

## Heber Valley EIS FAQ for Final Alternatives Screening

The following comment and question themes were frequently submitted to the Utah Department of Transportation (UDOT) during the June 7 to July 22, 2022, conceptual alternatives public comment period for the Heber Valley Corridor Environmental Impact Statement (EIS). The FAQ also addresses questions and comments frequently heard after the screening comment period closed while UDOT was in the process of finalizing the *Alternatives Development and Screening Report*.

### Process

#### 1. Were there any common themes in the comments submitted during the alternatives screening public comment period?

- UDOT received 441 individual comment submissions, including two petitions with multiple signatures, from the public and agencies. Common themes included the following:
  - Statements that the north fields are sacred, and they shouldn't be destroyed
  - Concern for impacts to natural resources (wetlands, creeks, aquifer, wildlife, and the Provo River)
  - Concern for impacts to open space and development of open land
  - Concern for the rate of growth in the valley and its changing character
  - Comments against Alternatives WB3 and WB4 due to impacts in the north fields
  - Support for Alternatives WB3 and WB4 due to planned growth north of 900 North
  - Support for Alternatives WA1 and WB1 because they would be the closest to the urban area
  - Support for no action as the best solution
  - Suggestions for alternative features such as interchanges
  - Concern for the future of Main Street, its character, and its businesses with and without a bypass
  - Concern for truck travel on Main Street with and without a bypass
  - Frustration with the environmental process
- A detailed summary of comments, as well as all comments received, is available in [Appendix P, Screening Results Comments](#).

#### 2. Is UDOT following the proper process for issuing public notices and collecting comments?

- The National Environmental Policy Act (NEPA) requires UDOT to provide meaningful opportunities for public participation. Regulations and guidance allow flexibility regarding the best way to provide opportunities for public involvement. For an EIS, an opportunity for public

input is required during the scoping phase and at publication of the Draft EIS. UDOT has provided more opportunities for public input, and longer comment periods, for the Heber Valley Corridor EIS than what is required or typically provided. All public notifications and comments are documented in report appendices that are available on the project website.

- Opportunities for public comment provided to date include the following:
  - Early Scoping
    - Public meeting August 27, 2020 (virtual due to COVID-19)
    - Public comment period August 27 through October 3, 2020
    - See [Early Scoping Summary Report](#) on the study website
  - Scoping
    - Publication of Notice of Intent to prepare an EIS, Draft Purpose and Need Technical Report, and draft screening criteria
    - Public comment period April 30 through June 14, 2021
    - See [Scoping Summary Report](#) on the study website
  - Alternatives
    - Public meetings October 5, 2021 (virtual), and October 6, 2021 (in person)
    - Public comment period October 5 through November 4, 2021
    - See [Draft Alternatives Development and Screening Report](#) on the study website
  - Alternatives Screening
    - Publication of screening results and *Draft Alternatives Development and Screening Report*
    - Public comment period June 7 through July 22, 2022
    - See ([Final Alternatives Development and Screening Report](#)) on the study website
- Providing a comment period with the release of the screening results is not required by NEPA; however, UDOT chose to take additional public comments at this step and will be considering that input in the Draft EIS on the alternatives that UDOT is considering in detail.
- A public hearing and 45-day public comment period will be provided when the Draft EIS is published (anticipated in summer 2023).

### 3. Is UDOT even listening to the public?

In a word, yes we are.

- UDOT reviews and considers all public input received.
- Many public comments received to date indicate a preference for one alternative over another alternative. These comments can help UDOT understand what issues are important to the

community and are considered in the detailed analysis of alternatives included in the EIS. However, detailed analysis of alternatives is just getting started. Eliminating alternatives based solely on public comment, and before a detailed analysis is conducted, would be premature. It would not result in a full examination of impacts and tradeoffs and would result in a less legally defensible process.

- It is important to recognize that, in the NEPA process, comments are not considered a ye-or-nay vote on an alternative or action. Rather, comments provide the project team with input regarding the environmental analysis or other technical factors that UDOT is required to consider when making a final decision.
- To identify a preferred alternative, UDOT will consider an alternative's ability to meet the project's purpose, regulatory requirements, traffic performance, and environmental impacts. Public and agency input from the comment periods is also a consideration used by UDOT to help identify a preferred alternative.

