



South Mountain Transportation Corridor Study

Citizens Advisory Team
Technical Report Summary

Section 4(f) and 6(f) Resources

Why study Section 4(f) and 6(f) Resources in the Environmental Impact Statement (EIS)?

Since the mid-1960s, federal transportation policy has made a concerted effort to preserve the integrity of:

- publicly owned parks and recreation areas;
- wildlife and waterfowl refuges of national, state, or local significance; and
- land of historic sites of national, state, or local significance.

Why would a federal transportation agency take an interest in such things? In the 1960s, the federal government recognized it should be national policy that special effort be made to preserve the natural beauty of the countryside, public park and recreation lands, wildlife and waterfowl refuges, and historic sites. In such recognition, the federal government directed the Secretary of Transportation to cooperate and consult with other specific federal agencies and with States to develop transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed by our nation's freeways.

From this direction, the U.S. Department of Transportation (DOT) Act of included a special provision to carry out this effort--Section 4(f). Section 4(f) stipulates that the Federal Highway Administration (FHWA) cannot approve the use of land from a significant publicly owned public park, recreation area, wildlife or waterfowl refuge, or any significant historic site unless there is no prudent and feasible alternative to the use of the land and the action includes all possible planning to minimize harm to the property resulting from use.

Indirectly related to Section 4(f) is Section 6(f) of the Land and Water Conservation Fund Act (LWCFA). Section 6(f) is administered by the Department of the Interior's National Park Service (NPS) and pertains to projects that would cause impacts on or the permanent conversion of outdoor recreational property acquired with LWCFA assistance. Section 6(f) prohibits the conversion of property acquired or developed with these grants to a non-recreational purpose without approval from the Interagency Committee for Outdoor Recreation (IAC) and the NPS. The NPS must assure replacement lands of equal value, location, and usefulness are provided as conditions of approval for land conversions.

Section 4(f) and Section 6(f) are often discussed in the same context because it is not uncommon for recreational resources to receive LWCFA funding, making Section 6(f) at times integral to the Section 4(f) process, which typically is considered a more stringent requirement to uphold. The study team analyzes potential impacts on these protected resources when the construction and operation of a freeway like the proposed South Mountain Freeway could reduce the number of these protected resources or alter their integrity.

What kind of impacts would occur from construction?

The types of impacts on resources afforded protection under Section 4(f) that could occur as a result of a project like the South Mountain Freeway include:

- direct conversion of parks or recreational properties to a transportation use.



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Citizens Advisory Team Technical Report Summary

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- proximity impacts are so severe that the attributes that qualify a resource for protection under Section 4(f) are substantially impaired. For a freeway project, such impacts could occur from increased noise levels, changes to important viewsheds that contribute to the resource being protected under Section 4(f), or substantial obstruction to access to the resource.

How do the alternatives differ in construction-related impacts?

Through an iterative process, the alignments of all the action alternatives in the Western Section of the Study Area have been adjusted to avoid a direct use on Section 4(f) resources (although properties could still be discovered that are afforded such protection). Some action alternatives are located in close proximity to the protected resources. However, it has been determined the impacts from being in close proximity would not substantially impair the use of the resources. Therefore, all Western Section action alternatives would have similar potential, but minor 'non-use' impacts on Section 4(f) resources.

In the Eastern Section of the Study Area, the E1 Alternative would have direct impacts on Section 4(f) resources since it would acquire portions of the Phoenix South Mountain Park/Preserve (SMPP) which is afforded protection as a significant publicly-owned public park, as a historic property, and as a Traditional Cultural Property (recognized by several Native American groups as sacred). Portions of the planned Sun Circle/Maricopa Trails could also be subject to acquisition.

What kinds of freeway operational impacts (post-construction) would occur?

Once the freeway is completed and opened to traffic, freeway traffic-related noise levels would be introduced to adjacent lands. Noise levels above the Arizona Department of Transportation's (ADOT) noise standards would potentially qualify for noise mitigation.

The proposed freeway would be the dominant feature (except near the existing I-10 and L101) and would appear visually different from current surroundings in the Study Area. The visual impacts of the section of freeway adjacent on Section 4(f) resources could be reduced by blending the color and form of appropriate freeway features with the surrounding environment.

