is to:

- Address the current and future travel demand on northbound I-15 from Bangerter Highway to I-215.
- Improve safety on northbound I-15 from Bangerter Highway to I-215.

The need for the project is based on the following:

- Current conditions indicate that various stretches of northbound I-15 within the study area are highly congested during peak hours resulting in excessive travel times and delays. By 2040, traffic on northbound I-15 is projected to grow substantially and congestion during peak travel times is expected to increase by more than 90%.
Within the study area (between MP 289.5 and MP 299.0), there were a total of 2,573 crashes from 2015 to 2017. Over half of those crashes (1,870) were front-to-rear collisions. Some contributing factors for front-to-rear collisions include unexpected lane changes and unexpected stops, which are often associated with congestion.

### 4.2 Alternatives for the I-15 Northbound Project

In accordance with Section 6(f) regulations (36 CFR §59.3), alternatives to avoid the conversion of Copperview Park were evaluated. See Northbound I-15 EA Sec. 3.2.2.2. Alternatives considered include the following:

- **West Alternative:** The West Alternative shifted the I-15 roadway to the west to accommodate the construction of the proposed collector-distributor system. While this alternative would avoid the minor conversion of the Section 6(f) resource, it would require the relocation of approximately two miles of railroad track that is currently used to carry both freight and Utah Transit Authority (UTA) FrontRunner trains (requiring schedule changes or closures for both freight and commuter rail) and would require the reconstruction of the entire 10-lane freeway. Additionally, the West Alternative would cost approximately four (4) times as much to construct (an increase from $100 million to $400 million).

- **Cantilevered Structure:** The Cantilevered Structure Alternative would place a raised collector-distributor system above the existing northbound lanes of I-15 between 9000 South and I-215 (also known as double-decking). This alternative would avoid the minor conversion of the Section 6(f) resource; however, it would not be a prudent alternative due to severe social impacts to the residential neighborhoods and commercial properties in the area, substantial additional construction, and maintenance and operational costs of an extraordinary magnitude. The Cantilevered Structure would raise the road 25-30 feet in the area and would cost approximately four (4) times as much to construct (an increase from $100 million to $400 million). Additionally the use of such a long structure would be less seismically stable than an at-grade road.

Based on these considerations, it was determined that for purposes of Section 6(f) there were no practical alternatives to the proposed conversion of land in Copperview Park. See EA at 3.2.2.2 Similarly, in the Individual Section 4(f) Evaluation for the I-15 Northbound project, neither of these alternatives were determined to be feasible and prudent avoidance alternatives for the use of Copperview Park. Since Copperview Park is also a Section 6(f) property, mitigation for the impact to Copperview Park required the selection of, and the approval by NPS of, appropriate replacement property that satisfied Section 6(f) conversion requirements.

### 4.3 Replacement Property

The mitigation/replacement property for the conversion of a portion of Copperview Park was selected because it is located adjacent to nearby Union Park and its intended use as parking would contribute to the utility of an existing recreation area (i.e., support facilities for outdoor recreation uses available at Union Park). Union Park is administered by the same project sponsor (Salt Lake County) as Copperview Park and its close proximity to Copperview Park.
(approximately 2 miles directly northeast) in Midvale City would likely serve the same population. Union Park provides similar outdoor recreational activities to those that would be lost at Copperview Park, specifically baseball/softball diamonds. The Lion’s Club property is owned by a private party who indicated the property would be available for sale and has not previously been used, dedicated or managed for public outdoor recreational use. Further, the appraised value of the property is sufficient to adequately compensate for the appraised value of the impacts to Copperview Park. Salt Lake County, as the project sponsor for the conversion/replacement, is in agreement with the selected property and its future protection and management under Section 6(f). The property therefore meets the requirements for use as a reasonable replacement property under Section 6(f) of the LWCF Act and the regulations at 6 CFR Part 59. As noted above, the County will use the added property to provide additional access to and parking for Union Park. The proposal also includes demolition by the County of the Union Community Building/Union Lions Club Building to maximize the availability of new parking. The building has been determined to be an historic site, eligible for inclusion on the National Register of Historic Places (NRHP) under the National Historic Preservation Act, and thus a property subject to protection under Section 4(f). Therefore, this Supplemental Section 4(f) Evaluation has been prepared to evaluate the Section 4(f) use of the Union Community Building/Union Lions Club Building and property.