## Alternatives

### 4. Why don't the bypass alternatives follow the corridor that has been preserved by Heber City and Wasatch County?

- The five action alternatives follow the historic preservation corridor where possible.
  - All alternatives include an east-west connection to US-40 at 900 North (north of Muirfield Park) that is aligned with the preservation corridor.
  - All alternatives include an east-west connection to US-189 at 1300 South, then heading southeast (south of the hub intersection) to connect to US-40 at 1500 South, that is aligned with the preservation corridor.
- All five alternatives needed to be moved west of the historic preservation corridor between SR-113 and 1300 South because the historic preservation corridor is not wide enough, and to avoid impacting the new substation and two developments that are in process.
  - The corridor preserved by the City and County is as narrow as 84 feet wide between about 350 South and 900 South. Unfortunately, UDOT would need a 250-foot-wide corridor to accommodate the necessary roadway section (two 12-foot-wide lanes in each direction for a total of four lanes: 12-foot-wide inside and outside shoulders, a 50-foot-wide median, and a clear zone), a trail for nonmotorized transportation, and linear ditches and retention facilities for stormwater conveyance and treatment.
  - UDOT evaluated conceptual alternatives that would not require a 250-foot-wide corridor. However, these lower-speed arterial alternatives did not meet the mobility goals and were eliminated during Level 1 screening.

- If the alternative alignments were to fully follow the preservation corridor, there would be substantial impacts to either the planned Kimball Villas (senior living community) or the Rocky Mountain Power/Heber Light and Power Substation currently under construction. It would also not be possible to avoid the Parkview Place development (currently being developed by the Mountainlands Community Housing Trust with priority given to essential workers) if the alignment were to follow the 84-foot-wide preservation corridor.

**5. Alternatives through the north fields (WD, then WB3 and WB4) were sprung on the public very late in the process and have not received the same level of analysis as traditional routes. Is UDOT giving the Parkway Group preferred treatment?**

No.

- UDOT conducts an open public process as required by the National Environmental Policy Act (NEPA). The department provided multiple opportunities for public input in determining the range of alternatives to be considered. An alternative labeled “Parkway Concept” through the north fields connecting to River Road/SR-32 was suggested during the early scoping comment period in 2020 and again during the formal scoping comment period in spring 2021. Other commenters suggested that the bypass connection to north US-40 should be made farther north (including as far north as SR-32) to avoid traffic conflicts with planned development on the east side of north US-40. This input resulted in Alternative WD, which was presented at the alternatives public meeting in October 2021 and has had the same analysis and consideration as other alternatives.
- New alternatives suggested by the public are evaluated and screened in the same manner as alternatives that have been considered in previous studies. UDOT does not provide preferred treatment for any individual or group submitting comments. Other alternative suggestions were also considered by UDOT (see [Appendix I, Preliminary Evaluation of Alternatives Suggested during Alternatives Comment Period, of the Alternatives Development and Screening Report](#)).
- Following the scoping phase, UDOT received numerous comments during the alternatives public comment period regarding planned development and growth north of Heber City. Again, many people suggested that bypass alternatives should extend farther to the north and connect to US-40 near River Road/SR-32 to avoid conflicts with the planned development and provide a long-term solution.
- During the alternative screening process, Alternative WD was eliminated because it did not meet local mobility criteria. The primary reason it failed to improve local mobility was because it did not provide a connection to US-40 at 900 North. Without access to US-40 at this location, the bypass could not draw enough traffic away from Main Street to effectively reduce congestion.

- Although Alternative WD did not meet local mobility criteria, comments received during scoping and alternatives development obligated UDOT to evaluate whether a bypass connection to US-40 farther north could be a reasonable alternative. UDOT created Alternatives WB3 and WB4 to evaluate how extending a potential corridor northward to US-40 at River Road/SR-32, including a connection at 900 North, would meet the project's purpose. Based on UDOT's traffic modeling, providing a connection to US-40 at River Road/SR-32 has the effect of reducing traffic volumes on US-40 compared to alternatives that provide only a single connection at 900 North.
- UDOT is aware of the value placed on the north fields by the Wasatch Open Lands Board (WOLB) and community. However, because these are technically and economically feasible alternatives that would satisfy the purpose of the project, they should go through the detailed analysis to be conducted in the EIS. It is important for UDOT to fully evaluate the benefits and drawbacks of a full range of alternatives so we can make an informed decision. Prematurely eliminating alternatives based on controversy or political pressure would leave the project open to legal risks and would not allow a full consideration of the trade-offs associated with on-alignment and off-alignment impacts in the north part of the study area.

