Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

Comments on the Draft Environmental Impact Statement

AND SECTIONS 4(F)/6(F) EVALUATION FOR

Heber Valley Corridor

in Wasatch County, Utah

Volume 2 of 2

Utah Department of Transportation

UDOT Project No. S-R399(310) PIN 17523

Submitted pursuant to

42 USC 4332(2)(c) and 49 USC 303

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being or have been carried out by UDOT pursuant to 23 USC 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

UDOT Keeping Utah Moving

March 2026

As of the publication of this document, UDOT has not reviewed, in detail, all of the comments received on the Draft EIS. Comments are essentially verbatim with personal information and rude or vulgar language redacted or removed. Be aware that some inappropriate language could have been missed. In addition, UDOT did not verify the safety or security of any hyperlinks that were included in the comments; please use caution if visiting any of these links.

The comments are separated into two volumes:

Volume 1 contains a comment matrix. The matrix includes all comments received on the Draft EIS during the 60-day comment period between January 9 and March 9, 2026, along with the commenter's name and a unique identification number for each comment. UDOT published the Draft EIS on the project website on January 7, but the official 60-day comment period began on January 9 when the notice of availability was published in the *Federal Register*. UDOT asked commenters who submitted comments on January 7 and January 8 to resubmit on or after January 9 for the comment to be included in the official comment period.

Volume 2 contains comment attachments. These comments contain the comment number found in Volume 1. Many of these comments are also found in Volume 1.

To the UDOT Heber Valley EIS Project Team,

We write as engineering students at the University of Utah who are being trained under the highest standards of engineering ethics, public safety, and environmental stewardship. Our education emphasizes that engineers must protect the public, defend scientific integrity, and refuse to endorse projects that lack transparency or violate federal law.

After reviewing the Draft Environmental Impact Statement (DEIS), we cannot support Alternative B. The proposal raises profound ethical, technical, and legal concerns that contradict the standards we are expected to uphold as future licensed engineers.

1.Ethical Breach: Withholding Critical Hydrologic and Groundwater Data

The DEIS fails to disclose the hydrogeologic modeling necessary to evaluate impacts to the shallow aquifer that supplies drinking water to the Wasatch Back. Under the NSPE Code of Ethics, engineers must base decisions on complete, transparent, and accurate information. UDOT has not provided:

- contaminant transport modeling
- groundwater mounding analysis
- recharge-rate impacts
- spring and wetland connectivity data
- high-water-year field measurements

Proceeding without this information violates the ethical requirement to “hold paramount the safety, health, and welfare of the public.”

When the resource at risk is a sole-source aquifer, withholding data is not just a technical oversight — it is an ethical failure.

2.NEPA and LEDPA Violations: Selecting the Most Damaging Alternative

Alternative B crosses the most wetlands, most irrigation systems, and the most aquifer recharge zones of any alignment. Under NEPA (42 U.S.C. § 4332) and the Clean Water Act’s LEDPA standard, agencies must select the least environmentally damaging practicable alternative.

Alternative B is the opposite.

The DEIS does not explain how the most destructive alignment could possibly satisfy LEDPA. Nor does it justify the dismissal of lower-impact alternatives proposed by the North Fields Irrigation Company — a clear procedural deficiency.

3. High-Speed Design Without Legal or Engineering Justification

The proposed 65 mph design speed is unjustified, unsafe, and inconsistent with surrounding roadways. A high-speed rural corridor:

- increases wildlife and livestock mortality
- widens the roadway footprint
- increases noise and pollution
- raises collision severity
- expands spill-risk into the aquifer

NEPA requires agencies to evaluate reasonable alternatives, including lower-speed designs. The DEIS does not do this. The only apparent purpose of the 65 mph design is to manufacture a marginal time-savings benefit — approximately one minute — which is not a lawful or rational basis for selecting a high-impact alternative.

4. Induced Growth Ignored Despite Clear Federal Requirements

Alternative B is classified as a Class III facility, which allows future access points at half-mile intervals. This is a growth-enabling design by definition.

Yet the DEIS claims the project is “not intended to induce growth.”

This contradiction violates NEPA’s requirement to analyze indirect and induced growth impacts (40 CFR §§ 1508.1(g), 1508.1(h)). The DEIS does not model:

- west-side development pressure
- east-side approved growth
- increased water demand
- long-term traffic generation
- land-use conversion
- infrastructure expansion

Failure to disclose foreseeable impacts is grounds for an arbitrary and capricious finding under the Administrative Procedure Act (5 U.S.C. § 706).

5. Loss of Federally Funded Conservation Easement

UDOT blocked a federally funded NRCS conservation easement that would have preserved nearly 300 acres and brought a halt of federal preservation funds to the community. This action contradicts:

- the Farmland Protection Policy Act (7 U.S.C. § 4201 et seq.)
- local rural preservation plans

- the public interest

The DEIS does not explain why UDOT chose to sacrifice irreplaceable farmland rather than adjust the project boundary.

6. Failure to Address Main Street Congestion — the Actual Problem

Main Street congestion is driven by local trips, not regional through-traffic. Alternative B does not fix:

- failing intersections between 100 North and 100 South
- congestion at the Hub (Hwy 40 & 189)
- east-side growth impacts

A bypass that does not solve the core problem is not a solution — it is a diversion of public funds.

7. Elevated Structures and Long-Term Maintenance Liabilities

Alternative B introduces elevated structures that:

- increase cost
- increase noise
- increase maintenance burdens
- reduce property values
- expand environmental footprint

The DEIS omits full lifecycle cost analysis, which is required for responsible public finance and transparent decision-making. At grade options were initially offered but then reversed.

8. Irreversible Environmental Damage

Wetland mitigation cannot replicate the ecological function of existing wetlands. Aquifer contamination cannot be reversed. Farmland lost to development cannot be restored.

NEPA requires agencies to avoid irreversible commitments of resources before completing a lawful analysis. Alternative B violates this principle.

Conclusion: Ethical and Legal Standards Require Removal of Alternative B

As engineering students at the University of Utah, we are being trained to uphold the law, protect the public, and defend scientific integrity. Alternative B fails every one of these tests.

We formally request that UDOT:

- remove Alternative B from consideration
- comply fully with NEPA, LEDPA, and the Clean Water Act
- disclose all hydrologic and groundwater modeling
- evaluate lower-speed, lower-impact alternatives
- respect farmland protection laws and conservation easements
- prioritize solutions that address Main Street congestion
- commit to at-grade designs that protect rural character and public safety

We will not accept a transportation project that compromises water security, violates federal law, and disregards the ethical obligations of the engineering profession.

Sincerely,

Engineering Students of the University of Utah

ID 324

UDOT...

This is a postcard of the beautiful valley of Heber, which will be totally destroyed, if any Bypass is put in.
With a Bypass, among aquifers, wildlife, farming, pollution, etc. issues, this will actually bring in more population that will extend from these roads into urban sprawl and our main street will lose any advantage that the less than 20% traffic taken off of it will.
Please don't put in Option B. I don't believe in A either but it is the lesser of 2 evils.

Allison Saltsbury

Spring Creek Sunrise

© All rights reserved to
Alan Day Photography
Heber City, Utah
435-503-0337
www.alandayphotography.com

1 81244 00099 2

ID 248

Subject: Public Comment on Heber Valley Corridor EIS – Support for Option B

Dear UDOT Heber Valley Corridor Project Team,

I am writing to submit my public comment regarding the Heber Valley Corridor EIS. I strongly support Option B for the future alignment and growth of Wasatch County. As a resident of the valley since 2000, I have seen discussions about a bypass stretch on for decades. While growth has changed the valley I love, it is clear we need the right infrastructure to manage that growth responsibly.

Preservation of the North Fields – Our Most Pressing Priority

Above all, I want to emphasize the **critical importance of preserving the North Fields**—one of the defining environmental, agricultural, and scenic assets of this community. I deeply appreciate that UDOT has listened to residents' concerns and has taken concrete, enforceable steps to ensure that the North Fields are protected **in perpetuity**.

Based on UDOT's commitments as of January 2026, these protections include:

- **Perpetual Conservation:** Wetland mitigation sites created for this project will be legally protected in perpetuity, meaning these areas cannot be developed.
- **2:1 or Greater Wetland Mitigation:** UDOT is required—and has committed—to preserving or restoring at least two acres of wetland for every acre impacted. This secures long-term ecological protection of sensitive areas.
- **Prevention of Future Sprawl:** Option B is a limited-access facility, with no additional interchanges allowed beyond those already identified. This restriction is specifically designed to prevent development pressure in the North Fields.
- **Direct Mitigation in the North Fields:** UDOT has stated that mitigation sites will be prioritized in the North Fields, directly preserving the very land residents are concerned about.

These commitments represent the strongest preservation tools available. While some city leaders have expressed distrust about future enforcement, delaying this project or shifting to Option A will not produce better protections—only greater costs and impacts. Our path forward must be to move ahead with Option B and hold all stakeholders accountable for honoring these preservation commitments.

Project Costs and the Importance of Acting Now

I recognize that the financial investment required is significant. However, continued delays—often due to misinformation or political resistance—will only increase costs. The need for a functional bypass has been clear for decades, and postponement has already created unnecessary financial and community impacts.

Option A does not provide meaningful relief for Main Street traffic. It funnels vehicles into existing problem areas like 900 North, Main Street, and Heritage Way, which are already heavily congested. Choosing an option that fails to address the core transportation problem will only push costs higher while delivering little benefit.

Option B, by contrast, creates:

- A true four-lane limited-access corridor,
- A direct connection between US-189 and US-40,
- A free-flowing route for heavy trucks and through-traffic, and
- A safer, calmer, more welcoming Main Street.

Olympic Timing – A Critical Opportunity

It is essential that this project be completed **well before 2050**—and ideally before the **2034 Winter Olympics**. The Heber Valley will face massive increases in traffic, visitors, and regional mobility demands. If construction is underway during the Olympics, the effects on emergency response, resident mobility, and overall congestion could be severe.

We have a rare window right now:

- Strong state-level support,
- The ability to coordinate with local Olympic organizing groups, and
- Access to potential Olympic transportation funding.

Securing alignment and momentum now gives us the greatest chance of completing this bypass ahead of the Games, protecting both residents and visitors while ensuring the valley functions well during a global event.

I want to express my sincere appreciation for the thoughtful, thorough work UDOT has undertaken throughout this EIS process. I trust the knowledge and expertise your engineers and planners bring to this complex project.

I am especially grateful for the careful attention to landowners who this will impact, the commitment to permanent preservation of the North Fields, and the selection of an option that affects only 8 homes and businesses, compared to the 27 under Option A.

Thank you for recognizing the human impact behind every displaced resident or business. I hope the eight affected property owners will receive fair market value and compassionate support throughout the process.

Thank you again for your thorough, data-driven approach to this study and for your commitment to the -long-term- wellbeing of the Heber Valley. I strongly urge UDOT to move forward with

Option B so we can finally reduce Main Street congestion, protect our cherished North Fields, and secure the infrastructure our community urgently needs.

Sincerely,

Amy Owen Tuddenham

ID 301

Ann Zimmerman
[redacted]
Heber City, UT 84032
[redacted]

February 28, 2026

Heber Valley Corridor EIS
c/o HDR Engineering
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84021

RE: Formal Comments on the Heber Valley Corridor EIS

Thank you for the opportunity to review the EIS on the Heber Valley Corridor project. In my review I have identified what I believe are shortcomings in the analysis, primarily regarding Alternative B.

1. Failure to properly characterize the aquifer as "unconsolidated" or "unconfined".
   Appendix 3K, Water Quality Technical Report fails to recognize, report, and analyze the character of the aquifer and how the aquifer's unconsolidated character lends itself to rapid infiltration. Omissions occur elsewhere in the EIS.

   Hydrology of Heber and Round Valley, Utah Department of Natural Resources, 1991, Technical Publication 101, characterizes Heber Valley as an unconsolidated aquifer and highly vulnerable to infiltration of pesticides and other pollution. It further states that the unconsolidated valley-fill deposits are exposed at the land surface throughout most of the valley and these exposed conduits are avenues for pollutants to enter the aquifer as the area urbanizes.

   Without adjusting the model for this higher rate of infiltration and analyzing the specific conditions in the affected portions of the Northfields encompasses by the alternatives, this analysis in Appendix 3K appears incomplete and inadequate.

   Similar failures to characterize the aquifer as "unconsolidated" or "unconfined" occur. This is significant because of the associated vulnerabilities of the aquifer to pollution and deterioration. Also, there is no physical analysis for fracturing or conduits specifically in the areas of the alternatives:
   - 3.12 Water Quality and Water Resources
   - 3.13.2.14 Ground Water Quality and Discharges
   - 3.13.3.3 Ground Water Resources and Quality
   - Section 3.24 References

It appears the research is inadequate. There is no mention in Section 3.24, References, of *Hydrology of Heber and Round Valley,* Utah Department of Natural Resources, 1991, Technical Publication 101.

2. Failure to recognize that alternatives may interfere with the success of implementation measures included in the approved *Heber Valley Watershed Plan* to remove pollutants impairing water quality from Spring Creek and other Provo River tributaries.
Page 3 of Appendix 3K notes that "Spring Creek and other tributaries to the Provo River are impaired for pH and Escherichia coli (E. coli)." However, there is no mention of ongoing efforts to address stream cleanup and limiting the algal blooms in Deer Creek Reservoir as part of the implementation efforts of the approved *Heber Valley Watershed Plan.* As this plan works with farmers and landowners to gain commitments to rechannel and meander watercourses and to create livestock barriers and inhibitors, any removal of farmland for road construction should consider whether the alternatives interfere with recommended remediation measures and full implementation of the plan. It should also address what the implications there are for surface water quality if pollutants are not removed as planned, specifically as affected by the alternatives.

   Other pertinent references that support the omission of approved remediation efforts:
   - 3.13.3.2 "TMDL for E. coli in Spring Creek lists the nonpoint sources of E. coli as livestock, unregulated stormwater, on-site septic systems, pet waste, and irrigated pastures."
   - Table 3.16-6 Impaired Surface Waters in the Water Quality and Water Resources Evaluation Area.
   - 3.13.4.5 Mitigation Measures: Does not mention mitigating any interference to surface water cleanup.
   - 3.24.3.4 Aquatic Resources: Does not discuss the importance of the wetlands in the project area for mitigating surface water pollutants and the effects of destroying these wetlands on surface, subsurface, and stream water quality.
   - 3.14.4.5.3 Mitigation Measures for Aquatic Resources Impacts: The wetland loss mitigation measures fail to state where the replacement wetlands would be located. If not in the North Fields, further water quality deterioration would ensue. Further, if any new wetlands planned in the *Heber Valley Watershed Plan* fail to be developed because of the project alternatives, the beneficial water purification by the wetlands would not occur.
   - 3.24 References: It appears the research is incomplete. There is no mention of the State of Utah *Heber Valley Watershed Plan* nor contacts with the Department of Agriculture, Division of Water Quality nor the Provo River Water Council regarding this plan and its implementation and the effects of the alternatives on its successful implementation.

3. Failure to recognize and analyze flood water irrigation as a strategy for recharging the aquifer in the North Fields.

Historically and currently, farmers in the North Fields flood irrigate with the intent of recharging the aquifer. Per the *Hydrology of Heber and Round Valley* report previously cited, the aquifer was in balance (pumping out versus recharging in) in 1991. Also, per the report, recharge sources are precipitation, stream infiltration, subsurface flows from upstream consolidated rocks, and (primarily) unconsumed irrigation water, including flood irrigation in the Northfields and unlined canal leakage.

Since 1991, pumping has dramatically increased (State of Utah, *Utah Lake Basin, Planning for the Future,* June 2014) and recharging is decreasing (lower snowpack, drought, diversion, and less land flood irrigated). Preservation of recharge efforts to maintain aquifer balance has increased in importance. The EIS fails to address important aquifer recharge through flood irrigation. Also, the EIS does not reference any consultation with the North Fields irrigation district, farmers, and the Provo River Water Council and its advisory group (comprised partly of landowners in the North Fields).

Pertinent references:

- 3.3.2.1 States "Most of the county is under sprinkler irrigation," and misleadingly omits the intentional flood irrigation for aquifer replenishment in the North Fields.
- 3.3.3.4 Mitigation Measures
  Does not address mitigating the effects of lost flood irrigation for benefitting recharge.
- 3.4.3.6 Utilities
  Omits the reliance on recharge for water for continuing water availability. Does not address flood irrigation and stream remediation efforts for water quality.
- 3.14.3.2 General Overview of the Ecosystem
  In the discussion of resources in the evaluation area, the EIS states, "Seasonal water level fluctuation of up to 30 feet occur primarily because of changes in recharge from unconsumed irrigation water." The discussion carelessly omits that this is an intentional practice and interference with this practice will reduce recharge. The omission compromises understanding the actual conditions.

4. Reference to the Heber City Envision 2050 General Plan in Section 3.2.3.2.1 omits the Plan's analysis and policies specifically toward preservation of the North Fields.

Pertinent references in the Heber City Envision 2050 General Plan:

- In the section, what do Heber Residents Value? Cited is this language, "The desire to preserve open space and Heber's rural character is not a new idea, but it was a loud and clear message, especially in regard to the Northfields."
- Page 53, "Community interest in open space preservation is focused on the Northfields."
- Page 54, "Prioritizing the countywide bond funds to purchase the Northfields' development rights is a logical step."

As someone who has been personally involved in protecting open space, I would like to comment on UDOT's claim that as a State agency, eminent domain restrictions for condemning land with an APA do not apply. I believe that this is an example of being right under the letter of the law, but inherently wrong ethically. This is not the high ground. The people placing land under protection and the many people who support and donate for open land conservation are not aware of this exemption. We do not work and contribute to preserve land for roads, but rather for the future of our community and state. I understand that in the case of the High Ute Ranch, the community's views were respected, and I hope that UDOT and the State of Utah will again respect the views of those who protect land.

Again, thank you for the opportunity to comment.

Sincerely,

Ann Zimmerman

Ann Zimmerman
Heber City

TABLE OF CONTENTS

Cover Page and Document Status

Section 1 — Document Identity, Authorship, and Scope

Section 2 — Public Safety Commitment

Section 3 — Safety and Liberty Decision Standard

Section 4 — Integrated Systems Architecture

Section 5 — BackRunner Framework

Section 6 — Water, Air, and Watershed Integration

Section 7 — Energy, Refining, Rail, and Industrial Logistics Integration

Section 8 — Housing, Workforce, and Community Integration

Section 9 — Governance, Sequencing, and Implementation Gates

Section 10 — Enforcement Backstops, Metrics, and Durability

SECTION 1 — DOCUMENT IDENTITY, STATUS, AND SCOPE

The Safety Commitment & BackRunner
An Integrated Public Safety and Infrastructure Framework
Prepared for Informational Review by Executive and Legislative Leadership
2034 Olympic Games and Legacy Horizon

Author: Annette McRae, Candidate for Utah State Senate, District 20
Capacity: Private citizen and participant in Utah's public civic process

Annette McRae, Candidate for Utah State Senate, District 20, is the sole author and intellectual architect of The Safety Commitment and BackRunner frameworks as presented in this document. The term "architect" is used solely to describe intellectual authorship and does not imply operational control, governance authority, endorsement, coordination, or implementation responsibility.

PURPOSE
This document presents a specific, named, non-regulatory public safety framework for evaluating how major public systems interact and how risk to human life, worker safety, environmental integrity, and emergency response capacity is created, transferred, amplified, or reduced through infrastructure design and sequencing.

This document supports executive situational awareness, legislative and staff understanding of system interactions, preservation of institutional memory, and public transparency.
This document is not intended to affect the timing, substance, or outcome of any pending legislative proposal.

LEGAL STATUS
This document is informational only and creates no statutory, regulatory, or executive authority. It authorizes no funding, approves no projects, directs no agency action, and binds no officeholder.

CAMPAIGN AND EXECUTIVE SAFETY
This document is prepared and circulated by Annette McRae, Candidate for Utah State Senate, District 20, acting as a private citizen and participant in Utah's public civic process.
It does not substitute for public process, consultation, environmental review, executive judgment, or legislative authority.

TEMPORAL CONSTRAINT
This framework is written against a fixed external timeline: the 2034 Olympic Games and associated legacy period.
This horizon is used solely to evaluate readiness, sequencing risk, and exposure to cascading system failure.
It does not mandate acceleration or presume funding availability.

SYSTEMS COVERED
This document explicitly covers water systems; air quality; transportation congestion; hazardous freight including classification, staging, and intermodal transfer between road, rail, and storage; rail systems; passenger and workforce mobility; housing; energy and refining logistics; emergency response; and tourism-driven system stress.

FUNDING ALIGNMENT
Funding sources are referenced only for alignment evaluation and include Olympic legacy funding, federal infrastructure and safety programs, water and air programs, emergency management and

resilience funding, state and local funds, public–private partnerships, and philanthropic capital. Nothing herein constitutes a request, solicitation, prioritization, or authorization of funding or procurement.

EXCLUSIONS
This document excludes project design, engineering, environmental determinations, permitting, regulatory standards, enforcement mechanisms, fiscal notes, bonding authority, eminent domain, land acquisition, and rail alignment or siting decisions.

INTERPRETATION
Any ambiguity shall be resolved in favor of non-delegation, preservation of executive and legislative discretion, respect for sovereign authority, and protection against campaign misuse.

SECTION 2 — PUBLIC SAFETY COMMITMENT (LOCKED)

2.1 Statement of Public Safety Priority

Public safety is the primary obligation of government and the foundational condition for economic stability, workforce health, environmental protection, and individual liberty.
This statement is descriptive of longstanding public governance principles and is not intended to rank, redefine, or reinterpret constitutional or statutory duties.

In this document, public safety is treated as a system outcome, not as a single agency function, regulatory domain, or enforcement activity. Public safety emerges from how infrastructure is designed, how systems are sequenced, and how risk is allocated across people, places, and time.

Within this analytical framework, preventable exposure to known risks, when created through foreseeable infrastructure decisions, may be evaluated within this framework as indicative of elevated public safety risk even when individual system components operate within their own regulatory bounds.

Nothing in this section shall be construed as establishing a legal standard, policy directive, or requirement. The Safety Commitment describes an analytical framework for evaluating system interactions and foreseeable risk. It does not impose obligations, mandate outcomes, supersede existing authority, or assign responsibility.

2.2 Non-Interference with Authority and Process

This Public Safety Commitment:
- does not direct agencies,
- does not override regulatory frameworks,
- does not substitute for consultation,
- does not interfere with pending legislation,
- does not create enforceable rights or obligations.

Its function is diagnostic, not prescriptive. It is intended to preserve system-level context and inform understanding without constraining executive, legislative, or regulatory discretion.

2.3 Safety as a Systems Obligation, Not an Enforcement Burden

Public safety risks most often arise not from the absence of rules, but from fragmented planning, misaligned incentives, and decisions made in isolation that transfer risk to workers, residents, and emergency responders.

When safety is addressed only through enforcement:
- professional drivers are asked to absorb congestion and exposure risk,
- first responders are asked to compensate for poor access and delayed response,
- residents are asked to tolerate cumulative exposure,
- and agencies are asked to mitigate consequences they did not create.

The Safety Commitment does not rely exclusively on after-the-fact enforcement to maintain safety. Instead, it emphasizes that safety outcomes improve when risk is evaluated upstream, at the point where infrastructure form, location, and sequencing decisions are made.

2.4 Explicit Safety Domains Covered by This Commitment

This Public Safety Commitment explicitly applies to water safety; air quality and exposure; transportation congestion and emergency access; hazardous freight classification, staging, and transfer; rail safety; professional driver safety; workforce and passenger mobility; housing safety; energy and refining logistics; emergency response capacity; and tourism-driven system stress.

Each domain is intentionally included because it interacts with the others in predictable ways that influence public safety outcomes.

2.5 The Safety Commitment Evaluation Standard

Under the Safety Commitment, infrastructure decisions are evaluated against the following analytical standard:

If a decision predictably increases exposure to risk for workers, residents, or emergency responders, that risk should be identified, named, and addressed within the framework rather than deferred solely to enforcement, mitigation, or individual behavior.

This standard does not require elimination of all risk, perfection in design, or zero-impact outcomes. It emphasizes acknowledgment of foreseeable risk, transparency regarding tradeoffs, and avoidance of unnecessary or preventable exposure.

2.6 Safety and Liberty as Mutually Reinforcing Outcomes

The Safety Commitment does not frame safety and liberty as competing values. Safety achieved through sound system design reduces reliance on intrusive enforcement, emergency intervention, and crisis management, thereby reinforcing liberty rather than constraining it.

2.7 Relationship to the 2034 Olympic Games and Legacy Horizon

The 2034 Olympic Games and associated legacy period introduce a fixed external stress test on existing systems. The Safety Commitment does not treat the Olympic Games as justification for expedited approvals, suspension of standards, or concentration of risk.

Instead, the Games function as a temporal lens used to evaluate whether systems designed today can withstand peak demand, international attention, emergency contingencies, and long-term post-event use.

2.8 Carry-Forward Safety Principles

Safety is a system outcome.
Exposure is a primary metric of harm.
Risk created upstream should not be externalized downstream.
Professional drivers and emergency responders are safety-critical actors.
Peak demand and surge conditions must be anticipated.
Long-horizon readiness matters more than short-term optimization.

Deferred for later sections: Tribal sovereignty, treaty obligations, and government-to-government coordination; integrated systems architecture; BackRunner framework; governance, metrics, and implementation gates.

SECTION 3 — SAFETY AND LIBERTY DECISION STANDARD (LOCKED)

3.1 Purpose and Function of the Decision Standard

This section establishes a Safety and Liberty Decision Standard for analytical use within The Safety Commitment & BackRunner framework.
The term “Decision Standard” is used descriptively to denote a structured analytical lens and does not imply a governing rule, approval criterion, or threshold.

The purpose of this standard is to provide a consistent, transparent method for examining how infrastructure decisions affect public safety, individual liberty, workforce exposure, environmental integrity, and emergency response capacity as interacting system outcomes.

This Decision Standard is evaluative only. It does not establish policy, direct action, create obligations, supersede authority, or replace existing regulatory processes. It is intended to support executive and legislative understanding of tradeoffs inherent in complex infrastructure decisions.

3.2 Safety and Liberty as Co-Dependent Outcomes

Safety and liberty are treated in this framework as co-dependent outcomes, not competing objectives.

