

APPENDIX B14

Section 4(f) Evaluation



Section 4(f) Evaluation

Ogden/Weber State University Transit Project

Ogden, Weber County, Utah

November 29, 2018

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1.0 Introduction

This technical report describes the Section 4(f) resources in the study area for the Ogden/Weber State University Transit Project and describes the use of these resources by the Action Alternative (the Proposed Action). The Action Alternative is the Bus Rapid Transit on 25th Street Alternative, which was selected by the Ogden/Weber State University Transit Project partners and adopted by the Ogden City Council as the Locally Preferred Alternative.

Implementation of the No-Action Alternative would not result in adverse impacts to historic properties. The affected environment (existing conditions) would remain unchanged from current conditions.

Project Study Area. The project study area encompasses a 5.3-mile corridor between downtown Ogden, Weber State University, and McKay-Dee Hospital. The project study area is located in the city of Ogden in Weber County, Utah. The project study area encompasses a portion of downtown central Ogden bounded by the Union Pacific Railroad line to the west, 20th Street (State Route [S.R.] 104) to the north, the city limits at the base of the Wasatch Mountains to the east, and about 4600 South to the south, the southwestern part of which follows the Ogden/South Ogden municipal boundary (Figure 1).

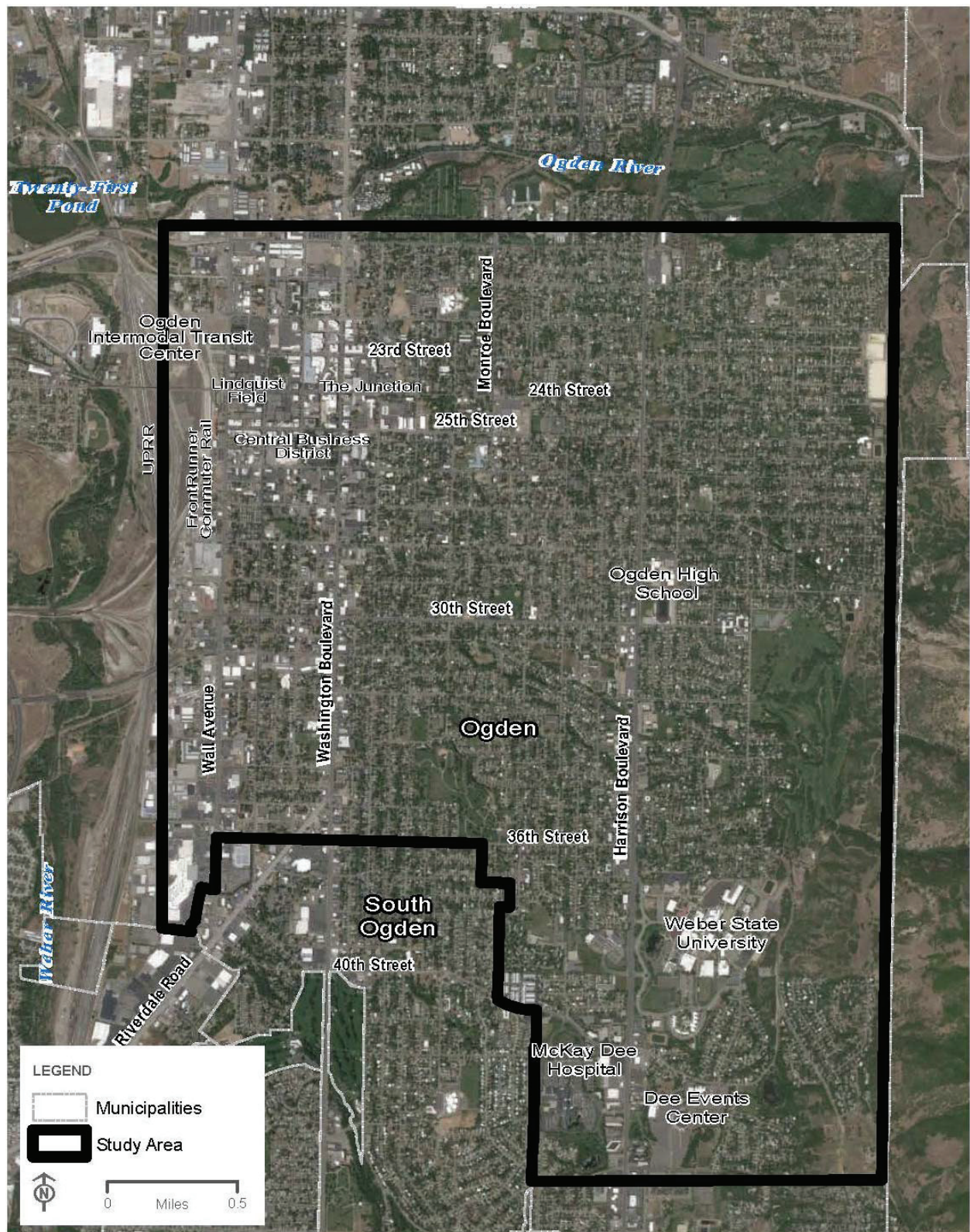
This project study area includes the following major destinations and Ogden neighborhood districts that could be served by the Action Alternative (Figure 2):

- The Ogden Intermodal Transit Center (FrontRunner operates frequent service from Ogden to Provo, an 88-mile route)
- Lindquist Field, a minor-league baseball stadium with an 8,262-person capacity
- The Junction, a 20-acre entertainment, residential, retail, and office mixed-use redevelopment
- The Ogden downtown central business district, which includes city, county, and federal offices
- Seven neighborhood districts: Central Business (downtown), East Central, Taylor, Jefferson, T.O. Smith, Mt. Ogden, and Southeast Ogden
- Ogden High School, with an annual enrollment of about 1,000 students in grades 10–12
- Weber State University, with about 2,500 faculty and staff and about 25,000 students (up from 17,000 in 2007), 840 of whom lived on campus as of September 2016 (Sears 2016)
- The Dee Events Center, a 12,000-seat sports and entertainment venue with a 3,000-space parking lot
- The McKay-Dee Hospital Center (at 2,300 employees, the fourth-largest hospital in Utah)

What is Section 4(f)?

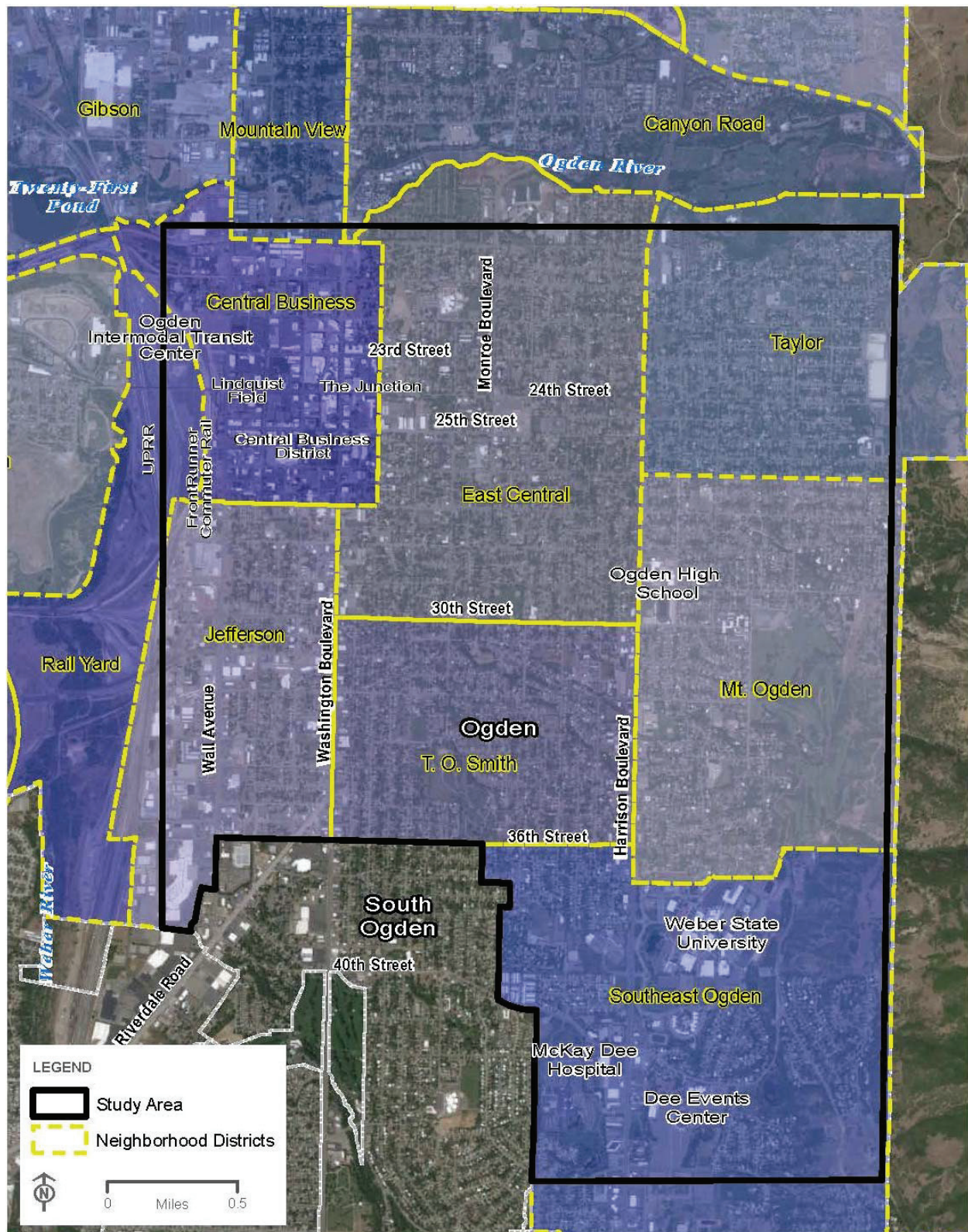
Section 4(f) is part of a Federal Transit Administration regulation that requires a project to avoid the use of eligible or potentially eligible historic properties and recreation and wildlife areas unless there is no feasible and prudent alternative to such use. Even then, all measures must be taken to minimize harm to these properties.

Figure 1. Project Study Area



OGDEN/WEBER STATE UNIVERSITY TRANSIT PROJECT
STUDY AREA

Figure 2. Neighborhood Districts



Ogden is one of the oldest communities in Utah and has a number of historic districts and neighborhoods. Much of central Ogden is served by a traditional grid street system, and a number of the major arterials are state highways managed by the Utah Department of Transportation (UDOT) which serve regional travel through Ogden. These major arterials are Washington Boulevard (S.R. 89), Harrison Boulevard (S.R. 203), and 30th Street (S.R. 79). Harrison Boulevard is part of the National Highway System and is a major north-south arterial that serves an important statewide transportation function through Utah by connecting Washington Boulevard (S.R. 89), Weber State University, and 12th Street (S.R. 39). The Union Pacific Railroad (UPRR) line and the Ogden Intermodal Transit Center are on the western edge of the city, and Interstate 15 is just west of the city.

Section 4(f) Evaluation Area. The Section 4(f) Evaluation area is the same as the project study area. There are no properties in the Ogden/Weber State University Transit Project study area that are protected by Section 6(f) of the Land and Water Conservation Fund Act.

2.0 Purpose of and Need for the Project

This Ogden/Weber State University Transit Project strives to improve the existing route 603 bus service, one of the Utah Transit Authority's (UTA) busiest routes in its Weber County service area, with an average 1,650 weekday boardings in 2017. By enhancing the transit facilities and amenities that connect employment and educational hubs, residential areas, shopping areas, civic resources, historic districts, cultural landmarks, and entertainment venues in central Ogden, the project would further improve mobility and accessibility for the people who live, work, and visit the project study area.

The project would improve linkages to the regional transit network and would connect with UTA's FrontRunner commuter-rail line. The enhanced transit amenities and improved trip reliability, as well as the improved connectivity through the Weber State University campus resulting from the project, would further promote transit use and active transportation in the project study area while reducing the need to travel by automobile and contributing to decreased greenhouse gas emissions.

2.1 Purpose of the Project

The specific purpose elements of the project are to:

- Improve transit facilities and amenities, travel time, and reliability in the proposed transit corridor to provide greater comfort and safety.
- Connect the main and south campuses of Weber State University per the Weber State University Campus Master Plan.
- Reduce the growth in automobile trips and parking demand at Weber State University.
- Encourage transit-oriented land uses per Ogden City's General Plan and support other local and regional planning initiatives and land-use strategies that aim to foster economic development because of investment in transit infrastructure.
- Reduce transportation-related energy use, air pollutant emissions, and greenhouse gas emissions.

2.2 Need for the Project

The need for the project is a result of the following conditions:

- The existing transit service lacks the amenities, travel time competitiveness, and reliability that would make it more attractive to new riders.
- Weber State University consists not of one campus but rather of two non-contiguous campuses.
- Growth forecasted for Weber State University will overwhelm roadway and parking capacity unless there are alternatives to auto travel.
- Local and regional land-use plans and economic and redevelopment initiatives aren't adequately supported by UTA's existing fixed-route bus system.
- Traffic congestion is growing, and roadway level of service and local and regional air quality are declining.

For more details regarding the need for the project, see Section 2.2, Why is the project needed?, in the EA.