5.0 Identification and Use of Section 4(f) Resources

Section 4(f) protections apply to historic sites that are included in or eligible for inclusion in the NRHP. For a detailed description of the process used under Section 106 of the National Historic Preservation Act to determine eligibility for the NRHP, see Section 3.10 Cultural Resources in Chapter 3 of the EA. UDOT has determined that Section 4(f) protections would apply to the Union Community Building/Union Lions Club Building property (a NRHP-eligible historic resource) because it would need to be acquired as part of the Copperview Park mitigation plan, which would constitute a Section 4(f) use, and this acquisition would not be exempt from Section 4(f) approvals under 23 CFR 774.13(g).

A cultural resource survey was conducted on the proposed mitigation site, which determined that the sole structure on the property, the Union Community Building/Union Lions Club Building, was historic. The Union Community Building was constructed before 1952, with an addition (vestibule) added in 1965 with the same materials and style as the original building. Although the construction materials are worn and the building is not well cared for, this building retains all of its original materials and the character of its simple construction. Due to the architectural integrity of the building and the communitywide construction effort and use, it is eligible for the NRHP as contributing to the broad patterns of society in the community of Union. Therefore, the proposed demolition of the structure would constitute an adverse effect to the historic resource. However, the structure lacks significant architectural value or historic significance to the community of Midvale (since the community of Union no longer exists) and would be unlikely to be nominated for inclusion on the NRHP.

The impact to this historic property is considered a greater than de minimis impact because the structure would be demolished. On October 18, 2019, the Utah SHPO, as the official with

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**PROJECT #: S-115-7(341)95**

**I-15 NB; Bangerter Hwy to I-215, SALT LAKE COUNTY, UTAH**

**Supplemental Section 4(f) Evaluation**
jurisdiction, concurred with the effects and greater than de minimis impact determination. A copy of this document is included in Appendix A, Correspondence.

6.0 Avoidance Alternatives for Copperview Park Mitigation

UDOT may not approve the use of Section 4(f) property unless there is “no prudent and feasible alternative” that avoids use of Section 4(f) property.

A “feasible and prudent avoidance alternative” is defined as follows in the FHWA regulations at 23 CFR § 774.17:

(2) An alternative is not feasible if it cannot be built as a matter of sound engineering judgment.

(3) An alternative is not prudent if:

(i) It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;

(ii) It results in unacceptable safety or operational problems;

(iii) After reasonable mitigation, it still causes:

(A) Severe social, economic, or environmental impacts;

(B) Severe disruption to established communities;

(C) Severe disproportionate impacts to minority or low-income populations; or

(D) Severe impacts to environmental resources protected under other federal statutes;

(iv) It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;

(v) It causes other unique problems or unusual factors; or

(vi) It involves multiple factors in paragraphs (3)(i) through (3)(v) of this definition that, while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.

6.1 Copperview Park North Alternative

During the selection of a site to provide replacement property for the conversion of a portion of Copperview Park, UDOT conducted an analysis of potential replacement properties that would avoid the use of Section 4(f) properties. UDOT coordinated extensively with Salt Lake County, the sponsor for the Section 6(f) resource, and with the NPS when identifying suitable mitigation sites. Based on this analysis and coordination, it was determined that there are no feasible and prudent avoidance alternatives that would avoid the greater than de minimis impact to the Union Community Building/Union Lions Club property.

The only other potential replacement property that UDOT was able to identify within a reasonable distance (as required by the Section 6(f) regulations) of Copperview Park was a parcel north of the Park. The I-15 Northbound Project would require the acquisition of several
residences north of Copperview Park. The property remaining after the relocation of the residences would consist of an approximately five-acre strip of land. This property was considered a potential replacement property for the Section 6(f) conversion and would not use a Section 4(f) property. However, this option was eliminated from consideration due to concerns regarding impacts of future I-15 improvement projects to the potential Section 6(f) property and a lack of interest from the Copperview Park project sponsor, which under Section 6(f) must agree to accept and manage the replacement property, to develop and maintain the property.

Pursuant to 23 CFR § 774.17 (Section (3)(v) of the definition of “Feasible and prudent avoidance alternative”), which provides that an alternative is not prudent if it would “cause other unique problems or unusual factors,” it was determined that this alternative as not prudent due to the unwillingness of Salt Lake County as project sponsor to accept and manage the property, and also due to the possibility that due to the property’s close proximity to I-15, future I-15 widening could impact the property, potentially requiring another conversion/substitution process that may not be feasible.