Liberty is constrained when:
- individuals are exposed to avoidable environmental or transportation risk,
- workers are required to absorb foreseeable hazards created by system design,
- emergency responders are delayed by congestion or access failures,
- communities are forced to trade health and safety for economic participation.

Safety is undermined when:
- liberty is restricted through reactive enforcement,
- risk is managed only after exposure occurs,
- emergency authority is routinely invoked to compensate for design deficiencies.

The Safety and Liberty Decision Standard examines how a decision reduces the need for coercive or emergency intervention by embedding safety into system design.

3.3 Decision Standard Overview

Under this framework, an infrastructure decision is examined by assessing how it allocates risk and constraint across people, systems, and time.

The Decision Standard examines how a proposal:
1. reduces or transfers exposure to foreseeable risk,
2. preserves or constrains individual and workforce mobility,
3. strengthens or weakens emergency response capacity,
4. protects environmental systems or externalizes degradation,
5. maintains liberty through design or substitutes enforcement and compliance for structural safety.

No single factor is dispositive. The standard is applied holistically to understand cumulative effects.

3.4 Exposure as the Primary Analytical Metric

Exposure is treated as the primary analytical metric for harm within this framework.

Exposure includes duration of contact with hazardous conditions, frequency of repeated exposure, proximity to emission, congestion, or hazard sources, and concentration or intensity of exposure over time.

This approach recognizes that harm often arises from chronic, cumulative exposure rather than isolated incidents.

The Decision Standard examines how exposure is reduced through design, buffered through system separation, or transferred to individuals, workers, or emergency services.

3.5 Workforce Safety and Professional Driver Considerations

Professional drivers and infrastructure workers are recognized as safety-critical participants whose exposure profiles reflect system design choices.

The Decision Standard examines how infrastructure decisions:
- increase unpaid waiting time,
- create predictable fatigue,
- require idling or staging in unsafe locations,
- treat vehicles as mobile storage units,
- rely on worker discretion to compensate for design deficiencies.

Where such conditions are foreseeable, the Decision Standard examines how alternative design or sequencing could reduce exposure without restricting mobility or economic participation.

3.6 Enforcement Versus Design

The Decision Standard distinguishes between safety achieved through design and safety achieved through enforcement.

Safety achieved primarily through enforcement increases reliance on surveillance and penalties, shifts responsibility to individuals, and often expands emergency authority.

Safety achieved through design reduces the need for enforcement, preserves freedom of movement, and limits the invocation of emergency powers.

Nothing in this framework diminishes the necessity or legitimacy of enforcement within existing statutory and regulatory authority.

3.7 Temporal Considerations and the 2034 Horizon

Infrastructure decisions are examined across immediate, medium-term, and long-term horizons.

The 2034 Olympic Games and associated legacy period provide a fixed external stress test for examining whether safety and liberty outcomes remain stable under peak demand, international attention, and emergency contingencies.

This temporal lens is analytical only and does not justify acceleration, suspension of standards, or concentration of risk.

3.8 Transparency and Tradeoff Disclosure

The Safety and Liberty Decision Standard emphasizes transparent articulation of tradeoffs.

Where a decision increases exposure, constrains liberty, or shifts burden to workers or communities, those effects should be explicitly identified within the analytical framework.

Transparency supports informed judgment without requiring consensus or elimination of tradeoffs.

3.9 Relationship to Authority and Process

This Decision Standard does not establish legal thresholds, create presumptions, bind agencies or officials, or substitute for environmental review or public process.

Its role is to inform, not to decide.

3.10 Carry-Forward Application

The Safety and Liberty Decision Standard established in this section is applied throughout subsequent sections of this document, including integrated systems architecture, the BackRunner framework, governance and sequencing, workforce protection analysis, and metrics and evaluation.

SECTION 4 — INTEGRATED SYSTEMS ARCHITECTURE (LOCKED)

4.1 Purpose and Scope of the Integrated Systems Architecture

This section establishes the Integrated Systems Architecture used within The Safety Commitment & BackRunner framework to examine how multiple public systems interact spatially, temporally, and operationally.

The purpose of this architecture is to organize analysis, not to prescribe outcomes. It provides a structured way to examine how decisions affecting one system alter conditions, constraints, and exposure in others.
The term “architecture” is used descriptively to denote an analytical classification structure and does not imply implementation design, operational control, or coordinated execution.

This section does not create requirements, direct agencies, authorize projects, define standards, or establish sequencing mandates. It provides a common analytical structure to avoid fragmented evaluation of interdependent systems.

4.2 Systems Explicitly Examined in the Architecture

The Integrated Systems Architecture explicitly examines the following systems. Each is examined because it interacts with others in predictable ways that affect public safety, exposure, and emergency response capacity.

4.2.1 Water Systems
- potable water supply and reliability,
- non-potable and industrial reuse systems,
- drought-stage behavior,
- watershed integrity,
- fire-suppression water availability,
- emergency surge capacity.

4.2.2 Air Quality Systems
- basin-scale air circulation,
- inversion conditions,
- congestion-related emissions,
- stationary and mobile source interaction,
- cumulative exposure duration and concentration.

4.2.3 Transportation Congestion Systems
- roadway capacity and chokepoints,
- peak-hour and peak-season congestion,
- emergency access reliability,
- freight–passenger interaction,
- tourism-driven surge effects.

4.2.4 Hazardous Freight Systems
- classification of hazardous materials,
- staging and buffering locations,
- transfer between truck, rail, and storage,
- separation from residential and passenger activity,
- emergency response interfaces.

4.2.5 Rail Systems
- freight rail operations,
- passenger rail operations,
- rail–road interfaces,
- intermodal transfer points,

- rail access to industrial and refining nodes.

4.2.6 Professional Driver Systems
- exposure duration,
- fatigue risk,
- staging and queuing conditions,
- unpaid waiting time,
- access to sanitation and emergency egress,
- avoidance of vehicles functioning as mobile storage units.

4.2.7 Passenger and Workforce Mobility Systems
- daily commuting patterns,
- seasonal workforce movement,
- event-driven passenger surges,
- reliability during emergencies and weather events.

4.2.8 Housing Systems
- location relative to infrastructure risk,
- proximity to transit and employment,
- suitability for first responders and core workers,
- density effects on water, air, and congestion.

4.2.9 Energy and Refining Logistics Systems
- extraction-to-processing pathways,
- refining and blending interfaces,
- storage and buffering capacity,
- rail and roadway transport of energy products,
- hazard-class reduction through processing.

4.2.10 Emergency Response Systems
- fire response,
- medical response,
- disaster response,
- access reliability under congestion and peak load,
- coordination across jurisdictions.

4.2.11 Tourism and Event Stress Systems
- seasonal population surges,
- international event demand,
- compounding effects on housing, transportation, air, water, and emergency services.

No system listed above is illustrative. Each is intentionally examined as part of the architecture.

4.3 System Interdependence and Risk Transfer

The Integrated Systems Architecture examines how risk is transferred, rather than treating risk as isolated within individual systems.

Examples examined within the architecture include congestion transferring air-quality exposure to professional drivers and nearby residents; housing location transferring emergency-response delay risk; water scarcity transferring growth pressure to transportation systems; and lack of buffering transferring hazardous freight risk to workers and first responders.

These examples are analytical, not accusatory. The architecture does not assign fault or responsibility.

4.4 Upstream and Downstream System Relationships

Within this framework, systems are examined as either upstream or downstream relative to a given decision.

Upstream systems include water reliability, air dispersion capacity, emergency response access, and workforce safety conditions.
Downstream systems include housing deployment, industrial logistics, freight concentration, and population density increases.

The architecture examines whether downstream proposals rely on upstream systems that have not been examined for capacity, resilience, or surge conditions.
This upstream–downstream characterization is analytical only and does not establish prerequisites, gating requirements, or conditions for approval.

4.5 Temporal Layering of System Effects

System interactions are examined across immediate operational conditions, medium-term growth and adaptation, and long-term legacy impacts.

The 2034 Olympic Games and associated legacy period are used as a fixed temporal reference point to examine whether systems remain stable under peak demand and international exposure.
This temporal reference does not justify acceleration or exception.

4.6 Separation, Buffering, and Interface Description

The architecture examines whether system design incorporates physical separation between incompatible uses, buffering between hazardous activity and human occupancy, engineered interfaces that reduce exposure duration, and staging areas that prevent spillover into public space.

References to separation, buffering, and interface design are descriptive of observed system interactions and do not constitute design recommendations or standards.

4.7 Analytical Use of the Architecture

The Integrated Systems Architecture is used to organize information, identify interaction points, reveal cumulative exposure, and support transparent discussion of tradeoffs.

It is not used to approve or deny projects, establish thresholds, rank proposals, or override authority.

4.8 Relationship to Authority and Process

Nothing in this section directs agencies, alters regulatory frameworks, substitutes for environmental review, creates obligations, or interferes with pending legislation.

The architecture exists solely to improve clarity and prevent fragmented analysis.

4.9 Carry-Forward Application

This Integrated Systems Architecture is applied throughout subsequent sections of this document, including the BackRunner framework, water and air system integration, transportation and rail analysis, housing and workforce mobility, energy and refining logistics, governance and sequencing, and metrics and evaluation.

SECTION 5 — BACKRUNNER FRAMEWORK (LOCKED)

5.1 Purpose and Function of the BackRunner Framework

This section establishes the BackRunner Framework as an analytical component within The Safety Commitment & BackRunner document.

The purpose of the BackRunner Framework is to examine how freight movement, passenger mobility, workforce access, hazardous material transport, rail connectivity, housing placement, water availability, air quality, and emergency response interact across shared corridors and nodes.

The BackRunner Framework is not a project, not a route proposal, not a transportation plan, and not an implementation directive. It is an analytical structure used to understand how corridor-based decisions concentrate or diffuse risk.

The BackRunner Framework does not function as a planning framework, prioritization framework, or coordination framework, and shall not be construed as guidance for agency action.

Nothing in this section authorizes construction, defines alignments, selects modes, directs agencies, establishes funding priorities, or creates approval criteria.

5.2 Definition of “BackRunner”

For purposes of this document, “BackRunner” refers to a system-level analytical framework used to examine freight movement across shared corridors; passenger and workforce mobility; interaction between truck, rail, and storage systems; proximity of housing, tourism, and employment to freight activity; cumulative exposure along multi-use transportation corridors; and emergency access and response reliability under congestion and surge conditions.

The term “BackRunner” is descriptive and conceptual. It does not imply ownership, jurisdiction, coordination authority, or endorsement.

5.3 Corridors and Nodes as Analytical Constructs

The BackRunner Framework examines infrastructure through two analytical constructs: corridors and nodes.

These constructs are used to understand where systems overlap, not to propose where infrastructure should be built.

5.3.1 Corridors

Within the BackRunner Framework, a corridor is an analytical concept describing a geographic pathway where multiple systems co-locate, including roadways, rail lines, utility rights-of-way, waterways, housing and commercial development, and emergency access routes.

Corridors are examined for cumulative congestion, exposure duration, hazardous material movement, emergency response access, and tourism-driven surge effects.

Corridor identification does not constitute route designation, prioritization, endorsement, mapping, inclusion in transportation plans, or future incorporation by reference.

5.3.2 Nodes

Within the BackRunner Framework, a node is an analytical concept describing a point where systems intersect or transfer, including intermodal freight transfer points, rail-to-truck interfaces, staging and buffering areas,

passenger transfer hubs, industrial processing interfaces, and emergency response staging areas.

Nodes are examined because risk often concentrates at transfer points, particularly where hazardous materials, congestion, or workforce exposure are present.

Node identification does not authorize siting, expansion, or operation.

5.4 Freight, Passenger, and Workforce Interaction

The BackRunner Framework examines how freight movement interacts with passenger and workforce mobility, particularly in shared corridors and nodes.

This includes examination of peak-hour overlap between freight and commuter traffic; seasonal tourism surges interacting with hazardous freight movement; workforce commuting patterns overlapping with industrial logistics; and emergency access constraints created by mixed-use corridors.

This examination does not attribute causation, fault, or responsibility to any agency, operator, or jurisdiction.

5.5 Hazardous Materials Movement and Buffering

Hazardous materials movement is examined within the BackRunner Framework as a system interaction, not solely as a compliance issue.

The framework examines hazard classification, frequency and duration of transport, proximity to housing and public activity, staging and buffering practices, and transfer between truck, rail, and storage.

Nothing in this subsection supplements, conflicts with, or substitutes for existing hazardous materials regulation.

5.6 Rail Integration within the BackRunner Framework

Rail systems are examined within the BackRunner Framework for their interaction with freight, passenger mobility, housing, and emergency access.

This includes examination of freight rail as an alternative to roadway transport; passenger rail interaction with freight corridors; rail-road interfaces and crossings; rail access to industrial and processing nodes; and congestion relief or concentration effects.

This examination does not mandate rail use, select alignments, or establish service obligations.

5.7 Professional Driver Exposure and System Design

Professional drivers are examined within the BackRunner Framework as safety-critical participants whose exposure reflects corridor and node design.

The framework examines unpaid waiting time, fatigue resulting from congestion or staging delays, idling exposure, access to sanitation and emergency egress, and situations where vehicles function as mobile storage units due to system design.

This examination does not create labor standards, employment classifications, compensation requirements, or employer obligations.

5.8 Housing, Tourism, and Corridor Pressure

Housing and tourism activity are examined within the BackRunner Framework for their interaction with freight corridors and nodes.

This includes examination of housing placement near high-exposure corridors; tourism-driven demand overlapping with freight movement; emergency access during peak events; and workforce housing proximity to employment and transit.

The framework examines whether land-use patterns compound exposure or preserve separation.

5.9 Emergency Response and Corridor Reliability

Emergency response systems are examined within the BackRunner Framework for their ability to function under corridor congestion and surge conditions.

This includes examination of response time reliability; access routes during peak congestion; interaction with freight and passenger traffic; and staging capacity during large events or disasters.

5.10 Temporal and Legacy Considerations

The BackRunner Framework examines corridor and node behavior across daily operations, seasonal variation, event-driven surges, and long-term growth.

The 2034 Olympic Games and associated legacy period are used as a fixed temporal reference to examine corridor resilience and exposure accumulation.

The Olympic reference is used solely as a stress-test scenario and does not justify acceleration, exception, or prioritization of any proposal.

5.11 Relationship to Authority and Process

Nothing in this section directs agencies, selects routes or modes, authorizes construction, establishes standards, interferes with pending legislation, or creates enforceable rights or obligations.

The BackRunner Framework exists solely to improve system-level understanding of corridor-based interactions.

SECTION 6 — WATER, AIR, AND WATERSHED INTEGRATION (LOCKED)

6.1 Purpose and Scope

This section establishes an integrated analytical framework for examining water availability, water use, air quality, watershed protection, and emergency water demand within The Safety Commitment & BackRunner.

The purpose of this section is to examine how water and air systems interact with transportation congestion, housing density, industrial activity, hazardous freight movement, tourism surges, and emergency response, particularly within basin geographies and high-exposure corridors.

The term “integrated” is used solely to describe analytical examination and does not imply operational integration, coordinated management, or shared authority.

Nothing in this section authorizes construction, allocates water, alters water rights, establishes air-quality standards, directs agencies, mandates reuse, or creates regulatory obligations.

6.2 Basin Conditions and Inversion Risk

Air quality is examined within basin geographies where topography, meteorology, and land-use patterns interact to limit dispersion.

Analysis includes temperature inversion frequency and duration, pollutant accumulation during congestion, interaction between stationary and mobile sources, and exposure duration rather than emissions totals alone.

The framework examines whether congestion, freight staging, and tourism surges exacerbate inversion impacts and whether exposure is shifted to professional drivers, residents, and first responders.

This examination does not establish causation, regulatory violation, or attribution of responsibility.

6.3 Water Availability and Reliability

Water systems are examined for reliability under normal conditions, drought conditions, emergency demand, and surge events, including international events.

The framework examines potable water availability, non-potable and industrial reuse capacity, drought-stage behavior, emergency reserve margins, and competing seasonal demands.

This examination does not prioritize uses, establish shortage-sharing frameworks, or alter existing allocation doctrines.

6.4 Dual-Loop Water Architecture (Analytical)

Water integration is examined through two analytically distinct systems:
Loop B — Advanced Potable Reuse
Loop C — Industrial and Non-Potable Reuse

The separation of these loops is examined to preserve public trust, regulatory clarity, and operational resilience.

Nothing in this subsection endorses, prefers, or advances any reuse policy, technology, or regulatory pathway.

6.5 Loop B — Advanced Potable Reuse (Analytical Use Only)

Advanced potable reuse is examined for its potential to stabilize long-term water availability, reduce pressure on surface and groundwater sources, and improve drought resilience during peak demand periods.

Participation in advanced potable reuse is examined as voluntary and subject to all public-health standards, regulatory approvals, and monitoring requirements.

Discussion of advanced potable reuse does not constitute advocacy, recommendation, or legislative preference.

6.6 Loop C — Industrial and Non-Potable Reuse

Industrial and non-potable reuse is examined for its interaction with construction activity, logistics staging, dust suppression, snowmaking, fire suppression, and industrial cooling and processing.

The framework examines whether reuse reduces competition with potable supply and improves emergency readiness.

Evaluation under this subsection does not authorize use or substitute for regulatory review.

6.7 Substitution Analysis and Great Salt Lake Considerations

Where water reuse is examined, the framework applies substitution analysis to understand whether reduced freshwater demand could allow equivalent volumes to remain instream or undiverted.

This analysis is descriptive only and does not direct water to the Great Salt Lake, alter water rights, establish allocation priorities, or require instream dedication.

6.8 Fire Suppression and Emergency Water Demand

The framework examines fire suppression and emergency response water demand, particularly during drought and high-temperature periods.

Analysis includes surge demand during wildfire, redundancy of supply, segregation between potable and non-potable systems, and access reliability under congestion.

This subsection does not supplement, conflict with, or supersede fire code authority or fire marshal discretion.

6.9 Air Quality, Congestion, and Exposure Duration

Air quality is examined using an exposure-based lens emphasizing duration of exposure, proximity to sources, and cumulative concentration during congestion.

The framework examines whether system design minimizes idling, queuing, and stop-and-go traffic, particularly in corridors shared by freight, passenger, workforce, and emergency vehicles.

This examination does not establish air-quality standards, thresholds, or compliance criteria.

6.10 Housing, Land Use, and Environmental Interaction

Housing placement is examined for its interaction with air-quality exposure, water demand, emergency access, and congestion pressure.

The framework examines whether housing and tourism development compound exposure or preserve separation from high-risk corridors.

This examination does not direct zoning or land-use decisions.

6.11 Temporal Stress Testing and Legacy Conditions

Water and air systems are examined across daily operations, seasonal variability, tourism and event surges, and long-term growth.

The 2034 Olympic Games are used as a fixed stress-test reference to evaluate system resilience under peak international demand.

This reference does not justify acceleration, exception, or prioritization.

6.12 Relationship to Authority and Process

Nothing in this section allocates water, establishes air-quality standards, directs agencies, substitutes for environmental review, interferes with pending legislation, or creates enforceable rights or obligations.

This section exists solely to support integrated system understanding.

SECTION 7 — ENERGY, REFINING, RAIL, AND INDUSTRIAL LOGISTICS INTEGRATION (LOCKED)

7.1 Purpose and Scope

This section establishes an analytical framework for examining energy logistics, refining functions, rail interaction, industrial staging, hazardous material handling, workforce exposure, emergency response interfaces, and economic stability within The Safety Commitment & BackRunner.

The purpose of this section is to examine how energy production, processing, transport, and storage interact with transportation congestion, air quality, water availability, housing proximity, workforce safety, and emergency response capacity, particularly within shared corridors and system nodes.

This section does not establish an energy policy, refining strategy, rail strategy, or industrial development framework.

Nothing in this section authorizes construction, approves facilities, selects sites, mandates refining, establishes routing, alters regulatory authority, allocates resources, or creates enforceable obligations.

7.2 Energy Logistics as a System Interaction

Energy logistics are examined as a system interaction involving extraction and production, intermediate processing and stabilization, storage and buffering, transport by truck and rail, interface with refining and blending operations, and delivery to downstream markets.

The framework examines how decisions at one stage transfer congestion, exposure, delay, or emergency burden to other stages.

This examination does not assess the adequacy, necessity, or desirability of any existing or proposed energy operation and does not attribute causation, fault, or responsibility.

7.3 Refining Functions and Hazard Reduction (Analytical)

Refining is examined by functional role rather than by facility count, ownership, size, or location.

Functional roles examined may include stabilization and pre-processing, intermediate conversion, and final refining and blending.

This examination is used to understand how processing stage affects transport risk, workforce exposure, congestion, and emergency response.

Discussion of refining functions does not constitute support for, opposition to, or preference regarding refining activity.

7.4 Rail Interaction within Energy and Industrial Logistics

Rail systems are examined for their interaction with energy logistics and industrial activity, including potential reduction of long-haul hazardous trucking, interaction with passenger rail operations, rail–road interfaces, access to industrial or storage nodes, and congestion effects.

This examination does not mandate rail use, propose rail substitution, require modal shift, imply service obligations, or select alignments.

7.5 Truck–Storage–Rail Interfaces and Exposure Management

Interfaces between truck, storage, and rail systems are examined as high-exposure operational points.

The framework examines whether system design includes intermediate holding tanks, decoupling of truck off-load from rail positioning, reduction of unpaid waiting time, mitigation of idling and fatigue exposure, and preservation of emergency access.

This examination does not establish workplace safety standards, operational requirements, or occupational regulations.

7.6 Professional Driver and Workforce Safety Considerations

Professional drivers and industrial workers are examined as safety-critical participants whose exposure reflects corridor and node design.

Analysis includes exposure duration, fatigue risk, staging and queuing conditions, proximity to hazardous materials, and access to sanitation, emergency egress, and rest conditions.

This subsection does not create employment classifications, wage standards, employer duties, or labor obligations.

7.7 Housing, Community Proximity, and Industrial Activity

The framework examines proximity of housing and community activity to energy and industrial logistics systems, including residential placement near high-hazard corridors or nodes, interaction with tourism and seasonal population surges, and emergency access during congestion.

This examination does not direct zoning, land-use decisions, or housing policy.

7.8 Water and Air Interactions with Energy Logistics

Energy and industrial logistics are examined for interaction with water availability, industrial and non-potable water use, emergency demand, air-quality exposure during congestion or staging, and cumulative concentration in basin geographies.

This examination does not establish air-quality standards, water allocation priorities, or compliance thresholds.

7.9 Economic Stability and Workforce Continuity

The framework examines how instability in energy logistics may affect workforce retention, housing displacement, local tax base volatility, and emergency service strain.

Economic stability is examined solely for its indirect relationship to public safety and does not justify approval, acceleration, or protection of any industry.

7.10 Emergency Response and Failure Mode Considerations

Energy and industrial logistics systems are examined for behavior during wildfire, flood, seismic events, severe weather, transportation disruption, and national supply-chain interruption.

This examination does not alter emergency authority, response protocols, or jurisdictional responsibility.

7.11 Temporal Stress Testing and Legacy Conditions

Energy and logistics systems are examined across daily operations, seasonal variability, event-driven surges, and long-term growth.

The 2034 Olympic Games are used as a fixed stress-test reference to examine system resilience under international exposure.

The Olympic reference does not justify acceleration, exception, or modification of energy, refining, or rail processes.

7.12 Relationship to Authority and Process

Nothing in this section authorizes construction or operation, approves refining or storage facilities, designates routes or modes, allocates water or air capacity, establishes labor standards, interferes with pending legislation, or creates enforceable rights or obligations.

Nothing in this section supplements, conflicts with, or substitutes for federal regulation of energy, rail, or hazardous materials.

SECTION 8 — HOUSING, WORKFORCE, AND COMMUNITY INTEGRATION (LOCKED)

8.1 Purpose and Scope

This section establishes an analytical framework for examining housing placement, workforce accommodation, community exposure, passenger mobility, tourism demand, and emergency access within The Safety Commitment & BackRunner.

The purpose of this section is to examine how housing and community development interact with transportation congestion, hazardous freight movement, energy and industrial logistics, water and air systems, workforce mobility, and emergency response capacity.

The term “integration” is used solely to describe analytical examination and does not imply coordinated planning, policy alignment, or implementation.

Nothing in this section authorizes housing construction, directs zoning or land-use decisions, establishes affordability requirements, mandates development patterns, allocates funding, or creates enforceable obligations.

8.2 Housing as a System Interaction

Housing is examined as a system interaction rather than solely as a land-use or affordability issue.

The framework examines how housing placement interacts with transportation corridors, congestion, air-quality exposure duration, water demand and emergency capacity, proximity to hazardous freight or industrial activity, emergency response access, and workforce commute patterns.

This examination does not establish preferred housing locations, densities, or land-use outcomes and does not attribute causation, fault, or responsibility.

8.3 Workforce Housing and Mobility Considerations

Workforce housing is examined for its interaction with daily commuting patterns, shift-based and seasonal employment, professional driver staging and rest needs, emergency responder proximity requirements, and passenger transit availability.

The framework examines whether workforce housing location amplifies congestion and exposure or reduces system strain through proximity and separation.

This subsection does not establish housing preferences, eligibility criteria, allocation priorities, residency requirements, or workforce housing mandates.

8.4 Passenger Mobility, Tourism, and Event Demand

Passenger mobility is examined for its interaction with tourism-driven population surges, seasonal employment cycles, freight and hazardous material movement, and emergency access reliability.

Tourism and large-event demand are examined as stress conditions that reveal system vulnerabilities.

This examination does not prioritize tourism, justify expansion, or establish passenger service obligations.

8.5 Exposure Duration and Community Health

Community exposure is examined using a duration-based analytical lens, including time spent near congested corridors, proximity to staging and transfer nodes, and cumulative exposure across daily and seasonal cycles.

This examination does not establish health standards, thresholds, or regulatory criteria.

8.6 Professional Drivers and Core Workforce Integration

Professional drivers, first responders, healthcare workers, utility workers, and other core workforce participants are examined as safety-critical community members whose daily movement reflects system design.

The framework examines access to housing relative to work locations, exposure during staging and transit, interaction with passenger congestion, and access to sanitation, rest, and emergency services.

This examination does not create labor standards, employment classifications, compensation requirements, or employer obligations.

8.7 Housing Near Hazardous Freight and Industrial Activity

Housing placement is examined for its proximity to hazardous freight corridors, industrial staging and buffering areas, rail-road interfaces, and energy and refining logistics nodes.