3.0 Project Description

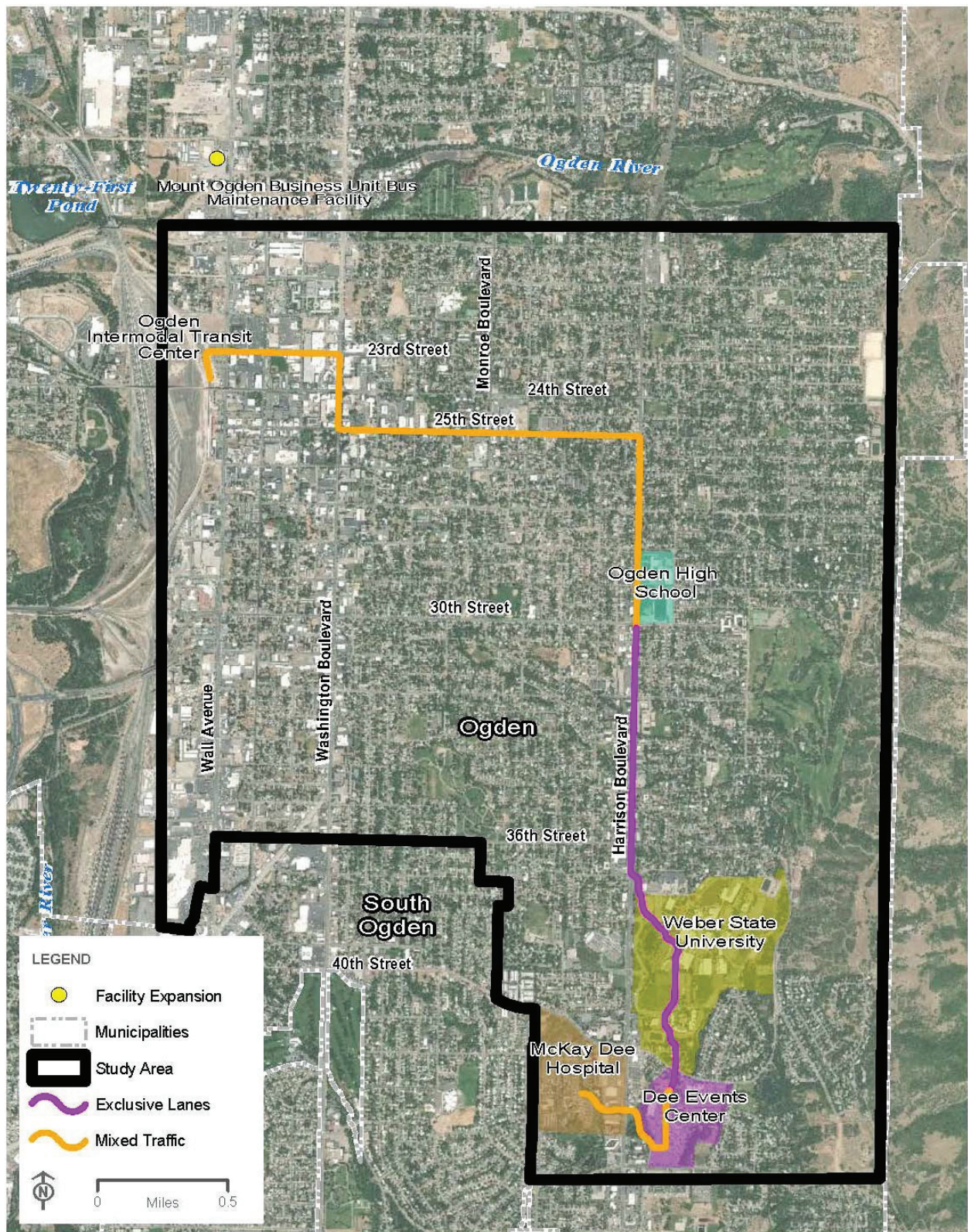
The Federal Transit Administration (FTA) and UTA, in cooperation with project partners Ogden City, Weber County, the Wasatch Front Regional Council (WFRC), UDOT, Weber State University, and McKay-Dee Hospital, have prepared an Environmental Assessment (EA) under the National Environmental Policy Act (NEPA; 42 United States Code [USC] §§ 4321–4347) for the Ogden/Weber State University Transit Project.

Proposed Transit Corridor. The proposed transit corridor is the alignment of the Action Alternative (Figure 3). The bus rapid transit (BRT) route for the Action Alternative would be about 5.3 miles long (10.6 miles round trip), with a western terminus at the Ogden Intermodal Transit Center. From there, the BRT route would head east in mixed-flow traffic on 23rd Street to Washington Boulevard, south on Washington Boulevard to 25th Street, east on 25th Street to Harrison Boulevard, and south on Harrison Boulevard. At about 31st Street and Harrison Boulevard, the BRT route would transition to center-running, bus-only lanes. It would continue on a dedicated busway through the Weber State University campus and then travel west to McKay-Dee Hospital, where it would again travel in mixed-flow traffic. The BRT route would loop back on the same route.

Station Locations. The Action Alternative includes 16 brand-identified stations. The station locations were chosen during the project's Alternatives Analysis update process. Station spacing ranges from about 0.25 mile apart to about 0.50 mile apart; several stations on Harrison Boulevard would be farther apart because of the spacing of major destinations.

Of the proposed 16 stations, 11 are existing bus route 603 stations (including the termini at the Ogden Intermodal Transit Center and McKay-Dee Hospital) that would be enhanced as part of the Action Alternative. The project team agreed that not all 16 stations would be constructed for the BRT service's opening day (2020). Three of the 16 stations are designated as future stop locations. The existing route 603 bus currently stops at two of these three locations, and those locations would be discontinued and new enhanced stations would be constructed in their place in the future based on ridership and station demand.

Figure 3. Action Alternative



OGDEN/WEBER STATE UNIVERSITY TRANSIT PROJECT
ACTION ALTERNATIVE

Station Amenities. The Action Alternative stations would include a platform, canopy, landscaped planter, and station amenities. The station would sit on a concrete bus pad elevated above the sidewalk curb height between 6 and 9 inches above the street grade. Stations would be about 125 feet long, with a platform length of 100 feet to accommodate two 40-foot-long BRT vehicles. Station shelters would be roughly comparable in size to existing UTA bus passenger shelters in the area, though somewhat longer.

At present, UTA anticipates that the shelters would be designed to include a combination of glass panels and solid support members that would have a minimal visual “footprint.” Station canopies would be opaque features that provide shelter from sun and rain and would be about 10 to 15 feet high, depending on the incorporation of decorative architectural features that would be determined during final design.

The platform provides the area for passenger waiting, boarding, and station amenities. The station platform would range from 8 to 25 feet wide, depending on the station location and the need for a platform to accommodate either single-direction travel or both southbound and northbound travel. Station amenities could include ticket vending machines, seating, lighting, a canopy and wind screens, garbage receptacles, and wayfinding information (maps and signs).

Mount Ogden Business Unit Bus Maintenance Facility Expansion. In conjunction with the Action Alternative, UTA would expand the existing Mount Ogden Business Unit Bus Maintenance Facility located at 175 W. 17th Street in Ogden. The Mount Ogden facility is currently operating at maximum capacity and cannot accommodate the additional eight BRT vehicles needed for the Action Alternative. As a result, the existing Mount Ogden facility would be renovated and expanded.

Operations at the Mount Ogden facility would continue to include maintenance, repairs, inspections, and cleaning for the existing bus fleet and the additional BRT vehicles. The BRT vehicles would be maintained and stored overnight at this facility. The north maintenance building would be expanded to the east by about 8,000 square feet, remaining within property currently owned by UTA and remaining within the existing parking lot pavement area; no additional right-of-way would be required. The expansion would consist of four new bus maintenance bays, which are covered areas for maintaining the new BRT vehicles as well as buses already in the fleet. The expansion would bring the existing facility from about 32,000 square feet to just under 40,000 square feet.

23rd Street and 25th Street Roadway Improvements. To further support the Action Alternative, Ogden City would upgrade portions of 23rd Street and 25th Street to better accommodate the Action Alternative. 25th Street would be rebuilt from the bottom up, and, in certain instances, water mains would be replaced, storm sewers would be installed, and sanitary sewers would be repaired. Depending on the extent of the utility work, curbs might be fully replaced. Ogden City would also upgrade the roadway infrastructure on portions of 23rd Street between Wall Avenue and Kiesel Avenue to better support the Action Alternative and active transportation (walking and bicycling). Improvements would include adding a traffic signal at Lincoln Avenue, restriping, adding bicycle lanes, adding crosswalks, reconstructing curbs, and reconfiguring parking.

4.0 Regulatory Setting

Section 4(f) of the Department of Transportation Act of 1966 is a federal law that protects publicly owned parks, recreation areas, and wildlife and/or waterfowl refuges, as well as significant historic sites, whether publicly or privately owned. Section 4(f) requirements apply to all transportation projects that require funding or other approvals by the U.S. Department of Transportation (DOT). As a DOT agency, FTA must comply with Section 4(f). FTA's Section 4(f) regulations are at 23 Code of Federal Regulations (CFR) 774.

The FTA Section 4(f) regulation at 23 CFR 774.3 states:

The [FTA] may not approve the use of Section 4(f) property unless (a) the [FTA] determines that: (1) there is no feasible and prudent avoidance alternative to the use of land from the property, and (2) the action includes all possible planning to minimize harm to the property resulting from such use; or (b) the [FTA] determines that the use of the property, including any measures(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.

This documentation has been prepared in accordance with legislation established under the Department of Transportation Act of 1966 [49 USC § 303, 23 USC § 138; hereafter referred to as "Section 4(f)"] and the joint Federal Highway Administration (FHWA)/FTA regulations for Section 4(f) compliance codified in 23 CFR 774. Additional guidance was obtained from FHWA Technical Advisory T 6640.8A (FHWA 1987) and the revised FHWA *Section 4(f) Policy Paper* (FHWA 2012).

Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) amended Section 4(f) legislation at 23 USC § 138 and 49 USC § 303 to simplify the processing and approval of projects that have *de minimis* impacts on land protected by Section 4(f). This revision provides that, once DOT determines that a transportation use of Section 4(f) property—after consideration of any impact avoidance, minimization, and mitigation or enhancement measures—results in a *de minimis* impact on that property, an analysis of avoidance alternatives is not required, and the Section 4(f) evaluation process is complete. FTA's final rule on Section 4(f) *de minimis* findings is codified in 23 CFR 774.3 and 774.17. [For a description of *de minimis* impacts, see Section 4.3, Section 4(f) Use Findings.]

4.1 Types of Section 4(f) Properties

Section 4(f) requires consideration of:

- Parks and recreational areas of national, state, or local significance that are both publicly owned and open to the public
- Publicly owned wildlife and waterfowl refuges of national, state, or local significance that are open to the public to the extent that public access does not interfere with the primary purpose of the refuge
- Historic sites of national, state, or local significance in public or private ownership regardless of whether they are open to the public that are included in, or eligible for inclusion in, the National Register of Historic Places (NRHP)

The properties that are the subject of this Section 4(f) evaluation are considered under the definition of historic sites of national, state, or local significance above.

4.2 Types of Use of Section 4(f) Properties

Section 4(f) “use” is defined and addressed in the FTA regulations at 23 CFR 774.17. There are three types of “use” of a property under Section 4(f): use, temporary use, and constructive use.

- **Use** occurs “when land is permanently incorporated into a transportation facility.”
- **Temporary use** occurs “when there is a temporary occupancy of land that is adverse in terms of the statute’s preservation purpose as determined by the criteria in §774.13(d).” The regulation 23 CFR 774.13(d) defines five criteria that must be met to make a finding that a temporary occupancy is not a Section 4(f) use:
 1. The duration must be temporary.
 2. The scope of work must be minor.
 3. There must be no anticipated adverse physical impacts or interference with the activities or purpose of the resource on either a temporary or permanent basis.
 4. The resource must be fully restored.
 5. There must be documented agreement between the appropriate federal, state, or local agencies having jurisdiction over the resource.
- **Constructive use** of a Section 4(f) property as determined by the criteria in 23 CFR 774.15 occurs when there is no physical impact or use, but the project’s proximity impacts—for example, noise or visual impacts—are “so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired.” The regulations in 23 CFR 774.15(a) state that a substantial impairment occurs “only when the protected activities, features, or attributes of the resource are substantially diminished.” The FTA regulations provide specific instructions and examples for determining whether a constructive use has occurred, including causing noise levels that interfere with campground use,

interfering with views of a significant historic building, or restricting access to a resource that is enjoyed by the public.

Constructive use of historic buildings can include impacts such as noise, access restrictions, vibration, ecological intrusions, and visual impacts. However, according to 23 CFR 771.135, constructive use occurs only in those situations where the proximity impacts of a project (including mitigation) on the Section 4(f) property are so severe that the activities, features, or attributes that qualify the property or resource for protection under Section 4(f) are substantially impaired.

FTA is responsible for determining whether a project would result in the “use” of a Section 4(f) resource. This determination is made based on information developed during the NEPA process and considers input received from agencies with jurisdiction over the resource.

4.3 Section 4(f) Use Findings

For each Section 4(f) resource, FTA makes one of the following findings:

- No use
- *De minimis* use
- Use; not *de minimis*

No Use. A finding of **no use** is made when an alternative *avoids any direct physical impact on a Section 4(f) property and there would be no constructive or temporary use*. For historic properties, this Section 4(f) finding of **no use** corresponds to a finding of **no effect** or **no historic properties affected** for the Section 106 process (see Section 5.3, Use of Historic Properties).

De Minimis Use. A finding of **de minimis use** is made when an alternative involves *a direct physical impact on a Section 4(f) resource but no adverse effect on the significant qualities of the resource*. In general, a finding of *de minimis* use requires a determination that the project will have no adverse effect on the protected activities, features, or attributes of the resource. In making this determination, FTA considers any avoidance, minimization, mitigation, or enhancement measures that have been incorporated into the project. If a finding of *de minimis* use is made for a Section 4(f) resource, the requirements of Section 4(f) are satisfied; an analysis of prudent and feasible avoidance alternatives is not required for *de minimis* uses. For historic properties, this Section 4(f) finding of **de minimis use** corresponds to a finding of **no adverse effect** for the Section 106 process (see Section 5.3, Use of Historic Properties).

In addition, for historic properties, FTA’s finding of *de minimis* use requires the concurrence of the State Historic Preservation Officer (SHPO), who has jurisdiction over historic properties [as well as archaeological sites, including historic linear resource sites that qualify for Section 4(f) protection]. As part of the finding of effect for the proposed project, the Utah SHPO was asked to agree with FTA’s Section 4(f) finding of **de minimis use** for properties with a determination of **no adverse effect**; the SHPO concurred with FTA’s Section 106 determination (see Appendix C2, Section 106 Consultation, of the EA).

For parklands and recreational resources, a finding of *de minimis* use requires the concurrence of the responsible agency.