As no other potentially suitable mitigation/replacement properties could be identified, it was determined there are no prudent or feasible avoidance alternatives per 23CFR 774.17.

7.0 Measures to Minimize Harm

Federal regulations state that, when Section 4(f) properties are unavoidable, FHWA may not approve the use of Section 4(f) property for a proposed action unless “the action includes all possible planning ... to minimize harm to the property resulting from such use[.]”

FHWA regulations at 23 CFR 774.17 define “all possible planning” to mean that “all reasonable measures identified in the Section 4(f) evaluation to minimize harm or mitigate for adverse impacts and effects must be included in the project.” The regulations state that, “in evaluating reasonableness,” FHWA is to consider “the preservation purpose of the statute” and the following issues:

(i) The views of the official(s) with jurisdiction over the Section 4(f) property;

(ii) Whether the cost of the measures is a reasonable public expenditure in light of the adverse impacts of the project on the Section 4(f) property and the benefits of the measure to the property . . .; and

(iii) Any impacts or benefits of the measures to communities or environmental resources outside of the Section 4(f) property.

This section presents proposed measures to minimize harm to the Section 4(f) property that would be affected by the mitigation measure proposed to address impacts to Copperview Park that would occur under the I-15 Northbound Project. For the greater than de minimis impact to the Union Community Building/Union Lions Club Building, the proposed measures to minimize harm would be completion of a Utah State Intensive-Level Survey Standards documentation as stipulated in the Memorandum of Agreement. UDOT has determined that the measures proposed appear at this time to be “reasonable” as defined above. The Utah SHPO, as the official with jurisdiction over the resource, concurs with the determination of eligibility and the proposed mitigation. For more information, see the Memorandum of Agreement for the Section 6(f) Conversion in Appendix A, Correspondence.
8.0 Least Overall Harm Analysis

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

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

In the initial Section 4(f) Evaluation, the I-15 Northbound Preferred Alternative and the West Alternative (see Section 4.2 above) were evaluated in the least overall harm analysis because they were the only alternatives that met the purpose and need for the I-15 Northbound project. At the time of that evaluation, the I-15 Northbound Preferred Alternative had one less use with a greater than de minimis impact (16 vs. 17), and one more use with de minimis impact (6 vs. 5) when compared to the West Alternative. The West Alternative, in addition to having one more property with a greater than de minimis use, would also affect properties that were found to be more historically significant to the City of Midvale than the historic properties that would have greater than de minimis uses under the Preferred Alternative, and the West Alternative would also cost substantially more than the Preferred Alternative. Therefore, the Preferred Alternative was determined to be the alternative with the least overall harm. See Chapter 4 Individual Section 4(f) Evaluation in the I-15 Northbound Bangerter Highway to I-215 EA for more information.

UDOT has reviewed the least harm analysis in light of the one additional property with a greater than de minimis use that will occur under the Preferred Alternative due to the demolition of the historic building on the Union Community Building/Union Lions Club property, and has concluded that the addition of this use does not change the outcome of the least harm analysis. With the addition of this property, the only change to the initial analysis is that the two alternatives will now have the same number of properties with greater than de minimis uses (17 each), but the West Alternative will continue to have a greater effect on diminishing the community’s architectural past than the Preferred Alternative due to the impact to the 12 properties located west of I-15 and north of 7800 South. (See the discussion in Sec. 4.6.1.3 of the initial Section 4(f) Evaluation explaining why most of the buildings that would be affected by the West Alternative, which are on the west side of I-15, are more historically significant than those on the east side of I-15 that would be affected by the Preferred Alternative). While the Union Community Building/Union Lions Club Building is slightly older and of a different character than the other historic buildings on the east side of I-15 that would be demolished under the Preferred Alternative, it lacks the significant architectural value, association or historic significance to the community of Midvale (in part because the community of Union, where the
building is located, no longer exists) than most of the historic buildings that would be used by
the West Alternative, and thus does not change the outcome of the least harm analysis. The
Preferred Alternative continues to be the alternative with least overall harm.

Additionally, the impact to the Union Community Building/Union Lions Club Building property
due to the planned demolition is able to be mitigated through the preparation of an ILS to
document the resource, especially since the structure itself would not be eligible for nomination
to the NRHP.