## **6. Why did all the western alternatives do away with the turbo roundabouts?**

- Only the WD alternatives had turbo roundabouts, because they were submitted by a member of the public as having turbo roundabouts. UDOT included signalized intersections with the other alternatives because signalized intersections generally function better than roundabouts for the class of highway proposed and with the projected traffic volumes and types of vehicles anticipated (that is, trucks).
- Alternative WD was eliminated because it did not meet local mobility criteria. The reason that Alternative WD failed local mobility criteria is related to where the alternative was proposed to connect to US-40, not because of the roundabouts. WD was proposed with connections at SR-32 and College Way but not at 900 North. A connection at 900 North was determined through traffic analysis to be important to provide access from this area to the bypass. Without it, there would not be enough of a reduction in traffic volumes on Main Street to meet local mobility criteria (that is, to solve the traffic congestion problem there).
- There are two types of traffic models used for analysis—an official metropolitan planning organization (MPO) travel demand model and a microsimulation model prepared by UDOT's traffic consultant. The travel demand model is used to estimate traffic volumes on different roadway segments; it is not comprehensive enough to differentiate between details such as roundabouts verses signalized intersections. A microsimulation model (VISSIM) is used for that more refined analysis. It evaluates how well an alternative performs based on the traffic volumes (which are provided by the travel demand model) given inputs such as intersection configuration, traffic signal timing, etc. For the first level of screening, the travel demand model

was used to estimate traffic volumes on the alternatives and on Main Street to gauge how attractive the proposed routes were and how much traffic they pulled off Main Street. The type of intersection is not evaluated at that regional level. If Alternative WD had passed Level 1 local mobility criteria, it would have been analyzed with VISSIM. Because the WD alternative did not solve the local travel needs downtown based on the regional travel model, UDOT did not go to the expense of conducting additional refined traffic analysis.

## 7. What do the frontage road options entail, and how will they function?

- One of the issues UDOT is concerned with on north US-40 is the future function of the highway given the existing and future access onto and off of the highway. US-40 provides an important statewide and regional connection. For this reason, UDOT manages the highway for mobility and higher speeds. Local land use access via driveways and side streets can degrade the operating conditions of the highway and can also affect safety. Currently, the number of driveways and side streets does not meet the access category criteria designated on US-40. Given anticipated growth in the US-40 corridor, UDOT has concerns that the conditions could worsen. Frontage roads provide a means of facilitating local land use access while maintaining the functionality of the highway for regional and statewide mobility. For these reasons, UDOT proposed full or partial frontage roads and the consolidation of access points as part of WA1 and WA2 as a means of maintaining the highway's functionality while also accommodating the land use growth anticipated in the US-40 corridor.
- Local road connections and access will be considered as part of the detailed design refinements for the Draft EIS. There are two different frontage road alternatives considered during screening:
  - Alternative WA1 includes continuous frontage roads on both sides of US-40 between SR-32 and 900 North. US-40 would be classified as access category 3 (according to UDOT's access management rules, [R930-6: Access Management](#)). Vehicles could access US-40 at signalized intersections only (SR-32, North College Way, Wasatch Commons, and Coyote Lane).
  - Alternatives WB1 and WB2 have the same partial frontage road configuration. US-40 would be classified as access category 5; vehicles could access US-40 at signalized and unsignalized intersections and driveways. There would be discontinuous frontage roads in certain locations to provide local access. The locations were determined based on existing accesses on US-40 with frontage roads proposed to be constructed where necessary to meet the minimum spacing requirements per access category 5 (according to UDOT's access management rules, [R930-6: Access Management](#)). Future accesses on US-40 would be permitted by UDOT to maintain access spacing requirements, and developers would need to construct frontage roads to connect their developments to permitted access locations.

- Alternatives WB3 and WB4 do not have frontage roads because these alternatives bypass the area of current and future growth. UDOT would limit access onto and off the bypass to maintain regional mobility. Existing US-40 would be allowed to develop additional future local access points. Having two facilities would allow regional mobility to be maintained on the bypass while allowing local access to high growth areas along the current north US-40 alignment.

**8. Is the 1300 South connection needed if the US-189 stays in its current location?**

- Yes. An east-west connection between a west bypass and US-40 southeast of downtown Heber City is important for reducing traffic on Main Street and reducing congestion. Without an east-west connection at 1300 South, the west bypass alternatives could not draw enough traffic away from Main Street to meet the purpose of the project (that is, without an east-west connection at 1300 South, traffic on US-40 south of Heber City would likely take Main Street).
- In 2006–2007, Wasatch County and Heber City identified an east-west connection on 1300 South for corridor preservation. This corridor has been represented on adopted transportation plans since then. A segment of the corridor has already been built between Industrial Parkway and US-189.