Use; Not De Minimis. A finding of **use; not de minimis** is made when an alternative involves a *direct physical impact on a Section 4(f) resource and that impact would cause an adverse effect on the significant qualities of the resource*. This finding also includes temporary use or constructive use. This is the type of use that can be approved only if FTA finds that (1) there is no prudent and feasible alternative to the use of the resource and (2) the project includes all possible planning to minimize harm. For historic properties, this Section 4(f) finding of **use; not de minimis** corresponds to a finding of **adverse effect** for the Section 106 process (see Section 5.3, Use of Historic Properties).

5.0 Section 4(f) Resources in the Project Study Area and Their Section 4(f) Use Findings

5.1 No-Action Alternative

With the No-Action Alternative, the BRT and other facilities associated with the Action Alternative would not be constructed. The No-Action Alternative includes the existing transportation system and all projects in WFRC's 2015–2040 Regional Transportation Plan that are programmed to be completed in the project study area by 2020, the anticipated opening year for the Action Alternative's BRT.

The No-Action Alternative includes current UTA route 603 bus service in the proposed transit corridor using standard buses. Typical UTA buses would continue serving existing bus stops in the project study area with no additional infrastructure construction. Impacts to historic properties in the APE would continue to occur at present levels and from present sources such as private development.

5.2 Action Alternative

For the Action Alternative, the project team conducted a review of potential Section 4(f) properties. Based on this review, the only Section 4(f) properties that could be affected by the project are historic buildings and archaeological resources; none are parks or recreational resources. There are no wildlife or waterfowl refuges in the project study area.

5.2.1 Use of Parks and Recreation Resources

Section 4(f) applies to publicly owned parks and recreation areas including those that are planned on publicly owned property. For the Ogden/Weber State University Transit Project, the project team conducted an inventory of parks and recreation resources in the community facilities and recreation resources evaluation area.

Within the community facilities and recreation resources evaluation area are several recreation facilities (parks and trails) administered by Ogden City and by Weber County. Parks and recreation facilities and their Section 4(f) uses are listed in Table 1.

What is the community facilities and recreation resources evaluation area?

The community facilities and recreation resources evaluation area is all land within about one-half mile on each side of the proposed transit corridor.

Table 1. Parks and Recreation Facilities and Their Section 4(f) Uses

Facility	Activities and Amenities	Location	Section 4(f) Use from Action Alternative?
Park and community gathering place	Municipal Gardens and City Hall Park	343 25th St.	No
Park	Liberty Park	751 21st St.	No
Park	Marshall White Park	222 28th St.	No
Baseball Fields	Lindquist Field	2330 Lincoln Ave.	No
Park	Lester Park	663 24th St.	No
Park	Marshall White Park	222 28th St.	No
Park	Lion's Club Park	1243 22nd St.	No
Park	Monroe Park	850 30th St.	No
Park	Mt. Ogden Park	3144 Taylor Ave.	No
Golf Course	Mt. Ogden Golf Course	1787 Constitution Way	No
Park	Dee Memorial Park	2424 Harrison Blvd.	No
Park	Jaycee Park	2465 Fillmore Ave.	No
Park	Beus Pond Park	4240 Country Hills Dr.	No
Park	Forest Green Park	4302 Taylor Ave.	No
Community Gathering Place	Ada Lindquist Plaza	1905 University Circle	No
Community Sports Center	Weber County Sports Complex	4390 Harrison Blvd. (on Weber State University campus)	No
Park	Glassmann Pond Park	1126 East 4600 South	No

Source: Ogden City 2015

As part of its 2004 Master Plan (the most recent Master Plan), Weber State University is proposing three “combined” trail segments through campus, one of which would run adjacent to the Action Alternative alignment. The term *combined trails* refers to their joint use by both pedestrians and bicycles. The first trail segment would be on the main campus. It is proposed to run adjacent to and inside of the north campus loop road. The other proposed trail segments would connect the north and south campuses. One trail segment would run along Taylor Avenue, incorporating bicycle, pedestrian, and traffic-calming features. Another trail segment would run within the canal right-of-way that connects the two campuses, and Weber State University would likely build this trail adjacent to the BRT facility (Weber State University 2004).

These trail projects are separate from the Ogden/Weber State University Transit Project and are not sponsored by UTA. The trail is proposed to be developed as a multi-use trail (bicycle and pedestrian uses), and there will likely be a provision that UTA could relocate or remove segments of the trail from the right-of-way if UTA found such an action necessary for transit and safety purposes. According to 23 CFR 774.13(i):

When a property is formally reserved for a future transportation facility before or at the same time a park, recreation area, or wildlife and waterfowl refuge is established and concurrent or joint planning or development of the transportation facility and the Section 4(f) resource occurs, then any resulting impacts of the transportation facility will not be considered a use as defined in §774.17. Examples of such concurrent or joint planning or development include, but are not limited to: (1) designation or donation of property for the specific purpose of such concurrent development by the entity with jurisdiction or ownership of the property for both the potential transportation facility and the Section 4(f) property; or (2) designation, donation, planning, or development of property by two or more governmental agencies with jurisdiction for the potential transportation facility and the Section 4(f) property, in consultation with each other.

Additionally, FHWA’s *Section 4(f) Policy Paper* (question #17) states that Section 4(f) applies to *planned* Section 4(f) resources “when the public agency that owns the property has formally designated and determined it to be significant for park, recreation area, wildlife and waterfowl refuge purposes” (FHWA 2005). UTA has not formally designated any portion of the right-of-way for trail use. Therefore, the proposed Weber State University trail system is not subject to Section 4(f). The Action Alternative would not directly use any public parks or trails in the community facilities and recreation resources evaluation area (Table 2).

Table 2. Trails and Their Section 4(f) Uses

Facility	Activities and Amenities	Location	Section 4(f) Use from Action Alternative?
Trail	Weber River Parkway; follows Weber River, which is west of the Ogden Intermodal Hub	Trail	No
Trailhead with parking	Ogden Intermodal Transit Station	Trailhead with parking	No
Trail	Paved trail that connects the Ogden Intermodal Hub to 21st Street	Trail	No
Trailhead	Grant Avenue Trail Access	Trailhead	No
Trail	Bluff Trail; unpaved trail starting near the intersection of 20th Street and Ogden Avenue	Trail	No
Trailhead	Mt. Ogden Park Trailhead; provides access to Gib's Loop Trail near intersection of 32nd Street and Taylor Avenue	Trailhead	No
Trailhead	Marquardt Park Trail Access; unpaved trail segment that provides access to Gib's Loop Trail on Taylor Avenue just south of 32nd Street	Trailhead	No
Trail	Gib's Loop; paved/unpaved trail around Mt. Ogden Golf Course, connects to dirt trails in foothills east of the golf course	Trail	No
Trailhead	36th Street Trailhead; provides access to dirt trails in foothills east of Weber State University	Trailhead	No
Trailhead	Trail access on Skyline Parkway; provides access to dirt trails in foothills east of Weber State University	Trailhead	No
Trailhead	Discovery Trailhead; provides access from Skyline Parkway near Stewart Stadium to dirt trails in foothills east of Weber State University	Trailhead	No
Trailhead	Beus Drive Trail Access; provides access to dirt trails in foothills east of Weber State University	Trailhead	No
Trailhead	Beus Canyon Trailhead; provides access to dirt trails in Beus Canyon area	Trailhead	No

Source: Ogden City 2015

5.2.2 Constructive Use of Parks and Recreation Areas

A **constructive use** occurs when there is no physical impact to or use of a resource, but the project's proximity impacts—for example, noise or visual impacts—are “so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired.”

As explained in Section 5.2.1, Use of Parks and Recreation Resources, the Weber State University trail system that is proposed to run adjacent to the Action Alternative is not subject to Section 4(f).

Noise Impacts at Parks and Trails. No noise impacts are predicted from the Action Alternative at any parks or existing trails. As stated in FTA's *Transit Noise and Vibration Impact Assessment* manual (FTA 2006):

Whether a park is noise-sensitive depends on how it is used. Most parks used primarily for active recreation would not be considered noise-sensitive. However, some parks—even some in dense urban areas—are used for passive recreation like reading, conversation, meditation, etc. These places are valued as havens from the noise and rapid pace of everyday city life, and they should be treated as noise-sensitive. The noise sensitivity of parks should be determined on a case-by-case basis after carefully considering how each facility is used. The state or local agency with jurisdiction over the park should be consulted on questions about how the park is used and how much use it gets.

No parks in the community facilities and recreation resources evaluation area are used for passive recreation.

Visual Impacts at Park and Trails. No substantial visual impacts from the Action Alternative are predicted at any parks. People using some parts of the Municipal Gardens and City Hall Park, Lindquist Field, Lester Park, and Ada Lindquist Plaza would have a direct view of the Action Alternative. Because the parks are already situated in an urban environment where UTA buses operate, the extent of the impacts from this change in the visual environment would depend on how the change is perceived by users. However, views from the parks are not the main use of these Section 4(f) resources; therefore, no constructive use is expected.

No other proximity impacts from the Action Alternative are predicted to substantially impair any parks or trails.

5.3 Use of Historic Properties

The Section 4(f) regulations define *historic site* to include any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the NRHP. The term includes properties of traditional religious and cultural importance to Native American tribes that are included in, or are eligible for inclusion in, the NRHP. The consultation process established under Section 106 of the National Historic Preservation Act is used to identify properties that are included in or are eligible for inclusion in the NRHP.

Section 106 consultation involves thorough research and coordination with the SHPO and other consulting parties to identify and evaluate potential NRHP-listed properties in the area of potential effects (APE). The APE is the geographic area within which an undertaking could directly or indirectly alter the character or use of historic properties, if any such properties exist.

The results of the Section 106 process are documented in Appendix B13, Historic Properties Technical Report, of the EA. The results of the Section 106 process were used to identify historic properties that qualify for protection under Section 4(f).

What is Section 106?

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties and to give the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings.

5.3.1 Historic Buildings and Districts

As described in Appendix B13, Historic Properties Technical Report, of the EA, a total of 280 primary historic structures were identified as a result of the selective reconnaissance-level survey for the Action Alternative. Additionally, the APE/survey area encompasses parts of four NRHP-listed historic districts: the Ogden Central Bench District, the Jefferson Avenue District, the Eccles Avenue District, and the Crossroads of the West District. The locations of the properties and the approximate boundaries of the historic districts relative to the APE are illustrated in Figure 4 through Figure 8 beginning on page 21, and architectural information about each property is summarized in Table 3, Table 4, and Table 5, beginning on page 27.

Of the 280 in-period historic buildings surveyed, 223 were considered eligible for inclusion in the NRHP under Utah SHPO rating ES or EC. (For descriptions of the NRHP and Utah SHPO rating criteria, see Section 3.3.4, Criteria for Evaluating the Eligibility of Historic Properties, of the *Historic Properties Technical Report* in Appendix B13 of the EA.)

UTA and FTA have determined, and the Utah SHPO has concurred on, the NRHP eligibility of buildings listed in this Section 4(f) evaluation and that Section 4(f) considerations do apply (see Appendix C2, Section 106 Consultation, of the EA).

No Use. With the Action Alternative, of the 223 NRHP-eligible buildings, 201 qualify for a finding of **no historic properties affected** under Section 106, and therefore there would be **no use** of these 201 properties under Section 4(f), as shown in Table 3.

In nearly all cases for which FTA has made a finding of **no historic properties affected** for the Action Alternative, these properties would be avoided in their entirety; no project components would be placed within or near the resource boundaries, and no property acquisition would occur. The exceptions to this are the following five NRHP-eligible historic properties:

- 1348 East 4225 South
- 1360 East 4225 South
- 1361 East 4225 South
- 1332 Country Hills Drive
- 1350 Country Hills Drive

These five historic properties are located in or near the proposed transit corridor, and the building or property parcel would be directly affected by the Action Alternative. However, these properties have all been acquired by Weber State University with the intent to demolish them in support of the campus Master Plan.

Per the Memorandum of Agreement (MOA) executed between Weber State University and the Utah SHPO regarding the demolition of a number of historic buildings in support of the Weber State University Master Plan, FTA understands that mitigation efforts have been completed and approved by the SHPO and that the five properties listed above are covered under the MOA.

Because of the MOA, for the purpose of FTA's evaluation of potential effects, FTA has assumed that the five historic buildings currently owned by Weber State University would no longer be present when construction activities related to the Action Alternative begin.

Thus, FTA has determined that the Action Alternative would not affect these five historic properties.

De Minimis Use. As shown in Table 3 and Table 4, the undertaking would have **no adverse effect** under Section 106 on 21 individual historic properties through minor strip takes or because new station platforms and shelters would be placed near NRHP-eligible structures but outside the parcel boundaries. Of these 21 properties, eight that would incur no adverse effect are not located in any of the historic districts. The remaining 13 properties are located within the historic districts as follows: one is located in the Crossroads of the West Historic District, another is located in the Jefferson Avenue Historic District, nine are located in the Ogden Central Bench Historic District, and two are located in the Eccles Avenue Historic District. Consequently, FTA makes a finding of **de minimis use** for these 21 individual historic properties and four historic districts under Section 4(f).

Use. As shown in Table 5, FTA has determined that the Action Alternative would result in one **adverse effect** under Section 106—to a historic property located at 1341 Country Hills Drive. The Action Alternative would directly impact the historic building on the property. Although this property is included in the MOA between Weber State University and the Utah SHPO, the property is not currently owned by the University; therefore, FTA cannot assume

that the historic building on this property would no longer be present when construction activities related to the Action Alternative begin. Consequently, FTA makes a finding of full **use** for this historic property under Section 4(f) due to an adverse effect to the property under Section 106.

5.3.2 Archaeological Resources, including Historic Linear Resource Sites

The Action Alternative would result in **no use** of two of the NRHP-eligible archaeological resources (42WB000534 and 42WB000357) and a *de minimis* **use** of the third NRHP-eligible archaeological resource (42WB000373). These resources are summarized in Table 3, Table 4, and Table 5.