The framework examines whether buffering, separation, and land-use patterns mitigate or compound exposure.

This examination does not establish exclusion zones, setback requirements, siting prohibitions, or land-use restrictions.

8.8 Emergency Response Access and Residential Reliability

Residential areas are examined for emergency access reliability under peak congestion, tourism surges, freight overlap, and severe weather or disaster conditions.

This examination does not alter emergency authority, response protocols, or service levels.

8.9 Water and Infrastructure Capacity in Residential Contexts

Housing is examined for its interaction with potable water reliability, non-potable reuse capacity, fire-suppression demand, and infrastructure surge capacity during events.

This examination does not allocate water, mandate reuse, or establish infrastructure requirements.

8.10 Olympic and Legacy Stress-Testing

Housing, workforce, and community systems are examined using the 2034 Olympic Games as a fixed stress-test reference to evaluate temporary population surges, workforce accommodation, emergency readiness, and post-event legacy conditions.

The Olympic reference does not justify accelerated housing development, waiver of review, or deviation from existing law.

8.11 Relationship to Authority and Process

Nothing in this section directs zoning or land-use decisions, authorizes housing development, establishes affordability standards, allocates funding, interferes with pending legislation, or creates enforceable rights or obligations.

Nothing in this section commits public funds or creates funding eligibility.

SECTION 9 — GOVERNANCE, SEQUENCING, AND IMPLEMENTATION GATES (LOCKED)

9.1 Purpose and Scope

This section establishes an analytical framework for examining governance interfaces, sequencing logic, implementation readiness, and decision-making checkpoints within The Safety Commitment & BackRunner.

The purpose of this section is to examine how decisions progress from concept to action across multiple systems and to identify points where risk, exposure, or failure may be introduced if sequencing is misaligned.

The term “implementation gates” refers solely to analytical review points and does not function as approval conditions, procedural requirements, or decision thresholds.

Nothing in this section creates a governing body, delegates authority, directs agency action, mandates coordination, establishes approval requirements, or creates enforceable obligations.

9.2 Governance as an Analytical Lens

Governance is examined as an interaction among existing authorities, not as a consolidation or reallocation of power.

The framework examines how decisions made independently by different entities may interact across water systems, transportation corridors, housing and community development, energy and industrial logistics, and emergency response jurisdictions.

This examination does not propose governance reform, create new entities, alter statutory authority, or assess the sufficiency, effectiveness, or appropriateness of existing governance arrangements.

9.3 Sequencing as Risk Management

Sequencing is examined as a risk-management concept, not as a procedural requirement.

The framework examines whether downstream decisions rely on upstream capacity assumptions, whether emergency systems are evaluated before exposure increases, whether infrastructure commitments precede reliability verification, and whether risk is transferred to workers, residents, or responders due to timing.

This discussion does not establish best practices, procedural expectations, or timing requirements.

9.4 Upstream and Downstream Readiness Evaluation

For analytical purposes only, systems are examined relative to one another as upstream or downstream.

Upstream considerations may include water reliability, air dispersion capacity, emergency access, and workforce exposure conditions.
Downstream considerations may include housing placement, industrial logistics, freight concentration, and tourism and event demand.

This characterization is descriptive only and does not establish sequencing precedence, dependency, decision order, or approval conditions.

9.5 Implementation Gates as Analytical Checkpoints

Implementation gates are examined as conceptual checkpoints used to identify whether information necessary for informed decision-making is available.

Examples of analytical checkpoints include confirmation of water reliability under surge conditions, assessment of congestion impacts on emergency access, evaluation of cumulative exposure in shared corridors, and identification of failure modes during extreme events.

Analytical checkpoints described here do not trigger review, require findings, or condition subsequent action.

9.6 Coordination Without Consolidation

The framework examines how coordination may occur without consolidation of authority, including information sharing, timeline awareness, and recognition of cross-system dependencies.

This examination does not mandate interagency agreements, joint decision-making, or shared control.

9.7 Avoidance of De Facto Approval Pathways

The framework explicitly avoids creation of alternative approval pathways, shadow regulatory processes, informal prerequisites, or de facto veto points.

All approvals remain governed by existing law.

9.8 Transparency and Record Integrity

The framework examines whether assumptions are documented, limitations are acknowledged, uncertainties are recorded, and decision rationales are preserved.

This discussion does not impose documentation, record-keeping, or disclosure requirements.

9.9 Application to Large-Scale and High-Impact Decisions

The framework is applied analytically to decisions that affect multiple systems simultaneously, involve long-lived infrastructure, concentrate exposure, or limit future flexibility.

This application does not elevate any proposal to special status.

9.10 Temporal Stress-Testing and Legacy Considerations

Governance and sequencing are examined across immediate decision horizons, medium-term implementation phases, and long-term legacy impacts.

The 2034 Olympic Games are used as a fixed stress-test reference to examine whether sequencing compresses risk or reveals system fragility.

This reference does not justify acceleration, exception, or deviation from existing processes.

9.11 Relationship to Authority and Process

Nothing in this section creates a governing entity, delegates authority, establishes approval requirements, mandates coordination, interferes with pending legislation, or creates enforceable rights or obligations.

This section exists solely to support clearer understanding of governance interactions and sequencing risk.

SECTION 10 — ENFORCEMENT BACKSTOPS, METRICS, AND DURABILITY (LOCKED)

10.1 Purpose and Scope

This section establishes an analytical framework for examining enforcement backstops, performance metrics, durability, and long-horizon risk considerations associated with The Safety Commitment & BackRunner.

For purposes of this section, “enforcement backstops” refers solely to analytical concepts used to evaluate whether risk may persist in the absence of formal enforcement and does not describe regulatory, legal, or administrative enforcement mechanisms.

The purpose of this section is to identify how risk, exposure, and system failure may persist or re-emerge in the absence of feedback visibility, assumption review, or durability awareness.

Nothing in this section creates enforcement authority, mandates compliance, establishes penalties, directs agency action, allocates funding, or creates enforceable rights or obligations.

10.2 Enforcement Backstops as Analytical Constructs

Enforcement backstops are examined as conceptual safeguards rather than regulatory mechanisms.

The framework examines whether decisions include mechanisms for reassessment, whether assumptions are revisited when conditions change, whether system degradation is observable before harm occurs, and whether risk is redistributed without acknowledgment.

This examination does not establish enforcement triggers, penalties, compliance obligations, corrective mandates, or response requirements.

10.3 Metrics as Visibility Tools

Metrics are examined solely as visibility tools to understand system behavior over time.

The framework examines whether indicators exist to observe congestion duration and exposure, workforce staging and idling conditions, emergency response access under stress, water reliability during surge events, and cumulative exposure across shared corridors.

Nothing in this subsection requires the creation, collection, aggregation, retention, or reporting of data.

10.4 Avoidance of Performance Mandates

Nothing in this section establishes performance standards, benchmarks, targets, service levels, minimum outcomes, or acceptable thresholds.

Metrics are discussed only to illuminate system behavior, not to enforce performance.

10.5 Feedback Without Punitive Mechanisms

The framework examines whether systems include feedback loops that allow adaptation through informational awareness rather than punitive enforcement.

Feedback, as used here, is informational only and does not imply corrective action, remediation, enforcement response, or escalation pathways.

This section does not create audit authority, corrective action requirements, or enforcement escalation mechanisms.

10.6 Durability and Long-Horizon Risk

Durability is examined as the capacity of systems to remain functional under climate variability, population growth, economic cycles, infrastructure aging, and governance turnover.

Nothing in this subsection establishes design criteria, engineering standards, resilience requirements, or durability mandates.

10.7 Temporal Drift and Risk Re-Emergence

The framework examines how risk may re-emerge over time through incremental changes, deferred maintenance, assumption drift, and institutional memory loss.

This examination does not impose monitoring obligations, lifecycle mandates, or maintenance requirements.

10.8 Olympic Stress-Testing and Post-Event Conditions

The 2034 Olympic Games are used as a fixed stress-test reference to examine surge capacity limits, workforce exposure under compression, emergency access reliability, and post-event legacy conditions.

This reference does not justify accelerated action, exception, or deviation from existing law.

10.9 Sunset, Review, and Persistence

The framework examines whether analytical constructs remain relevant over time, become obsolete as conditions change, or require reinterpretation.

This discussion does not create review obligations, reauthorization requirements, sunset provisions, or periodic reassessment mandates.

10.10 Relationship to Authority and Process

Nothing in this section creates enforcement authority, establishes penalties or sanctions, mandates compliance, requires reporting or audits, allocates funding, interferes with pending legislation, or creates enforceable rights or obligations.

This section exists solely to support long-term risk awareness, transparency, and durability of decision-making.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-1 — WATER SYSTEMS: SOURCES, RELIABILITY, REUSE, AND EMERGENCY INTEGRATION (LOCKED)

A-1.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for water systems as evaluated under The Safety Commitment & BackRunner. It functions solely as a supporting legislative and technical record.

Nothing in this section authorizes diversion, storage, treatment, reuse, construction, funding, or modification of existing water rights, compacts, decrees, adjudications, or regulatory authority.

A-1.2 Geographic and System Context

Systems evaluated are located within or affect the Wasatch Back, Heber Valley, Midway, Park City, Summit County, Wasatch County, Duchesne County, Uintah County, and downstream systems affecting the Great Salt Lake.

A-1.3 Named Water Sources (Contextual Identification Only)

Water systems referenced include the Provo River system, Strawberry River and Reservoir, Weber River system, Upper Colorado River Basin allocations, local groundwater aquifers, municipal treatment systems, and return flows.

Reference to named sources is for contextual identification only and does not imply current or future reliance, projected demand, preferred sourcing, prioritization, or system expansion.

A-1.4 Water as an Upstream Safety System

Water is evaluated as an upstream safety system because water availability influences housing placement, fire suppression capacity, emergency response reliability, air-quality interaction, and transportation congestion.

The term “upstream” is descriptive only and does not establish priority, sequencing precedence, or decision order.

A-1.5 Dual-Loop Water Architecture (Structural Separation)

Water reuse is evaluated through a dual-loop architecture consisting of Loop B (advanced potable reuse) and Loop C (industrial and non-potable reuse).

Description of a dual-loop architecture does not constitute endorsement, recommendation, or preferred system configuration. Structural separation is discussed solely for analytical clarity.

Nothing in this subsection mandates reuse, authorizes facilities, or establishes priority.

A-1.6 Fire Suppression and Emergency Water Integration

Fire suppression is evaluated as a surge-driven demand that often coincides with drought, heat events, congestion, and limited emergency access.

Nothing in this subsection establishes operational requirements, design parameters, or water-source selection for fire suppression, nor does it modify fire codes or emergency authority.

A-1.7 Water–Air Interaction

Water systems influence air quality through dust control capability, vegetation maintenance, fire frequency, and emergency response conditions.

This discussion does not establish environmental standards, thresholds, mitigation requirements, or air-quality obligations.

A-1.8 Water–Transportation Interaction

Water reliability indirectly influences congestion, commuting distance, emergency routing, and freight staging conditions.

This interaction analysis does not assign causation, fault, or responsibility to any entity or system.

A-1.9 Olympic 2034 Stress-Test Application

The 2034 Olympic Games are used as a fixed stress-test reference to examine peak demand, emergency concurrency, and system resilience.

The Olympic reference does not justify acceleration of planning, modification of review timelines, alteration of substantive standards, or funding entitlement.

A-1.10 Funding Alignment (Illustrative Only)

Water systems are mapped descriptively to potential funding program categories for contextual understanding.

References to funding programs are illustrative only and do not represent eligibility determinations, funding strategies, intent to seek funds, or prioritization.

A-1.11 Tribal, Interstate, and Federal Authority

Nothing in this section alters interstate compacts, federal reserved rights, or tribal water rights.

Nothing in this section constitutes initiation, completion, or satisfaction of government-to-government consultation.

A-1.12 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable obligations, mandates system changes, establishes standards, requires monitoring or reporting, or approves or denies any project.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-2 — AIR QUALITY, EXPOSURE, AND CONGESTION INTERACTION (LOCKED)

A-2.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for air quality and human exposure as evaluated under The Safety Commitment & BackRunner.

This section functions solely as a supporting legislative and technical record.

Nothing in this section establishes air-quality standards, emissions limits, mitigation requirements, enforcement authority, or regulatory obligations, nor does it modify federal, state, or local air-quality jurisdiction.

A-2.2 Basin Geography and Exposure Conditions

Air-quality conditions evaluated occur within basin and valley geographies characterized by temperature inversions, limited dispersion, cold-air pooling, and seasonal stagnation, including the Wasatch Back, Heber Valley, Park City area, Summit County, Wasatch County, and connected corridors.

Reference to geographic conditions is descriptive only and does not attribute causation or responsibility.

A-2.3 Exposure-Based Analytical Framework

Air quality is evaluated using an exposure-based analytical framework that examines duration, proximity, frequency, and cumulative exposure across daily, seasonal, and event-driven cycles.

This framework does not establish health benchmarks, exposure limits, environmental justice determinations, medical conclusions, or regulatory criteria.

A-2.4 Transportation Congestion as an Exposure Multiplier

Transportation congestion is evaluated as an exposure multiplier in inversion-prone basins.

This discussion does not imply a duty to mitigate, reduce, or manage congestion.

A-2.5 Freight, Hazardous Materials, and Idling Interaction

Freight and hazardous material movement is evaluated for interaction with air quality through idling duration, staging, and corridor overlap.

This analysis does not regulate hazardous materials, freight operations, routing, idling practices, or carrier behavior.

A-2.6 Housing Placement and Exposure Duration

Housing placement is evaluated for interaction with exposure duration related to proximity to congested corridors and staging areas.

This evaluation does not establish land-use preferences, siting criteria, buffers, zoning considerations, or land-use mandates.

A-2.7 Workforce Exposure and Mobility

Workforce exposure is evaluated for individuals whose work requires extended time in traffic corridors or roadside environments, including professional drivers and emergency responders.

Nothing in this subsection establishes occupational safety standards, employer duties, labor protections, or compensation requirements.

A-2.8 Emergency Response and Air Quality Interaction

Emergency response operations are evaluated for interaction with air quality during congestion or concurrent incidents.

This discussion does not establish emergency response protocols, tactics, or operational requirements.

A-2.9 Water–Air Interdependence

Air quality is evaluated in relation to water system conditions affecting dust suppression, vegetation, and fire frequency.

This discussion does not establish environmental standards, thresholds, or mitigation requirements.

A-2.10 Seasonal, Tourism, and Event Stress Conditions

Seasonal tourism, recreation, and large events are evaluated as stress conditions that concentrate exposure.

The 2034 Olympic Games are used as a fixed stress-test reference only and do not justify accelerated planning, expedited review, or modification of substantive standards.

A-2.11 Funding Context (Illustrative Only)

References to funding categories are illustrative only and do not represent eligibility determinations, funding strategies, or intent to seek funds.

A-2.12 Relationship to Authority and Process

Nothing in this section creates enforceable obligations, allocates funding, interferes with pending legislation, or modifies agency jurisdiction.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-3 — RAIL, FREIGHT, AND HAZARDOUS MATERIALS SYSTEMS (LOCKED)

A-3.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for rail and freight systems, including hazardous materials movement, truck–rail interfaces, staging and transfer operations, and interaction with communities, workforce exposure, and emergency response.

This section functions solely as a supporting legislative and technical record.

Nothing in this section authorizes rail construction, rail service, routing, volumes, carrier selection, operating practices, freight handling, or hazardous material movement, nor does it modify federal or state jurisdiction or federal preemption.

A-3.2 System Geography and Named Corridors (Contextual Identification Only)

Rail and freight systems evaluated affect the Uinta Basin, Duchesne County, Uintah County, the Wasatch Back, Heber Valley, Summit County, Wasatch County, and the Wasatch Front.

Named rail systems referenced include the Uinta Railway and the Heber Creeper corridor.

Reference to named rail systems does not imply current or future service levels, restoration, repurposing, expansion, routing, capacity, or operational intent.

A-3.3 Freight and Hazardous Materials as System Interactions

Freight and hazardous materials movement is evaluated as a system interaction with congestion, air-quality exposure duration, workforce staging and idling, emergency response access, housing proximity, and tourism and event-driven surges.

Use of the term “hazardous materials” is descriptive only and does not establish regulatory classifications, safety requirements, routing controls, or handling standards.

This section does not assign causation, fault, or responsibility to any entity or system.

A-3.4 Professional Drivers as Safety-Critical System Participants

Professional drivers are evaluated as safety-critical participants whose exposure and fatigue are shaped by system design.

Nothing in this subsection establishes labor standards, occupational safety requirements, hours-of-service interpretations, wage or compensation rules, or employer obligations.

A-3.5 Truck–Rail Interface and Transfer Operations

Truck–rail interfaces are evaluated as high-risk operational points where multiple systems converge.

Discussion of intermediate holding tanks, decoupling of truck arrival from railcar positioning, and reduction of waiting time is descriptive only and does not constitute design guidance, operational preference, or best-practice recommendation.

A-3.6 Freight Staging, Queuing, and Community Interaction

Freight staging and queuing are evaluated for interaction with residential areas, workforce housing, passenger traffic, and emergency access corridors.

This evaluation does not establish buffer zones, setbacks, land-use controls, or operational restrictions.

A-3.7 Rail as an Exposure-Reduction Consideration

Rail systems are evaluated for potential interaction with exposure reduction relative to highway-based freight movement.

This discussion does not compare modes for safety, emissions, or exposure performance and does not establish modal preference.

A-3.8 Emergency Response and Rail–Freight Interaction

Rail and freight systems are evaluated for interaction with emergency response access during incidents.

This discussion does not establish emergency response protocols, command authority, or operational coordination requirements.

A-3.9 Seasonal, Tourism, and Event Stress Conditions

Freight and rail systems are evaluated under seasonal and event-driven stress conditions.

The 2034 Olympic Games are used as a fixed stress-test reference only.

The Olympic reference does not justify accelerated planning, expedited review, waiver of federal preemption, or modification of substantive standards.

A-3.10 Funding Context (Illustrative Only)

References to funding categories are illustrative only and do not represent eligibility determinations, funding strategies, or intent to seek funds.

A-3.11 Tribal, Federal, and Preemption Considerations

Nothing in this section alters federal rail preemption, hazardous materials law, or tribal jurisdiction or rights.

Nothing in this section constitutes initiation, completion, or satisfaction of government-to-government consultation.

A-3.12 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable obligations, mandates operational changes, establishes standards or thresholds, requires reporting or monitoring, or approves or denies any project.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-4 — TRANSPORTATION CORRIDORS, CONGESTION, AND SYSTEM INTERACTION (LOCKED)

A-4.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for transportation corridors and congestion, including interaction with air quality and exposure, water system reliability, rail and freight operations, housing placement, workforce mobility, tourism and event demand, and emergency response access.

This section functions solely as a supporting legislative and technical record.

Nothing in this section authorizes transportation construction, expansion, lane additions, bypasses, pricing mechanisms, traffic management programs, or funding allocations, nor does it modify state, federal, or local transportation authority.

A-4.2 Named Transportation Corridors (Contextual Identification Only)

Transportation systems evaluated include interaction with the following named corridors, referenced for contextual identification only:

Interstate 80 (I-80); Interstate 15 (I-15); U.S. Route 40 (US-40); U.S. Route 189 (US-189 / Provo Canyon); State Route 248 (SR-248); and local arterial and collector roadways.

Reference to named transportation corridors does not imply identification of deficiencies, need for mitigation, prioritization, project development, selection of alternatives, or endorsement of any project.

A-4.3 Congestion as a System Interaction

Congestion is evaluated descriptively as a system interaction affecting exposure duration, air quality, emergency access, freight staging, housing patterns, workforce mobility, and seasonal demand.

Congestion discussion is descriptive only and does not establish performance benchmarks, thresholds, or expectations.

A-4.4 Basin Geography and Network Constraint

Transportation corridors operate within basin and canyon geographies characterized by limited right-of-way, constrained expansion, weather variability, and seasonal demand.

This description assigns no fault or responsibility.

A-4.5 Workforce and Professional Driver Mobility

Transportation systems are evaluated for interaction with workforce mobility and professional driver exposure.

Nothing in this subsection establishes labor standards, occupational safety requirements, hours-of-service interpretations, compensation rules, employer obligations, commute-time requirements, or workplace accommodations.

A-4.6 Passenger Traffic, Tourism, and Event Demand

Passenger travel associated with tourism, recreation, and large events is evaluated for interaction with freight movement, workforce mobility, and emergency access.

This discussion does not prioritize tourism, recreation, or events over resident, workforce, or emergency needs.

A-4.7 Transportation–Water Interaction

Transportation congestion is evaluated for interaction with water systems related to emergency access, fire suppression routing, and dust control.

This discussion does not establish infrastructure requirements, environmental mitigation duties, water allocation, or compliance obligations.

A-4.8 Transportation–Rail and Freight Interaction

Highway corridors are evaluated for interaction with rail and freight systems at interface points and during incidents.

This section does not mandate modal separation, corridor redesign, freight diversion, or operational coordination.

A-4.9 Emergency Response Access and Reliability

Transportation corridors are evaluated for emergency access reliability under peak congestion and adverse conditions.

This discussion does not establish emergency response performance standards, adequacy criteria, protocols, or command authority.

A-4.10 Olympic 2034 Stress-Test Application

The 2034 Olympic Games are used as a fixed stress-test reference only.

The Olympic reference does not justify acceleration, emergency declarations, expedited review, exemption from procedural requirements, or modification of substantive standards.

A-4.11 Funding Context (Illustrative Only)

References to funding categories are illustrative only and do not represent eligibility determinations, prioritization, strategic alignment, or intent to seek funds.

A-4.12 Authority, Non-Delegation, and Scope

Nothing in this section establishes standards, mandates mitigation, allocates funding, interferes with pending legislation, modifies jurisdiction, or creates enforceable rights or obligations.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-5 — PROFESSIONAL DRIVERS, WORKFORCE SAFETY, AND SYSTEM DESIGN (LOCKED)

A-5.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for professional drivers and safety-critical workforce participants, including interaction with transportation congestion, rail and freight systems, hazardous material movement, housing proximity, air-quality exposure, water availability, and emergency response reliability.

This section functions solely as a supporting legislative and technical record.

Nothing in this section creates labor standards, employment rights, compensation rules, hours-of-service interpretations, occupational safety requirements, employer duties, or regulatory obligations, nor does it modify state or federal labor, transportation, or workplace authority.

A-5.2 Definition and Scope of “Professional Driver”

For purposes of this record, “professional driver” means an individual operating commercial vehicles as part of a regulated freight, logistics, utility, construction, emergency support, or hazardous-materials transportation system.

Use of the term “professional driver” is descriptive only and does not establish a legal classification, credentialing standard, or regulatory category.

A-5.3 Professional Drivers as Safety-Critical System Participants

Professional drivers are evaluated as safety-critical participants whose exposure, fatigue, and operational risk are influenced by system design choices.

Use of the term “safety-critical” is descriptive only and does not establish a duty of care, heightened standard, or special legal status.

This evaluation is analytical only and does not assign responsibility, fault, or causation to any driver, employer, carrier, shipper, or public entity.

A-5.4 Exposure Duration and System-Generated Risk

Exposure risk is evaluated based on duration, proximity, and frequency, including idling, congestion, staging delays, inversion travel, and event overlap.

This discussion does not establish occupational exposure limits, fatigue standards, or regulatory interpretations under OSHA, FMCSA, or related authorities.

A-5.5 Staging, Queuing, and Waiting-Time Interaction

Freight staging and queuing are evaluated as system interactions where drivers may remain with vehicles during delays.

This section does not address compensation, detention time, or wage-hour practices and does not assign responsibility for delays.

Discussion of staging or waiting time is descriptive only and does not constitute design guidance or operational standards.

A-5.6 Truck–Rail Interface and Workforce Interaction

Truck–rail interfaces are evaluated for interaction with professional driver exposure, including arrival sequencing and dwell conditions.

Nothing in this subsection mandates transfer configurations, facility design, or operational sequencing.

A-5.7 Housing Proximity and Workforce Interaction

Professional drivers are evaluated as part of the broader workforce affected by housing placement relative to transportation and freight corridors.

Nothing in this subsection establishes housing preferences, eligibility criteria, allocation priorities, residency requirements, or zoning standards.

A-5.8 Emergency Response and Workforce Reliability

Transportation and freight systems are evaluated for interaction with professional drivers during emergency conditions.

This discussion does not establish workforce availability requirements, response time standards, emergency protocols, or command authority.

A-5.9 Seasonal, Tourism, and Event Stress Conditions

Professional driver exposure and workforce reliability are evaluated under seasonal and event-driven stress conditions.

The 2034 Olympic Games are used as a fixed stress-test reference only.

This reference does not justify modification of labor protections, scheduling practices, workforce safeguards, emergency declarations, or waiver of standards.

A-5.10 Funding Context (Illustrative Only)

References to funding categories are illustrative only and do not represent eligibility determinations, workforce program intent, funding strategies, or intent to seek funds.

A-5.11 Tribal, Federal, and Preemption Considerations

Nothing in this section alters federal transportation or labor preemption, hazardous materials law, or tribal jurisdiction or rights.

Nothing in this section constitutes initiation, completion, or satisfaction of government-to-government consultation.

A-5.12 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable rights or obligations, establishes labor or safety standards, mandates employer action, requires reporting or monitoring, or approves or denies any project or operation.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-6 — PASSENGER RAIL, WORKFORCE MOBILITY, AND TRANSIT SYSTEM INTERACTION (LOCKED)

A-6.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for passenger rail, transit, and workforce mobility systems, including interaction with highway congestion, professional driver exposure, housing proximity, air-quality exposure, water system reliability, tourism and event demand, and emergency response access.

This section functions solely as a supporting legislative and technical record.

Nothing in this section authorizes passenger rail construction, service initiation, route selection, frequency, fare policy, station siting, transit operations, or funding allocation, nor does it modify state, federal, or local transportation authority.

A-6.2 Definitions and Scope

“Passenger rail” means fixed-guideway or rail-based systems intended to transport passengers.

“Transit” means public or quasi-public passenger transportation services.

“Workforce mobility” means the ability of workers to reach employment under daily, seasonal, and event-driven conditions.

Use of these terms is descriptive only and does not establish legal classifications, service obligations, or regulatory standards.

A-6.3 Named Passenger Rail Corridors and Assets (Contextual Identification Only)

Passenger rail and transit systems evaluated may interact with the following named assets, referenced for contextual identification only:

Heber Creeper corridor; passenger rail or transit assets within the Wasatch Back, Summit County, Wasatch County, Park City, Heber Valley, and the Wasatch Front.