**9. Can truck traffic be restricted on Main Street? What if a bypass route is designated as US-40 and Heber City takes jurisdiction of Main Street?**

- US-40 is included in the National Network, which is a network of approved state highways and interstates for commercial truck drivers in the United States. It is not possible to restrict truck traffic on a road that is included in the National Network.
- UDOT does not have the authority to restrict truck traffic on US-40 to nighttime hours or to require trucks to use an alternate route.
- If a bypass route is selected as the preferred alternative, it is unknown whether there would be a jurisdictional transfer. The decision to designate a future potential bypass as US-40 and transfer jurisdiction of Main Street to Heber City is not part of this EIS process. The decision to designate the bypass as US-40 would be made by FHWA, not UDOT.
- UDOT does not want to preclude a jurisdictional transfer. All action alternatives being evaluated in detail in the EIS would meet the design standards necessary to be designated as a U.S. highway and included in the National Network.
- However, if a bypass route is constructed and if the jurisdiction of Main Street is transferred from UDOT to Heber City, Heber City might be able to enact some policies that would make Main Street less appealing to truck traffic, such as slower speed limits, speed bumps, narrower lanes, etc. These are policies that UDOT cannot enact on a regional road.

## Alternatives Screening

### 10. What is the difference between alternatives screening and detailed evaluation of alternatives?

- The alternatives screening process is the methodology for deciding which alternatives are reasonable and warrant detailed environmental analysis. It involves identifying a full range of potential alternatives and then applying evaluation criteria to eliminate alternatives that do not solve the problems (that is, do not meet the project's purpose) or are otherwise found to be unreasonable and infeasible.
- For the Heber Valley Corridor EIS, UDOT conducted a three-level screening evaluation of 23 alternatives.
  - Two alternatives were eliminated with a preliminary evaluation because they had fatal flaws, were not technically feasible, and/or could not meet the project's purpose or were otherwise unreasonable.
  - Fifteen alternatives were eliminated in Level 1 screening because they could not meet the project's purpose.
  - One alternative was eliminated in Level 2 screening because it would perform similarly with respect to the project's purpose but would result in more impacts to key resources without additional benefit.
  - Five alternatives remain after the screening process and will move forward for detailed evaluation in the Draft EIS.
- During alternatives screening, impact analysis is considered only at a high level, and only for resources protected by prescriptive laws that would make those alternatives impossible to permit or select. Section 404 of the Clean Water Act and Section 4(f) of the Department of Transportation Act of 1966 are prescriptive laws that provide legal direction as to which alternatives can or cannot be permitted and selected.
  - The U.S. Army Corps of Engineers is responsible for determining compliance with the Clean Water Act Section 404(b)(1) Guidelines and may permit only the least environmentally damaging practicable alternative (LEDPA). Alternatives that do not meet the purpose of and need for a project are not practicable. UDOT eliminated one alternative during Level 2 screening that was clearly not the LEDPA. The Draft EIS will include a detailed evaluation of impacts to aquatic resources for alternatives that passed through screening. UDOT will need to demonstrate that the preferred alternative is also the LEDPA in order to comply with Section 404(b)(1) Guidelines.
  - No alternatives were eliminated during the screening process due to impacts to Section 4(f) resources. The Draft EIS will include a Section 4(f) Evaluation of the alternatives that passed through screening.



- During the detailed evaluation of alternatives, additional engineering is conducted and impact analysis is considered in more detail and for more resources. It is during this more detailed evaluation that impacts to land use (including open space), farmland, water quality, wildlife, visual resources, social and community resources, economics, and other resources are evaluated. A list of resources that are commonly evaluated in EISs for highway projects is available at this link: [FHWA Technical Advisory T 6640.8A, Guidance for Preparing and Processing Environmental and Section 4\(f\) Documents](#). This detailed analysis will be included in the Draft EIS and will allow a comparison of alternatives, including the No-action Alternative, to help inform a decision on the preferred alternative.

## 11. Why does screening include Heber City's vision for downtown?

- The project's purpose is to improve regional and local mobility on US-40 from SR-32 to US-189 and provide opportunities for nonmotorized transportation while allowing Heber City to meet their vision for the historic town center (underline added for emphasis).
- UDOT is solving a transportation problem on US-40, which includes existing and increasing state highway traffic and congestion that is no longer compatible with the character and vision for Heber City's downtown. Part of the project's purpose focuses on the vision for downtown Main Street because that is where the transportation issues are. Additionally, locally adopted plans have identified a conflict between increasing volumes of highway traffic using US-40 and local land use and development.
- UDOT relies on planning documents that have been adopted by local governments to evaluate the consistency of alternatives with their vision for their future. The criteria used for Heber City's vision for the historic town center are derived from the *Heber City Envision 2050* general plan adopted March 17, 2020. This guiding principle for downtown is excerpted from p. 35:
  - *Downtown, Heber [City]'s historic center, will develop into an even stronger center and remain the heart of the community. Main Street, together with surrounding blocks, is a local and regional destination.*
    - *Heber [City] preserves, enhances, and improves access to its valued places and buildings on Main Street.*
    - *Heber [City] improves pedestrian and bike accessibility, parking, and traffic conditions along Main Street.*
  - *Heber City Envision 2050 identifies existing issues and envisions a better future for Main Street.*
    - *The traditional feel of Heber [City]'s Main Street has been disrupted by increases in traffic volume and especially by the impact of oil tanker trucks. It is difficult to hear conversations while trying to enjoy restaurants and gathering areas along the street,*