No Use. Archaeological site 42WB000534—the historic stone entry posts at Weber State University—would be avoided in its entirety. For archaeological site 42WB000357—a subsurface historic residential site that was at least partially excavated through prior efforts unrelated to the Action Alternative—FTA has determined that the Action Alternative would result in **no historic properties affected** for the site under Section 106 because the Action Alternative in the area of the site would be surface-running (lacking subsurface components), and the site area appears to be bounded by the historical curb location and does not likely extend into the existing roadway.

Based on this determination, FTA makes a finding of **no use** for these two properties under Section 4(f).

De Minimis Use. With regard to the third eligible archaeological site, 42WB000373—the Ogden Rail Yard site—FTA has determined that the portion of the site within which components of the Action Alternative would be constructed has already been substantially disturbed by the construction of the Ogden Intermodal Transit Center and that no surface remains of the archaeological site are present in this area. Additionally, the potential for subsurface resources to remain intact in the area that would be affected by the Action Alternative is extremely low. The Action Alternative would require construction within the documented site boundary, but FTA does not anticipate any adverse effects to the site as a result of that construction. FTA has determined that the Action Alternative would result in **no adverse effect** to this archaeological site under Section 106.

Based on this determination, FTA makes a finding of *de minimis* **use** for this archaeological site under Section 4(f).

5.3.3 Constructive Use of Historic Properties

A **constructive use** of a Section 4(f) resource occurs when there is no physical impact to or use of a resource, but the project's proximity impacts—for example, noise or visual impacts—are “so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired” [for more information, see Section 4.2, Types of Use of Section 4(f) Properties].

For the following reasons, noise barriers are not proposed for the Ogden/Weber State University Transit Project:

- The noise levels produced by the addition of the Action Alternative would be in the low-impact range.
- Buses already operate in much of the project study area.
- A large portion of the Action Alternative is on Harrison Boulevard, which has one historic property with a Section 4(f) use.
- Some of the assumptions used in the noise impact analysis are quite conservative.
- Indirect effects on NRHP properties were considered under the MOA between Weber State University and the Utah SHPO and were determined to be **no adverse effect**.

Additionally, constructive use does not occur when there is a finding of **no historic properties affected** or **no adverse effect** under Section 106. Therefore, there would be no Section 4(f) constructive use of historic properties by the Action Alternative.

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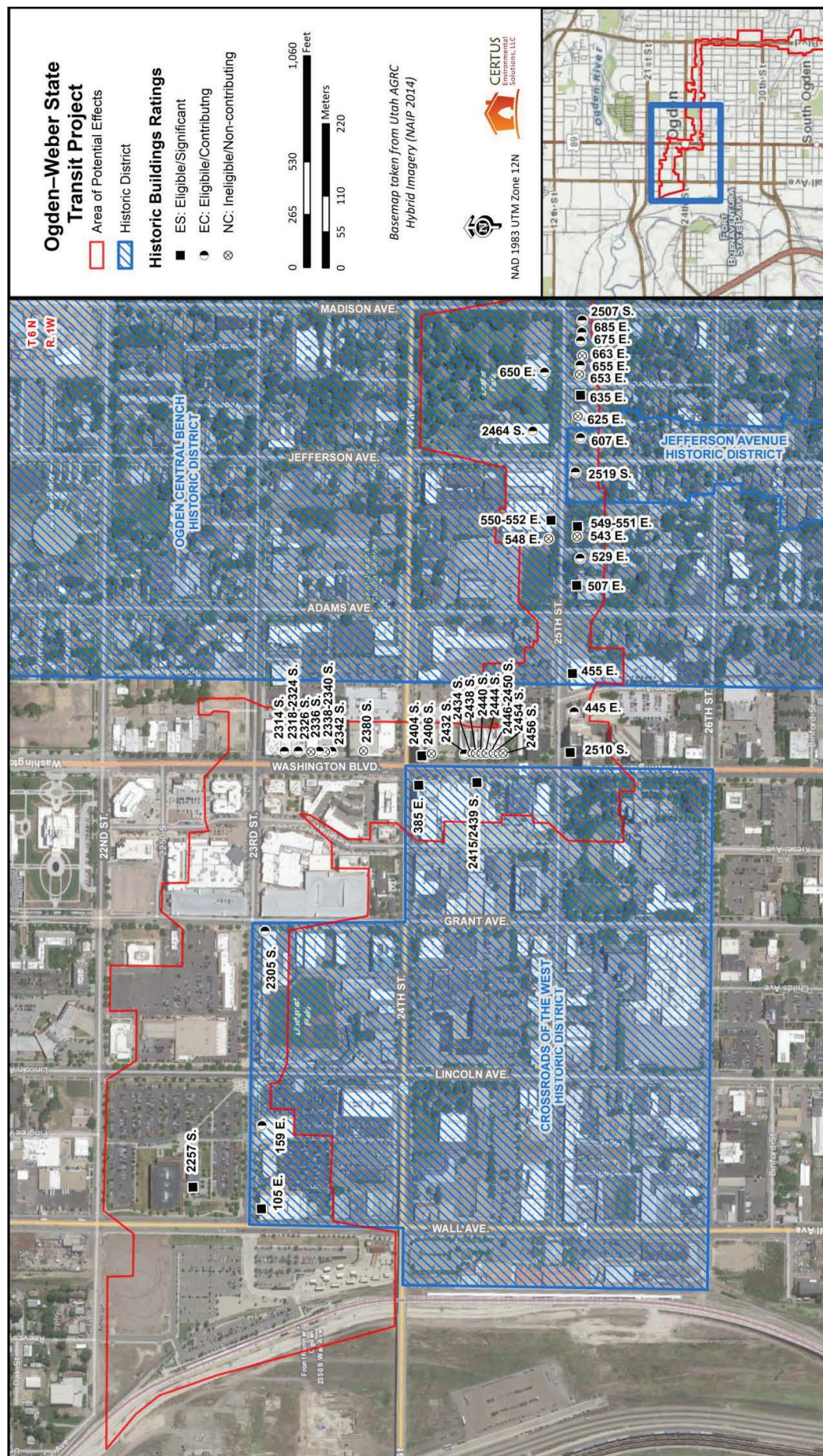
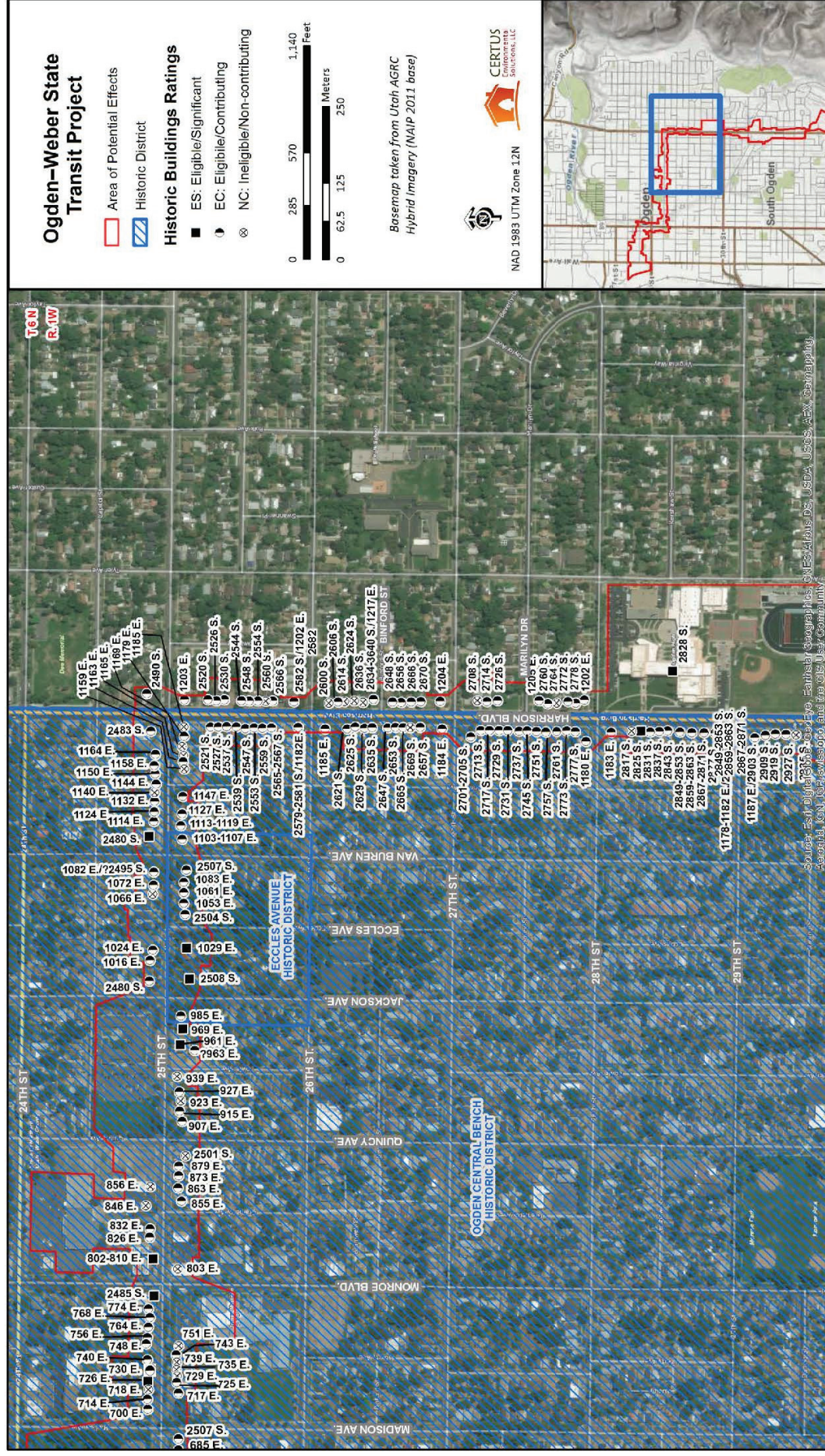


Figure 5. Documented Historic Structures and Districts (2 of 5)



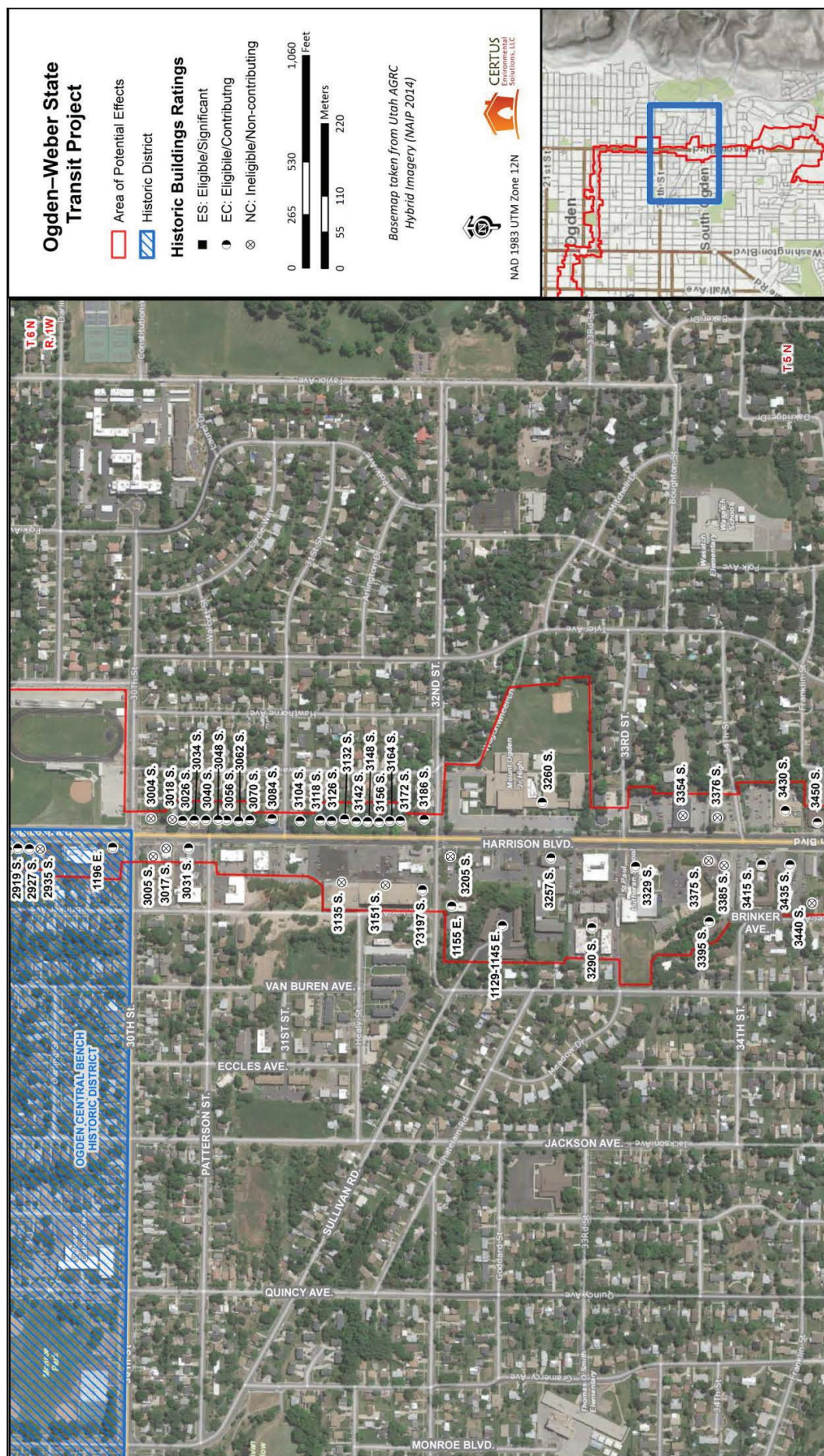
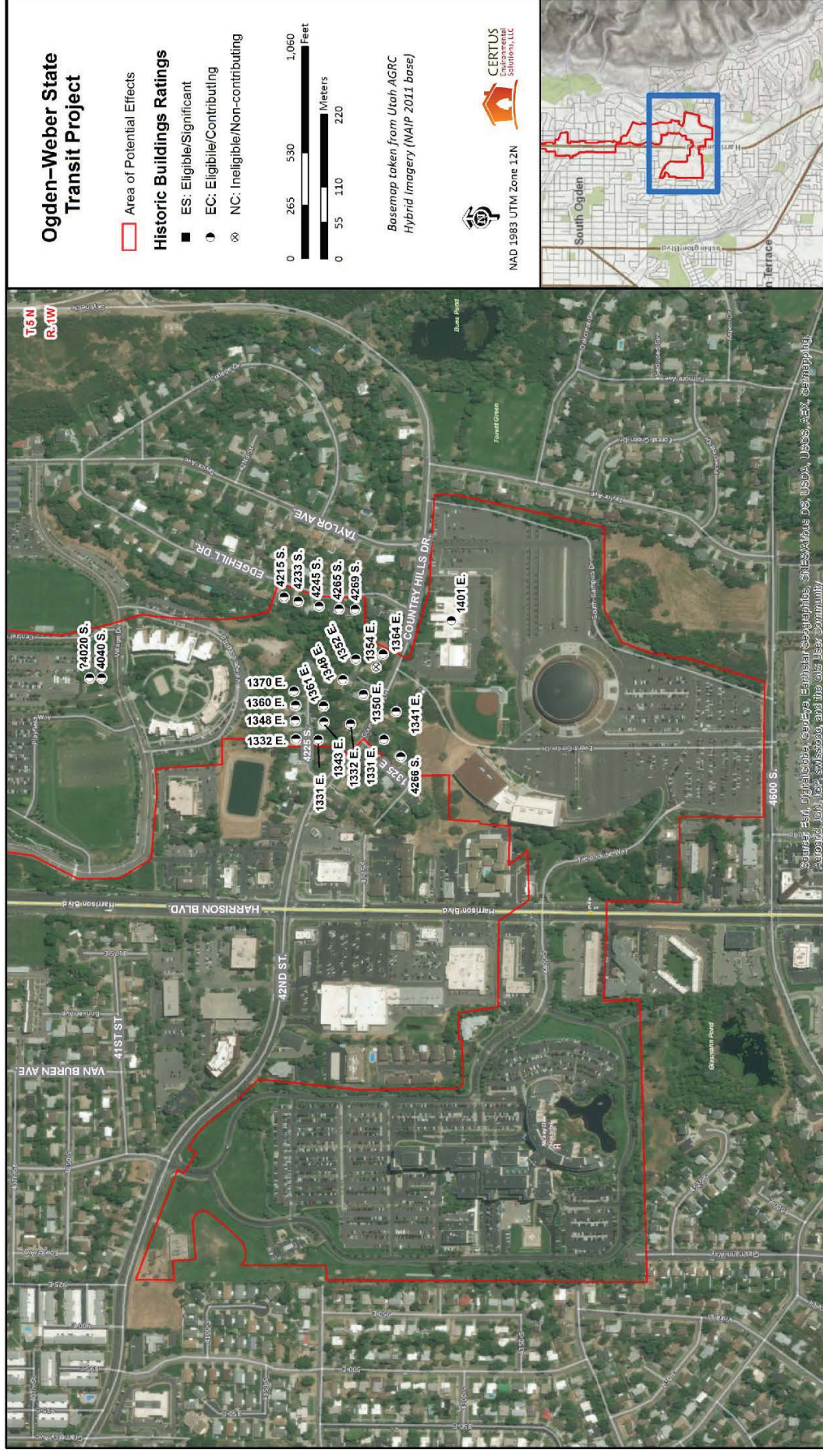