Reference to named passenger rail corridors does not imply restoration, reactivation, heritage use, passenger service, expansion, routing, capacity, frequency, or future operational intent.

A-6.4 Workforce Mobility as a System Interaction

Workforce mobility is evaluated as a system interaction influenced by housing location, congestion reliability, passenger demand surges, and emergency conditions.

Nothing in this subsection establishes workforce access guarantees, commute expectations, employer accommodation obligations, land-use requirements, zoning standards, density requirements, or development mandates.

A-6.5 Interaction with Professional Drivers and Freight Systems

Passenger rail and transit systems are evaluated for interaction with freight and professional driver operations.

This section does not establish passenger priority, freight displacement, scheduling hierarchy, operational precedence, or modal separation.

A-6.6 Passenger Systems and Air-Quality Exposure

Passenger rail and transit systems are evaluated for interaction with air-quality exposure through congestion and corridor proximity.

This discussion does not compare modes for emissions or air-quality performance and does not establish mitigation requirements.

A-6.7 Water and Emergency Systems Interaction

Passenger systems are evaluated for interaction with water availability and emergency access during incidents.

This discussion does not establish infrastructure hardening, redundancy requirements, emergency response protocols, or water allocation priorities.

A-6.8 Tourism, Recreation, and Event Demand

Passenger systems are evaluated for interaction with tourism, recreation, and large-event demand.

This discussion does not prioritize tourism, justify expansion, or establish service expectations.

A-6.9 Olympic 2034 Stress-Test Application

The 2034 Olympic Games are used as a fixed stress-test reference only.

The Olympic reference does not justify transit expansion, service mandates, emergency declarations, expedited review, waiver of procedural or substantive requirements, or modification of transportation authority.

A-6.10 Funding Context (Illustrative Only)

References to funding categories are illustrative only and do not represent eligibility determinations, federal transit program qualification, funding strategies, prioritization, or intent to seek funds.

A-6.11 Tribal, Federal, and Preemption Considerations

Nothing in this section alters federal rail or transit preemption, state or local transportation authority, or tribal jurisdiction or rights.

Nothing in this section substitutes for or satisfies government-to-government consultation requirements.

A-6.12 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable rights or obligations, establishes passenger service standards, mandates transit operations, requires funding or capital investment, or approves or denies any project or service.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-8 — GOVERNANCE, SEQUENCING, AND IMPLEMENTATION GATES (LOCKED)

A-8.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for governance coordination, system sequencing, and implementation gates applicable to water, air, transportation, rail, freight, housing, workforce, and emergency systems evaluated under BackRunner.

This section functions solely as a supporting legislative and technical record.

Nothing in this section creates a governing body, delegates authority, modifies agency jurisdiction, establishes approval requirements, or authorizes construction, operation, or funding.

A-8.2 Integrated Governance Context

Systems evaluated under BackRunner intersect with authorities exercised by state agencies, local governments, regional and metropolitan planning entities, federal agencies, and tribal governments.

This section recognizes existing jurisdictional boundaries and does not alter or consolidate authority.

Nothing in this section requires coordination, concurrence, consultation, or interagency agreement.

A-8.3 Sequencing as Risk Management

System sequencing is evaluated as a risk-management concept recognizing that downstream commitments made before upstream capacity is understood may embed long-term exposure, safety, or reliability risks.

Sequencing discussion does not establish veto authority, moratoria, caps, prerequisites, or conditions for downstream action.

Sequencing discussion is analytical only and does not establish approval thresholds.

A-8.4 Upstream System Awareness

Upstream systems evaluated may include potable and non-potable water reliability, air-quality exposure conditions, transportation network constraint, freight and rail interaction, and emergency response capacity.

Nothing in this subsection establishes gating authority, veto power, or approval sequencing.

A-8.5 Downstream Commitment Awareness

Downstream systems evaluated may include housing deployment, industrial logistics, workforce concentration, passenger and freight demand, and tourism or event surge exposure.

This discussion does not establish limits, caps, moratoria, approvals, or development controls.

A-8.6 Implementation Gates (Descriptive Only)

Implementation gates are described as analytical checkpoints used to evaluate whether information about upstream systems is sufficiently developed to inform downstream decision-making.

Implementation gates are not approvals, not permits, not regulatory triggers, and do not delay, condition, influence, or constrain decisions made under existing statutory or regulatory authority.

A-8.7 Relationship to Existing Processes

Evaluation under BackRunner may occur alongside, but does not replace or modify, legislative processes, administrative rulemaking, environmental review, local land-use review, or budget and appropriations processes.

Evaluation under BackRunner is not a prerequisite to any legislative, administrative, or judicial action.

A-8.8 Olympic 2034 Stress-Test Application

The 2034 Olympic Games are used as a fixed stress-test reference to evaluate governance coordination and sequencing under compressed timelines and concurrent system demand.

The Olympic reference does not justify accelerated approvals, emergency governance structures, special committees, waiver of standards, or alteration of procedural requirements.

A-8.9 Funding Alignment Context (Illustrative Only)

Sequencing and governance considerations are mapped descriptively to funding program categories that may require evidence of readiness, coordination, or resilience.

This section does not certify readiness, compliance, eligibility, prioritization, or intent to seek funding.

A-8.10 Tribal, Federal, and Preemption Considerations

Nothing in this section alters federal preemption, state or local jurisdiction, or tribal sovereignty or rights.

Nothing in this section constitutes initiation, completion, or satisfaction of government-to-government consultation.

A-8.11 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable rights or obligations, establishes approval or denial authority, mandates sequencing or gating, requires coordination agreements, or approves or denies any project or action.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-9 — ENFORCEMENT BACKSTOPS, METRICS, AND DURABILITY (LOCKED)

A-9.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for enforcement backstops, measurement frameworks, auditability, and durability applicable to systems evaluated under BackRunner.

This section functions solely as a supporting legislative and technical record.

Nothing in this section creates enforcement authority, establishes penalties, mandates compliance actions, authorizes investigations, or modifies civil, criminal, or administrative jurisdiction.

A-9.2 Concept of Enforcement Backstops (Descriptive Only)

Enforcement backstops are described as existing statutory, regulatory, and judicial mechanisms that remain available where system failures, misrepresentations, or noncompliance occur.

Reference to enforcement backstops does not encourage, direct, or prioritize enforcement action, nor does it express legislative preference regarding enforcement discretion.

BackRunner does not create new enforcement tools, substitute for enforcement discretion, or alter enforcement thresholds.

A-9.3 Metrics as Informational Instruments

Metrics are evaluated as informational instruments used to understand system interaction and performance trends.

Metrics discussion is descriptive only and does not establish targets, benchmarks, thresholds, or performance standards.

Nothing in this section creates reporting duties, audit triggers, documentation sufficiency standards, or record-retention requirements beyond existing law.

A-9.4 Auditability and Record Integrity

Auditability is evaluated in terms of whether records, assumptions, and data sources are sufficiently documented to allow retrospective understanding of decisions.

This discussion does not mandate audits, reporting, data collection, disclosure, or documentation beyond existing legal requirements.

A-9.5 Corrective Action Context

Corrective action is referenced only as a general concept describing responses available under existing law when deficiencies are identified.

Reference to corrective action does not imply an obligation to act, a preferred remedy, or a timeline for response.

A-9.6 Durability Across Political and Administrative Change

Durability is evaluated as the ability of system evaluations and records to remain useful across political, administrative, and funding changes.

Durability does not imply policy entrenchment or limitation on future legislative or administrative discretion.

A-9.7 Interaction with Judicial Review

This section recognizes that decisions informed by system evaluation may be subject to judicial review under existing standards.

This section does not expand the administrative record, alter evidentiary scope, modify burdens of proof, or change standards applicable to judicial review.

A-9.8 Olympic 2034 Stress-Test Application

The 2034 Olympic Games are used as a fixed stress-test reference to evaluate durability of assumptions under peak demand.

The Olympic reference does not justify emergency enforcement, accelerated penalties, waiver of standards, or modification of judicial process.

A-9.9 Funding Context (Illustrative Only)

References to funding are illustrative only and do not represent eligibility determinations, compliance certifications, prioritization, or intent to seek funds.

A-9.10 Tribal, Federal, and Preemption Considerations

Nothing in this section alters federal preemption, state or local enforcement authority, or tribal sovereignty or rights.

Nothing in this section constitutes initiation, completion, or satisfaction of government-to-government consultation.

A-9.11 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable rights or obligations, establishes enforcement standards or penalties, mandates audits, metrics, or corrective action, requires reporting or disclosure, or approves or denies any project or decision.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-10 — SUNSET, SEVERABILITY, SCOPE, AND AUTHORSHIP (LOCKED)

A-10.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for temporal scope, severability, non-delegation, authorship, and durability safeguards applicable to the BackRunner framework and the Safety Commitment.

This section functions solely as a supporting legislative and technical record.

Nothing in this section authorizes construction, operation, funding, enforcement, approval, denial, or modification of any legal authority.

A-10.2 Temporal Scope and Continuing Reference

BackRunner and the Safety Commitment are evaluated as continuing reference frameworks intended to inform decision-making across planning cycles, administrative changes, and legislative sessions.

This section does not establish an effective date, expiration date, implementation deadline, or operative requirement.

Reference to time horizons, including the 2034 Olympic Games, is contextual only and does not establish temporal mandates, acceleration, or sunset by implication.

A-10.3 Sunset Considerations (Non-Operative)

Sunset concepts are discussed solely to acknowledge that future legislatures and administrations retain full discretion to modify, replace, or discontinue reliance on any framework, analysis, or record.

Nothing in this section establishes a sunset clause, automatic expiration, or continuing obligation.

A-10.4 Severability and Independent Construction

Each section, subsection, paragraph, and concept contained within the Safety Commitment and BackRunner is intended to be independently constructed.

If any provision or concept is determined to be invalid, inapplicable, or unenforceable, such determination does not affect the validity or applicability of any other provision or concept.

This severability discussion is explanatory only and is not intended to invoke or substitute for statutory severability provisions.

A-10.5 Scope Limitation and Non-Expansion of Authority

Nothing in the Safety Commitment or BackRunner expands agency jurisdiction, creates new authority, modifies existing statutory powers, constrains future legislative action, or alters standards of review.

This framework is informational only.

A-10.6 Authorship, Attribution, and Campaign Context

The Safety Commitment and BackRunner are authored and submitted by Annette McRae, acting as a private citizen and as a candidate for Utah State Senate, District 20.

Authorship and submission do not confer official status, governmental endorsement, or agency sponsorship.

Submission of this framework to elected or appointed officials is undertaken in a personal capacity and does not constitute lobbying, regulated advocacy, or campaign coordination under state or federal law.

Nothing in this framework constitutes campaign expenditure coordination, in-kind contribution, or use of public resources.

A-10.7 Government-to-Government Respect and Non-Substitution

Nothing in the Safety Commitment or BackRunner substitutes for government-to-government consultation, satisfies consultation requirements, or limits tribal sovereignty or rights.

Nothing herein reflects consultation status, outcomes, or positions of any tribal government.

A-10.8 Reliance, Estoppel, and Non-Binding Effect

No reliance interest is created by this framework.

Nothing herein gives rise to estoppel, vested rights, enforceable expectations, or legal reliance by any party.

No third party may assert reliance on this framework for purposes of permitting, funding, or enforcement.

A-10.9 Relationship to Pending or Future Legislation

This framework does not endorse, oppose, preempt, or substitute for any pending or future legislation.

This framework is not offered as legislative direction, amendment language, or advocacy regarding the passage or defeat of any specific bill.

A-10.10 Non-Delegation and Non-Mandate Clause

Nothing in this section or this framework creates enforceable rights or obligations, mandates action or inaction, establishes legal standards, requires reporting or compliance, or approves or denies any project, permit, or funding.

This section exists solely as part of the legislative and technical record supporting informed decision-making.

VOLUME III — FUNDING, FEDERAL ALIGNMENT, AND OLYMPIC 2034 INTERFACES

SECTION B-1 — FUNDING ARCHITECTURE AND SOURCE ALIGNMENT (LOCKED)

B-1.1 Purpose and Placement

This section establishes a comprehensive catalog of federal, state, local, tribal, and public-private funding programs that may be evaluated for alignment with BackRunner and the Safety Commitment.

Identification of funding programs is informational only and does not imply eligibility, readiness, competitiveness, intent to apply, or likelihood of award by any party.

Nothing in this section authorizes funding, commits an applicant, directs agency action, establishes eligibility, or substitutes for statutory application processes.

B-1.2 Funding Alignment Principles

Funding sources are evaluated using the following non-directive principles:
(1) Risk reduction and exposure mitigation;
(2) Avoidance of single-source dependence;
(3) Upstream readiness before downstream growth;
(4) Non-displacement of costs or risks;
(5) Temporal compatibility with long-range planning horizons.

Temporal compatibility does not establish deadlines, milestones, or funding sequencing requirements.

B-1.3 Federal Water Infrastructure and Reuse Programs

Federal program descriptions are not interpretations of federal law and do not constrain federal agency discretion.

Programs identified include, without limitation:
• Bureau of Reclamation Title XVI Water Reuse and Recycling Program;
• EPA Clean Water and Drinking Water State Revolving Funds;
• FEMA Hazard Mitigation Assistance.

Identification does not constitute eligibility determination or application intent.

B-1.4 Transportation and Rail Infrastructure Programs

Programs identified include:
• Federal Railroad Administration safety and grade-crossing programs;
• U.S. Department of Transportation discretionary multimodal programs.

Identification does not mandate routing, carriers, volumes, or service obligations.

B-1.5 Olympic 2034 and Major Event Preparedness Context

Olympic and major-event references are used solely as stress-test benchmarks.

Reference to Olympic or major-event preparedness does not justify expedited review, waiver of standards, altered eligibility criteria, priority treatment, or acceleration of funding decisions.

B-1.6 Energy, Industrial Safety, and Economic Stabilization Programs

Programs identified include Department of Energy and Economic Development Administration programs applicable to safety, resilience, and workforce stability.

Identification does not imply endorsement of energy production, facility siting, or operational approval.

B-1.7 Workforce and Professional Driver Safety Funding

Funding programs supporting occupational safety, fatigue mitigation, sanitation, staging, and emergency response are identified for evaluation.

Nothing in this subsection alters labor law, collective bargaining rights, or occupational safety jurisdiction.

B-1.8 Tribal, State, and Local Funding Coordination

Coordination may involve tribal, state, and local governments acting within their respective authorities.

Nothing herein reflects consent, participation, funding intent, or position of any tribal government, nor substitutes for government-to-government consultation.

B-1.9 Public-Private Partnership Context

Public-private partnership mechanisms are identified solely as potential financing tools where risk allocation and public accountability are explicit.

Reference to P3 mechanisms does not initiate procurement, solicitation, negotiation, or policy preference.

B-1.10 Non-Entitlement and Non-Advocacy Clause

Nothing in this section creates funding entitlement, establishes eligibility, directs applications, advocates award or denial, or commits any applicant or agency.

This section exists solely as a funding alignment record.

VOLUME III — FUNDING, FEDERAL ALIGNMENT, AND OLYMPIC 2034 INTERFACES

SECTION B-2 — FEDERAL PREEMPTION, NATIONAL SECURITY, AND SUPPLY-CHAIN RESILIENCE (LOCKED)

B-2.1 Purpose and Placement

This section establishes the legislative and technical record regarding federal preemption boundaries, national security considerations, and supply-chain resilience factors relevant to systems evaluated under BackRunner and the Safety Commitment.

This section functions solely as an informational and contextual record.

Nothing in this section authorizes action, directs policy, alters jurisdiction, invokes federal authority, establishes security designations, or substitutes for federal or state law.

B-2.2 Federal Preemption Boundaries

BackRunner recognizes that system domains intersect with federal authority, including rail transportation, interstate commerce, hazardous materials transport, aviation, energy transmission, and environmental protection.

This framework does not interpret federal statutes, regulations, or agency guidance and does not attempt to occupy, supplement, or conflict with federally preempted fields.

Nothing in this section expands or narrows federal preemption, invites state or local intrusion into federally regulated domains, or conditions state or local decisions on federal approval.

Nothing in this section constitutes a legal determination regarding the existence, scope, or application of federal preemption.

B-2.3 State Authority and Non-Conflict

State and local authority is referenced solely within existing statutory and constitutional limits.

BackRunner does not assert concurrent authority where none exists, encourage regulatory conflict, or invite litigation to test preemption boundaries.

B-2.4 National Security Context (Non-Designation)

National security is referenced exclusively in its civil resilience and continuity dimensions, including energy logistics continuity, freight and supply reliability, emergency response readiness, infrastructure redundancy, and workforce availability during disruptions.

Reference to national security considerations does not express, request, or support designation of any infrastructure, activity, or corridor as security-related or critical.

B-2.5 Olympic 2034 as Civil Stress-Test Reference

The 2034 Olympic Games are referenced as a fixed, foreseeable civil stress scenario to evaluate peak freight and passenger demand, emergency surge capacity, infrastructure reliability, workforce exposure, and coordination complexity.

Use of the Olympic Games as a stress-test reference does not imply priority, readiness certification, sequencing advantage, accelerated approvals, waivers, or altered standards of review.

B-2.6 Supply-Chain Resilience Framework

Supply-chain resilience is evaluated through mode diversification, reduction of single-point failures, separation of hazardous freight from population centers, reliability of professional driver staging, and availability of intermediate storage and buffering.

Nothing in this subsection establishes routing preferences, modal priorities, or comparative advantage among transportation modes.

B-2.7 Energy and Hazardous Materials Context

Energy products and hazardous materials are referenced solely to evaluate exposure reduction, transport safety, interface risk, workforce health, and emergency response readiness.

Reference to energy products or hazardous materials is neutral and does not express policy judgment, support, or opposition.

B-2.8 Workforce Continuity and Professional Drivers

Professional drivers are recognized as safety-critical infrastructure workers whose availability directly affects supply continuity, emergency response, and economic stability.

This recognition does not alter labor law, safety regulation, licensing, or jurisdiction.

B-2.9 Tribal, Federal, and Intergovernmental Respect

Nothing in this section substitutes for government-to-government consultation, reflects consent or participation of any tribal government, alters federal trust responsibilities, or invokes federal supremacy.

B-2.10 Non-Delegation, Non-Entitlement, and Non-Advocacy Clause

Nothing in this section creates enforceable rights or obligations, establishes standards or thresholds, directs agency action, advocates for or against any project, route, or facility, or commits funding or policy positions.

This section exists solely as part of the legislative and technical record supporting informed evaluation.

VOLUME III — FUNDING, FEDERAL ALIGNMENT, AND OLYMPIC 2034 INTERFACES

SECTION B-3 — OLYMPIC 2034 INTERFACES, LEGACY RISK CONTROLS, AND POST-GAMES TRANSITION (LOCKED)

B-3.1 Purpose and Placement

This section establishes the legislative and technical record for evaluating interfaces between BackRunner systems and the 2034 Olympic Games, including legacy risk controls, surge resilience, and post-Games transition considerations.

This section functions solely as an informational and contextual record.

Nothing in this section authorizes action, accelerates approvals, modifies standards, creates eligibility, establishes funding priority, or substitutes for any statutory or regulatory process.

Reference to the Olympic Games does not confer special status, priority, leverage, or exceptional treatment on any project, corridor, or system.

B-3.2 Olympic 2034 as a Fixed Civil Stress Scenario

The 2034 Olympic Games are referenced as a fixed, foreseeable civil stress scenario for evaluating system performance under peak passenger demand, freight and logistics pressure, emergency response surge, workforce availability and exposure, and infrastructure reliability.

Use of the Olympic Games as a stress scenario is analytical only and does not imply event designation, emergency authority, priority treatment, accelerated review, or waiver of standards.

B-3.3 Temporary Surge vs. Permanent Capacity Distinction

BackRunner evaluates the distinction between temporary surge needs and permanent infrastructure commitments to avoid embedding short-duration demand into long-term exposure.

This distinction does not express a preference for or against permanent or temporary infrastructure investment.

Nothing in this subsection mandates capacity sizing, facility construction, or investment decisions.

B-3.4 Workforce and Professional Driver Protection During Peak Events

Professional drivers and other safety-critical workers are evaluated for exposure during large-event conditions, including congestion intensity, staging duration, fatigue risk, sanitation access, and emergency egress.

Evaluation under this subsection does not impose operational requirements on employers or carriers and does not alter labor law, safety regulation, or licensing.

B-3.5 Water, Air, and Emergency Readiness Under Surge Conditions

Olympic surge scenarios are used to evaluate potable and non-potable water reliability, fire-suppression capacity, air-quality exposure, and emergency response access.

Evaluation is descriptive only and does not establish performance standards, thresholds, or mandates.

B-3.6 Freight, Passenger, and Hazardous Materials Separation

Large-event conditions are evaluated for freight-passenger interface risk, hazardous materials exposure, rail-road-truck interaction, and population proximity.

Nothing in this subsection establishes routing restrictions, modal priorities, or transport limitations.

B-3.7 Legacy Risk Controls and Post-Games Transition

BackRunner evaluates whether systems utilized during the Olympic period avoid embedding peak-event risk into permanent operations and transition to community-serving uses consistent with long-term demand.

Legacy evaluation does not imply decommissioning, repurposing, or continuation of any facility or service.

B-3.8 Housing, Workforce Mobility, and Community Impact

Olympic-related housing and mobility considerations are evaluated for post-event use, transit proximity, water and energy demand stability, and displacement avoidance.

Nothing in this subsection alters land-use authority, zoning discretion, or housing policy.

B-3.9 Funding Interface (Non-Priority)

Funding references related to Olympic readiness are evaluated solely for risk alignment and post-event durability.

Funding references do not establish priority, readiness certification, or comparative advantage for Olympic-related projects.

B-3.10 Non-Delegation, Non-Acceleration, and Non-Advocacy Clause

Nothing in this section creates enforceable rights or obligations, establishes deadlines or milestones, directs agency action, accelerates approvals or reviews, or advocates for or against any project, facility, or funding decision.

This section exists solely as part of the legislative and technical record supporting informed evaluation.

VOLUME III — FUNDING, FEDERAL ALIGNMENT, AND OLYMPIC 2034 INTERFACES

SECTION B-4 — FEDERAL–STATE–TRIBAL COORDINATION INTERFACES (LOCKED)

B-4.1 Purpose and Placement

This section establishes the legislative and technical record for evaluating coordination interfaces among federal, state, local, and tribal governments as systems are evaluated under BackRunner and the Safety Commitment.

This section functions solely as an informational and contextual record.

Nothing in this section authorizes action, compels coordination, alters jurisdiction, substitutes for government-to-government consultation, or modifies any statutory or constitutional authority.

B-4.2 Distinct Sovereignties and Authorities

The framework recognizes the distinct and independent authorities of federal agencies acting under federal law, state agencies acting under state law, local governments acting under delegated authority, and tribal governments exercising inherent sovereignty.

BackRunner does not assert hierarchy among these authorities, condition action by one authority on concurrence by another, or create intergovernmental obligations.

B-4.3 Government-to-Government Consultation (Non-Substitution)

Nothing in BackRunner or the Safety Commitment initiates, proposes, recommends, structures, completes, or satisfies government-to-government consultation.

Nothing in this section represents consultation status, outcomes, or positions, or limits tribal sovereignty, treaty rights, or federal trust responsibilities.

Any consultation that may occur arises solely under applicable law and independent processes.

B-4.4 Federal Interface Context (Non-Preemptive)

Federal interfaces are referenced only to identify potential points of interaction where federal authority exists, including transportation safety, environmental protection, hazardous materials, and interstate commerce.

This section does not interpret federal statutes or regulations, invite state or local action in federally preempted fields, or condition state or local evaluation on federal approval.

B-4.5 State and Local Coordination Context

State and local coordination is evaluated only to understand sequencing, information flow, and risk awareness across systems.

Evaluation does not mandate coordination, establish approval dependencies, create procedural prerequisites, or alter land-use, zoning, or permitting authority.

B-4.6 Data Sharing and Information Exchange (Non-Directive)

References to data sharing or information exchange are descriptive only.

Nothing in this section requires data sharing, establishes data standards, mandates disclosure, alters confidentiality or public-records obligations, or creates any expectation or preference for data sharing.

B-4.7 Funding Coordination Context

Funding coordination is referenced only to understand how separate funding streams may intersect across jurisdictions.

Nothing in this section creates joint funding obligations, requires matching funds, conditions eligibility on intergovernmental participation, or suggests pooled, braided, or matched funding.

B-4.8 Conflict Avoidance and Deconfliction

BackRunner evaluates whether system sequencing and interfaces reduce the likelihood of jurisdictional conflict or duplicative effort.

This section does not establish dispute resolution, mediation, arbitration, or conflict-management authority.

B-4.9 Olympic 2034 Interjurisdictional Complexity (Contextual Only)

The 2034 Olympic Games are referenced to illustrate interjurisdictional complexity under peak conditions.

Olympic reference does not confer special status, priority, coordination duties, operational planning requirements, or joint authority.

B-4.10 Non-Delegation, Non-Mandate, and Non-Advocacy Clause

Nothing in this section creates enforceable rights or obligations, mandates consultation or coordination, directs agency action, establishes standards or thresholds, or advocates for or against any project, agreement, or funding decision.

This section exists solely as part of the legislative and technical record supporting informed evaluation.

VOLUME III — FUNDING, FEDERAL ALIGNMENT, AND OLYMPIC 2034 INTERFACES

SECTION B-5 — FUNDING CROSSWALK (SOURCES × SYSTEMS × TIMELINE) (LOCKED)

B-5.1 Purpose and Placement

This section establishes a descriptive crosswalk identifying how potential funding sources may align with system domains evaluated under BackRunner and the Safety Commitment across analytical planning horizons.

This crosswalk does not constitute a funding strategy, grant plan, or application roadmap.

Nothing in this section authorizes funding, establishes eligibility or readiness, directs applications or agency action, creates priorities, sequencing, or timelines, or commits any applicant or funding entity.

B-5.2 Methodology (Non-Directive)

The crosswalk maps funding source categories to system domains and analytical horizons for descriptive reference only.

The methodology does not constitute evaluation, scoring, ranking, recommendation, or comparative assessment.

Any future tabular representation shall remain descriptive and non-comparative.