*and pedestrian crossings feel unsafe due to traffic and wide street width. Yet, Main Street retains much of its historic character and charm, and it provides an identifiable landmark for the community. (p. 36)*

- *When a western bypass route is finalized and constructed, Main Street will see a significant reduction in large trucks and a reduction in vehicle traffic. A western bypass, where UDOT responsibility is shifted from Main Street to the new bypass, creates opportunities for Main Street to become a destination for business to grow and for placemaking to foster a pleasant street atmosphere. (p. 62)*
- UDOT is aware that *Heber City Envision 2050* also envisions protection of farmlands, open spaces, and rural character, including the north fields. The plan's vision for these areas is equally important. However, that vision is not included in the purpose and need statement for this project because that area is not experiencing or contributing to the transportation problems being solved.
- The Draft EIS includes analysis and measurement of impacts to the other resources listed in the Heber City vision document, such as open space and natural resources. The alternatives carried forward for detailed evaluation in the Draft EIS will be reviewed for their compatibility with all planning direction and vision in *Heber City Envision 2050* and other adopted planning documents for Wasatch County and neighboring municipalities. UDOT's selection of the preferred alternative will take into account the planning visions for these areas and the impacts of the alternatives with regard to both city and county plans.

**12. What specific criteria did UDOT use to evaluate Heber City's vision for the historic town center? What are the valued places, and how did UDOT determine which downtown buildings are historic?**

- *Heber City Envision 2050* mentions valued places in a guiding principle, "Heber [City] preserves, enhances and improves access to its valued places and buildings on Main Street."
  - The *Heber City Parks, Trails and Open Space Master Plan* (adopted January 5, 2021) identifies three urban gathering places on Main Street: Tabernacle Square, Main Street Park, and the Public Safety Property. These were considered valued places for Level 1 screening.
  - Historic buildings used for Level 1 screening were identified in *Cultural Resources Scoping for the Heber Valley Parkway Project* (Certus 2020). Historic buildings were identified based on desktop research and review of available data including Utah State Historic Preservation Office (SHPO) Historic Utah Buildings (HUB) database, Wasatch County Recorder and Assessor records, and Google Earth Streetview. The SHPO HUB data for previously documented properties are clustered in the core plat area of Heber City.

### 13. Why didn't UDOT use screening criteria about Wasatch County's Vision?

- UDOT is solving a transportation problem on US-40, which includes existing and increasing highway traffic and congestion on a state and federal route that is no longer compatible with the character and vision for Heber City's downtown. Part of the project's purpose focuses on the vision for downtown Main Street in Heber City because that is where the transportation issues are.
- UDOT is aware of the value placed on the north fields by Wasatch County, Heber City, Midway City, the community, and in adopted planning documents. However, plans covering the north fields do not identify transportation problems. The value the community places on the north fields and the impacts to that area will be evaluated in detail in the Draft EIS and considered in UDOT's selection of the preferred alternative. Consistency with local plans (including the direction those plans provide regarding topics such as open space and natural resources) is one of the topics that will be expressly evaluated in the EIS.

### 14. Why didn't UDOT use open space in the north fields as a screening criterion?

- Level 2 screening criteria are focused on impacts to key resources, primarily waters of the United States and Section 4(f) resources. Section 404 of the Clean Water Act and Section 4(f) of the Department of Transportation Act of 1966 are prescriptive laws that provide legal direction as to which alternatives can or cannot be permitted and selected. None of the alternatives that passed through screening are seen as being unpermissible due to Section 404 or unselectable due to Section 4(f).
- Laws, regulations, and guidance covering other resources (for example, land use, farmland, and visual resources) require UDOT to consider and disclose impacts to those resources and to make reasonable efforts to avoid, minimize, or mitigate adverse impacts. However, they are not prescriptive as to which alternative can be permitted or selected. That is why they are evaluated after the screening process. Eliminating alternatives based on these resources before they are evaluated could jeopardize the legal sufficiency of the EIS.