Figure 8. Documented Historic Structures and Districts (5 of 5)



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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
105 E. 23rd St.	Scowcroft/American Foods Warehouse; c. 1906 4-story warehouse building exhibiting Early 20th Century style	Avoided	No use
159 E. 23rd St.	c. 1928 1-story Warehouse building exhibiting Early 20th Century style	Avoided	No use
385 E. 24th St.	Eccles Building/Crowne Plaza Hotel; c.1913 8-story 3-Part Block building exhibiting Prairie School and Classical: Other styles	Avoided	No use
445 E. 25th St.	Courtyard Inn; c. 1964 2-story Other Apartment/Hotel building exhibiting Post-WWII: Other and Modern: Other styles	Avoided	No use
455 E. 25th St.	Ben Lomond Hotel Garage; c. 1929 1-story 1-Part Block building exhibiting Period Revival: Other style	Avoided	No use
507 E. 25th St.	U.S. Forest Service Building; c. 1950 4-story 2-Part Vertical Block building exhibiting Art Deco style	Avoided	No use
529 E. 25th St.	c. 1895 & 1960 2.5-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Victorian Eclectic style	Avoided	No use
549–551 E. 25th St.	Don Maguire Duplex; c. 1899 2.5-story duplex multi-family dwelling exhibiting Victorian Eclectic style	Avoided	No use
550–552 E. 25th St.	Weber Academy Gymnasium; c. 1925 3-story gymnasium building (1-Part Block) exhibiting Classical: Other style	Avoided	No use
635 E. 25th St.	Dennis A. Smyth House; c. 1875 2-story Central-Block-with-Projecting-Bays single family dwelling exhibiting Queen Anne style	Avoided	No use
650 E. 25th St.	Golden Hours Senior Center; c. 1968 1-story Other Commercial/Public building exhibiting Mansard and Late 20th Century: Other styles	Avoided	No use
655 E. 25th St.	c. 1903 1.5-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Victorian Eclectic style	Avoided	No use
675 E. 25th St.	c. 1902 2-story Central-Block-with-Projecting-Bays single family dwelling exhibiting Dutch Colonial Revival style	Avoided	No use
685 E. 25th St.	c. 1913 2-story Foursquare single-family dwelling exhibiting Prairie School style	Avoided	No use
700 E. 25th St.	c. 1910 1.5-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Colonial Revival style	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
714 E. 25th St.	c. 1910 2.5-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Victorian Eclectic style	Avoided	No use
717 E. 25th St.	c. 1915 1-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Period Revival: Other style	Avoided	No use
725 E. 25th St.	c. 1947 1-story Other Apartment/Hotel (Triplex) multi-family dwelling exhibiting International style	Avoided	No use
726 E. 25th St.	Andrew J. Warner House; c. 1892 2.5-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Queen Anne style	Avoided	No use
730 E. 25th St.	c. 1898 1.5-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Victorian Eclectic style	Avoided	No use
740 E. 25th St.	c. 1957 1-story Other Apartment/Hotel (Fourplex) multi-family dwelling exhibiting Ranch/Rambler style	Avoided	No use
743 E. 25th St.	c. 1914 1.5-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Victorian Eclectic style	Avoided	No use
748 E. 25th St.	c. 1874 1.5-story Hall-Parlor single-family dwelling exhibiting Classical: Other style	Avoided	No use
756 E. 25th St.	c. 1889 1.5-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Victorian Eclectic style	Avoided	No use
802–810 E. 25th St.	McGregor Apartments; 3 identical buildings; c. 1926 3.5-story Walk-up Apartments multi-family dwellings exhibiting Prairie School style	Avoided	No use
826 E. 25th St.	c. 1910 2-story Bungalow single-family dwelling exhibiting Prairie School style	Avoided	No use
832 E. 25th St.	c. 1910 2-story Bungalow single-family dwelling exhibiting Prairie School style	Avoided	No use
855 E. 25th St.	c. 1960 1-story Service Bay/Business building exhibiting Late 20th Century: Other style	Avoided	No use
863 E. 25th St.	c. 1887 1-story Bungalow single-family dwelling exhibiting Arts & Crafts style	Avoided	No use
873 E. 25th St.	c. 1918 1-story Bungalow single-family dwelling exhibiting Bungalow and Arts & Crafts styles	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
879 E. 25th St.	c. 1915 1-story Bungalow single-family dwelling exhibiting Bungalow style	Avoided	No use
907 E. 25th St.	c. 1910 1.5-story Bungalow single-family dwelling exhibiting Arts & Crafts style	Avoided	No use
915 E. 25th St.	c. 1941 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional and Period Revival: Other styles	Avoided	No use
927 E. 25th St.	c. 1910 1.5-story Bungalow single-family dwelling exhibiting Arts & Crafts style	Avoided	No use
961 E. 25th St.	Avon Apartments; c. 1915 3-story Walk-up Apartments multi-family dwelling exhibiting Victorian Eclectic style	Avoided	No use
? 963 E. 25th St.	c. 1913 2-story Other Residential Type single-family dwelling exhibiting Early 20th Century style	Avoided	No use
969 E. 25th St.	c. 1913 1-story Crosswing single-family dwelling exhibiting Victorian Eclectic style	Avoided	No use
985 E. 25th St.	c. 1916 1-story Double Crosswing single-family dwelling exhibiting Greek Revival style	Avoided	No use
1016 E. 25th St.	c. 1929 1-story Period Cottage single-family dwelling exhibiting Period Revival: Other style	Avoided	No use
1024 E. 25th St.	c. 1905 2-story Side Passage single-family dwelling exhibiting Dutch Colonial Revival style	Avoided	No use
1053 E. 25th St.	c. 1928 1.5-story Period Cottage single-family dwelling exhibiting English Cottage style	Avoided	No use
1061 E. 25th St.	c. 1928 1.5-story Period Cottage single-family dwelling exhibiting English Cottage style	Avoided	No use
1072 E. 25th St.	c. 1919 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
1082 E. 25th St./ ? 2495 S. Van Buren Ave.	c. 1926 1-story Duplex multi-family dwelling exhibiting Bungalow style	Avoided	No use
1083 E. 25th St.	c. 1928 1.5-story Period Cottage single-family dwelling exhibiting English Tudor Revival style	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
1103–1107 E. 25th St./ 2502 S. Van Buren Ave.	c. 1940 2-story Other Apartment/Hotel (Fourplex) multi-family dwelling exhibiting Minimal Traditional style	Avoided	No use
1113–1119 E. 25th St.	c. 1942 2-story Other Apartment/Hotel (Fourplex) multi-family dwelling exhibiting Minimal Traditional style	Avoided	No use
1114 E. 25th St.	c. 1930 1-story Period Cottage single-family dwelling exhibiting Period Revival: Other style	Avoided	No use
1124 E. 25th St.	c. 1940 1-story Period Cottage single-family dwelling exhibiting Period Revival: Other style	Avoided	No use
1127 E. 25th St.	c. 1902 1-story Bungalow single-family dwelling exhibiting Bungalow style	Avoided	No use
1132 E. 25th St.	c. 1911 2-story Bungalow single-family dwelling exhibiting Prairie School style	Avoided	No use
1144 E. 25th St.	c. 1921 1-story Bungalow single-family dwelling exhibiting Bungalow style	Avoided	No use
1147 E. 25th St.	c. 1932 1-story Clipped Gable Cottage single-family dwelling exhibiting Clipped Gable Cottage style	Avoided	No use
1150 E. 25th St.	c. 1941 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional and Period Revival: Other styles	Avoided	No use
1158 E. 25th St.	c. 1922 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
1163 E. 25th St.	c. 1893 1-story Side Passage single-family dwelling exhibiting Victorian Eclectic style	Avoided	No use
1203 E. 25th St.	c. 1912 1.5-story Bungalow single family dwelling exhibiting Prairie School style	Avoided	No use
1185 E. 26th St.	c. 1918 1.5-story Bungalow single-family dwelling exhibiting Arts & Crafts style	Avoided	No use
1184 E. 27th St.	c. 1923 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
1204 E. 27th St.	c. 1947 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
1180 E. 28th St.	c. 1955 1-story Other Commercial/Public building exhibiting Modern: Other and Ranch/Rambler styles	Avoided	No use
1202 E. 28th St.	c. 1926 1-story Period Cottage single-family dwelling exhibiting Tudor Revival style	Avoided	No use
1155 E. 32nd St.	c. 1969 3-story Other Apartment/Hotel multi-family dwelling exhibiting Mansard and Late-20th Century: Other styles	Avoided	No use
1235 E. 36th St.	c. 1942 1.5-story Cape Cod single-family dwelling exhibiting Minimal Traditional (Colonial Revival) style	Avoided	No use
1331 E. 4225 S.	C. 1960 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style.	Avoided	No use
1332 E. 4225 S.	c. 1960 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler and Contemporary styles	Avoided	No use
1343 E. 4225 S.	c. 1967 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler and Late 20th Century: Other styles	Avoided	No use
1348 E. 4225 S.	c. 1959 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style	Property is owned by Weber State University with plans to demolish all associated structures. Demolition is addressed in an MOA between the University and SHPO. UTA would construct the Action Alternative across the vacant property.	No use
1360 E. 4225 S.	c. 1960 1-story Ranch single-family dwelling exhibiting Ranch/Rambler style	Property is owned by Weber State University with plans to demolish all associated structures. Demolition is addressed in an MOA between the University and SHPO. UTA would construct the transit corridor across the vacant property.	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
1361 E. 4225 S.	c. 1961 1-story Split Level (w/ garage) single-family dwelling exhibiting Ranch/Rambler and Contemporary styles	Property is owned by Weber State University with plans to demolish all associated structures. Demolition is addressed in an MOA between the University and SHPO. UTA would construct the transit corridor across the vacant property.	No use
1370 E. 4225 S.	c. 1964 1-story Ranch (w/ carport) single-family dwelling exhibiting Ranch/Rambler and Contemporary styles	Avoided	No use
3460 S. Brinker Ave.	c. 1970 3-story Other Apartment/Hotel multi-family dwelling exhibiting Mansard style	Avoided	No use
3476 S. Brinker Ave.	c. 1966 2-story Other Apartment/Hotel multi-family dwelling exhibiting Ranch/Rambler style	Avoided	No use
1331 Country Hills Dr.	c. 1955 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style.	Avoided	No use
1332 Country Hills Dr.	c. 1954 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style	Property is owned by Weber State University with plans to demolish all associated structures. Demolition is addressed in an MOA between the University and SHPO. UTA would construct the Action Alternative across the vacant property.	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
1350 Country Hills Dr.	c. 1954 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style	Property is owned by Weber State University with plans to demolish all associated structures. Demolition is addressed in an MOA between the University and SHPO. UTA would construct the transit corridor across the vacant property.	No use
1352 Country Hills Dr.	c. 1957 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style	Avoided	No use
1364 Country Hills Dr.	c. 1945 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
1401 Country Hills Dr.	c. 1965 1-story church (LDS meetinghouse) exhibiting Contemporary and Late 20th Century: Other styles	Avoided	No use
4266 S. 1325 E.	c. 1960 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style.	Avoided	No use
2504 S. Eccles Ave.	c. 1928 1.5-story Period Cottage exhibiting English Cottage style	Avoided	No use
4215 S. Edgehill Dr.	c. 1960 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style	Avoided	No use
4233 S. Edgehill Dr.	c. 1962 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style	Avoided	No use
4245 S. Edgehill Dr.	c. 1963 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler and Contemporary styles	Avoided	No use
4265 S. Edgehill Dr.	c. 1965 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler and Contemporary styles	Avoided	No use
4269 S. Edgehill Dr.	c. 1968 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style	Avoided	No use
2305 S. Grant Ave.	c. 1946 1-story Other Commercial/Public building exhibiting Post WWII: Other and Art Moderne styles	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
2490 S. Harrison Blvd.	c. 1967 1-story Other Commercial/Public building exhibiting Contemporary style	Avoided	No use
2520 S. Harrison Blvd.	c. 1936 1-story Period Cottage single-family dwelling exhibiting English Cottage style	Avoided	No use
2521 S. Harrison Blvd.	c. 1922 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2526 S. Harrison Blvd.	c. 1914 1-story Bungalow single-family dwelling exhibiting Bungalow style	Avoided	No use
2527 S. Harrison Blvd.	c. 1920 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2530 S. Harrison Blvd.	c. 1914 2-story Rectangular Block single-family dwelling exhibiting Victorian Eclectic style	Avoided	No use