B-5.3 System Domains Referenced

System domains referenced include water systems, air quality and exposure, rail and freight logistics, passenger mobility, professional driver and workforce safety, housing and community stability, and emergency preparedness.

B-5.4 Funding Source Categories Referenced

Funding source categories referenced include federal, state, local, tribal, and public-private sources.

Program naming does not imply eligibility, competitiveness, compliance alignment, or likelihood of award.

B-5.5 Temporal Horizons (Contextual Only)

Analytical horizons include pre-2034 planning, Olympic-period stress analysis, and post-Games legacy evaluation.

Temporal horizons are analytical constructs only and do not imply sequencing, phasing, timing, or prioritization of funding actions.

B-5.6 Illustrative Alignment Examples (Narrative Only)

Narrative examples illustrate descriptive alignment between system domains and funding categories.

Illustrative examples do not indicate preference, endorsement, or recommended pairing.

B-5.7 Non-Comparative and Non-Priority Clause

Nothing in this section compares funding programs, ranks systems or projects, establishes preferred matches, suggests competitiveness or readiness, or creates funding priority.

B-5.8 Tribal Sovereignty and Funding Independence

Nothing in this section reflects tribal consent, interest, intent, or participation, suggests joint funding, substitutes for government-to-government consultation, or limits tribal funding discretion.

B-5.9 Federal Preemption and Program Discretion

Federal program references do not interpret federal law, constrain agency discretion, or establish compliance pathways.

B-5.10 Non-Delegation, Non-Entitlement, and Non-Advocacy Clause

Nothing in this section creates enforceable rights or obligations, directs applications or submissions, establishes eligibility or readiness, commits funding or policy positions, or advocates for award or denial.

This section shall not be used as evidence of funding advocacy or grant preparation.

This section exists solely as a descriptive funding alignment record.

TABLE OF CONTENTS

Cover Page and Document Status

Section 1 — Document Identity, Authorship, and Scope

Section 2 — Public Safety Commitment

Section 3 — Safety and Liberty Decision Standard

Section 4 — Integrated Systems Architecture

Section 5 — BackRunner Framework

Section 6 — Water, Air, and Watershed Integration

Section 7 — Energy, Refining, Rail, and Industrial Logistics Integration

Section 8 — Housing, Workforce, and Community Integration

Section 9 — Governance, Sequencing, and Implementation Gates

Section 10 — Enforcement Backstops, Metrics, and Durability

SECTION 1 — DOCUMENT IDENTITY, STATUS, AND SCOPE

The Safety Commitment & BackRunner
An Integrated Public Safety and Infrastructure Framework
Prepared for Informational Review by Executive and Legislative Leadership
2034 Olympic Games and Legacy Horizon

Author: Annette McRae, Candidate for Utah State Senate, District 20
Capacity: Private citizen and participant in Utah's public civic process

Annette McRae, Candidate for Utah State Senate, District 20, is the sole author and intellectual architect of The Safety Commitment and BackRunner frameworks as presented in this document. The term "architect" is used solely to describe intellectual authorship and does not imply operational control, governance authority, endorsement, coordination, or implementation responsibility.

PURPOSE

This document presents a specific, named, non-regulatory public safety framework for evaluating how major public systems interact and how risk to human life, worker safety, environmental integrity, and emergency response capacity is created, transferred, amplified, or reduced through infrastructure design and sequencing.

This document supports executive situational awareness, legislative and staff understanding of system interactions, preservation of institutional memory, and public transparency.
This document is not intended to affect the timing, substance, or outcome of any pending legislative proposal.

LEGAL STATUS

This document is informational only and creates no statutory, regulatory, or executive authority. It authorizes no funding, approves no projects, directs no agency action, and binds no officeholder.

CAMPAIGN AND EXECUTIVE SAFETY

This document is prepared and circulated by Annette McRae, Candidate for Utah State Senate, District 20, acting as a private citizen and participant in Utah's public civic process.
It does not substitute for public process, consultation, environmental review, executive judgment, or legislative authority.

TEMPORAL CONSTRAINT

This framework is written against a fixed external timeline: the 2034 Olympic Games and associated legacy period.
This horizon is used solely to evaluate readiness, sequencing risk, and exposure to cascading system failure.
It does not mandate acceleration or presume funding availability.

SYSTEMS COVERED

This document explicitly covers water systems; air quality; transportation congestion; hazardous freight including classification, staging, and intermodal transfer between road, rail, and storage; rail systems; passenger and workforce mobility; housing; energy and refining logistics; emergency response; and tourism-driven system stress.

FUNDING ALIGNMENT

Funding sources are referenced only for alignment evaluation and include Olympic legacy funding, federal infrastructure and safety programs, water and air programs, emergency management and

resilience funding, state and local funds, public–private partnerships, and philanthropic capital. Nothing herein constitutes a request, solicitation, prioritization, or authorization of funding or procurement.

EXCLUSIONS
This document excludes project design, engineering, environmental determinations, permitting, regulatory standards, enforcement mechanisms, fiscal notes, bonding authority, eminent domain, land acquisition, and rail alignment or siting decisions.

INTERPRETATION
Any ambiguity shall be resolved in favor of non-delegation, preservation of executive and legislative discretion, respect for sovereign authority, and protection against campaign misuse.

SECTION 2 — PUBLIC SAFETY COMMITMENT (LOCKED)

2.1 Statement of Public Safety Priority

Public safety is the primary obligation of government and the foundational condition for economic stability, workforce health, environmental protection, and individual liberty.
This statement is descriptive of longstanding public governance principles and is not intended to rank, redefine, or reinterpret constitutional or statutory duties.

In this document, public safety is treated as a system outcome, not as a single agency function, regulatory domain, or enforcement activity. Public safety emerges from how infrastructure is designed, how systems are sequenced, and how risk is allocated across people, places, and time.

Within this analytical framework, preventable exposure to known risks, when created through foreseeable infrastructure decisions, may be evaluated within this framework as indicative of elevated public safety risk even when individual system components operate within their own regulatory bounds.

Nothing in this section shall be construed as establishing a legal standard, policy directive, or requirement. The Safety Commitment describes an analytical framework for evaluating system interactions and foreseeable risk. It does not impose obligations, mandate outcomes, supersede existing authority, or assign responsibility.

2.2 Non-Interference with Authority and Process

This Public Safety Commitment:
- does not direct agencies,
- does not override regulatory frameworks,
- does not substitute for consultation,
- does not interfere with pending legislation,
- does not create enforceable rights or obligations.

Its function is diagnostic, not prescriptive. It is intended to preserve system-level context and inform understanding without constraining executive, legislative, or regulatory discretion.

2.3 Safety as a Systems Obligation, Not an Enforcement Burden

Public safety risks most often arise not from the absence of rules, but from fragmented planning, misaligned incentives, and decisions made in isolation that transfer risk to workers, residents, and emergency responders.

When safety is addressed only through enforcement:
- professional drivers are asked to absorb congestion and exposure risk,
- first responders are asked to compensate for poor access and delayed response,
- residents are asked to tolerate cumulative exposure,
- and agencies are asked to mitigate consequences they did not create.

The Safety Commitment does not rely exclusively on after-the-fact enforcement to maintain safety. Instead, it emphasizes that safety outcomes improve when risk is evaluated upstream, at the point where infrastructure form, location, and sequencing decisions are made.

2.4 Explicit Safety Domains Covered by This Commitment

This Public Safety Commitment explicitly applies to water safety; air quality and exposure; transportation congestion and emergency access; hazardous freight classification, staging, and transfer; rail safety; professional driver safety; workforce and passenger mobility; housing safety; energy and refining logistics; emergency response capacity; and tourism-driven system stress.

Each domain is intentionally included because it interacts with the others in predictable ways that influence public safety outcomes.

2.5 The Safety Commitment Evaluation Standard

Under the Safety Commitment, infrastructure decisions are evaluated against the following analytical standard:

If a decision predictably increases exposure to risk for workers, residents, or emergency responders, that risk should be identified, named, and addressed within the framework rather than deferred solely to enforcement, mitigation, or individual behavior.

This standard does not require elimination of all risk, perfection in design, or zero-impact outcomes. It emphasizes acknowledgment of foreseeable risk, transparency regarding tradeoffs, and avoidance of unnecessary or preventable exposure.

2.6 Safety and Liberty as Mutually Reinforcing Outcomes

The Safety Commitment does not frame safety and liberty as competing values. Safety achieved through sound system design reduces reliance on intrusive enforcement, emergency intervention, and crisis management, thereby reinforcing liberty rather than constraining it.

2.7 Relationship to the 2034 Olympic Games and Legacy Horizon

The 2034 Olympic Games and associated legacy period introduce a fixed external stress test on existing systems. The Safety Commitment does not treat the Olympic Games as justification for expedited approvals, suspension of standards, or concentration of risk.

Instead, the Games function as a temporal lens used to evaluate whether systems designed today can withstand peak demand, international attention, emergency contingencies, and long-term post-event use.

2.8 Carry-Forward Safety Principles

Safety is a system outcome.
Exposure is a primary metric of harm.
Risk created upstream should not be externalized downstream.
Professional drivers and emergency responders are safety-critical actors.
Peak demand and surge conditions must be anticipated.
Long-horizon readiness matters more than short-term optimization.

Deferred for later sections: Tribal sovereignty, treaty obligations, and government-to-government coordination; integrated systems architecture; BackRunner framework; governance, metrics, and implementation gates.

SECTION 3 — SAFETY AND LIBERTY DECISION STANDARD (LOCKED)

3.1 Purpose and Function of the Decision Standard

This section establishes a Safety and Liberty Decision Standard for analytical use within The Safety Commitment & BackRunner framework.
The term “Decision Standard” is used descriptively to denote a structured analytical lens and does not imply a governing rule, approval criterion, or threshold.

The purpose of this standard is to provide a consistent, transparent method for examining how infrastructure decisions affect public safety, individual liberty, workforce exposure, environmental integrity, and emergency response capacity as interacting system outcomes.

This Decision Standard is evaluative only. It does not establish policy, direct action, create obligations, supersede authority, or replace existing regulatory processes. It is intended to support executive and legislative understanding of tradeoffs inherent in complex infrastructure decisions.

3.2 Safety and Liberty as Co-Dependent Outcomes

Safety and liberty are treated in this framework as co-dependent outcomes, not competing objectives.

Liberty is constrained when:
- individuals are exposed to avoidable environmental or transportation risk,
- workers are required to absorb foreseeable hazards created by system design,
- emergency responders are delayed by congestion or access failures,
- communities are forced to trade health and safety for economic participation.

Safety is undermined when:
- liberty is restricted through reactive enforcement,
- risk is managed only after exposure occurs,
- emergency authority is routinely invoked to compensate for design deficiencies.

The Safety and Liberty Decision Standard examines how a decision reduces the need for coercive or emergency intervention by embedding safety into system design.

3.3 Decision Standard Overview

Under this framework, an infrastructure decision is examined by assessing how it allocates risk and constraint across people, systems, and time.

The Decision Standard examines how a proposal:
1. reduces or transfers exposure to foreseeable risk,
2. preserves or constrains individual and workforce mobility,
3. strengthens or weakens emergency response capacity,
4. protects environmental systems or externalizes degradation,
5. maintains liberty through design or substitutes enforcement and compliance for structural safety.

No single factor is dispositive. The standard is applied holistically to understand cumulative effects.

3.4 Exposure as the Primary Analytical Metric

Exposure is treated as the primary analytical metric for harm within this framework.

Exposure includes duration of contact with hazardous conditions, frequency of repeated exposure, proximity to emission, congestion, or hazard sources, and concentration or intensity of exposure over time.

This approach recognizes that harm often arises from chronic, cumulative exposure rather than isolated incidents.

The Decision Standard examines how exposure is reduced through design, buffered through system separation, or transferred to individuals, workers, or emergency services.

3.5 Workforce Safety and Professional Driver Considerations

Professional drivers and infrastructure workers are recognized as safety-critical participants whose exposure profiles reflect system design choices.

The Decision Standard examines how infrastructure decisions:
- increase unpaid waiting time,
- create predictable fatigue,
- require idling or staging in unsafe locations,
- treat vehicles as mobile storage units,
- rely on worker discretion to compensate for design deficiencies.

Where such conditions are foreseeable, the Decision Standard examines how alternative design or sequencing could reduce exposure without restricting mobility or economic participation.

3.6 Enforcement Versus Design

The Decision Standard distinguishes between safety achieved through design and safety achieved through enforcement.

Safety achieved primarily through enforcement increases reliance on surveillance and penalties, shifts responsibility to individuals, and often expands emergency authority.

Safety achieved through design reduces the need for enforcement, preserves freedom of movement, and limits the invocation of emergency powers.

Nothing in this framework diminishes the necessity or legitimacy of enforcement within existing statutory and regulatory authority.

3.7 Temporal Considerations and the 2034 Horizon

Infrastructure decisions are examined across immediate, medium-term, and long-term horizons.

The 2034 Olympic Games and associated legacy period provide a fixed external stress test for examining whether safety and liberty outcomes remain stable under peak demand, international attention, and emergency contingencies.

This temporal lens is analytical only and does not justify acceleration, suspension of standards, or concentration of risk.

3.8 Transparency and Tradeoff Disclosure

The Safety and Liberty Decision Standard emphasizes transparent articulation of tradeoffs.

Where a decision increases exposure, constrains liberty, or shifts burden to workers or communities, those effects should be explicitly identified within the analytical framework.

Transparency supports informed judgment without requiring consensus or elimination of tradeoffs.

3.9 Relationship to Authority and Process

This Decision Standard does not establish legal thresholds, create presumptions, bind agencies or officials, or substitute for environmental review or public process.

Its role is to inform, not to decide.

3.10 Carry-Forward Application

The Safety and Liberty Decision Standard established in this section is applied throughout subsequent sections of this document, including integrated systems architecture, the BackRunner framework, governance and sequencing, workforce protection analysis, and metrics and evaluation.

SECTION 4 — INTEGRATED SYSTEMS ARCHITECTURE (LOCKED)

4.1 Purpose and Scope of the Integrated Systems Architecture

This section establishes the Integrated Systems Architecture used within The Safety Commitment & BackRunner framework to examine how multiple public systems interact spatially, temporally, and operationally.

The purpose of this architecture is to organize analysis, not to prescribe outcomes. It provides a structured way to examine how decisions affecting one system alter conditions, constraints, and exposure in others.
The term “architecture” is used descriptively to denote an analytical classification structure and does not imply implementation design, operational control, or coordinated execution.

This section does not create requirements, direct agencies, authorize projects, define standards, or establish sequencing mandates. It provides a common analytical structure to avoid fragmented evaluation of interdependent systems.

4.2 Systems Explicitly Examined in the Architecture

The Integrated Systems Architecture explicitly examines the following systems. Each is examined because it interacts with others in predictable ways that affect public safety, exposure, and emergency response capacity.

4.2.1 Water Systems
- potable water supply and reliability,
- non-potable and industrial reuse systems,
- drought-stage behavior,
- watershed integrity,
- fire-suppression water availability,
- emergency surge capacity.

4.2.2 Air Quality Systems
- basin-scale air circulation,
- inversion conditions,
- congestion-related emissions,
- stationary and mobile source interaction,
- cumulative exposure duration and concentration.

4.2.3 Transportation Congestion Systems
- roadway capacity and chokepoints,
- peak-hour and peak-season congestion,
- emergency access reliability,
- freight–passenger interaction,
- tourism-driven surge effects.

4.2.4 Hazardous Freight Systems
- classification of hazardous materials,
- staging and buffering locations,
- transfer between truck, rail, and storage,
- separation from residential and passenger activity,
- emergency response interfaces.

4.2.5 Rail Systems
- freight rail operations,
- passenger rail operations,
- rail–road interfaces,
- intermodal transfer points,

- rail access to industrial and refining nodes.

4.2.6 Professional Driver Systems
- exposure duration,
- fatigue risk,
- staging and queuing conditions,
- unpaid waiting time,
- access to sanitation and emergency egress,
- avoidance of vehicles functioning as mobile storage units.

4.2.7 Passenger and Workforce Mobility Systems
- daily commuting patterns,
- seasonal workforce movement,
- event-driven passenger surges,
- reliability during emergencies and weather events.

4.2.8 Housing Systems
- location relative to infrastructure risk,
- proximity to transit and employment,
- suitability for first responders and core workers,
- density effects on water, air, and congestion.

4.2.9 Energy and Refining Logistics Systems
- extraction-to-processing pathways,
- refining and blending interfaces,
- storage and buffering capacity,
- rail and roadway transport of energy products,
- hazard-class reduction through processing.

4.2.10 Emergency Response Systems
- fire response,
- medical response,
- disaster response,
- access reliability under congestion and peak load,
- coordination across jurisdictions.

4.2.11 Tourism and Event Stress Systems
- seasonal population surges,
- international event demand,
- compounding effects on housing, transportation, air, water, and emergency services.

No system listed above is illustrative. Each is intentionally examined as part of the architecture.

4.3 System Interdependence and Risk Transfer

The Integrated Systems Architecture examines how risk is transferred, rather than treating risk as isolated within individual systems.

Examples examined within the architecture include congestion transferring air-quality exposure to professional drivers and nearby residents; housing location transferring emergency-response delay risk; water scarcity transferring growth pressure to transportation systems; and lack of buffering transferring hazardous freight risk to workers and first responders.

These examples are analytical, not accusatory. The architecture does not assign fault or responsibility.

4.4 Upstream and Downstream System Relationships

Within this framework, systems are examined as either upstream or downstream relative to a given decision.

Upstream systems include water reliability, air dispersion capacity, emergency response access, and workforce safety conditions.
Downstream systems include housing deployment, industrial logistics, freight concentration, and population density increases.

The architecture examines whether downstream proposals rely on upstream systems that have not been examined for capacity, resilience, or surge conditions.
This upstream–downstream characterization is analytical only and does not establish prerequisites, gating requirements, or conditions for approval.

4.5 Temporal Layering of System Effects

System interactions are examined across immediate operational conditions, medium-term growth and adaptation, and long-term legacy impacts.

The 2034 Olympic Games and associated legacy period are used as a fixed temporal reference point to examine whether systems remain stable under peak demand and international exposure.
This temporal reference does not justify acceleration or exception.

4.6 Separation, Buffering, and Interface Description

The architecture examines whether system design incorporates physical separation between incompatible uses, buffering between hazardous activity and human occupancy, engineered interfaces that reduce exposure duration, and staging areas that prevent spillover into public space.

References to separation, buffering, and interface design are descriptive of observed system interactions and do not constitute design recommendations or standards.

4.7 Analytical Use of the Architecture

The Integrated Systems Architecture is used to organize information, identify interaction points, reveal cumulative exposure, and support transparent discussion of tradeoffs.

It is not used to approve or deny projects, establish thresholds, rank proposals, or override authority.

4.8 Relationship to Authority and Process

Nothing in this section directs agencies, alters regulatory frameworks, substitutes for environmental review, creates obligations, or interferes with pending legislation.

The architecture exists solely to improve clarity and prevent fragmented analysis.

4.9 Carry-Forward Application

This Integrated Systems Architecture is applied throughout subsequent sections of this document, including the BackRunner framework, water and air system integration, transportation and rail analysis, housing and workforce mobility, energy and refining logistics, governance and sequencing, and metrics and evaluation.

SECTION 5 — BACKRUNNER FRAMEWORK (LOCKED)

5.1 Purpose and Function of the BackRunner Framework

This section establishes the BackRunner Framework as an analytical component within The Safety Commitment & BackRunner document.

The purpose of the BackRunner Framework is to examine how freight movement, passenger mobility, workforce access, hazardous material transport, rail connectivity, housing placement, water availability, air quality, and emergency response interact across shared corridors and nodes.

The BackRunner Framework is not a project, not a route proposal, not a transportation plan, and not an implementation directive. It is an analytical structure used to understand how corridor-based decisions concentrate or diffuse risk.

The BackRunner Framework does not function as a planning framework, prioritization framework, or coordination framework, and shall not be construed as guidance for agency action.

Nothing in this section authorizes construction, defines alignments, selects modes, directs agencies, establishes funding priorities, or creates approval criteria.

5.2 Definition of “BackRunner”

For purposes of this document, “BackRunner” refers to a system-level analytical framework used to examine freight movement across shared corridors; passenger and workforce mobility; interaction between truck, rail, and storage systems; proximity of housing, tourism, and employment to freight activity; cumulative exposure along multi-use transportation corridors; and emergency access and response reliability under congestion and surge conditions.

The term “BackRunner” is descriptive and conceptual. It does not imply ownership, jurisdiction, coordination authority, or endorsement.

5.3 Corridors and Nodes as Analytical Constructs

The BackRunner Framework examines infrastructure through two analytical constructs: corridors and nodes.

These constructs are used to understand where systems overlap, not to propose where infrastructure should be built.

5.3.1 Corridors

Within the BackRunner Framework, a corridor is an analytical concept describing a geographic pathway where multiple systems co-locate, including roadways, rail lines, utility rights-of-way, waterways, housing and commercial development, and emergency access routes.

Corridors are examined for cumulative congestion, exposure duration, hazardous material movement, emergency response access, and tourism-driven surge effects.

Corridor identification does not constitute route designation, prioritization, endorsement, mapping, inclusion in transportation plans, or future incorporation by reference.

5.3.2 Nodes

Within the BackRunner Framework, a node is an analytical concept describing a point where systems intersect or transfer, including intermodal freight transfer points, rail-to-truck interfaces, staging and buffering areas,

passenger transfer hubs, industrial processing interfaces, and emergency response staging areas.

Nodes are examined because risk often concentrates at transfer points, particularly where hazardous materials, congestion, or workforce exposure are present.

Node identification does not authorize siting, expansion, or operation.

5.4 Freight, Passenger, and Workforce Interaction

The BackRunner Framework examines how freight movement interacts with passenger and workforce mobility, particularly in shared corridors and nodes.

This includes examination of peak-hour overlap between freight and commuter traffic; seasonal tourism surges interacting with hazardous freight movement; workforce commuting patterns overlapping with industrial logistics; and emergency access constraints created by mixed-use corridors.

This examination does not attribute causation, fault, or responsibility to any agency, operator, or jurisdiction.

5.5 Hazardous Materials Movement and Buffering

Hazardous materials movement is examined within the BackRunner Framework as a system interaction, not solely as a compliance issue.

The framework examines hazard classification, frequency and duration of transport, proximity to housing and public activity, staging and buffering practices, and transfer between truck, rail, and storage.

Nothing in this subsection supplements, conflicts with, or substitutes for existing hazardous materials regulation.

5.6 Rail Integration within the BackRunner Framework

Rail systems are examined within the BackRunner Framework for their interaction with freight, passenger mobility, housing, and emergency access.

This includes examination of freight rail as an alternative to roadway transport; passenger rail interaction with freight corridors; rail-road interfaces and crossings; rail access to industrial and processing nodes; and congestion relief or concentration effects.

This examination does not mandate rail use, select alignments, or establish service obligations.

5.7 Professional Driver Exposure and System Design

Professional drivers are examined within the BackRunner Framework as safety-critical participants whose exposure reflects corridor and node design.

The framework examines unpaid waiting time, fatigue resulting from congestion or staging delays, idling exposure, access to sanitation and emergency egress, and situations where vehicles function as mobile storage units due to system design.

This examination does not create labor standards, employment classifications, compensation requirements, or employer obligations.

5.8 Housing, Tourism, and Corridor Pressure

Housing and tourism activity are examined within the BackRunner Framework for their interaction with freight corridors and nodes.

This includes examination of housing placement near high-exposure corridors; tourism-driven demand overlapping with freight movement; emergency access during peak events; and workforce housing proximity to employment and transit.

The framework examines whether land-use patterns compound exposure or preserve separation.

5.9 Emergency Response and Corridor Reliability

Emergency response systems are examined within the BackRunner Framework for their ability to function under corridor congestion and surge conditions.

This includes examination of response time reliability; access routes during peak congestion; interaction with freight and passenger traffic; and staging capacity during large events or disasters.

5.10 Temporal and Legacy Considerations

The BackRunner Framework examines corridor and node behavior across daily operations, seasonal variation, event-driven surges, and long-term growth.

The 2034 Olympic Games and associated legacy period are used as a fixed temporal reference to examine corridor resilience and exposure accumulation.

The Olympic reference is used solely as a stress-test scenario and does not justify acceleration, exception, or prioritization of any proposal.

5.11 Relationship to Authority and Process

Nothing in this section directs agencies, selects routes or modes, authorizes construction, establishes standards, interferes with pending legislation, or creates enforceable rights or obligations.

The BackRunner Framework exists solely to improve system-level understanding of corridor-based interactions.

SECTION 6 — WATER, AIR, AND WATERSHED INTEGRATION (LOCKED)

6.1 Purpose and Scope

This section establishes an integrated analytical framework for examining water availability, water use, air quality, watershed protection, and emergency water demand within The Safety Commitment & BackRunner.

The purpose of this section is to examine how water and air systems interact with transportation congestion, housing density, industrial activity, hazardous freight movement, tourism surges, and emergency response, particularly within basin geographies and high-exposure corridors.

The term “integrated” is used solely to describe analytical examination and does not imply operational integration, coordinated management, or shared authority.

Nothing in this section authorizes construction, allocates water, alters water rights, establishes air-quality standards, directs agencies, mandates reuse, or creates regulatory obligations.

6.2 Basin Conditions and Inversion Risk

Air quality is examined within basin geographies where topography, meteorology, and land-use patterns interact to limit dispersion.

Analysis includes temperature inversion frequency and duration, pollutant accumulation during congestion, interaction between stationary and mobile sources, and exposure duration rather than emissions totals alone.

The framework examines whether congestion, freight staging, and tourism surges exacerbate inversion impacts and whether exposure is shifted to professional drivers, residents, and first responders.

This examination does not establish causation, regulatory violation, or attribution of responsibility.

6.3 Water Availability and Reliability

Water systems are examined for reliability under normal conditions, drought conditions, emergency demand, and surge events, including international events.

The framework examines potable water availability, non-potable and industrial reuse capacity, drought-stage behavior, emergency reserve margins, and competing seasonal demands.

This examination does not prioritize uses, establish shortage-sharing frameworks, or alter existing allocation doctrines.

6.4 Dual-Loop Water Architecture (Analytical)

Water integration is examined through two analytically distinct systems:
Loop B — Advanced Potable Reuse
Loop C — Industrial and Non-Potable Reuse

The separation of these loops is examined to preserve public trust, regulatory clarity, and operational resilience.