### 15. Why were the one-way couplets eliminated when they handle local mobility?

- Two one-way-couplet alternatives were considered—Alternative 40F on Main Street and 100 West and Alternative G on 100 West and 100 East. Both couplet alternatives would meet local mobility criteria on US-40. However, both couplet alternatives were eliminated in Level 1 screening because they would not allow Heber City to meet their vision for the historic town center.
- To meet local mobility criteria on US-40, the parallel road (100 West or 100 East) would need to have three travel lanes. The existing roadway widths of 100 West and 100 East are wide, but

not wide enough to accommodate three travel lanes, shoulders, curb, gutter, and sidewalk per UDOT standards.

- The couplets would not allow Heber City to meet their vision for the historic town center primarily due to historic building impacts. Alternative 40F would potentially remove 15 historic buildings, and Alternative 40G alternative would potentially remove 36 historic buildings. These historic buildings are located less than 15 feet from the proposed right-of-way needed for the alternatives.
- Another factor related to Heber City's vision for the historic town center is commercial truck traffic. Neither couplet alternative would reduce commercial truck traffic downtown.
- In addition, neither of these alternatives would reduce traffic in the town center, and both would create a barrier to east-west travel. The couplets would further divide the city, and drivers would need to wait at additional traffic signals as they travel east-west. Because neither couplet met criteria for Heber City's vision for the historic town center, travel time for regional mobility was not analyzed. However, regional mobility would be hampered by lower speed limits through town (35 mph) and friction associated with driveways and intersections.

**16. Why are you still looking at alternatives through the north fields (Alternatives WB3 and WB4) when you have heard from the community that they should be protected?**

- The National Environmental Policy Act (NEPA) process requires agency decision makers (UDOT in this case) to make informed decisions. It requires that UDOT evaluate a reasonable range of alternatives and provide an opportunity for public input on those alternatives.
- It is important to recognize that, for any NEPA transportation study, comments are not considered a yea-or-nay vote on an alternative or action. Rather, comments provide the project team with input regarding the environmental analysis or other factors that UDOT should consider in making a final decision.
- UDOT received comments on both sides of this issue. Many commenters view the north fields as a treasure and don't want to see any changes. Other commenters are concerned with the development on the north side of Heber City and want to see a bypass that would extend beyond the planned development for a long-term transportation solution.
- Alternatives WB3 and WB4 passed Level 1 screening because they perform well with respect to the purpose of the project. They would result in the quickest travel time on US-40 and a shorter vehicle queue length at 500 North compared to most alternatives. They would also result in the quickest travel time on the bypass compared to other alternatives, with the exception of Alternative WA3 (freeway to SR-32).
- Only by evaluating a reasonable range of alternatives can UDOT make an informed decision that will result in the best solution overall. Ignoring potential alternatives or dismissing them

prematurely because of political or local pressure would not result in a full examination of impacts and tradeoffs and would result in a process that was less legally defensible.

- Alternatives WB3 and WB4 passed through screening based on objective criteria and therefore warrant full evaluation in the Draft EIS. This is when detailed impacts to open space, visual resources, water quality, wildlife, community impacts, and so on, will be evaluated (see question 10). UDOT can't eliminate alternatives for impacts to these resources during screening because the detailed analysis has not been completed yet.
- By evaluating bypass alternatives that extend all the way to SR-32 as well as alternatives that make improvements on the existing US-40 corridor, UDOT can understand and compare the benefits, impacts, and tradeoffs of both on-alignment and off-alignment options. UDOT will also compare these alternatives against doing nothing (the No-action Alternative) in the Draft EIS. The results of this detailed evaluation will inform UDOT's selection of a preferred alternative.
- To identify a preferred alternative, UDOT will consider an alternative's ability to meet the project's purpose, regulatory requirements, and the technical analysis of traffic performance and environmental impacts. Public and agency input from the comment periods is also a consideration used by UDOT to help identify a preferred alternative.

#### **17. Why was the Provo River Restoration Project (PRRP) not identified as a Section 4(f) resource and considered in screening?**

- Identification of the Provo River Restoration Project (PRRP) property as a Section 4(f) resource during the alternatives screening comment period is an example of why public and agency input are important to the environmental process. UDOT received comments from the Utah Reclamation, Mitigation, and Conservation Commission (URMCC) and the public that PRRP lands should be considered a Section 4(f) resource and considered in Level 2 screening. It is through this input that UDOT became aware of the potential for the PRRP to fall under Section 4(f) requirements and consequently updated its screening analysis.
- All alternatives would avoid direct impacts to the Provo River. UDOT initially believed that all alternatives would avoid direct impacts to PRRP lands as well. However, on closer inspection of geographic information systems (GIS) shapefiles provided by URMCC after draft screening was conducted, it became clear that some alternatives would impact PRRP lands.
- Based on the provided input, UDOT determined that PRRP lands qualify for protection under Section 4(f) as a significant wildlife and waterfowl refuge and should be considered in Level 2 screening. As a result, UDOT updated the screening analysis.
- Alternatives that extend through the north fields (WA3, WB3, and WB4) would impact PRRP lands. They would require realigning driveways to two public access sites off River Road, where River Road is proposed to be realigned to tie into the bypass instead of into US-40.