2537 S. Harrison Blvd.	c. 1920 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2539 S. Harrison Blvd.	c. 1921 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2544 S. Harrison Blvd.	c. 1926 1-story Bungalow single-family dwelling exhibiting Prairie School style	Avoided	No use
2547 S. Harrison Blvd.	c. 1922 1-story Period Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2548 S. Harrison Blvd.	c. 1917 1-story Bungalow single-family dwelling exhibiting Prairie School style	Avoided	No use
2553 S. Harrison Blvd.	c. 1922 1-story Bungalow single-family dwelling exhibiting Bungalow style	Avoided	No use
2554 S. Harrison Blvd.	c. 1917 1-story Bungalow single-family dwelling exhibiting Bungalow style	Avoided	No use
2559 S. Harrison Blvd.	c. 1917 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2565-2567 S. Harrison Blvd.	c. 1928 1-story Duplex multi-family dwelling exhibiting Clipped Gable Cottage style	Avoided	No use
2566 S. Harrison Blvd.	c. 1917 1-story Bungalow single-family dwelling exhibiting Prairie School style	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
2579–2581 S. Harrison Blvd./1182 E. 26th St.	c. 1924 1-story Other Apartment (Triplex) multi-family dwelling exhibiting Bungalow and Clipped Gable Cottage styles	Avoided	No use
2578–2582 S. Harrison Blvd./1202 E. 26th St.	c. 1926 1-story Other Apartment (Triplex) multi-family dwelling exhibiting Clipped Gable Cottage style	Avoided	No use
2606 S. Harrison Blvd.	c. 1908 1-story Bungalow single-family dwelling exhibiting Bungalow style	Avoided	No use
2621 S. Harrison Blvd.	c. 1942 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2625 S. Harrison Blvd.	c. 1914 1.5-story Bungalow single-family dwelling exhibiting Bungalow style	Avoided	No use
2629 S. Harrison Blvd.	c. 1922 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2634–2640 S. Harrison Blvd./1212 E. Binford St.	c. 1937 1-story Other Apartment (Triplex) multi-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2635 S. Harrison Blvd.	c. 1918 1.5-story Bungalow single-family dwelling exhibiting Arts & Crafts style	Avoided	No use
2647 S. Harrison Blvd.	c. 1923 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2648 S. Harrison Blvd.	c. 1942 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2653 S. Harrison Blvd.	c. 1923 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2656 S. Harrison Blvd.	c. 1942 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2657 S. Harrison Blvd.	c. 1923 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2666 S. Harrison Blvd.	c. 1942 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2669 S. Harrison Blvd.	c. 1923 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
2670 S. Harrison Blvd.	c. 1942 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2701–2705 S. Harrison Blvd.	c. 1948 1-story Duplex multi-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2713 S. Harrison Blvd.	c. 1922 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2714 S. Harrison Blvd.	c. 1935 1-story Period Cottage single-family dwelling exhibiting English Cottage style	Avoided	No use
2717 S. Harrison Blvd.	c. 1917 1-story Bungalow single-family dwelling exhibiting Bungalow style	Avoided	No use
2726 S. Harrison Blvd.	Bertholdi Architects; c. 1919 -story Bungalow single-family dwelling exhibiting Prairie School style	Avoided	No use
2729 S. Harrison Blvd.	c. 1926 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2731 S. Harrison Blvd.	c. 1920 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2737 S. Harrison Blvd.	c. 1-story Period Cottage single-family dwelling exhibiting English Cottage style	Avoided	No use
2745 S. Harrison Blvd.	c. 1923 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2751 S. Harrison Blvd.	c. 1923 1-story Clipped Gable Cottage single-family dwelling exhibiting Clipped Gable Cottage style	Avoided	No use
2757 S. Harrison Blvd.	c. 1925 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2760 S. Harrison Blvd.	c. 1924 1-story Other Residential Type single-family dwelling exhibiting Bungalow and Period Revival: Other style	Avoided	No use
2761 S. Harrison Blvd.	c. 1925 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2772 S. Harrison Blvd.	c. 1926 1-story Period Cottage single-family dwelling exhibiting Period Revival style	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
2773 S. Harrison Blvd.	c. 1926 1-story Period Cottage single-family dwelling exhibiting Clipped Gable Cottage style	Avoided	No use
2777 S. Harrison Blvd.	c. 1937 1.5-story Period Cottage single-family dwelling exhibiting Period Revival: Other style	Avoided	No use
2778 S. Harrison Blvd.	c. 1926 1-story Period Cottage single-family dwelling exhibiting Tudor Revival style	Avoided	No use
2825 S. Harrison Blvd.	Ernest & Eva Harris House; c. 1929 1.5-story Period Cottage single-family dwelling exhibiting English Cottage/Tudor Revival style	Avoided	No use
2831 S. Harrison Blvd.	c. 1943 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2837 S. Harrison Blvd.	c. 1943 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional and Other styles	Avoided	No use
2843 S. Harrison Blvd.	c. 1928 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	Avoided	No use
2849–2853 S. Harrison Blvd.	c. 1943 1-story Duplex multi-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2859–2863 S. Harrison Blvd.	c. 1943 1-story Duplex multi-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2867–2871 S. Harrison Blvd.	c. 1943 1-story Duplex multi-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2877 S. Harrison Blvd.	c. 1952 1-story Early Ranch single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
2885 S. Harrison Blvd./1178–1182 E. 29th St.	c. 1946 1-story Duplex multi-family dwelling exhibiting Ranch/Rambler style	Avoided	No use
2903 S. Harrison Blvd./1187 E. 29th St.	c. 1937 1-story Duplex multi-family dwelling exhibiting Tudor Revival style	Avoided	No use
2909 S. Harrison Blvd.	c. 1939 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
2919 S. Harrison Blvd.	c. 1936 1-story Period Cottage single-family dwelling exhibiting Tudor Revival style	Avoided	No use
2927 S. Harrison Blvd.	c. 1937 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional and Period Revival: Other styles	Avoided	No use
3026 S. Harrison Blvd.	c. 1944 1-story Early Ranch single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3031 S. Harrison Blvd.	USA Minimart; c. 1967 1-story Other Commercial/Public building exhibiting Post-WWII: Other and Late 20th Century: Other style	Avoided	No use
3034 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3040 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3048 S. Harrison Blvd.	c. 1944 1-story Early Ranch single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3056 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3062 S. Harrison Blvd.	c. 1944 1-story Early Ranch single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3070 S. Harrison Blvd.	c. 1944 1-story Early Ranch single-family dwelling exhibiting Early Ranch and Minimal Traditional styles	Avoided	No use
3084 S. Harrison Blvd.	c. 1944 1-story Early Ranch single-family dwelling exhibiting Early Ranch and Minimal Traditional styles	Avoided	No use
3104 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3118 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3126 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional and Period Revival styles	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
3132 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional and Early Ranch styles	Avoided	No use
3142 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3148 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3156 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3164 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3172 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3186 S. Harrison Blvd.	c. 1944 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
? 3197 S. Harrison Blvd.	c. 1965 1-story Drive-Thru restaurant building exhibiting Mansard style	Avoided	No use
3260 S. Harrison Blvd.	Mt. Ogden Jr. High; c. 1958 1-story Modern School building exhibiting Modern: Other style	Avoided	No use
3329 S. Harrison Blvd.	c. 1965 1-story Church building exhibiting Mansard style	Avoided	No use
3395 S. & 3415 S. Harrison Blvd.	Mirador Apartments; c. 1963 2-story Other Apartment/Hotel multi-family dwelling exhibiting Ranch/Rambler and Period Revival: Other styles	Avoided	No use
3430 S. Harrison Blvd.	Wasatch Care Center; c. 1964 1-story (multi-wing) Other Commercial/Public building exhibiting Ranch/Rambler style	Avoided	No use
3435 S. Harrison Blvd.	c. 1950 -story Other Commercial/Public building exhibiting Post-WWII: Other style	Avoided	No use
3450 S. Harrison Blvd.	Fire Station No. 5; c. 1960 1-story Other Commercial/Public building exhibiting Contemporary style	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
3487 S. Harrison Blvd.	c. 1938 Period Cottage single-family dwelling exhibiting Period Revival: Other and Clipped Gable Cottage styles	Avoided	No use
3605 S. Harrison Blvd.	Kinko's/FedEx; c. 1959 1.5-story Other Commercial/Public building exhibiting Post-WWII: Other and Modern: Other styles	Avoided	No use
3621 S. Iowa Ave.	c. 1942 1-story WWII-Era Cottage single-family dwelling exhibiting Minimal Traditional style	Avoided	No use
3625 S. Iowa Ave.	c. 1947 1-story Early Ranch single-family dwelling exhibiting Ranch and Minimal Traditional styles	Avoided	No use
3639 S. Iowa Ave.	c. 1948 1-story Early Ranch (w/ garage) single-family dwelling exhibiting Early Ranch and Minimal Traditional styles	Avoided	No use
3651 S. Iowa Ave.	c. 1954 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style	Avoided	No use
3661 S. Iowa Ave.	c. 1950 1-story Early Ranch single-family dwelling exhibiting Early Ranch and Minimal Traditional styles	Avoided	No use
3673 S. Iowa Ave.	c. 1950 1-story Early Ranch (w/ garage) single-family dwelling exhibiting Early Ranch and Minimal Traditional styles	Avoided	No use
2480 S. Jackson Ave.	c. 1949 1-story Early Ranch single-family dwelling exhibiting Minimal Traditional and Early Ranch styles	Avoided	No use
2464 S. Jefferson Ave.	Weber County Library; c. 1968 2-story Other Commercial/Public building exhibiting Modern: Other style	Avoided	No use
2519 S. Jefferson Ave.	First Baptist Church; c. 1950 2-story church building exhibiting Period Revival (Federal) style	Avoided	No use
2507 S. Madison Ave.	c. 1953 1-story Ranch single-family dwelling exhibiting Post-WWII: Other style	Avoided	No use
1205 E. Marilyn Dr.	c. 1935 1-story Early Ranch single-family dwelling exhibiting Early Ranch and Minimal Traditional styles	Avoided	No use
1129–1145 E. Sullivan Rd.	3 similar buildings; c. 1962 2-story Other Apartment/Hotel multi-family dwelling exhibiting Ranch/Rambler style	Avoided	No use

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Table 3. Historic Properties – Findings of No Historic Properties Affected/No Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
2480 S. Van Buren Ave.	Ralph Bristol House; c. 1929 2-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Colonial Revival style	Avoided	No use
2507 S. Van Buren Ave.	c.1928 1.5-story Period Cottage single-family dwelling exhibiting Tudor Revival style	Avoided	No use
3290 S. Van Buren Ave.	Versailles Apartments; 3 identical buildings; c. 1968 2.5-story Other Apartment/Hotel multi-family dwelling exhibiting Mansard style	Avoided	No use
? 4020 S. Village Dr.	c. 1970 1-story Ranch single-family dwelling exhibiting Ranch/Rambler style	Avoided	No use
4040 S. Village Dr.	c. 1970 1-story Ranch single-family dwelling exhibiting Ranch/Rambler style	Avoided	No use
2314 S. Washington Blvd.	c. 1918 3-story 2-Part Block building exhibiting 20th Century Commercial style	Avoided	No use
2318–2324 S. Washington Blvd.	c. 1913 2-story 1-Part Block building exhibiting 20th Century Commercial style	Avoided	No use
2336 S. Washington Blvd.	c. 1911 2-story 1-Part Block building exhibiting 20th Century Commercial style	Avoided	No use
2342 S. Washington Blvd.	Woodmansee Building; c. 1929 2-story 1-Part Block building exhibiting Victorian Eclectic style	Avoided	No use
2404 S. Washington Blvd.	First Security Bank Building; c. 1926 12-story 3-Part Block building exhibiting 20th Century Commercial and Prairie School styles	Avoided	No use
2432 S. Washington Blvd.	c. 1893 2-story 1-Part Block building exhibiting Italianate style	Avoided	No use
2510 S. Washington Blvd.	Bigelow/Ben Lomond Hotel; c. 1927 14-story 3-Part Block building exhibiting Italian Renaissance Revival style	Avoided	No use
Site 42WB000357	Historic residential site (subsurface); mostly excavated; does not appear to extend into roadway	Avoided	No use
Site 42SB000534	Historic stone entry posts at Weber State University	Avoided	No use