9.0 Section 4(f) Coordination

Chapter 5, Comments and Coordination of the EA summarizes the meetings held with the
public, agencies, cities, and counties during the development of the project alternatives and the
preparation of the EA and Individual Section 4(f) Evaluation. Chapter 5 of the EA also
summarizes the coordination efforts specific to historic resources and the National Historic
Preservation Act.

For the additional impacts to Section 4(f) historic resources described in this Supplemental
Section 4(f) Evaluation, UDOT coordinated with the NPS, Utah State Parks and Recreation, Salt
Lake County, and the Utah SHPO, the official with jurisdiction. The Advisory Council on Historic
Preservation (ACHP) was invited to consult by the NPS as part of the mitigation process to
address the adverse effect to cultural resources that would occur as part of the proposed
Section 6(f) conversion, but declined to participate. See the ACHP letter dated July 9, 2019.

On April 2, 2019, the State of Utah Parks and Recreation submitted its eligibility and effect
determinations to the Utah SHPO via an updated letter (with a previous submission dated
February 13, 2019) and gave SHPO an opportunity to comment on those determinations and
findings. The SHPO concurred with the determination and findings via written correspondence
on February 14, 2019 and via telephonic and email consultation. Further, an MOA has been
prepared to document the agreement. UDOT has determined that the Section 106 consultation
process conducted by the Utah Parks and Recreation Department is sufficient for reliance by
UDOT for this project.

This Supplemental Section 4(f) Evaluation is provided to the Department of Interior for a 60-day
review period beginning on December 4, 2019.

10.0 Section 4(f) Conclusion

Based on the analysis included in this Supplemental Section 4(f) Evaluation, UDOT has concluded
that:

- Implementation of the Section 6(f) mitigation plan required for the I-15 NB Project will
  result in a Section 4(f) greater than *de minimis* impact, and therefore a use, of one
  historic property.
- There are no feasible and prudent alternatives that would avoid the greater than *de
  minimis* use of this historic Section 4(f) property and the Project includes all possible
  planning to minimize harm to this resource.
- The use of this property would be required for mitigation for the impacts to Copperview
  Park from the I-15 NB project.
The preferred alternative continues to be the alternative that causes the least overall harm to Section 4(f) resources and therefore there is no change to the least overall harm determination made in the I-15 Northbound EA Section 4(f) Individual Evaluation.

11.0 References


23 C.F.R Part 774 – *Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites*

36 C.F.R. Part 59 – *Land and Water Conservation Fund Program of Assistance to States; Post-Completion Compliance Responsibilities*

49 U.S.C § 303, *Policy on Lands, Wildlife and Waterfowl Refuges, and Historic Sites*
April 2, 2019

Chris Hansen
Utah Division of State History
300 Rio Grande
Salt Lake City, Utah 84101-1182

RE: Proposed Section 6(f) Conversion – Copperview Park (49-00109)
    Historic Resources at Proposed Replacement Site - Union Community Building/Union
    Lions Club Building (629 East 7300 South, Midvale Utah 84047)
    Case No. 19-250

Dear Mr. Hansen:

The Utah Department of Transportation (UDOT) is proposing to improve northbound Interstate 15 (I-15) by constructing a two-section, Collector-Distributor road system extending from the Bangerter Highway entrance ramp to the Interstate 215 (I-215) east/westbound entrance ramps. This road system would be built parallel to northbound I-15 and would require minor right-of-way acquisition from Copperview Park, aka Copperview Recreation Center Park, located at 8446 South Harrison Street, which is a Section 6(f) property due to the Federal Land and Water Conservation Fund Act (LWCFA) funds being used to improve it.

In connection with proposed Section 6(f) conversion of Copperview Park, a cultural resources survey was conducted on the proposed replacement site located at 629 East 7300 South, Midvale Utah 84047 (adjacent to Union Park). The site consists of a single structure and a parking lot. The proposal provides for the acquisition of this property and the addition of it to Union Park to provide additional access and parking for the existing park. The proposal also includes the demolition of the structure to maximize the availability of new parking.

**Union Community Building/Union Lions Club Building**

This simple concrete block building was constructed by the citizens of Union as a center for members of the community to gather. The title to the building is under the name Union Fort Days, Inc. and there is a specific reason for that. Beginning in 1946, several organizations including the Lions Club, the Daughters of the Utah Pioneers, the American Legion and the two Union Wards of the LDS church organized Union Fort Days, which became an annual celebration with the express purpose of the proceeds to go for the construction of this building in the community park. After completion in 1951, the building was used for club meetings, political meetings (including voting), community dinners and celebrations.
The Union Community Building was constructed before 1952, with an addition (vestibule) added in 1965 with the same materials and style as the original building.