- The *Final Alternatives Development and Screening Report* has been revised to include PRRP lands in Level 2 screening (see Tables 3-11, 3-13, and 3-15). The addition of these impacts, however, did not change the overall results of the screening process.

## Detailed Evaluation of Alternatives

### 18. Why are the wetlands impacts different between the draft and final alternatives screening reports? Does UDOT have accurate wetlands data in the north fields?

- The wetlands delineation for the Draft EIS was conducted over two seasons (2021 and 2022). The 2021 survey delineated areas south of about 1200 North. The 2022 delineation added areas around the alternatives all the way to River Road/SR-32. The delineation for both seasons will be compiled into one report for the EIS. UDOT will ask the U.S. Army Corps of Engineers for a verification of this delineation.
- The *Draft Alternatives Development and Screening Report* was published on June 7, 2022, before the 2022 delineation data was available. UDOT relied on National Wetlands Inventory (NWI) data for the draft report where delineation data was not yet available.
- The north fields wetlands delineation was completed in the summer and fall of 2022, and the new data were used to update the wetlands impacts for all west bypass alternatives in the final report. The 2022 delineation data show more wetlands in the north fields than do the NWI data.
- Based on new delineation data, UDOT shifted the alignments of Alternatives WB3 and WB4 to minimize impacts to wetlands. Even with efforts to minimize impacts, the Level 2 wetlands impacts increased between the draft and final reports because there are more wetlands in the north fields based on delineation data compared to NWI data.
- Although Level 2 wetlands impacts increased with the use of delineation data compared to NWI data, the overall results of the screening process did not change. Alternatives WB3 and WB4 passed Level 2 screening even with greater impacts to waters of the United States because they perform better with respect to meeting the purpose of the project (see question 16).
- The delineation data will be used for detailed analysis in the Draft EIS. UDOT expects the wetland impacts to change again between the *Final Alternatives Development and Screening Report* and the Draft EIS. The reasons for anticipating the impacts to change include:
  - It is possible that wetlands boundaries will change based on agency review.
  - It is likely the alternatives footprints will change due to refined engineering designs. The alternatives that pass through screening are designed in more detail to address non-motorized transportation components, drainage design and stormwater management, access and connectivity to local road networks, conflict with major infrastructure and utilities, and avoidance or minimization of impacts to key resources.

**19. Will bypass alternatives increase cut-through traffic in Midway, Charleston, and Daniel?**

- UDOT conducted a trip trace analysis with the region's travel demand model to predict how drivers may travel through the Heber Valley. In the travel demand model, hypothetical drivers can choose routes (links) based on distance, speed, and delay. The analysis traced the trips of drivers traveling through a point on US-189 just west of SR-113 in Charleston Town, estimated to be about 27,000 trips per day in 2050.
- UDOT focused on tracing trips on two routes where they heard concerns about cut-through traffic:
  - SR-113 and River Road through Charleston Town and Midway City (for drivers heading from US-189 to northbound US-40 toward Park City)
  - 3000 South through Daniel Town (for drivers heading from US-189 to southbound US-40 toward Duchesne)
- UDOT looked at all five western bypass alternatives that passed through screening. The trip trace analysis showed that, across all alternatives, less than 1% of the total trips passing through a point on US-189 west of SR-113 are predicted to use either route cut-through.

**20. How are you evaluating impacts to open space?**

- Impacts to open space will be evaluated in the land use section of the Draft EIS.
- Undeveloped land is not considered open space unless it is held in a conservation easement or zoned as open space. Impacts to undeveloped land will be evaluated in the Draft EIS in various sections including land use, farmland, ecosystem resources, water quality and water resources, floodplains, and visual resources.
- UDOT wants to avoid impacts to land that is held in a conservation easement. None of the alternatives being evaluated in the Draft EIS would impact land that is currently held in a conservation easement.
- UDOT is aware of ongoing efforts by the Wasatch Open Lands Board (WOLB) to place land in conservation.
  - The expansion of Muirfield Park to include two additional parcels to the north, is currently in progress. The right-of-way corridor for all five bypass alternatives would be located north of these parcels. UDOT is currently refining the design of these alternatives to address drainage and stormwater management and will make efforts to avoid impacts to these parcels.
  - WOLB provided UDOT information regarding about 200 acres of land on six parcels where the landowner has submitted a notice of interest (NOI) to place their land in conservation. A NOI is the first step and does not guarantee conservation. WOLB must go through a process to determine how to allocate conservation funds.