Table 4. Historic Properties – Findings of No Adverse Effect/De Minimis Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
1348 Country Hills Dr.	c. 1965 1-story Ranch (w/ garage) single-family dwelling exhibiting Ranch/Rambler style	Strip take of 610 square feet (sq. ft.) along southwest corner of property. Eligible building is located about 77 feet from edge of transit corridor. Building setting would not be compromised from most public views. Primary view of front of building would not be affected. No contributing resources are present near the strip take. Note that the property is not currently owned by Weber State University, but demolition of this property was included in the MOA between the University and SHPO.	<i>De minimis</i> use
3257 S. Harrison Blvd.	Bonne Villa Condos. 4 similar buildings. C. 1962 2-story Other Apartment/Hotel multi-family dwellings exhibiting Ranch/Rambler style	Strip take of 1,485 sq. ft. along frontage of property. No contributing features would be affected.	<i>De minimis</i> use
3460 S. Harrison Blvd.	c. 1947 1-story Cape Cod single-family dwelling exhibiting Minimal Traditional style	Strip take of 1,357 sq. ft. along frontage of property. Historic rock retaining wall would be removed, but it is not a contributing feature of the property.	<i>De minimis</i> use
3496 S. Harrison Blvd.	c. 1937 1-story Period Cottage single-family dwelling exhibiting general Period Revival style	Strip take of 2,238 sq. ft. along frontage of property. Historic rock retaining wall would be removed, but it is not a contributing feature of the property.	<i>De minimis</i> use
3575 S. Harrison Blvd.	Key Bank; c. 1965 1-story Other Commercial/Public building exhibiting Contemporary style	Strip take of 1,609 sq. ft. along frontage of property. No contributing features would be affected.	<i>De minimis</i> use
3848 S. Harrison Blvd. Bldg. 10MA	Weber State University Miller Administration Building; c. 1970 2-story Other Commercial/Public building exhibiting Modern and Late 20th Century: Other styles	No direct effect to building, but a new road (narrow, path-like) would be constructed directly adjacent to and between the building and a decorative pond where no road currently exists. A new station platform would also be placed next to the building. This would compromise the setting of the structure to some degree but would not unduly alter the overall historical integrity of the property.	<i>De minimis</i> use
2257 S. Lincoln Ave.	Boyle Furniture Warehouse; c. 1906 2-story warehouse building exhibiting Early 20th Century style	New station platform and shelter placed near southeast edge of parcel. Eligible building is located approximately 365 feet from edge of new platform. Building setting would not be compromised.	<i>De minimis</i> use

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Table 4. Historic Properties – Findings of No Adverse Effect/De Minimis Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
607 E. 25th St.	c. 1902 2.5-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Victorian Eclectic style	New station platform and shelter placed outside north edge (frontage) of parcel. Eligible building is located approximately 500 feet from edge of new platform. Building setting would not be compromised from most public views; station would be partially obscured from view from the dwelling by landscaping.	<i>De minimis</i> use
764 E. 25th St.	c. 1907 2-story Foursquare single-family dwelling exhibiting Early 20th Century and Victorian Eclectic styles	New station platform and shelter placed in front of adjacent property. Eligible building is located approximately 56 feet from edge of new platform. Building setting would not be compromised from most public views, including sidewalk in front of building.	<i>De minimis</i> use
768 E. 25th St.	c. 1920 1-story Bungalow single-family dwelling exhibiting Bungalow style	New station platform and shelter placed in front of this property outside the parcel boundary. Eligible building is located approximately 34 feet from edge of new platform. Building setting would not be compromised from most public views, including sidewalk in front of building.	<i>De minimis</i> use
774 E. 25th St.	c. 1905 2-story Side Passage single-family dwelling exhibiting Victorian Eclectic style	New station platform and shelter placed in front of this property outside the parcel boundary. Eligible building is located approximately 46 feet from edge of new platform. Building setting would not be compromised from most public views, including sidewalk in front of building.	<i>De minimis</i> use
2485 S. Monroe Blvd.	Hillcrest/Revelle Apartments; c. 1935 3-story Walk-up Apartments multi-family dwelling exhibiting Early 20th Century: Other style	New station platform and shelter placed in front of adjacent property. Eligible building is located approximately 37 feet from edge of new platform. Building setting would not be compromised from most public views. Station would be closest to the side and rear elevations of the eligible building on this property.	<i>De minimis</i> use
2508 S. Jackson Ave.	c. 1919 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	New station platform and shelter placed outside the north (side yard) parcel boundary of this property. Eligible building is located approximately 63 feet from edge of new platform. Building setting would not be compromised from most public views; a row of trees would remain between the station and the dwelling. Primary view of the front of the building would not be affected.	<i>De minimis</i> use

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Table 4. Historic Properties – Findings of No Adverse Effect/De Minimis Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
1029 E. 25th St.	Eccles Manor; c. 1918 2-story Other Residential Type single-family dwelling exhibiting Prairie School style	New station platform and shelter placed in front of this property outside the parcel boundary. Eligible building is located approximately 70 feet southeast from edge of new platform. Building setting would not be compromised from most public views; a row of trees would remain between the station and the dwelling.	<i>De minimis</i> use
2483 S. Harrison Blvd.	Ernest L. & Louise B. Ford House; c. 1918 2-story Other Residential Type single-family dwelling exhibiting Prairie School style	New station platform and shelter placed outside the south (side yard) parcel boundary of this property adjacent to a developed parking lot that serves the building. Eligible building is located approximately 46 feet from edge of new platform. Building setting would not be compromised from most public views. Primary view of the front of the building would not be affected.	<i>De minimis</i> use
1164 E. 25th St.	c. 1922 1-story Central-Block-with-Projecting-Bays single-family dwelling exhibiting Victorian: Other style	New station platform and shelter placed just outside parcel boundary of an adjacent property. Eligible building is located approximately 45 feet from edge of new platform. Building setting would not be compromised from most public views, including the sidewalk in front of the property.	<i>De minimis</i> use
1179 E. 25th St.	c. 1929 1-story Period Cottage single-family dwelling exhibiting Period Revival: Other style	New station platform and shelter placed in front of this property outside the parcel boundary. Eligible building is located approximately 52 feet from edge of new platform. Building setting would not be compromised from most public views, including sidewalk in front of building.	<i>De minimis</i> use
2828 S. Harrison Blvd.	Ogden High School; c. 1937 2-story Horizontal School building exhibiting Art Deco style	New station platform and shelter placed in front of this property outside the parcel boundary. Eligible building is located approximately 200 feet east of edge of new platform. Building setting would not be compromised from public views, including the sidewalk in front of the building. New station and platform also placed outside southwest corner of parcel boundary adjacent to open athletic field. No contributing resources are present in the proximity of this station.	<i>De minimis</i> use

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Table 4. Historic Properties – Findings of No Adverse Effect/De Minimis Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
1183 E. 28th St.	c. 1924 1-story Bungalow single-family dwelling exhibiting Bungalow and Prairie School styles	New station platform and shelter placed outside the east (side yard) parcel boundary of this property. Eligible building is located approximately 24 feet from edge of new platform. Building setting would not be compromised from most public views, including the sidewalk adjacent to the structure. Primary view of the front of the building would not be affected.	<i>De minimis</i> use
1196 E. 30th St.	c. 1942 1-story Other Residential type building converted to commercial use and exhibiting Minimal Traditional style	New station platform and shelter placed just outside parcel boundary of an adjacent property. Eligible building is located approximately 40 feet from edge of new platform. Building setting would not be compromised from most public views, including the sidewalk in front of the property.	<i>De minimis</i> use
2415/2439 S. Washington Blvd.	Peery's Egyptian Theater; c. 1924 2-story 1-part Block building exhibiting Egyptian Revival style	New station platform and shelter placed outside east edge (frontage) of parcel but within typical public view of the building's primary façade. The nearest part of the building would be within about 10 feet of the edge of the new station shelter. The station would incorporate Egyptian-style design to ensure context sensitivity. The building's setting would not be unduly compromised.	<i>De minimis</i> use
Site 42WB000373	Ogden Rail Yard site	New station placed along east edge of site boundary within previously disturbed area.	<i>De minimis</i> use

Table 5. Historic Properties – Findings of Adverse Effect/Section 4(f) Use

Address or Site Number	Description	Nature of Impact	Section 4(f) Use
1341 Country Hills Dr.	c. 1954 1-story Ranch single-family dwelling exhibiting Ranch/Rambler style	Direct impact to historic building. Note that the property is not currently owned by Weber State University, but demolition of this property was included in the MOA between the University and SHPO.	Use

6.0 Avoidance and Least-Overall-Harm Analyses

If an alternative would use a Section 4(f) resource and the use is not *de minimis*, FTA can approve that alternative only by determining that (1) there is no prudent and feasible avoidance alternative and (2) the project includes all possible planning to minimize harm resulting from the use [23 CFR 774.3(a)].

The first step in meeting this requirement is to develop and consider avoidance alternatives. An avoidance alternative is one that completely avoids the use of Section 4(f) resources. An avoidance alternative must be evaluated to determine whether it is prudent and feasible. FTA’s Section 4(f) regulations list a series of factors to consider in determining whether an alternative is prudent and feasible. These factors are listed in Section 6.1.1, Avoidance Analysis. If there is a prudent and feasible avoidance alternative, no further analysis is needed; FTA must avoid the Section 4(f) use.

If there is *not* a prudent and feasible avoidance alternative, FTA proceeds to the second step of the Section 4(f) regulations: determining which alternative would cause the least overall harm. FTA’s Section 4(f) regulations [23 CFR 774.3(c)(1)] list a series of factors to consider in determining which alternatives “cause the least overall harm in light of the statute’s preservation purpose.” These factors are listed in Section 6.1.2, Least-Overall-Harm Analysis. After considering the factors listed in 23 CFR 774.3(c)(1), FTA must select the alternative that would cause the “least overall harm.” If only one alternative is available for consideration, the project will move forward with this alternative, and the project team will make every effort to minimize and mitigate the impact.

Because the Action Alternative would involve a use (not *de minimis*) of a Section 4(f) resource (1341 Country Hills Drive), FTA must first determine whether there is a prudent and feasible alternative that entirely avoids the use of this resource before approving such a use. If there is no prudent and feasible avoidance alternative, then the project team will make every effort to minimize and mitigate the impact from the Action Alternative, since only one action alternative is available for consideration.

What is the purpose of the avoidance analysis?

The purpose of the avoidance analysis is to develop alternatives that would completely avoid the use of Section (f) resources.

What is the least-overall-harm analysis?

If there are no prudent and feasible avoidance alternatives that would completely avoid the use of Section 4(f) resources, FTA then determines which alternative would cause the “least overall harm” to these resources. If only one alternative is available for consideration, the project will move forward with this alternative, and the project team will make every effort to minimize and mitigate the impact. For more information, see 23 CFR 774.3(c)(1).

6.1.1 Avoidance Analysis

Under FTA’s regulations, an avoidance alternative is one that completely avoids the use of Section 4(f) resources. Therefore, an alternative that avoids one Section 4(f) resource but uses another would not be considered an avoidance alternative. FTA must review each avoidance alternative and determine whether it is “prudent and feasible.”

As set forth in the Section 4(f) legislation, FTA may not approve the use of a Section 4(f) property—in this case, 1341 Country Hills Drive—if there is a “feasible and prudent” avoidance alternative. Therefore, if any feasible and prudent avoidance alternatives are available, one must be selected.

As defined in FTA’s regulations (23 CFR 774.17), an alternative that would not require the use of any Section 4(f) property is an avoidance alternative. Feasible and prudent avoidance alternatives are those that avoid using any Section 4(f) property and do not cause other severe problems that substantially outweigh the importance of protecting the Section 4(f) property.

Feasible. As defined in 23 CFR 774.17, an alternative is not feasible if it cannot be built as a matter of sound engineering judgment.

Prudent. As defined in 23 CFR 774.17, an alternative is not prudent if:

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

What is an avoidance alternative?

An avoidance alternative is one that completely avoids the use of Section 4(f) resources. For more information, see the definition of *prudent and feasible avoidance alternative* in 23 CFR 774.17.

Role of the Project Purpose and Need in Section 4(f) Decision-Making

If an alternative does not meet the project's purpose and need, it can be rejected regardless of whether that alternative avoids or uses Section 4(f) property.

However, the basis for dismissing such an alternative is slightly different depending on whether the alternative being considered is an avoidance alternative or whether it is an alternative that uses Section 4(f) property.

Project Purpose and Need in Avoidance Analysis.

An avoidance alternative is one that completely avoids all Section 4(f) properties. If an avoidance alternative does not meet the project's purpose and need, that alternative is determined to be "imprudent." Therefore, it is not considered further. See the definition of *prudent and feasible avoidance alternative* in 23 CFR 774.17, which states that "an alternative is not prudent if ... it compromises the project to the degree that it is unreasonable to proceed with the project in light of its stated purpose and need."

What is a prudent and feasible alternative?

There is no simple definition of *feasible and prudent*, but there are some clear guidelines as to what is *not* feasible and what is *not* prudent: an alternative is not feasible if it cannot be constructed in accordance with sound engineering principles and practices, and an alternative is not prudent if it creates truly unique problems or does not meet the project's purpose.

Project Purpose and Need in Least-Overall-Harm Analysis. An alternative that uses some Section 4(f) property is not considered to be an avoidance alternative; therefore, under FTA regulations, the "prudence" test does not apply. Instead, an alternative that uses some Section 4(f) property is evaluated to determine whether it causes less overall harm. One of the factors considered under that standard is "the degree to which each alternative meets the purpose [of] and need for the project." An alternative that is unable to meet the project's purpose and need can be eliminated on that basis as part of the least-overall-harm analysis. In addition, if an alternative meets the project's purpose and need but to a lesser extent, that factor can be considered along with others in deciding to eliminate that alternative.

Other Alternatives Considered for the Ogden/Weber State University Transit

Project. The project team considered several alternatives through the County Hills neighborhood, but none were found to be prudent and feasible based on engineering and safety constraints, increased environmental impacts, additional right-of-way impacts including to other NRHP-eligible properties, increased utility impacts, and increased costs compared to the Action Alternative route. Therefore, the project team determined these alternatives to be "imprudent" Section 4(f) avoidance alternatives, and they are not considered further in this evaluation.