Eligibility Determination
Although the construction materials are worn and the building is not well cared for, this building retains all of its original materials and the character of its simple construction. Due to the architectural integrity of the building and the community-wide construction effort and use, it is eligible for the National Register of Historic Places (NRHP) as contributing to the broad patterns of society in the community of Union.

Effect Determination
Due to the eligibility of the Union Community Building/Union Lions Club Building, the proposed demolition of the structure would constitute an adverse effect to the historic resource. However, the structure lacks significant architectural value or historic significance to the community of Midvale (Union no longer exists) and would be unlikely to be nominated for inclusion on the NHRP.
April 2, 2019
Subject: Proposed Section 6(f) Conversion – Copperview Park (49-00109) Historic Resources at Proposed Replacement Site - Union Community Building/Union Lions Club Building (629 East 7300 South, Midvale Utah 84047) Case No. 19-250

Consultation
Interested parties have been consulted as part of this process, with some of the consultation taking place as part of the I-15 Northbound; 9000 South to I-215 project (I-15 NB), which necessitated the need for the Section 6(f) conversion. Starting in January of 2018, the I-15 NB project team, which included the Utah Department of Transportation (UDOT), met monthly with Midvale City and discussed the Section 6(f) conversion, the need for which was triggered by the I-15 NB project. Further, multiple meetings were held beginning in March of 2018 with Salt Lake County to discuss Section 6(f) conversion. The property owner has also been involved in the process and is a willing seller. The Advisory Council on Historic Preservation (ACHP) will be invited to consult by the National Park Service as part of the mitigation process to address the adverse effect to cultural resources that would occur as part of this proposed Section 6(f) conversion.

Mitigation
A Memorandum of Agreement (MOA) will be prepared to address the adverse impact to this cultural resource and all interested parties will be invited to participate in the preparation of the MOA. As part of that MOA, we propose that an Intensive Level Survey be conducted to document the architecture and history of the Union Community Building and to serve as mitigation for the adverse effect.

Thank you for your time and efforts in regards to this matter. Should you need additional information or have any questions, please contact me at 385-239-3232 or susanzarekarizi@utah.gov.

Sincerely,

Susan Zarekarizi
LWCF Grants Coordinator, ASLO
Dear Mrs. Zarekarizi:

The Utah State Historic Preservation Office received your submission and request for our comment on the above-referenced undertaking on February 13, 2019. Based on the information provided to our office, we concur with the determination that the building is eligible for listing in the National Register of Historic Places.

We also concur that the proposed work, demolition of the building for a parking lot, will result in an Adverse Effect. Although our office is open to documentation, as referenced in your letter, as part of mitigation, we would also be interested in other potential mitigation options. Have any interested parties been notified? Has the Advisory Council on Historic Preservation been notified of the adverse effect? Has UDOT been involved in the Section 106 process? Our office will look forward to further consulting with you on the development of a Memorandum of Agreement (MOA) to address the mitigation of the adverse effect.

This information is provided to assist with Section 106 responsibilities as per §36CFR800 (and UCA 9-8-404). If you have questions, please contact me at (801) 245-7239 or by email at clhansen@utah.gov.

Sincerely,

Christopher Hansen
Preservation Planner/Utah SHPO
October 15, 2019

Mr. Cory Jensen
Senior Historic Preservation Specialist
Utah Division of State History
300 Rio Grande
Salt Lake City, UT  84101-1182

RE:   UDOT Project No. S-I15-7(341)295, I-15 NB; Bangerter Hwy to I-215, Salt Lake County, Utah (PIN 15669).
Supplemental Section 4(f) Concurrence Request

Dear Mr. Jensen:

The Utah Department of Transportation (UDOT) is proposing to undertake the subject federal-aid project. In accordance with Part 3.2 of the Memorandum of Understanding Between the Federal Highway Administration and the Utah Department of Transportation Concerning State of Utah’s Participation in the Surface Transportation Project Delivery Program Pursuant to 23 USC §327 (executed January 17, 2017), the UDOT assumes responsibility, assigned by the Federal Highway Administration (FHWA), for ensuring compliance with Section 4(f) of the DOT Act of 1966, as amended. Additionally, this submission is in compliance with Section 4(f) of the Department of Transportation Act of 1966, 23 U.S.C. § 138 (as amended) and 49 U.S.C. § 303 (as amended). UDOT is affording the Utah State Historic Preservation Office (USHPO) an opportunity to review and comment on the Section 4(f) evaluation for this project. FHWA is required to consult with the official with jurisdiction over Section 4(f) resources potentially affected by the undertaking.