Access to some Section 4(f) properties would be modified by changing the location of entrances/exits.

How do the alternatives differ in operational-related impacts?

There are no substantial differences in the types or magnitude of impacts among the Western Section action alternatives once they have been constructed and opened to the public. In the Eastern Section, only one action alternative is under consideration and therefore, a comparison of impacts among action alternatives in the Eastern Section is not applicable.

South Mountain Transportation Corridor Study

Citizens Advisory Team
Technical Report Summary



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What if the project was not constructed?

No project specific impacts would be experienced. However, the No Action Alternative would allow for other planned transportation infrastructure improvements in the study area and metropolitan valley. These planned improvements along with the projected increases in traffic volumes under the No Action Alternative would expectedly generate impacts on some Section 4(f) resources in the valley.

Are there any specific and/or unique impacts from the build alternatives?

Phoenix SMPP is a unique and well-recognized feature in the valley. Not only is it the largest urban park in the nation, it holds importance from a historical perspective and from a traditional cultural perspective for Indian communities in the state. As currently proposed, the E1 Alternative would result in the acquisition of approximately 32 acres of the Phoenix SMPP. This is 8.5 acres less than what was planned for in the late 1980s. There are many things that can be done to reduce the impact on the park. Some possible examples are listed below.

Can the freeway be moved off of South Mountain?

Tunneling was examined but determined not to be a feasible option, due to traffic operations, driver safety, constructability, continued direct affect to Phoenix SMPP, and long-term maintenance and construction costs. Currently, it appears the only option would be to study alignments on Gila River Indian Community (GRIC) land. Although coordination with the GRIC is on-going, permission to study such alternatives has yet to be granted. Under federal law, an act of Congress is required before a state may condemn tribal lands and the Secretary of the Interior retains the statutory authority to grant different types of easements across tribal lands.

Are there things that could be done to further reduce impacts?

There are a range of activities ADOT could undertake during construction to reduce impacts on the park. ADOT and FHWA will work diligently with the City of Phoenix, GRIC, and other stakeholders to elaborate on what can be done to minimize harm to Phoenix SMPP. The coordination is on-going and likely will continue through final design. The types of measures that could be undertaken include:

- Sound barriers could be constructed to reduce noise levels.
- The visual impacts of the section of freeway adjacent to Section 4(f) resources could be reduced by blending the freeway with the surrounding environment as much as practical. For instance, clustering or grouping plant material in an informal pattern to break up the linear form of the freeway; using earthen colors for sound barriers, light standards, etc. to blend with the surrounding environment.
- Screening views of the freeway and sound walls using vegetation buffers.
- Providing culverts large enough to accommodate equestrian use, and to serve as wildlife crossings.
- Areas could be set aside for parking and access to trailheads.



South Mountain Transportation Corridor Study

Citizens Advisory Team
Technical Report Summary

Section 4(f) and 6(f) Resources

- Additional lands could be acquired to replace those used for the freeway.

Measures will be presented in the Draft Environmental Impact Statement and finalized during the final design process after the EIS process is completed.

Are the conclusions presented in this summary final?

It is quite likely that quantitative findings relative to impacts are subject to change. The reasons for future changes which will be presented to the public during the Draft EIS, Final EIS and Final Design stages are based on the following:

- Refinement in design features through the design process.
- Updated aerial photography as it relates to rapid growth in the Western Section of the Study Area.
- On-going communications with the City of Phoenix regarding measures to minimize harm to South Mountain Park/Preserve.
- On-going communications with GRIC in regards to granting permission to study action alternatives on GRIC lands.
- Potential updates to traffic forecasts as updated regularly by MAG.
- Potential updates with regards to the special 2005 survey to augment the 2000 Census.
- As design progresses, cost estimates for construction, right-of-way acquisition, relocation and mitigation will be updated on a regular basis.

However, even with these factors affecting findings, it is anticipated the affects would be equal among the alternatives and consequently impacts would be comparatively the same. This assumption would be confirmed if and when such changes were to occur.

As a member of the Citizens Advisory Team, how can you review the entire technical report?

The complete technical report is available for review by making an appointment with Mike Bruder or Ralph Ellis at 602-712-7545.