Nothing in this subsection endorses, prefers, or advances any reuse policy, technology, or regulatory pathway.

6.5 Loop B — Advanced Potable Reuse (Analytical Use Only)

Advanced potable reuse is examined for its potential to stabilize long-term water availability, reduce pressure on surface and groundwater sources, and improve drought resilience during peak demand periods.

Participation in advanced potable reuse is examined as voluntary and subject to all public-health standards, regulatory approvals, and monitoring requirements.

Discussion of advanced potable reuse does not constitute advocacy, recommendation, or legislative preference.

6.6 Loop C — Industrial and Non-Potable Reuse

Industrial and non-potable reuse is examined for its interaction with construction activity, logistics staging, dust suppression, snowmaking, fire suppression, and industrial cooling and processing.

The framework examines whether reuse reduces competition with potable supply and improves emergency readiness.

Evaluation under this subsection does not authorize use or substitute for regulatory review.

6.7 Substitution Analysis and Great Salt Lake Considerations

Where water reuse is examined, the framework applies substitution analysis to understand whether reduced freshwater demand could allow equivalent volumes to remain instream or undiverted.

This analysis is descriptive only and does not direct water to the Great Salt Lake, alter water rights, establish allocation priorities, or require instream dedication.

6.8 Fire Suppression and Emergency Water Demand

The framework examines fire suppression and emergency response water demand, particularly during drought and high-temperature periods.

Analysis includes surge demand during wildfire, redundancy of supply, segregation between potable and non-potable systems, and access reliability under congestion.

This subsection does not supplement, conflict with, or supersede fire code authority or fire marshal discretion.

6.9 Air Quality, Congestion, and Exposure Duration

Air quality is examined using an exposure-based lens emphasizing duration of exposure, proximity to sources, and cumulative concentration during congestion.

The framework examines whether system design minimizes idling, queuing, and stop-and-go traffic, particularly in corridors shared by freight, passenger, workforce, and emergency vehicles.

This examination does not establish air-quality standards, thresholds, or compliance criteria.

6.10 Housing, Land Use, and Environmental Interaction

Housing placement is examined for its interaction with air-quality exposure, water demand, emergency access, and congestion pressure.

The framework examines whether housing and tourism development compound exposure or preserve separation from high-risk corridors.

This examination does not direct zoning or land-use decisions.

6.11 Temporal Stress Testing and Legacy Conditions

Water and air systems are examined across daily operations, seasonal variability, tourism and event surges, and long-term growth.

The 2034 Olympic Games are used as a fixed stress-test reference to evaluate system resilience under peak international demand.

This reference does not justify acceleration, exception, or prioritization.

6.12 Relationship to Authority and Process

Nothing in this section allocates water, establishes air-quality standards, directs agencies, substitutes for environmental review, interferes with pending legislation, or creates enforceable rights or obligations.

This section exists solely to support integrated system understanding.

SECTION 7 — ENERGY, REFINING, RAIL, AND INDUSTRIAL LOGISTICS INTEGRATION (LOCKED)

7.1 Purpose and Scope

This section establishes an analytical framework for examining energy logistics, refining functions, rail interaction, industrial staging, hazardous material handling, workforce exposure, emergency response interfaces, and economic stability within The Safety Commitment & BackRunner.

The purpose of this section is to examine how energy production, processing, transport, and storage interact with transportation congestion, air quality, water availability, housing proximity, workforce safety, and emergency response capacity, particularly within shared corridors and system nodes.

This section does not establish an energy policy, refining strategy, rail strategy, or industrial development framework.

Nothing in this section authorizes construction, approves facilities, selects sites, mandates refining, establishes routing, alters regulatory authority, allocates resources, or creates enforceable obligations.

7.2 Energy Logistics as a System Interaction

Energy logistics are examined as a system interaction involving extraction and production, intermediate processing and stabilization, storage and buffering, transport by truck and rail, interface with refining and blending operations, and delivery to downstream markets.

The framework examines how decisions at one stage transfer congestion, exposure, delay, or emergency burden to other stages.

This examination does not assess the adequacy, necessity, or desirability of any existing or proposed energy operation and does not attribute causation, fault, or responsibility.

7.3 Refining Functions and Hazard Reduction (Analytical)

Refining is examined by functional role rather than by facility count, ownership, size, or location.

Functional roles examined may include stabilization and pre-processing, intermediate conversion, and final refining and blending.

This examination is used to understand how processing stage affects transport risk, workforce exposure, congestion, and emergency response.

Discussion of refining functions does not constitute support for, opposition to, or preference regarding refining activity.

7.4 Rail Interaction within Energy and Industrial Logistics

Rail systems are examined for their interaction with energy logistics and industrial activity, including potential reduction of long-haul hazardous trucking, interaction with passenger rail operations, rail–road interfaces, access to industrial or storage nodes, and congestion effects.

This examination does not mandate rail use, propose rail substitution, require modal shift, imply service obligations, or select alignments.

7.5 Truck–Storage–Rail Interfaces and Exposure Management

Interfaces between truck, storage, and rail systems are examined as high-exposure operational points.

The framework examines whether system design includes intermediate holding tanks, decoupling of truck off-load from rail positioning, reduction of unpaid waiting time, mitigation of idling and fatigue exposure, and preservation of emergency access.

This examination does not establish workplace safety standards, operational requirements, or occupational regulations.

7.6 Professional Driver and Workforce Safety Considerations

Professional drivers and industrial workers are examined as safety-critical participants whose exposure reflects corridor and node design.

Analysis includes exposure duration, fatigue risk, staging and queuing conditions, proximity to hazardous materials, and access to sanitation, emergency egress, and rest conditions.

This subsection does not create employment classifications, wage standards, employer duties, or labor obligations.

7.7 Housing, Community Proximity, and Industrial Activity

The framework examines proximity of housing and community activity to energy and industrial logistics systems, including residential placement near high-hazard corridors or nodes, interaction with tourism and seasonal population surges, and emergency access during congestion.

This examination does not direct zoning, land-use decisions, or housing policy.

7.8 Water and Air Interactions with Energy Logistics

Energy and industrial logistics are examined for interaction with water availability, industrial and non-potable water use, emergency demand, air-quality exposure during congestion or staging, and cumulative concentration in basin geographies.

This examination does not establish air-quality standards, water allocation priorities, or compliance thresholds.

7.9 Economic Stability and Workforce Continuity

The framework examines how instability in energy logistics may affect workforce retention, housing displacement, local tax base volatility, and emergency service strain.

Economic stability is examined solely for its indirect relationship to public safety and does not justify approval, acceleration, or protection of any industry.

7.10 Emergency Response and Failure Mode Considerations

Energy and industrial logistics systems are examined for behavior during wildfire, flood, seismic events, severe weather, transportation disruption, and national supply-chain interruption.

This examination does not alter emergency authority, response protocols, or jurisdictional responsibility.

7.11 Temporal Stress Testing and Legacy Conditions

Energy and logistics systems are examined across daily operations, seasonal variability, event-driven surges, and long-term growth.

The 2034 Olympic Games are used as a fixed stress-test reference to examine system resilience under international exposure.

The Olympic reference does not justify acceleration, exception, or modification of energy, refining, or rail processes.

7.12 Relationship to Authority and Process

Nothing in this section authorizes construction or operation, approves refining or storage facilities, designates routes or modes, allocates water or air capacity, establishes labor standards, interferes with pending legislation, or creates enforceable rights or obligations.

Nothing in this section supplements, conflicts with, or substitutes for federal regulation of energy, rail, or hazardous materials.

SECTION 8 — HOUSING, WORKFORCE, AND COMMUNITY INTEGRATION (LOCKED)

8.1 Purpose and Scope

This section establishes an analytical framework for examining housing placement, workforce accommodation, community exposure, passenger mobility, tourism demand, and emergency access within The Safety Commitment & BackRunner.

The purpose of this section is to examine how housing and community development interact with transportation congestion, hazardous freight movement, energy and industrial logistics, water and air systems, workforce mobility, and emergency response capacity.

The term “integration” is used solely to describe analytical examination and does not imply coordinated planning, policy alignment, or implementation.

Nothing in this section authorizes housing construction, directs zoning or land-use decisions, establishes affordability requirements, mandates development patterns, allocates funding, or creates enforceable obligations.

8.2 Housing as a System Interaction

Housing is examined as a system interaction rather than solely as a land-use or affordability issue.

The framework examines how housing placement interacts with transportation corridors, congestion, air-quality exposure duration, water demand and emergency capacity, proximity to hazardous freight or industrial activity, emergency response access, and workforce commute patterns.

This examination does not establish preferred housing locations, densities, or land-use outcomes and does not attribute causation, fault, or responsibility.

8.3 Workforce Housing and Mobility Considerations

Workforce housing is examined for its interaction with daily commuting patterns, shift-based and seasonal employment, professional driver staging and rest needs, emergency responder proximity requirements, and passenger transit availability.

The framework examines whether workforce housing location amplifies congestion and exposure or reduces system strain through proximity and separation.

This subsection does not establish housing preferences, eligibility criteria, allocation priorities, residency requirements, or workforce housing mandates.

8.4 Passenger Mobility, Tourism, and Event Demand

Passenger mobility is examined for its interaction with tourism-driven population surges, seasonal employment cycles, freight and hazardous material movement, and emergency access reliability.

Tourism and large-event demand are examined as stress conditions that reveal system vulnerabilities.

This examination does not prioritize tourism, justify expansion, or establish passenger service obligations.

8.5 Exposure Duration and Community Health

Community exposure is examined using a duration-based analytical lens, including time spent near congested corridors, proximity to staging and transfer nodes, and cumulative exposure across daily and seasonal cycles.

This examination does not establish health standards, thresholds, or regulatory criteria.

8.6 Professional Drivers and Core Workforce Integration

Professional drivers, first responders, healthcare workers, utility workers, and other core workforce participants are examined as safety-critical community members whose daily movement reflects system design.

The framework examines access to housing relative to work locations, exposure during staging and transit, interaction with passenger congestion, and access to sanitation, rest, and emergency services.

This examination does not create labor standards, employment classifications, compensation requirements, or employer obligations.

8.7 Housing Near Hazardous Freight and Industrial Activity

Housing placement is examined for its proximity to hazardous freight corridors, industrial staging and buffering areas, rail-road interfaces, and energy and refining logistics nodes.

The framework examines whether buffering, separation, and land-use patterns mitigate or compound exposure.

This examination does not establish exclusion zones, setback requirements, siting prohibitions, or land-use restrictions.

8.8 Emergency Response Access and Residential Reliability

Residential areas are examined for emergency access reliability under peak congestion, tourism surges, freight overlap, and severe weather or disaster conditions.

This examination does not alter emergency authority, response protocols, or service levels.

8.9 Water and Infrastructure Capacity in Residential Contexts

Housing is examined for its interaction with potable water reliability, non-potable reuse capacity, fire-suppression demand, and infrastructure surge capacity during events.

This examination does not allocate water, mandate reuse, or establish infrastructure requirements.

8.10 Olympic and Legacy Stress-Testing

Housing, workforce, and community systems are examined using the 2034 Olympic Games as a fixed stress-test reference to evaluate temporary population surges, workforce accommodation, emergency readiness, and post-event legacy conditions.

The Olympic reference does not justify accelerated housing development, waiver of review, or deviation from existing law.

8.11 Relationship to Authority and Process

Nothing in this section directs zoning or land-use decisions, authorizes housing development, establishes affordability standards, allocates funding, interferes with pending legislation, or creates enforceable rights or obligations.

Nothing in this section commits public funds or creates funding eligibility.

SECTION 9 — GOVERNANCE, SEQUENCING, AND IMPLEMENTATION GATES (LOCKED)

9.1 Purpose and Scope

This section establishes an analytical framework for examining governance interfaces, sequencing logic, implementation readiness, and decision-making checkpoints within The Safety Commitment & BackRunner.

The purpose of this section is to examine how decisions progress from concept to action across multiple systems and to identify points where risk, exposure, or failure may be introduced if sequencing is misaligned.

The term “implementation gates” refers solely to analytical review points and does not function as approval conditions, procedural requirements, or decision thresholds.

Nothing in this section creates a governing body, delegates authority, directs agency action, mandates coordination, establishes approval requirements, or creates enforceable obligations.

9.2 Governance as an Analytical Lens

Governance is examined as an interaction among existing authorities, not as a consolidation or reallocation of power.

The framework examines how decisions made independently by different entities may interact across water systems, transportation corridors, housing and community development, energy and industrial logistics, and emergency response jurisdictions.

This examination does not propose governance reform, create new entities, alter statutory authority, or assess the sufficiency, effectiveness, or appropriateness of existing governance arrangements.

9.3 Sequencing as Risk Management

Sequencing is examined as a risk-management concept, not as a procedural requirement.

The framework examines whether downstream decisions rely on upstream capacity assumptions, whether emergency systems are evaluated before exposure increases, whether infrastructure commitments precede reliability verification, and whether risk is transferred to workers, residents, or responders due to timing.

This discussion does not establish best practices, procedural expectations, or timing requirements.

9.4 Upstream and Downstream Readiness Evaluation

For analytical purposes only, systems are examined relative to one another as upstream or downstream.

Upstream considerations may include water reliability, air dispersion capacity, emergency access, and workforce exposure conditions.
Downstream considerations may include housing placement, industrial logistics, freight concentration, and tourism and event demand.

This characterization is descriptive only and does not establish sequencing precedence, dependency, decision order, or approval conditions.

9.5 Implementation Gates as Analytical Checkpoints

Implementation gates are examined as conceptual checkpoints used to identify whether information necessary for informed decision-making is available.

Examples of analytical checkpoints include confirmation of water reliability under surge conditions, assessment of congestion impacts on emergency access, evaluation of cumulative exposure in shared corridors, and identification of failure modes during extreme events.

Analytical checkpoints described here do not trigger review, require findings, or condition subsequent action.

9.6 Coordination Without Consolidation

The framework examines how coordination may occur without consolidation of authority, including information sharing, timeline awareness, and recognition of cross-system dependencies.

This examination does not mandate interagency agreements, joint decision-making, or shared control.

9.7 Avoidance of De Facto Approval Pathways

The framework explicitly avoids creation of alternative approval pathways, shadow regulatory processes, informal prerequisites, or de facto veto points.

All approvals remain governed by existing law.

9.8 Transparency and Record Integrity

The framework examines whether assumptions are documented, limitations are acknowledged, uncertainties are recorded, and decision rationales are preserved.

This discussion does not impose documentation, record-keeping, or disclosure requirements.

9.9 Application to Large-Scale and High-Impact Decisions

The framework is applied analytically to decisions that affect multiple systems simultaneously, involve long-lived infrastructure, concentrate exposure, or limit future flexibility.

This application does not elevate any proposal to special status.

9.10 Temporal Stress-Testing and Legacy Considerations

Governance and sequencing are examined across immediate decision horizons, medium-term implementation phases, and long-term legacy impacts.

The 2034 Olympic Games are used as a fixed stress-test reference to examine whether sequencing compresses risk or reveals system fragility.

This reference does not justify acceleration, exception, or deviation from existing processes.

9.11 Relationship to Authority and Process

Nothing in this section creates a governing entity, delegates authority, establishes approval requirements, mandates coordination, interferes with pending legislation, or creates enforceable rights or obligations.

This section exists solely to support clearer understanding of governance interactions and sequencing risk.

SECTION 10 — ENFORCEMENT BACKSTOPS, METRICS, AND DURABILITY (LOCKED)

10.1 Purpose and Scope

This section establishes an analytical framework for examining enforcement backstops, performance metrics, durability, and long-horizon risk considerations associated with The Safety Commitment & BackRunner.

For purposes of this section, “enforcement backstops” refers solely to analytical concepts used to evaluate whether risk may persist in the absence of formal enforcement and does not describe regulatory, legal, or administrative enforcement mechanisms.

The purpose of this section is to identify how risk, exposure, and system failure may persist or re-emerge in the absence of feedback visibility, assumption review, or durability awareness.

Nothing in this section creates enforcement authority, mandates compliance, establishes penalties, directs agency action, allocates funding, or creates enforceable rights or obligations.

10.2 Enforcement Backstops as Analytical Constructs

Enforcement backstops are examined as conceptual safeguards rather than regulatory mechanisms.

The framework examines whether decisions include mechanisms for reassessment, whether assumptions are revisited when conditions change, whether system degradation is observable before harm occurs, and whether risk is redistributed without acknowledgment.

This examination does not establish enforcement triggers, penalties, compliance obligations, corrective mandates, or response requirements.

10.3 Metrics as Visibility Tools

Metrics are examined solely as visibility tools to understand system behavior over time.

The framework examines whether indicators exist to observe congestion duration and exposure, workforce staging and idling conditions, emergency response access under stress, water reliability during surge events, and cumulative exposure across shared corridors.

Nothing in this subsection requires the creation, collection, aggregation, retention, or reporting of data.

10.4 Avoidance of Performance Mandates

Nothing in this section establishes performance standards, benchmarks, targets, service levels, minimum outcomes, or acceptable thresholds.

Metrics are discussed only to illuminate system behavior, not to enforce performance.

10.5 Feedback Without Punitive Mechanisms

The framework examines whether systems include feedback loops that allow adaptation through informational awareness rather than punitive enforcement.

Feedback, as used here, is informational only and does not imply corrective action, remediation, enforcement response, or escalation pathways.

This section does not create audit authority, corrective action requirements, or enforcement escalation mechanisms.

10.6 Durability and Long-Horizon Risk

Durability is examined as the capacity of systems to remain functional under climate variability, population growth, economic cycles, infrastructure aging, and governance turnover.

Nothing in this subsection establishes design criteria, engineering standards, resilience requirements, or durability mandates.

10.7 Temporal Drift and Risk Re-Emergence

The framework examines how risk may re-emerge over time through incremental changes, deferred maintenance, assumption drift, and institutional memory loss.

This examination does not impose monitoring obligations, lifecycle mandates, or maintenance requirements.

10.8 Olympic Stress-Testing and Post-Event Conditions

The 2034 Olympic Games are used as a fixed stress-test reference to examine surge capacity limits, workforce exposure under compression, emergency access reliability, and post-event legacy conditions.

This reference does not justify accelerated action, exception, or deviation from existing law.

10.9 Sunset, Review, and Persistence

The framework examines whether analytical constructs remain relevant over time, become obsolete as conditions change, or require reinterpretation.

This discussion does not create review obligations, reauthorization requirements, sunset provisions, or periodic reassessment mandates.

10.10 Relationship to Authority and Process

Nothing in this section creates enforcement authority, establishes penalties or sanctions, mandates compliance, requires reporting or audits, allocates funding, interferes with pending legislation, or creates enforceable rights or obligations.

This section exists solely to support long-term risk awareness, transparency, and durability of decision-making.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-1 — WATER SYSTEMS: SOURCES, RELIABILITY, REUSE, AND EMERGENCY INTEGRATION (LOCKED)

A-1.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for water systems as evaluated under The Safety Commitment & BackRunner. It functions solely as a supporting legislative and technical record.

Nothing in this section authorizes diversion, storage, treatment, reuse, construction, funding, or modification of existing water rights, compacts, decrees, adjudications, or regulatory authority.

A-1.2 Geographic and System Context

Systems evaluated are located within or affect the Wasatch Back, Heber Valley, Midway, Park City, Summit County, Wasatch County, Duchesne County, Uintah County, and downstream systems affecting the Great Salt Lake.

A-1.3 Named Water Sources (Contextual Identification Only)

Water systems referenced include the Provo River system, Strawberry River and Reservoir, Weber River system, Upper Colorado River Basin allocations, local groundwater aquifers, municipal treatment systems, and return flows.

Reference to named sources is for contextual identification only and does not imply current or future reliance, projected demand, preferred sourcing, prioritization, or system expansion.

A-1.4 Water as an Upstream Safety System

Water is evaluated as an upstream safety system because water availability influences housing placement, fire suppression capacity, emergency response reliability, air-quality interaction, and transportation congestion.

The term “upstream” is descriptive only and does not establish priority, sequencing precedence, or decision order.

A-1.5 Dual-Loop Water Architecture (Structural Separation)

Water reuse is evaluated through a dual-loop architecture consisting of Loop B (advanced potable reuse) and Loop C (industrial and non-potable reuse).

Description of a dual-loop architecture does not constitute endorsement, recommendation, or preferred system configuration. Structural separation is discussed solely for analytical clarity.

Nothing in this subsection mandates reuse, authorizes facilities, or establishes priority.

A-1.6 Fire Suppression and Emergency Water Integration

Fire suppression is evaluated as a surge-driven demand that often coincides with drought, heat events, congestion, and limited emergency access.

Nothing in this subsection establishes operational requirements, design parameters, or water-source selection for fire suppression, nor does it modify fire codes or emergency authority.

A-1.7 Water–Air Interaction

Water systems influence air quality through dust control capability, vegetation maintenance, fire frequency, and emergency response conditions.

This discussion does not establish environmental standards, thresholds, mitigation requirements, or air-quality obligations.

A-1.8 Water–Transportation Interaction

Water reliability indirectly influences congestion, commuting distance, emergency routing, and freight staging conditions.

This interaction analysis does not assign causation, fault, or responsibility to any entity or system.

A-1.9 Olympic 2034 Stress-Test Application

The 2034 Olympic Games are used as a fixed stress-test reference to examine peak demand, emergency concurrency, and system resilience.

The Olympic reference does not justify acceleration of planning, modification of review timelines, alteration of substantive standards, or funding entitlement.

A-1.10 Funding Alignment (Illustrative Only)

Water systems are mapped descriptively to potential funding program categories for contextual understanding.

References to funding programs are illustrative only and do not represent eligibility determinations, funding strategies, intent to seek funds, or prioritization.

A-1.11 Tribal, Interstate, and Federal Authority

Nothing in this section alters interstate compacts, federal reserved rights, or tribal water rights.

Nothing in this section constitutes initiation, completion, or satisfaction of government-to-government consultation.

A-1.12 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable obligations, mandates system changes, establishes standards, requires monitoring or reporting, or approves or denies any project.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-2 — AIR QUALITY, EXPOSURE, AND CONGESTION INTERACTION (LOCKED)

A-2.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for air quality and human exposure as evaluated under The Safety Commitment & BackRunner.

This section functions solely as a supporting legislative and technical record.

Nothing in this section establishes air-quality standards, emissions limits, mitigation requirements, enforcement authority, or regulatory obligations, nor does it modify federal, state, or local air-quality jurisdiction.

A-2.2 Basin Geography and Exposure Conditions

Air-quality conditions evaluated occur within basin and valley geographies characterized by temperature inversions, limited dispersion, cold-air pooling, and seasonal stagnation, including the Wasatch Back, Heber Valley, Park City area, Summit County, Wasatch County, and connected corridors.

Reference to geographic conditions is descriptive only and does not attribute causation or responsibility.

A-2.3 Exposure-Based Analytical Framework

Air quality is evaluated using an exposure-based analytical framework that examines duration, proximity, frequency, and cumulative exposure across daily, seasonal, and event-driven cycles.

This framework does not establish health benchmarks, exposure limits, environmental justice determinations, medical conclusions, or regulatory criteria.

A-2.4 Transportation Congestion as an Exposure Multiplier

Transportation congestion is evaluated as an exposure multiplier in inversion-prone basins.

This discussion does not imply a duty to mitigate, reduce, or manage congestion.

A-2.5 Freight, Hazardous Materials, and Idling Interaction

Freight and hazardous material movement is evaluated for interaction with air quality through idling duration, staging, and corridor overlap.

This analysis does not regulate hazardous materials, freight operations, routing, idling practices, or carrier behavior.

A-2.6 Housing Placement and Exposure Duration

Housing placement is evaluated for interaction with exposure duration related to proximity to congested corridors and staging areas.

This evaluation does not establish land-use preferences, siting criteria, buffers, zoning considerations, or land-use mandates.

A-2.7 Workforce Exposure and Mobility

Workforce exposure is evaluated for individuals whose work requires extended time in traffic corridors or roadside environments, including professional drivers and emergency responders.

Nothing in this subsection establishes occupational safety standards, employer duties, labor protections, or compensation requirements.

A-2.8 Emergency Response and Air Quality Interaction

Emergency response operations are evaluated for interaction with air quality during congestion or concurrent incidents.

This discussion does not establish emergency response protocols, tactics, or operational requirements.

A-2.9 Water–Air Interdependence

Air quality is evaluated in relation to water system conditions affecting dust suppression, vegetation, and fire frequency.

This discussion does not establish environmental standards, thresholds, or mitigation requirements.

A-2.10 Seasonal, Tourism, and Event Stress Conditions

Seasonal tourism, recreation, and large events are evaluated as stress conditions that concentrate exposure.

The 2034 Olympic Games are used as a fixed stress-test reference only and do not justify accelerated planning, expedited review, or modification of substantive standards.

A-2.11 Funding Context (Illustrative Only)

References to funding categories are illustrative only and do not represent eligibility determinations, funding strategies, or intent to seek funds.

A-2.12 Relationship to Authority and Process

Nothing in this section creates enforceable obligations, allocates funding, interferes with pending legislation, or modifies agency jurisdiction.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-3 — RAIL, FREIGHT, AND HAZARDOUS MATERIALS SYSTEMS (LOCKED)

A-3.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for rail and freight systems, including hazardous materials movement, truck–rail interfaces, staging and transfer operations, and interaction with communities, workforce exposure, and emergency response.

This section functions solely as a supporting legislative and technical record.

Nothing in this section authorizes rail construction, rail service, routing, volumes, carrier selection, operating practices, freight handling, or hazardous material movement, nor does it modify federal or state jurisdiction or federal preemption.

A-3.2 System Geography and Named Corridors (Contextual Identification Only)

Rail and freight systems evaluated affect the Uinta Basin, Duchesne County, Uintah County, the Wasatch Back, Heber Valley, Summit County, Wasatch County, and the Wasatch Front.

Named rail systems referenced include the Uinta Railway and the Heber Creeper corridor.

Reference to named rail systems does not imply current or future service levels, restoration, repurposing, expansion, routing, capacity, or operational intent.

A-3.3 Freight and Hazardous Materials as System Interactions

Freight and hazardous materials movement is evaluated as a system interaction with congestion, air-quality exposure duration, workforce staging and idling, emergency response access, housing proximity, and tourism and event-driven surges.

Use of the term “hazardous materials” is descriptive only and does not establish regulatory classifications, safety requirements, routing controls, or handling standards.

This section does not assign causation, fault, or responsibility to any entity or system.