- At the November 14, 2022, meeting, WOLB notified UDOT of two additional landowners who submitted a NOI to place their land in conservation. WOLB agreed to provide UDOT with the location of these parcels once they get permission from the property owners (the NOI was discussed in closed session).
- UDOT will work with WOLB to continue to identify land that is currently in conservation or in progress as the Draft EIS is prepared. UDOT will analyze impacts based on information provided by WOLB. If property is placed into a conservation easement, UDOT would make efforts to avoid or minimize impacts if possible.

**21. How will evaluating alternatives in the north fields affect Wasatch County's \$10 million open-space bond?**

- UDOT is striving to understand concerns that evaluating alternatives in the north fields would jeopardize WOLB funds. Concerns expressed to UDOT include the following:
  - Landowners might be more tempted to develop the land than conserve it if a road is planned on or near their land.
  - The greatest impact would be to parcels bisected by a road (planned or constructed). The impact would be less for parcels adjacent to a road and would decrease with distance.
  - A road could result in changes to conservation values (for example, agricultural, ecological, viewshed, historical significance, or hydrology) which could affect the ability of certain lands to meet criteria for Internal Revenue Service (IRS) and funding donors.
  - A road in the north fields could make agricultural operations more difficult; it would be more difficult to transport livestock or agricultural equipment if a road changes access.
  - The closer a planned road gets to the Provo River, the more concerning it is.
  - Alternatives that stay close to the urban development are preferable to alternatives that extend through the north fields away from urban development.
- UDOT encourages landowners and WOLB to continue efforts to preserve and protect these open spaces and continue to provide UDOT with information as parcels are considered or approved for conservation funds.
- In the Draft EIS, UDOT will evaluate impacts to lands that are currently held in conservation or in progress for conservation in the land use section. If an alternative jeopardizes the applicability of certain lands for open-space bond funds, UDOT will disclose those potential impacts. The Draft EIS will evaluate impacts to agricultural operations, ecosystem resources, viewsheds, cultural resources, water resources and water quality in other sections (see question 10).



**22. How would a bypass impact businesses in downtown Heber City, and how is induced economic development evaluated?**

- Economic impacts and impacts to businesses will be evaluated in the Draft EIS.
- Direct impacts to businesses will be disclosed and quantified for each of the five action alternatives evaluated in detail. Direct impacts include changes in access, partial acquisition, or full acquisition with relocation.
- Some businesses are destination businesses, meaning that people will drive to get to these businesses regardless of their location. Other businesses are convenience businesses, which generate business as people drive past them. For convenience businesses, it's less likely that people would drive out of their way to get to these businesses, and changes in traffic levels can have an economic effect. Both categories of businesses will be reviewed in the Draft EIS.
- Local governments control land use through zoning. Wasatch County and Heber City have the authority to determine whether commercial development is allowed on a bypass alternative. All of the alternatives would be designated as limited-access roads that would have connections only at specific locations. This designation, combined with local land use decisions, can have a great influence on how the area might or might not develop. UDOT will coordinate with Heber City and Wasatch County planners to discuss changes in land use and the potential for induced growth associated with each alternative. This information will feed into the economic analysis and the effects disclosed in the Draft EIS.

**23. How will agricultural protection affect the EIS?**

- UDOT is aware of Wasatch County's vote to establish a formal process to designate Agriculture Protection Areas (APAs) and to designate APAs on the land in the south and north fields in the locations of the five western bypass alternatives. UDOT is also aware of the County's preference that a potential bypass use the historic preservation corridor. (For more information about the limitations of the historic preservation corridor, see the response to Question 4.)
- The designation of an APA does not preclude UDOT from considering or analyzing an alternative on that land for the EIS. UDOT is actively preparing the Draft EIS and will consider all lands designated as APAs and agricultural operations on APAs as part of the analysis if designations are received in time to include them in the Draft EIS. UDOT will also analyze impacts to farmland, open space, land use, and other resources as part of the Draft EIS.
- The process to designate an APA from a proposal by a landowner to a decision by the Agriculture Protection Area Advisory Board takes time. This process cannot start until the County has established an Agriculture Protection Area Advisory Board and its membership to oversee the process. UDOT does not anticipate that any APA will be designated in time to be considered for the Draft EIS; however, some might be designated for consideration in the Final EIS (anticipated in 2024). UDOT will work with the County as they formalize this process in

order to stay informed about the parcels where landowners have submitted requests for their land to be designated as an APA.