The Utah Department of Transportation (UDOT) is preparing an Environmental Assessment (EA) to evaluate potential transportation-related improvements on northbound I-15 from Bangerter Highway to I-215 in Salt Lake County. The purpose of the project is to improve safety and address the current and future traffic demand on northbound I-15 from Bangerter Highway to I-215. The project intends to add capacity to Interstate 15 (I-15) between Bangerter Highway and Interstate 215 (I-215) in Salt Lake County, Utah. The proposed project is studying measures to accommodate current and future traffic demand on I-15 and may include the addition of lanes or the construction of a collector-distributor system. The project includes land under the jurisdiction of Sandy, Midvale, the UDOT, and private land owners.

A Determination of Eligibility/Finding of Effect (DOE/FOE) document was submitted to the USHPO on June 6, 2018 and your office concurred with those findings on June 21, 2018. The DOE/FOE included determinations of use and impact under Section 4(f) for the historic properties known to be affected by the project at that time. A Section 4(f) Individual Evaluation was prepared and included in the EA.

As identified in the EA, the project will impact 0.92 acres of Copperview Park located at 8446 S. Harrison Street, Midvale. This property is protected from being converted from outdoor recreational use by Section 6(f) of the Land and Water Conservation Fund (LWCF), which is administered by the National Park Service (and as delegated to Utah State Parks). The LWCF Act requires the replacement of the value of the Section 6(f) property acquired at Copperview Park with a recreational property of equal value as part of the Section 6(f) conversion process.
The proposed mitigation site to replace the Section 6(f) property is at 629 E. 7300 South, Midvale, known as the Union Community Building/Union Lions Club Building adjacent to Union Park (Figure 2). UDOT will acquire this parcel and then transfer it to Salt Lake County, who intends to demolish the building and convert it to additional parking and access to Union Park. In consultation dated April 2, 2019, the Utah State Division of Parks and Recreation presented a determination of eligible for the National Register of Historic Places and Adverse Effect under Section 106 of the NHPA. USHPO concurred with these findings on April 14, 2019 (UDSH Case No. 19-0250). However, as the Section 106 consultation did not include determinations under Section 4(f), they are presented here.

The project will result in a Section 4(f) use of the property at 629 E. 7300 South pursuant to 23 CFR 774.13(g) and is considered a Greater-than-de minimis Section 4(f) impact. Consequently, this property will be analyzed in a Supplemental Section 4(f) Individual Evaluation which is available for your review by request.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 USC §327 and a Memorandum of Understanding dated January 17, 2017, and executed by FHWA and UDOT.

Please review these documents and, providing you agree with the findings contained herein, provide written concurrence. Should you have any questions or need additional information, please feel free to contact Liz Robinson at 801-910-2035 or lizrobinson@utah.gov.

Sincerely,

Liz Robinson, M.A., RPA
Cultural Resources Program Manager
UDOT Environmental Services

Enclosures

cc: Jessica Rice, Project Manager
    Naomi Kissen, Environmental Manager
Figure 1. Location of Copperview Park impacts.
Figure 2. Location of 629 E. 7300 South in relation to Union Park.
October 18, 2019

Liz Robinson  
Cultural Resources Program Manager  
Utah Dept of Transportation (UDOT)  
4501 Constitution Blvd  
Salt Lake City, UT 84119

RE: PIN 15669_I-15 NB; Bangerter Hwy to I-215_S-I15-7(341)295

For future correspondence, please reference Case No. 19-2249

Dear Ms Robinson,

The Utah State Historic Preservation Office received your submission and request for our comment on the above-referenced project on October 15, 2019. Based on the information provided to our office, we concur with your findings pursuant to Section 4(f) use and impact on the property described in the letter for the proposed undertaking.

This information is provided to assist with Section 106 responsibilities as per §36CFR800. If you have questions, please contact me at (801) 245-7242 or by email at coryjensen@utah.gov.

Sincerely,

Cory Jensen  
National Register & Survey Coordinator