A-3.4 Professional Drivers as Safety-Critical System Participants

Professional drivers are evaluated as safety-critical participants whose exposure and fatigue are shaped by system design.

Nothing in this subsection establishes labor standards, occupational safety requirements, hours-of-service interpretations, wage or compensation rules, or employer obligations.

A-3.5 Truck–Rail Interface and Transfer Operations

Truck–rail interfaces are evaluated as high-risk operational points where multiple systems converge.

Discussion of intermediate holding tanks, decoupling of truck arrival from railcar positioning, and reduction of waiting time is descriptive only and does not constitute design guidance, operational preference, or best-practice recommendation.

A-3.6 Freight Staging, Queuing, and Community Interaction

Freight staging and queuing are evaluated for interaction with residential areas, workforce housing, passenger traffic, and emergency access corridors.

This evaluation does not establish buffer zones, setbacks, land-use controls, or operational restrictions.

A-3.7 Rail as an Exposure-Reduction Consideration

Rail systems are evaluated for potential interaction with exposure reduction relative to highway-based freight movement.

This discussion does not compare modes for safety, emissions, or exposure performance and does not establish modal preference.

A-3.8 Emergency Response and Rail–Freight Interaction

Rail and freight systems are evaluated for interaction with emergency response access during incidents.

This discussion does not establish emergency response protocols, command authority, or operational coordination requirements.

A-3.9 Seasonal, Tourism, and Event Stress Conditions

Freight and rail systems are evaluated under seasonal and event-driven stress conditions.

The 2034 Olympic Games are used as a fixed stress-test reference only.

The Olympic reference does not justify accelerated planning, expedited review, waiver of federal preemption, or modification of substantive standards.

A-3.10 Funding Context (Illustrative Only)

References to funding categories are illustrative only and do not represent eligibility determinations, funding strategies, or intent to seek funds.

A-3.11 Tribal, Federal, and Preemption Considerations

Nothing in this section alters federal rail preemption, hazardous materials law, or tribal jurisdiction or rights.

Nothing in this section constitutes initiation, completion, or satisfaction of government-to-government consultation.

A-3.12 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable obligations, mandates operational changes, establishes standards or thresholds, requires reporting or monitoring, or approves or denies any project.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-4 — TRANSPORTATION CORRIDORS, CONGESTION, AND SYSTEM INTERACTION (LOCKED)

A-4.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for transportation corridors and congestion, including interaction with air quality and exposure, water system reliability, rail and freight operations, housing placement, workforce mobility, tourism and event demand, and emergency response access.

This section functions solely as a supporting legislative and technical record.

Nothing in this section authorizes transportation construction, expansion, lane additions, bypasses, pricing mechanisms, traffic management programs, or funding allocations, nor does it modify state, federal, or local transportation authority.

A-4.2 Named Transportation Corridors (Contextual Identification Only)

Transportation systems evaluated include interaction with the following named corridors, referenced for contextual identification only:

Interstate 80 (I-80); Interstate 15 (I-15); U.S. Route 40 (US-40); U.S. Route 189 (US-189 / Provo Canyon); State Route 248 (SR-248); and local arterial and collector roadways.

Reference to named transportation corridors does not imply identification of deficiencies, need for mitigation, prioritization, project development, selection of alternatives, or endorsement of any project.

A-4.3 Congestion as a System Interaction

Congestion is evaluated descriptively as a system interaction affecting exposure duration, air quality, emergency access, freight staging, housing patterns, workforce mobility, and seasonal demand.

Congestion discussion is descriptive only and does not establish performance benchmarks, thresholds, or expectations.

A-4.4 Basin Geography and Network Constraint

Transportation corridors operate within basin and canyon geographies characterized by limited right-of-way, constrained expansion, weather variability, and seasonal demand.

This description assigns no fault or responsibility.

A-4.5 Workforce and Professional Driver Mobility

Transportation systems are evaluated for interaction with workforce mobility and professional driver exposure.

Nothing in this subsection establishes labor standards, occupational safety requirements, hours-of-service interpretations, compensation rules, employer obligations, commute-time requirements, or workplace accommodations.

A-4.6 Passenger Traffic, Tourism, and Event Demand

Passenger travel associated with tourism, recreation, and large events is evaluated for interaction with freight movement, workforce mobility, and emergency access.

This discussion does not prioritize tourism, recreation, or events over resident, workforce, or emergency needs.

A-4.7 Transportation–Water Interaction

Transportation congestion is evaluated for interaction with water systems related to emergency access, fire suppression routing, and dust control.

This discussion does not establish infrastructure requirements, environmental mitigation duties, water allocation, or compliance obligations.

A-4.8 Transportation–Rail and Freight Interaction

Highway corridors are evaluated for interaction with rail and freight systems at interface points and during incidents.

This section does not mandate modal separation, corridor redesign, freight diversion, or operational coordination.

A-4.9 Emergency Response Access and Reliability

Transportation corridors are evaluated for emergency access reliability under peak congestion and adverse conditions.

This discussion does not establish emergency response performance standards, adequacy criteria, protocols, or command authority.

A-4.10 Olympic 2034 Stress-Test Application

The 2034 Olympic Games are used as a fixed stress-test reference only.

The Olympic reference does not justify acceleration, emergency declarations, expedited review, exemption from procedural requirements, or modification of substantive standards.

A-4.11 Funding Context (Illustrative Only)

References to funding categories are illustrative only and do not represent eligibility determinations, prioritization, strategic alignment, or intent to seek funds.

A-4.12 Authority, Non-Delegation, and Scope

Nothing in this section establishes standards, mandates mitigation, allocates funding, interferes with pending legislation, modifies jurisdiction, or creates enforceable rights or obligations.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-5 — PROFESSIONAL DRIVERS, WORKFORCE SAFETY, AND SYSTEM DESIGN (LOCKED)

A-5.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for professional drivers and safety-critical workforce participants, including interaction with transportation congestion, rail and freight systems, hazardous material movement, housing proximity, air-quality exposure, water availability, and emergency response reliability.

This section functions solely as a supporting legislative and technical record.

Nothing in this section creates labor standards, employment rights, compensation rules, hours-of-service interpretations, occupational safety requirements, employer duties, or regulatory obligations, nor does it modify state or federal labor, transportation, or workplace authority.

A-5.2 Definition and Scope of “Professional Driver”

For purposes of this record, “professional driver” means an individual operating commercial vehicles as part of a regulated freight, logistics, utility, construction, emergency support, or hazardous-materials transportation system.

Use of the term “professional driver” is descriptive only and does not establish a legal classification, credentialing standard, or regulatory category.

A-5.3 Professional Drivers as Safety-Critical System Participants

Professional drivers are evaluated as safety-critical participants whose exposure, fatigue, and operational risk are influenced by system design choices.

Use of the term “safety-critical” is descriptive only and does not establish a duty of care, heightened standard, or special legal status.

This evaluation is analytical only and does not assign responsibility, fault, or causation to any driver, employer, carrier, shipper, or public entity.

A-5.4 Exposure Duration and System-Generated Risk

Exposure risk is evaluated based on duration, proximity, and frequency, including idling, congestion, staging delays, inversion travel, and event overlap.

This discussion does not establish occupational exposure limits, fatigue standards, or regulatory interpretations under OSHA, FMCSA, or related authorities.

A-5.5 Staging, Queuing, and Waiting-Time Interaction

Freight staging and queuing are evaluated as system interactions where drivers may remain with vehicles during delays.

This section does not address compensation, detention time, or wage-hour practices and does not assign responsibility for delays.

Discussion of staging or waiting time is descriptive only and does not constitute design guidance or operational standards.

A-5.6 Truck–Rail Interface and Workforce Interaction

Truck–rail interfaces are evaluated for interaction with professional driver exposure, including arrival sequencing and dwell conditions.

Nothing in this subsection mandates transfer configurations, facility design, or operational sequencing.

A-5.7 Housing Proximity and Workforce Interaction

Professional drivers are evaluated as part of the broader workforce affected by housing placement relative to transportation and freight corridors.

Nothing in this subsection establishes housing preferences, eligibility criteria, allocation priorities, residency requirements, or zoning standards.

A-5.8 Emergency Response and Workforce Reliability

Transportation and freight systems are evaluated for interaction with professional drivers during emergency conditions.

This discussion does not establish workforce availability requirements, response time standards, emergency protocols, or command authority.

A-5.9 Seasonal, Tourism, and Event Stress Conditions

Professional driver exposure and workforce reliability are evaluated under seasonal and event-driven stress conditions.

The 2034 Olympic Games are used as a fixed stress-test reference only.

This reference does not justify modification of labor protections, scheduling practices, workforce safeguards, emergency declarations, or waiver of standards.

A-5.10 Funding Context (Illustrative Only)

References to funding categories are illustrative only and do not represent eligibility determinations, workforce program intent, funding strategies, or intent to seek funds.

A-5.11 Tribal, Federal, and Preemption Considerations

Nothing in this section alters federal transportation or labor preemption, hazardous materials law, or tribal jurisdiction or rights.

Nothing in this section constitutes initiation, completion, or satisfaction of government-to-government consultation.

A-5.12 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable rights or obligations, establishes labor or safety standards, mandates employer action, requires reporting or monitoring, or approves or denies any project or operation.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-6 — PASSENGER RAIL, WORKFORCE MOBILITY, AND TRANSIT SYSTEM INTERACTION (LOCKED)

A-6.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for passenger rail, transit, and workforce mobility systems, including interaction with highway congestion, professional driver exposure, housing proximity, air-quality exposure, water system reliability, tourism and event demand, and emergency response access.

This section functions solely as a supporting legislative and technical record.

Nothing in this section authorizes passenger rail construction, service initiation, route selection, frequency, fare policy, station siting, transit operations, or funding allocation, nor does it modify state, federal, or local transportation authority.

A-6.2 Definitions and Scope

“Passenger rail” means fixed-guideway or rail-based systems intended to transport passengers.

“Transit” means public or quasi-public passenger transportation services.

“Workforce mobility” means the ability of workers to reach employment under daily, seasonal, and event-driven conditions.

Use of these terms is descriptive only and does not establish legal classifications, service obligations, or regulatory standards.

A-6.3 Named Passenger Rail Corridors and Assets (Contextual Identification Only)

Passenger rail and transit systems evaluated may interact with the following named assets, referenced for contextual identification only:

Heber Creeper corridor; passenger rail or transit assets within the Wasatch Back, Summit County, Wasatch County, Park City, Heber Valley, and the Wasatch Front.

Reference to named passenger rail corridors does not imply restoration, reactivation, heritage use, passenger service, expansion, routing, capacity, frequency, or future operational intent.

A-6.4 Workforce Mobility as a System Interaction

Workforce mobility is evaluated as a system interaction influenced by housing location, congestion reliability, passenger demand surges, and emergency conditions.

Nothing in this subsection establishes workforce access guarantees, commute expectations, employer accommodation obligations, land-use requirements, zoning standards, density requirements, or development mandates.

A-6.5 Interaction with Professional Drivers and Freight Systems

Passenger rail and transit systems are evaluated for interaction with freight and professional driver operations.

This section does not establish passenger priority, freight displacement, scheduling hierarchy, operational precedence, or modal separation.

A-6.6 Passenger Systems and Air-Quality Exposure

Passenger rail and transit systems are evaluated for interaction with air-quality exposure through congestion and corridor proximity.

This discussion does not compare modes for emissions or air-quality performance and does not establish mitigation requirements.

A-6.7 Water and Emergency Systems Interaction

Passenger systems are evaluated for interaction with water availability and emergency access during incidents.

This discussion does not establish infrastructure hardening, redundancy requirements, emergency response protocols, or water allocation priorities.

A-6.8 Tourism, Recreation, and Event Demand

Passenger systems are evaluated for interaction with tourism, recreation, and large-event demand.

This discussion does not prioritize tourism, justify expansion, or establish service expectations.

A-6.9 Olympic 2034 Stress-Test Application

The 2034 Olympic Games are used as a fixed stress-test reference only.

The Olympic reference does not justify transit expansion, service mandates, emergency declarations, expedited review, waiver of procedural or substantive requirements, or modification of transportation authority.

A-6.10 Funding Context (Illustrative Only)

References to funding categories are illustrative only and do not represent eligibility determinations, federal transit program qualification, funding strategies, prioritization, or intent to seek funds.

A-6.11 Tribal, Federal, and Preemption Considerations

Nothing in this section alters federal rail or transit preemption, state or local transportation authority, or tribal jurisdiction or rights.

Nothing in this section substitutes for or satisfies government-to-government consultation requirements.

A-6.12 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable rights or obligations, establishes passenger service standards, mandates transit operations, requires funding or capital investment, or approves or denies any project or service.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-8 — GOVERNANCE, SEQUENCING, AND IMPLEMENTATION GATES (LOCKED)

A-8.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for governance coordination, system sequencing, and implementation gates applicable to water, air, transportation, rail, freight, housing, workforce, and emergency systems evaluated under BackRunner.

This section functions solely as a supporting legislative and technical record.

Nothing in this section creates a governing body, delegates authority, modifies agency jurisdiction, establishes approval requirements, or authorizes construction, operation, or funding.

A-8.2 Integrated Governance Context

Systems evaluated under BackRunner intersect with authorities exercised by state agencies, local governments, regional and metropolitan planning entities, federal agencies, and tribal governments.

This section recognizes existing jurisdictional boundaries and does not alter or consolidate authority.

Nothing in this section requires coordination, concurrence, consultation, or interagency agreement.

A-8.3 Sequencing as Risk Management

System sequencing is evaluated as a risk-management concept recognizing that downstream commitments made before upstream capacity is understood may embed long-term exposure, safety, or reliability risks.

Sequencing discussion does not establish veto authority, moratoria, caps, prerequisites, or conditions for downstream action.

Sequencing discussion is analytical only and does not establish approval thresholds.

A-8.4 Upstream System Awareness

Upstream systems evaluated may include potable and non-potable water reliability, air-quality exposure conditions, transportation network constraint, freight and rail interaction, and emergency response capacity.

Nothing in this subsection establishes gating authority, veto power, or approval sequencing.

A-8.5 Downstream Commitment Awareness

Downstream systems evaluated may include housing deployment, industrial logistics, workforce concentration, passenger and freight demand, and tourism or event surge exposure.

This discussion does not establish limits, caps, moratoria, approvals, or development controls.

A-8.6 Implementation Gates (Descriptive Only)

Implementation gates are described as analytical checkpoints used to evaluate whether information about upstream systems is sufficiently developed to inform downstream decision-making.

Implementation gates are not approvals, not permits, not regulatory triggers, and do not delay, condition, influence, or constrain decisions made under existing statutory or regulatory authority.

A-8.7 Relationship to Existing Processes

Evaluation under BackRunner may occur alongside, but does not replace or modify, legislative processes, administrative rulemaking, environmental review, local land-use review, or budget and appropriations processes.

Evaluation under BackRunner is not a prerequisite to any legislative, administrative, or judicial action.

A-8.8 Olympic 2034 Stress-Test Application

The 2034 Olympic Games are used as a fixed stress-test reference to evaluate governance coordination and sequencing under compressed timelines and concurrent system demand.

The Olympic reference does not justify accelerated approvals, emergency governance structures, special committees, waiver of standards, or alteration of procedural requirements.

A-8.9 Funding Alignment Context (Illustrative Only)

Sequencing and governance considerations are mapped descriptively to funding program categories that may require evidence of readiness, coordination, or resilience.

This section does not certify readiness, compliance, eligibility, prioritization, or intent to seek funding.

A-8.10 Tribal, Federal, and Preemption Considerations

Nothing in this section alters federal preemption, state or local jurisdiction, or tribal sovereignty or rights.

Nothing in this section constitutes initiation, completion, or satisfaction of government-to-government consultation.

A-8.11 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable rights or obligations, establishes approval or denial authority, mandates sequencing or gating, requires coordination agreements, or approves or denies any project or action.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-9 — ENFORCEMENT BACKSTOPS, METRICS, AND DURABILITY (LOCKED)

A-9.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for enforcement backstops, measurement frameworks, auditability, and durability applicable to systems evaluated under BackRunner.

This section functions solely as a supporting legislative and technical record.

Nothing in this section creates enforcement authority, establishes penalties, mandates compliance actions, authorizes investigations, or modifies civil, criminal, or administrative jurisdiction.

A-9.2 Concept of Enforcement Backstops (Descriptive Only)

Enforcement backstops are described as existing statutory, regulatory, and judicial mechanisms that remain available where system failures, misrepresentations, or noncompliance occur.

Reference to enforcement backstops does not encourage, direct, or prioritize enforcement action, nor does it express legislative preference regarding enforcement discretion.

BackRunner does not create new enforcement tools, substitute for enforcement discretion, or alter enforcement thresholds.

A-9.3 Metrics as Informational Instruments

Metrics are evaluated as informational instruments used to understand system interaction and performance trends.

Metrics discussion is descriptive only and does not establish targets, benchmarks, thresholds, or performance standards.

Nothing in this section creates reporting duties, audit triggers, documentation sufficiency standards, or record-retention requirements beyond existing law.

A-9.4 Auditability and Record Integrity

Auditability is evaluated in terms of whether records, assumptions, and data sources are sufficiently documented to allow retrospective understanding of decisions.

This discussion does not mandate audits, reporting, data collection, disclosure, or documentation beyond existing legal requirements.

A-9.5 Corrective Action Context

Corrective action is referenced only as a general concept describing responses available under existing law when deficiencies are identified.

Reference to corrective action does not imply an obligation to act, a preferred remedy, or a timeline for response.

A-9.6 Durability Across Political and Administrative Change

Durability is evaluated as the ability of system evaluations and records to remain useful across political, administrative, and funding changes.

Durability does not imply policy entrenchment or limitation on future legislative or administrative discretion.

A-9.7 Interaction with Judicial Review

This section recognizes that decisions informed by system evaluation may be subject to judicial review under existing standards.

This section does not expand the administrative record, alter evidentiary scope, modify burdens of proof, or change standards applicable to judicial review.

A-9.8 Olympic 2034 Stress-Test Application

The 2034 Olympic Games are used as a fixed stress-test reference to evaluate durability of assumptions under peak demand.

The Olympic reference does not justify emergency enforcement, accelerated penalties, waiver of standards, or modification of judicial process.

A-9.9 Funding Context (Illustrative Only)

References to funding are illustrative only and do not represent eligibility determinations, compliance certifications, prioritization, or intent to seek funds.

A-9.10 Tribal, Federal, and Preemption Considerations

Nothing in this section alters federal preemption, state or local enforcement authority, or tribal sovereignty or rights.

Nothing in this section constitutes initiation, completion, or satisfaction of government-to-government consultation.

A-9.11 Non-Delegation and Non-Mandate Clause

Nothing in this section creates enforceable rights or obligations, establishes enforcement standards or penalties, mandates audits, metrics, or corrective action, requires reporting or disclosure, or approves or denies any project or decision.

VOLUME II — IMPLEMENTATION & SYSTEMS RECORD

SECTION A-10 — SUNSET, SEVERABILITY, SCOPE, AND AUTHORSHIP (LOCKED)

A-10.1 Purpose and Placement Within the Safety Commitment

This section establishes the technical and policy record for temporal scope, severability, non-delegation, authorship, and durability safeguards applicable to the BackRunner framework and the Safety Commitment.

This section functions solely as a supporting legislative and technical record.

Nothing in this section authorizes construction, operation, funding, enforcement, approval, denial, or modification of any legal authority.

A-10.2 Temporal Scope and Continuing Reference

BackRunner and the Safety Commitment are evaluated as continuing reference frameworks intended to inform decision-making across planning cycles, administrative changes, and legislative sessions.

This section does not establish an effective date, expiration date, implementation deadline, or operative requirement.

Reference to time horizons, including the 2034 Olympic Games, is contextual only and does not establish temporal mandates, acceleration, or sunset by implication.

A-10.3 Sunset Considerations (Non-Operative)

Sunset concepts are discussed solely to acknowledge that future legislatures and administrations retain full discretion to modify, replace, or discontinue reliance on any framework, analysis, or record.

Nothing in this section establishes a sunset clause, automatic expiration, or continuing obligation.

A-10.4 Severability and Independent Construction

Each section, subsection, paragraph, and concept contained within the Safety Commitment and BackRunner is intended to be independently constructed.

If any provision or concept is determined to be invalid, inapplicable, or unenforceable, such determination does not affect the validity or applicability of any other provision or concept.

This severability discussion is explanatory only and is not intended to invoke or substitute for statutory severability provisions.

A-10.5 Scope Limitation and Non-Expansion of Authority

Nothing in the Safety Commitment or BackRunner expands agency jurisdiction, creates new authority, modifies existing statutory powers, constrains future legislative action, or alters standards of review.

This framework is informational only.

A-10.6 Authorship, Attribution, and Campaign Context

The Safety Commitment and BackRunner are authored and submitted by Annette McRae, acting as a private citizen and as a candidate for Utah State Senate, District 20.

Authorship and submission do not confer official status, governmental endorsement, or agency sponsorship.

Submission of this framework to elected or appointed officials is undertaken in a personal capacity and does not constitute lobbying, regulated advocacy, or campaign coordination under state or federal law.

Nothing in this framework constitutes campaign expenditure coordination, in-kind contribution, or use of public resources.

A-10.7 Government-to-Government Respect and Non-Substitution

Nothing in the Safety Commitment or BackRunner substitutes for government-to-government consultation, satisfies consultation requirements, or limits tribal sovereignty or rights.

Nothing herein reflects consultation status, outcomes, or positions of any tribal government.

A-10.8 Reliance, Estoppel, and Non-Binding Effect

No reliance interest is created by this framework.

Nothing herein gives rise to estoppel, vested rights, enforceable expectations, or legal reliance by any party.

No third party may assert reliance on this framework for purposes of permitting, funding, or enforcement.

A-10.9 Relationship to Pending or Future Legislation

This framework does not endorse, oppose, preempt, or substitute for any pending or future legislation.

This framework is not offered as legislative direction, amendment language, or advocacy regarding the passage or defeat of any specific bill.

A-10.10 Non-Delegation and Non-Mandate Clause

Nothing in this section or this framework creates enforceable rights or obligations, mandates action or inaction, establishes legal standards, requires reporting or compliance, or approves or denies any project, permit, or funding.

This section exists solely as part of the legislative and technical record supporting informed decision-making.

VOLUME III — FUNDING, FEDERAL ALIGNMENT, AND OLYMPIC 2034 INTERFACES

SECTION B-1 — FUNDING ARCHITECTURE AND SOURCE ALIGNMENT (LOCKED)

B-1.1 Purpose and Placement

This section establishes a comprehensive catalog of federal, state, local, tribal, and public-private funding programs that may be evaluated for alignment with BackRunner and the Safety Commitment.

Identification of funding programs is informational only and does not imply eligibility, readiness, competitiveness, intent to apply, or likelihood of award by any party.

Nothing in this section authorizes funding, commits an applicant, directs agency action, establishes eligibility, or substitutes for statutory application processes.

B-1.2 Funding Alignment Principles

Funding sources are evaluated using the following non-directive principles:
(1) Risk reduction and exposure mitigation;
(2) Avoidance of single-source dependence;
(3) Upstream readiness before downstream growth;
(4) Non-displacement of costs or risks;
(5) Temporal compatibility with long-range planning horizons.

Temporal compatibility does not establish deadlines, milestones, or funding sequencing requirements.

B-1.3 Federal Water Infrastructure and Reuse Programs

Federal program descriptions are not interpretations of federal law and do not constrain federal agency discretion.

Programs identified include, without limitation:
• Bureau of Reclamation Title XVI Water Reuse and Recycling Program;
• EPA Clean Water and Drinking Water State Revolving Funds;
• FEMA Hazard Mitigation Assistance.

Identification does not constitute eligibility determination or application intent.

B-1.4 Transportation and Rail Infrastructure Programs

Programs identified include:
• Federal Railroad Administration safety and grade-crossing programs;
• U.S. Department of Transportation discretionary multimodal programs.

Identification does not mandate routing, carriers, volumes, or service obligations.

B-1.5 Olympic 2034 and Major Event Preparedness Context

Olympic and major-event references are used solely as stress-test benchmarks.

Reference to Olympic or major-event preparedness does not justify expedited review, waiver of standards, altered eligibility criteria, priority treatment, or acceleration of funding decisions.

B-1.6 Energy, Industrial Safety, and Economic Stabilization Programs

Programs identified include Department of Energy and Economic Development Administration programs applicable to safety, resilience, and workforce stability.

Identification does not imply endorsement of energy production, facility siting, or operational approval.

B-1.7 Workforce and Professional Driver Safety Funding

Funding programs supporting occupational safety, fatigue mitigation, sanitation, staging, and emergency response are identified for evaluation.

Nothing in this subsection alters labor law, collective bargaining rights, or occupational safety jurisdiction.

B-1.8 Tribal, State, and Local Funding Coordination

Coordination may involve tribal, state, and local governments acting within their respective authorities.

Nothing herein reflects consent, participation, funding intent, or position of any tribal government, nor substitutes for government-to-government consultation.

B-1.9 Public-Private Partnership Context

Public-private partnership mechanisms are identified solely as potential financing tools where risk allocation and public accountability are explicit.

Reference to P3 mechanisms does not initiate procurement, solicitation, negotiation, or policy preference.

B-1.10 Non-Entitlement and Non-Advocacy Clause

Nothing in this section creates funding entitlement, establishes eligibility, directs applications, advocates award or denial, or commits any applicant or agency.

This section exists solely as a funding alignment record.

VOLUME III — FUNDING, FEDERAL ALIGNMENT, AND OLYMPIC 2034 INTERFACES

SECTION B-2 — FEDERAL PREEMPTION, NATIONAL SECURITY, AND SUPPLY-CHAIN RESILIENCE (LOCKED)

B-2.1 Purpose and Placement

This section establishes the legislative and technical record regarding federal preemption boundaries, national security considerations, and supply-chain resilience factors relevant to systems evaluated under BackRunner and the Safety Commitment.

This section functions solely as an informational and contextual record.

Nothing in this section authorizes action, directs policy, alters jurisdiction, invokes federal authority, establishes security designations, or substitutes for federal or state law.

B-2.2 Federal Preemption Boundaries

BackRunner recognizes that system domains intersect with federal authority, including rail transportation, interstate commerce, hazardous materials transport, aviation, energy transmission, and environmental protection.

This framework does not interpret federal statutes, regulations, or agency guidance and does not attempt to occupy, supplement, or conflict with federally preempted fields.