No-Action Alternative and Other Potential Avoidance Alternatives in the Ogden/Weber State University Transit Project Evaluation Area

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 avoids the use of any Section 4(f) resources because it does not involve constructing any transportation improvements.

However, the No-Action Alternative does not meet the project's purpose and need as documented in Section 2.0, Purpose of and Need for the Project. Specifically, the No-Action Alternative would not connect the north and south campuses of Weber State University per the Weber State University Campus Master Plan, nor would it reduce the growth in automobile trips and parking demand at Weber State University.

For these reasons, the No-Action Alternative is not a prudent and feasible avoidance alternative.

Location Alternatives. The project team considered potential alternatives in the Ogden/Weber State University Transit Project study area that would completely avoid all Section 4(f) resources. However, the scattered presence of NRHP-eligible structures in the Country Hills neighborhood precludes the development of an alternative that completely avoids all Section 4(f) resources.

The Action Alternative alignment in the area of the Section 4(f) use reduces the number of properties not owned by Weber State University that would be affected by the project. Per the MOA executed between Weber State University and the Utah SHPO regarding the demolition of a number of historic buildings in support of the Weber State University Master Plan, FTA understands that mitigation efforts have been completed and approved by the Utah SHPO. Because of the MOA between the University and the SHPO, for the purpose of FTA's evaluation of potential effects, FTA assumed that the historic buildings currently owned by Weber State University would no longer be present when construction activities related to the Action Alternative begin, and FTA tried to find an alignment that minimized impacts to properties not owned by the University.

In addition, the project team attempted to minimize the impacts along Country Hills Drive by choosing an alignment with a 7% slope instead of the standard 6% slope (as agreed to by UTA as part of a design exception) as it crosses Country Hills Drive. With a steeper slope, the Action Alternative alignment would have minor impacts to the roadway—about 100 total feet of impact to Country Hills Drive, which is well within grading tolerances for minor road improvements—and would have little to no utility impacts.

Is the No-Action Alternative a prudent and feasible avoidance alternative for the Ogden/Weber State University Transit Project?

Since the No-Action Alternative does not meet the project's purpose, it is not a prudent and feasible avoidance alternative.

Are any location alternatives prudent and feasible avoidance alternatives for the Ogden/Weber State University Transit Project?

No location alternatives are considered prudent and feasible avoidance alternatives.

East Alignment. Moving the Action Alternative alignment east to avoid 1341 Country Hills Drive would require about 600 additional feet of roadway improvements on Country Hills Drive because of the grade. This shift in the alignment would involve substantial cuts (about 5 feet) that would require substantially reconstructing Country Hills Drive, including large grading walls, utility relocations, and additional property impacts to both NRHP-eligible and non-eligible properties along Country Hills Drive. The cuts and grading walls would substantially alter the look and feel of Country Hills Drive and could block sight distances for side streets and driveways along the roadway. Additionally, there are a number of NRHP-eligible historic properties in the Country Hills neighborhood. Although Weber State University owns many of these properties and many are included in the MOA between the University and the SHPO in support of the University's Master Plan, several of the properties are not currently owned by the University and would therefore be subject to Section 4(f) analysis under this transit project.

West Alignment. Moving the Action Alternative alignment to the west to avoid 1341 Country Hills Drive would affect the South Ogden underground storage water tank, which is buried just southwest of 1341 Country Hills Drive, by crossing directly over it. According to South Ogden City public works personnel, the underground storage water tank is a large 1-million-gallon water reservoir, and the City has future plans to build another reservoir just west of the existing one on a currently empty lot (Hu 2018). Therefore, shifting the alignment west to avoid the existing storage tank is not a feasible option.

Moreover, shifting the alignment farther west to avoid the existing water tank would also directly affect other NRHP-eligible properties that are not owned by Weber State University (4266 South 1325 East and 1331 East 4225 South), and these other NRHP-eligible properties would therefore be subject to Section 4(f) impacts from this transit project. Further, the engineering would be difficult because the alignment would eventually need to shift east in order for the busway to pass between the Weber County Ice Sheet and the Weber State University softball field.

Therefore, FTA has determined that the eastern and western alignments through the Country Hills neighborhood are "imprudent" Section 4(f) avoidance alternatives, and they are not considered further in this evaluation.

Potential Avoidance Alternatives outside the Ogden/Weber State University Transit Project Study Area. Alignments and alternatives outside the Ogden/Weber State University Transit Project study area would not meet the project's purpose and need and therefore were not evaluated. Specifically, alternatives outside the study area would not meet the objective of connecting the north and south campuses as planned in the University's Master Plan. Therefore, these alternatives did not meet the purpose of and need of the project.

6.1.2 Least-Overall-Harm Analysis

If there is no prudent and feasible avoidance alternative, FTA must select the alternative that “causes the least overall harm in light of the statute’s preservation purpose”—that is, the alternative that minimizes harm [see 23 CFR 774.3(2)(c)]. Under 23 CFR 774.3(2)(c), the “least overall harm” is determined by balancing the factors described below:

- (1) Causes the least overall harm in light of the statute’s preservation purpose.
The least overall harm is determined by balancing the following factors:
 - (i) The ability to mitigate adverse impacts to each Section 4(f) property (including any measures that result in benefits to the property);
 - (ii) 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;
 - (iii) The relative significance of each Section 4(f) property;
 - (iv) The views of the official(s) with jurisdiction over each Section 4(f) property;
 - (v) The degree to which each alternative meets the purpose [of] and need for the project;
 - (vi) After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f); and
 - (vii) Substantial differences in costs among alternatives.

If only one alternative is available for consideration, the project will move forward with this alternative, and the project team will make every effort to minimize and mitigate the impact.

FTA has concluded that, in accordance with 23 CFR 774.3(a)(1), there are no prudent and feasible avoidance alternatives, nor are any other action alternatives available for consideration. Therefore, as a final step in the Section 4(f) alternatives analysis, the following section looks at measures to minimize harm from the Action Alternative.

This discussion is the basis for concluding that the Action Alternative includes all possible planning measures to minimize harm to the Section 4(f) properties, including measures such as any avoidance, minimization, mitigation, or enhancement measures. If there is no feasible and prudent avoidance alternative, then, of the remaining alternatives, FTA may approve only the alternative that causes the least overall harm as defined in 23 CFR 774.3.

6.1.3 Measures to Minimize Harm

When there is no feasible and prudent alternative to the use of a Section 4(f) resource, the project must include all possible planning to minimize harm to the Section 4(f) property.

During the design process, design staff worked with the environmental resource specialists to minimize harm to Section 4(f) properties by implementing alignment shifts while staying within the Weber State University acquisition zone that is covered under the University's MOA with the SHPO and supports the campus Master Plan. The design staff worked to minimize harm by obtaining a design exception for the gradient in this area, by designing retaining walls, and by minimizing the construction limits in an effort to minimize impacts to Section 4(f) resources and to ensure that FTA selected an alternative that caused the least overall harm to Section 4(f) resources.

These design changes resulted in either no use of or *de minimis* impacts to all historic resources other than 1341 Country Hills Drive. Mitigation for the use of this resource is described in Section 6.1.4, Ability to Mitigate Adverse Impact to Each Section 4(f) Property.

6.1.4 Ability to Mitigate Adverse Effects to Each Section 4(f) Property

Mitigation measures for the Section 4(f) use of 1341 Country Hills Drive resulting from an adverse effect under Section 106 have been completed by Weber State University. While the University does not currently own 1341 Country Hills Drive, the property was included in the MOA between the University and the SHPO regarding the demolition of a number of historic buildings in support of the Weber State University Master Plan. The mitigation obligations specified in the MOA between the University and the SHPO required an Intensive-Level Survey (ILS) for the Halverson Subdivision which includes an ILS for 1341 Country Hills Drive (Certus Environmental Solutions 2017). Weber State University submitted the required ILS to the SHPO in March 2017. In addition, Weber State University submitted a report to the SHPO regarding the neighborhood history for the area including the Halverson, Naisbitt, and College Heights subdivisions as also required under the MOA between the University and the SHPO.

In July 2018, the SHPO acknowledged that the mitigation commitments stipulated in the MOA between Weber State University and the SHPO had been fulfilled (Hansen 2018). Since the Intensive-Level Survey (ILS) of the Halverson neighborhood completed by Weber State University included 1341 Country Hills Drive and is the same mitigation measure that FTA would propose to complete, the SHPO agreed that the mitigation for the adverse effect under Section 106 and the use under Section 4(f) to 1341 Country Hills Drive was therefore complete. FTA has determined, and the SHPO has concurred that mitigation measures for the adverse effect under Section 106 and the use under Section 4(f) to 1341 Country Hills Drive from the Action Alternative have been completed (see Appendix C2, Section 106 Consultation, of the EA).

In addition, in accordance with 36 CFR 800.13(b), FTA and UTA are providing for the protection, evaluation, and treatment of any additional historic property discovered prior to or during construction. If unanticipated historic properties—such as old utility lines known to be in the area or buried archaeological deposits—are inadvertently discovered during

construction, UTA will immediately stop work while FTA consults with the Utah SHPO as to whether the find is eligible for inclusion in the NRHP and, if so, is subject to adverse effects from construction and consequent use under Section 4(f). If potential adverse effects to historic properties are identified, FTA will continue consultation with the SHPO under Section 106 of the NHPA to resolve those effects before work resumes.

6.1.5 Significance of Each Section 4(f) Property and Views of Officials with Jurisdiction over Each Section 4(f) Property

The office with jurisdiction over the historic properties is the Utah SHPO. The project team has corresponded and met with representatives from the SHPO on several occasions throughout this project. FTA and UTA have prepared a Determination of Eligibility and Finding of Effect (DOE/FOE), which documents historic properties in the project study area. The DOE/FOE establishes the eligibility rating for each historic property and the type of effect that each would receive from the Action Alternative. The SHPO has agreed to the DOE/FOE, which is provided in Appendix C2, Section 106 Consultation, of the EA. The SHPO ratings for each historic property are provided in the DOE. In addition, in a letter dated October 22, 2018, the SHPO agreed that the mitigation measures for the one adverse effect under Section 106 and consequent Section 4(f) use have been completed and no additional mitigation is necessary.

Finally, when adverse effects are found, the federal agency must notify the Advisory Council on Historic Preservation and provide it an opportunity to consult. For the Ogden-Weber State University Transit Project, FTA notified the Advisory Council of the finding of adverse effect to a historic property and invited the Advisory Council to consult. In a letter dated November 8, 2018, the Advisory Council stated that its participation in the consultation to resolve adverse effects is not needed (ACHP 2018).

6.1.6 Conclusion

The Action Alternative would have a Section 4(f) use of 1341 Country Hills Drive by removing the structure to support the new busway. After taking into account the ability to mitigate impacts, the severity of the remaining harm, the significance of the resources, and the views of the officials with jurisdiction over the resources, FTA has concluded that there are no prudent or feasible avoidance alternatives to the Action Alternative, and, therefore, in accordance with 23 CFR 774.3(a), the Action Alternative would cause the least overall harm to Section 4(f) properties.

In addition to the one NRHP-eligible historic building that would have a full Section 4(f) **use** due to a finding of **adverse effect** under Section 106, the Action Alternative would also have a Section 4(f) **de minimis use** of 22 properties (21 NRHP-eligible historic buildings and one archaeological resource, site 42WB000373) and four historic districts—the Crossroads of the West, Ogden Central Bench, Jefferson Avenue, and Eccles Avenue Historic Districts—due to a finding of **no adverse effect** under Section 106.

During the EA public comment period, FTA and UTA will provide information to the public regarding the Section 4(f) **de minimis use** of 22 properties and four historic districts and the Section 4(f) **use** of one property.

The Utah SHPO concurred with the overall findings of effect and Section 4(f) uses in a letter dated October 22, 2018 (see Appendix C2, Section 106 Consultation, of the EA).

6.1.7 Coordination

All Section 4(f) property owners in the project study area and relevant agencies are on the project mailing list and have received invitations to attend and comment at the project-related public meetings that have been held to date.

FTA and UTA will continue to consult with the local governments and historical societies that agreed to become consulting parties as well as with Native American tribes and will accept comments on the EA and the Section 106 and Section 4(f) processes during the public comment period when the EA is released to agencies and the public.

UTA has developed the Section 4(f) evaluation in coordination with FTA.

7.0 References

[ACHP] Advisory Council on Historic Preservation

- 2018 Letter from LaShavio Johnson, ACHP, to Kevin Osborn, FTA, declining to participate in consultation to resolve adverse effects. November 8.

Certus Environmental Solutions, LLC

- 2017 Intensive-Level Survey, Historic Site Form for the Halverson Subdivision. Mitigation conducted as part of the MOA between Weber State University and the Utah SHPO. January.

[FHWA] Federal Highway Administration

- 1987 Guidance for Preparing and Processing Environmental and Section 4(f) Documents. FHWA Technical Advisory T 66408.A. https://www.environment.fhwa.dot.gov/legislation/nepa/guidance_preparing_env_documents.aspx. October 30.
- 2005 Section 4(f) Policy Paper. <http://www.environment.fhwa.dog.gov/projdev/4fpolicy.asp>.

[FTA] Federal Transit Administration

- 2006 Transit Noise and Vibration Impact Assessment. FTA-VA-90-1003-06. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf. May.

Hansen, Christopher

- 2018 Letter from Christopher Hansen, Utah SHPO, to Craig Sears, Weber State University. Written concurrence that the mitigation measures per the MOA between Weber State University and the Utah SHPO have been fulfilled. July 3.

Hu, Autumn

- 2018 Personal communication between Autumn Hu of UTA and Jason Brennan of the South Ogden City Public Works Department regarding culinary water underground storage tanks near the Country Hills Drive neighborhood. September 13.

Sears, Craig

- 2016 Personal communication between Heidi Spoor of HDR and Craig Sears of Weber State University regarding Weber State University student demographics. September 12.

Weber State University

- 2004 Weber State University Master Plan. Utah Division of Facilities Construction and Management (DFCM) Project No. 01289810. Prepared in coordination with DFCM and Gould Evans.