Nothing in this section expands or narrows federal preemption, invites state or local intrusion into federally regulated domains, or conditions state or local decisions on federal approval.

Nothing in this section constitutes a legal determination regarding the existence, scope, or application of federal preemption.

B-2.3 State Authority and Non-Conflict

State and local authority is referenced solely within existing statutory and constitutional limits.

BackRunner does not assert concurrent authority where none exists, encourage regulatory conflict, or invite litigation to test preemption boundaries.

B-2.4 National Security Context (Non-Designation)

National security is referenced exclusively in its civil resilience and continuity dimensions, including energy logistics continuity, freight and supply reliability, emergency response readiness, infrastructure redundancy, and workforce availability during disruptions.

Reference to national security considerations does not express, request, or support designation of any infrastructure, activity, or corridor as security-related or critical.

B-2.5 Olympic 2034 as Civil Stress-Test Reference

The 2034 Olympic Games are referenced as a fixed, foreseeable civil stress scenario to evaluate peak freight and passenger demand, emergency surge capacity, infrastructure reliability, workforce exposure, and coordination complexity.

Use of the Olympic Games as a stress-test reference does not imply priority, readiness certification, sequencing advantage, accelerated approvals, waivers, or altered standards of review.

B-2.6 Supply-Chain Resilience Framework

Supply-chain resilience is evaluated through mode diversification, reduction of single-point failures, separation of hazardous freight from population centers, reliability of professional driver staging, and availability of intermediate storage and buffering.

Nothing in this subsection establishes routing preferences, modal priorities, or comparative advantage among transportation modes.

B-2.7 Energy and Hazardous Materials Context

Energy products and hazardous materials are referenced solely to evaluate exposure reduction, transport safety, interface risk, workforce health, and emergency response readiness.

Reference to energy products or hazardous materials is neutral and does not express policy judgment, support, or opposition.

B-2.8 Workforce Continuity and Professional Drivers

Professional drivers are recognized as safety-critical infrastructure workers whose availability directly affects supply continuity, emergency response, and economic stability.

This recognition does not alter labor law, safety regulation, licensing, or jurisdiction.

B-2.9 Tribal, Federal, and Intergovernmental Respect

Nothing in this section substitutes for government-to-government consultation, reflects consent or participation of any tribal government, alters federal trust responsibilities, or invokes federal supremacy.

B-2.10 Non-Delegation, Non-Entitlement, and Non-Advocacy Clause

Nothing in this section creates enforceable rights or obligations, establishes standards or thresholds, directs agency action, advocates for or against any project, route, or facility, or commits funding or policy positions.

This section exists solely as part of the legislative and technical record supporting informed evaluation.

VOLUME III — FUNDING, FEDERAL ALIGNMENT, AND OLYMPIC 2034 INTERFACES

SECTION B-3 — OLYMPIC 2034 INTERFACES, LEGACY RISK CONTROLS, AND POST-GAMES TRANSITION (LOCKED)

B-3.1 Purpose and Placement

This section establishes the legislative and technical record for evaluating interfaces between BackRunner systems and the 2034 Olympic Games, including legacy risk controls, surge resilience, and post-Games transition considerations.

This section functions solely as an informational and contextual record.

Nothing in this section authorizes action, accelerates approvals, modifies standards, creates eligibility, establishes funding priority, or substitutes for any statutory or regulatory process.

Reference to the Olympic Games does not confer special status, priority, leverage, or exceptional treatment on any project, corridor, or system.

B-3.2 Olympic 2034 as a Fixed Civil Stress Scenario

The 2034 Olympic Games are referenced as a fixed, foreseeable civil stress scenario for evaluating system performance under peak passenger demand, freight and logistics pressure, emergency response surge, workforce availability and exposure, and infrastructure reliability.

Use of the Olympic Games as a stress scenario is analytical only and does not imply event designation, emergency authority, priority treatment, accelerated review, or waiver of standards.

B-3.3 Temporary Surge vs. Permanent Capacity Distinction

BackRunner evaluates the distinction between temporary surge needs and permanent infrastructure commitments to avoid embedding short-duration demand into long-term exposure.

This distinction does not express a preference for or against permanent or temporary infrastructure investment.

Nothing in this subsection mandates capacity sizing, facility construction, or investment decisions.

B-3.4 Workforce and Professional Driver Protection During Peak Events

Professional drivers and other safety-critical workers are evaluated for exposure during large-event conditions, including congestion intensity, staging duration, fatigue risk, sanitation access, and emergency egress.

Evaluation under this subsection does not impose operational requirements on employers or carriers and does not alter labor law, safety regulation, or licensing.

B-3.5 Water, Air, and Emergency Readiness Under Surge Conditions

Olympic surge scenarios are used to evaluate potable and non-potable water reliability, fire-suppression capacity, air-quality exposure, and emergency response access.

Evaluation is descriptive only and does not establish performance standards, thresholds, or mandates.

B-3.6 Freight, Passenger, and Hazardous Materials Separation

Large-event conditions are evaluated for freight-passenger interface risk, hazardous materials exposure, rail-road-truck interaction, and population proximity.

Nothing in this subsection establishes routing restrictions, modal priorities, or transport limitations.

B-3.7 Legacy Risk Controls and Post-Games Transition

BackRunner evaluates whether systems utilized during the Olympic period avoid embedding peak-event risk into permanent operations and transition to community-serving uses consistent with long-term demand.

Legacy evaluation does not imply decommissioning, repurposing, or continuation of any facility or service.

B-3.8 Housing, Workforce Mobility, and Community Impact

Olympic-related housing and mobility considerations are evaluated for post-event use, transit proximity, water and energy demand stability, and displacement avoidance.

Nothing in this subsection alters land-use authority, zoning discretion, or housing policy.

B-3.9 Funding Interface (Non-Priority)

Funding references related to Olympic readiness are evaluated solely for risk alignment and post-event durability.

Funding references do not establish priority, readiness certification, or comparative advantage for Olympic-related projects.

B-3.10 Non-Delegation, Non-Acceleration, and Non-Advocacy Clause

Nothing in this section creates enforceable rights or obligations, establishes deadlines or milestones, directs agency action, accelerates approvals or reviews, or advocates for or against any project, facility, or funding decision.

This section exists solely as part of the legislative and technical record supporting informed evaluation.

VOLUME III — FUNDING, FEDERAL ALIGNMENT, AND OLYMPIC 2034 INTERFACES

SECTION B-4 — FEDERAL–STATE–TRIBAL COORDINATION INTERFACES (LOCKED)

B-4.1 Purpose and Placement

This section establishes the legislative and technical record for evaluating coordination interfaces among federal, state, local, and tribal governments as systems are evaluated under BackRunner and the Safety Commitment.

This section functions solely as an informational and contextual record.

Nothing in this section authorizes action, compels coordination, alters jurisdiction, substitutes for government-to-government consultation, or modifies any statutory or constitutional authority.

B-4.2 Distinct Sovereignties and Authorities

The framework recognizes the distinct and independent authorities of federal agencies acting under federal law, state agencies acting under state law, local governments acting under delegated authority, and tribal governments exercising inherent sovereignty.

BackRunner does not assert hierarchy among these authorities, condition action by one authority on concurrence by another, or create intergovernmental obligations.

B-4.3 Government-to-Government Consultation (Non-Substitution)

Nothing in BackRunner or the Safety Commitment initiates, proposes, recommends, structures, completes, or satisfies government-to-government consultation.

Nothing in this section represents consultation status, outcomes, or positions, or limits tribal sovereignty, treaty rights, or federal trust responsibilities.

Any consultation that may occur arises solely under applicable law and independent processes.

B-4.4 Federal Interface Context (Non-Preemptive)

Federal interfaces are referenced only to identify potential points of interaction where federal authority exists, including transportation safety, environmental protection, hazardous materials, and interstate commerce.

This section does not interpret federal statutes or regulations, invite state or local action in federally preempted fields, or condition state or local evaluation on federal approval.

B-4.5 State and Local Coordination Context

State and local coordination is evaluated only to understand sequencing, information flow, and risk awareness across systems.

Evaluation does not mandate coordination, establish approval dependencies, create procedural prerequisites, or alter land-use, zoning, or permitting authority.

B-4.6 Data Sharing and Information Exchange (Non-Directive)

References to data sharing or information exchange are descriptive only.

Nothing in this section requires data sharing, establishes data standards, mandates disclosure, alters confidentiality or public-records obligations, or creates any expectation or preference for data sharing.

B-4.7 Funding Coordination Context

Funding coordination is referenced only to understand how separate funding streams may intersect across jurisdictions.

Nothing in this section creates joint funding obligations, requires matching funds, conditions eligibility on intergovernmental participation, or suggests pooled, braided, or matched funding.

B-4.8 Conflict Avoidance and Deconfliction

BackRunner evaluates whether system sequencing and interfaces reduce the likelihood of jurisdictional conflict or duplicative effort.

This section does not establish dispute resolution, mediation, arbitration, or conflict-management authority.

B-4.9 Olympic 2034 Interjurisdictional Complexity (Contextual Only)

The 2034 Olympic Games are referenced to illustrate interjurisdictional complexity under peak conditions.

Olympic reference does not confer special status, priority, coordination duties, operational planning requirements, or joint authority.

B-4.10 Non-Delegation, Non-Mandate, and Non-Advocacy Clause

Nothing in this section creates enforceable rights or obligations, mandates consultation or coordination, directs agency action, establishes standards or thresholds, or advocates for or against any project, agreement, or funding decision.

This section exists solely as part of the legislative and technical record supporting informed evaluation.

VOLUME III — FUNDING, FEDERAL ALIGNMENT, AND OLYMPIC 2034 INTERFACES

SECTION B-5 — FUNDING CROSSWALK (SOURCES × SYSTEMS × TIMELINE) (LOCKED)

B-5.1 Purpose and Placement

This section establishes a descriptive crosswalk identifying how potential funding sources may align with system domains evaluated under BackRunner and the Safety Commitment across analytical planning horizons.

This crosswalk does not constitute a funding strategy, grant plan, or application roadmap.

Nothing in this section authorizes funding, establishes eligibility or readiness, directs applications or agency action, creates priorities, sequencing, or timelines, or commits any applicant or funding entity.

B-5.2 Methodology (Non-Directive)

The crosswalk maps funding source categories to system domains and analytical horizons for descriptive reference only.

The methodology does not constitute evaluation, scoring, ranking, recommendation, or comparative assessment.

Any future tabular representation shall remain descriptive and non-comparative.

B-5.3 System Domains Referenced

System domains referenced include water systems, air quality and exposure, rail and freight logistics, passenger mobility, professional driver and workforce safety, housing and community stability, and emergency preparedness.

B-5.4 Funding Source Categories Referenced

Funding source categories referenced include federal, state, local, tribal, and public-private sources.

Program naming does not imply eligibility, competitiveness, compliance alignment, or likelihood of award.

B-5.5 Temporal Horizons (Contextual Only)

Analytical horizons include pre-2034 planning, Olympic-period stress analysis, and post-Games legacy evaluation.

Temporal horizons are analytical constructs only and do not imply sequencing, phasing, timing, or prioritization of funding actions.

B-5.6 Illustrative Alignment Examples (Narrative Only)

Narrative examples illustrate descriptive alignment between system domains and funding categories.

Illustrative examples do not indicate preference, endorsement, or recommended pairing.

B-5.7 Non-Comparative and Non-Priority Clause

Nothing in this section compares funding programs, ranks systems or projects, establishes preferred matches, suggests competitiveness or readiness, or creates funding priority.

B-5.8 Tribal Sovereignty and Funding Independence

Nothing in this section reflects tribal consent, interest, intent, or participation, suggests joint funding, substitutes for government-to-government consultation, or limits tribal funding discretion.

B-5.9 Federal Preemption and Program Discretion

Federal program references do not interpret federal law, constrain agency discretion, or establish compliance pathways.

B-5.10 Non-Delegation, Non-Entitlement, and Non-Advocacy Clause

Nothing in this section creates enforceable rights or obligations, directs applications or submissions, establishes eligibility or readiness, commits funding or policy positions, or advocates for award or denial.

This section shall not be used as evidence of funding advocacy or grant preparation.

This section exists solely as a descriptive funding alignment record.

VOLUME IV — TECHNICAL & STRESS-SCENARIO ANNEXES (LOCKED)

This Volume provides non-directive technical context and stress-scenario analysis to support evaluation of systems described in Volumes I–III. Nothing in this Volume authorizes construction, mandates action, alters regulatory standards, or establishes priorities. All scenarios are analytical only.

IV-A. Drought & Long-Duration Water Scarcity Scenario

Evaluates system behavior under multi-year drought conditions, including potable and non-potable separation, fire-suppression demand, housing load impacts, and emergency reserve performance. This annex does not establish water allocation, rights, or operating requirements.

IV-B. Wildfire & Smoke Exposure Scenario

Evaluates transportation access, evacuation routing, professional driver exposure, rail corridor resilience, and air-quality impacts during wildfire events. No operational directives are created.

IV-C. Seismic & Infrastructure Disruption Scenario

Evaluates cascading failure risks across water, rail, housing, energy logistics, and emergency response under seismic stress. This section is descriptive only.

IV-D. Olympic 2034 Surge Stress Scenario

Evaluates temporary population, transportation demand, housing occupancy, and emergency service loads during large-event conditions. This annex does not imply hosting authority, priority funding, or exception standards.

IV-E. National Supply-Chain Disruption Scenario

Evaluates rail, refining interfaces, professional driver staging, and freight continuity during national or global supply-chain disruptions.

IV-F. Cyber, Communications, and Systems Interdependency Scenario

Evaluates communications, dispatch, and data dependencies across integrated systems without creating cybersecurity mandates.

IV-G. Non-Delegation and Non-Operational Clause

Nothing in Volume IV directs agencies, operators, or governments to act, refrain from acting, or adopt any scenario outcome.

IV-H. Authorship and Record Status

This Volume is authored as part of the Safety Commitment and BackRunner framework by Annette McRae, private citizen and candidate for Utah State Senate District 20. This document is provided for informational and evaluative purposes only.

VOLUME B — GOVERNMENT-TO-GOVERNMENT COORDINATION (UTE INDIAN TRIBE) (LOCKED)

Standalone boundary-setting volume; no consultation, consent, or funding implied.

ADDENDUM C — IMPLEMENTATION TRIGGERS & ENFORCEMENT BACKSTOPS (LOCKED)

Informational, non-directive addendum. Use of the term 'trigger' does not imply causation or effect. Evaluation gates are not conditions precedent.

EXECUTIVE TRANSMITTAL PACKAGE (LOCKED)

To:
The Honorable Governor of Utah
Members of Utah Legislative Leadership

From:
Annette McRae
Private Citizen and Candidate for Utah State Senate, District 20

Re:
The Safety Commitment and BackRunner — Integrated Systems Legislative Record

Purpose of Transmittal

This transmittal provides, for informational and evaluative purposes only, a consolidated legislative and technical record titled “The Safety Commitment and BackRunner.”

This submission does not request action, does not advocate adoption, and does not propose legislation or funding.

Receipt of this record does not invite response, review, or action.

Nature of the Record

The Safety Commitment and BackRunner are structured as a non-directive, non-mandatory framework intended to document system interdependencies and preserve jurisdictional, sovereign, and separation-of-powers boundaries.

This framework is descriptive only and is not a policy proposal.

Contents Summary

The transmittal includes locked volumes and addenda addressing foundational principles, BackRunner system architecture, funding and federal alignment, Olympic 2034 context, technical stress scenarios, government-to-government boundaries, and implementation interfaces.

References to Olympic 2034 are contextual only and do not establish urgency, priority, or exception.

Authorship and Status

This record is authored by Annette McRae acting as a private citizen and a candidate for Utah State Senate, District 20.

This record does not constitute lobbying, does not request executive or legislative action, does not coordinate with any officeholder or agency, and does not represent the position of any government, tribe, or organization.

Use and Circulation

This record may be reviewed, cited, analyzed, critiqued, or set aside without legal or procedural effect.

No expectation of engagement or response is created.

Closing

The Safety Commitment and BackRunner are offered in the interest of clarity, restraint, and system integrity, recognizing the complexity of Utah's growth, infrastructure demands, and public safety responsibilities.

Respectfully submitted,

Annette McRae
Private Citizen
Candidate for Utah State Senate, District 20

THE SAFETY COMMITMENT & BACKRUNNER
PUBLIC EXECUTIVE BRIEF (SANITIZED — LOCKED)

Purpose

This brief provides high-level explanatory context regarding The Safety Commitment and BackRunner, a consolidated legislative and technical record addressing integrated public safety, infrastructure, and system-design considerations in Utah.

This brief is informational only and does not seek to influence decision-making or outcomes.

What This Is

This brief describes a non-directive framework documenting how water, air quality, transportation, housing, workforce safety, emergency readiness, and funding interfaces interact as systems.

It is a record of analysis, not a proposal.

What This Is Not

This brief does not advocate legislation or funding, does not request action by any officeholder or agency, does not signal eligibility or competitiveness for any funding program, does not mandate standards or timelines, and does not substitute for the full legislative record.

Why Integrated Systems Matter

Public safety and infrastructure outcomes are shaped by system design choices rather than isolated decisions.

Examples include transportation congestion affecting air quality and emergency response, water reliability influencing housing density and fire suppression, hazardous freight logistics affecting professional driver safety, and large events stressing emergency systems.

These examples are illustrative only and do not express a policy preference.

Contents at a Glance

The full record includes foundational principles, BackRunner system architecture, funding and federal alignment context, technical stress-scenario annexes, government-to-government boundary protections, and implementation triggers under existing law.

All components include explicit non-delegation, non-mandate, and non-advocacy protections.

Olympic 2034 Context

References to the 2034 Olympic Games are contextual only and do not establish urgency, priority, exception standards, or hosting authority.

Authorship and Status

This brief is authored by Annette McRae, acting as a private citizen and candidate for Utah State Senate, District 20.

This brief is not lobbying, not a coordinated communication, not an expenditure or in-kind contribution, and does not represent the position of any government, tribe, or organization.

How to Use This Brief

This brief may be read, shared, or set aside.

Distribution does not create any expectation of response or engagement.

End of Public Executive Brief

ID146

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1/20/26

Name Barb Clark

Phone [redacted]

Email [redacted]

Addres [redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

In my opinion, I would vote for alternative C – do nothing my justification: 1) both Alt. A&B would impact existing business, home, wetlands. 2) Alt B would dramatically impact the wetlands of the No. & So fields. We are already short of water & our aquifers are shrinking. 3) the impact to generational farming lands will kill farms & grazing lands. 4) there are numerous communities, esp around the west, where traffic is slowed through the center of town following a main highway. 5) The financial cost to taking land from homeowners is extremely high – Why not use that money for beautification vs taking land. 6) My property value will drop – who is going to compensate me for that? 7) has a study been done on what will happen when the ~~aquafers~~ aquifers shrink & the overpasses drop & sink? Also, how is UDOT going to address earthquake mitigation of all of these elevated areas of the road?

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 325

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. ***Local costs and responsibilities***
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,

Belinda Power

Name [redacted]

Address

Phone Num

Email Addr

ID 147

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1-28-26

Name Betty Brandner

Phone [redacted]

Email [redacted]

Addre [redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

I don't want a walking Trail in front of my house (Privacy + security reasons) There is a walking, hiking Trail above the hill behind us ~~from~~ coming from The Trail behind The college.

If the developers building behind us need open area for Trails let them have back there - more scenic and not in front of private property -

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

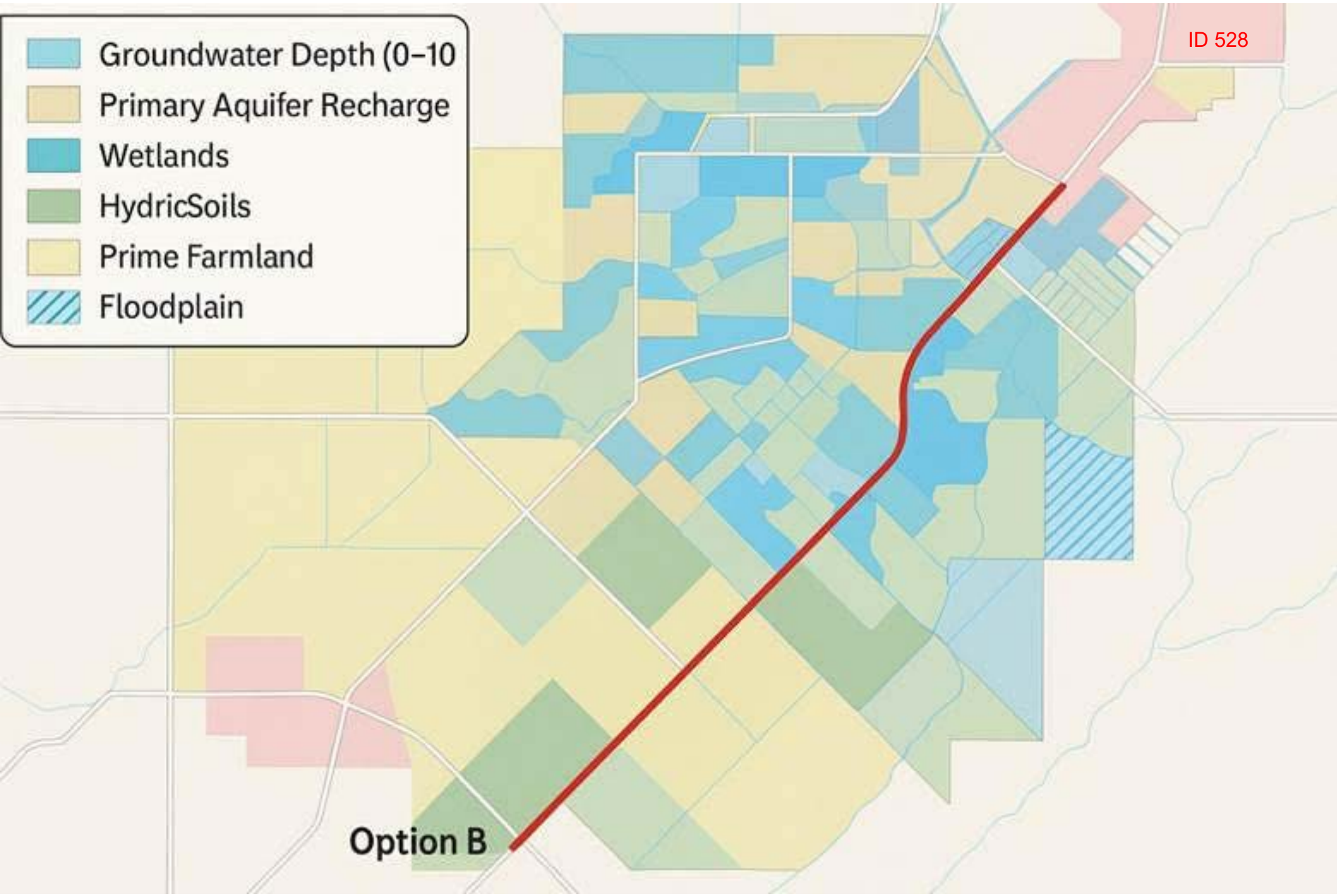
OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving


Groundwater Depth (0–10
Primary Aquifer Recharge
Wetlands
HydricSoils
Prime Farmland
Floodplain
ID 528
Option B

ID 148

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1/25/26

Name Brenda Wilcox

Phone [redacted]

Email [redacted]

Addre[redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

Please do NOT build either A or B.

Most traffic on Main is local + this bypass will only cost a bazillion dollars and not make a difference on Main.

- Option B will destroy our N. Fields.
- Cost is crazy
- Destroying the N fields
- our small town charm is gone

Height is too high - adds noise + destroys beauty

NO to all !!

Preserve our small valley charm

Where did you hear about the Heber Valley Corridor? email, neighbors, facebook

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

Public Comment on the Heber Valley Corridor Draft Environmental Impact Statement

Submitted by: Bridget Nicole Whiting
Heber Valley, Utah
March 5, 2026

Introduction

I am a resident of the Heber Valley with deep family ties to the agricultural history of this community. My fourth great-grandfather, Thomas Rasband (1818–1884), was among the early settlers who helped establish farming in the valley during the nineteenth century. Like many families in this area, our connection to the land has long been tied to the irrigation systems that made agriculture possible in this high mountain valley.

The gravity-fed canal systems developed during that era continue to serve agricultural lands in the North and South Fields today and remain part of the broader irrigation network that sustains farming throughout the Heber and Midway areas.

Because of this long-standing agricultural heritage, the North Fields represent far more than undeveloped land. They remain an active agricultural landscape supported by historic irrigation infrastructure that has sustained farming and groundwater recharge in the valley for generations.

Formal Comment Letter

Bridget Nicole Whiting
Heber Valley, Utah
March 5, 2026

Heber Valley Corridor EIS Project Team
Utah Department of Transportation

Subject: Comment on Heber Valley Corridor Draft EIS – Opposition to Alternative B

Dear Heber Valley Corridor EIS Evaluation Team,

My name is Bridget Nicole Whiting, and I am submitting this formal comment regarding the Draft Environmental Impact Statement (DEIS) for the proposed Heber Valley Corridor project.

After reviewing the DEIS and supporting materials, I strongly oppose the selection of Alternative B through the North Fields and respectfully request that the project team reconsider this alternative before issuing a Final Environmental Impact Statement.

I would also like to express my support for the Joint Response Letter submitted by the North Fields Irrigation Company regarding the Draft EIS. That response raises important concerns about potential deficiencies in the environmental analysis and the justification for selecting Alternative B. I respectfully request that my comment be considered alongside those concerns, as they highlight significant technical and environmental issues that deserve careful review before any final decision is made.

In particular, the analysis presented in the Draft EIS raises questions about whether federal environmental review requirements have been fully satisfied, including compliance with the National Environmental Policy Act (NEPA) and the Clean Water Act's requirement to select the Least Environmentally Damaging Practicable Alternative (LEDPA) when evaluating impacts to wetlands and other sensitive resources. I respectfully request that these issues be fully addressed in the Final Environmental Impact Statement.

I would also like to share a personal connection to this valley that shapes why this issue matters so deeply to me. My fourth great-grandfather, Thomas Rasband (1818–1884), was one of the early settlers of the Heber Valley and helped plow some of the first farmland in this area.

The irrigation systems and agricultural lands in the North Fields are not simply open land waiting for development, they are part of the living history of this community. Many of the gravity-flow irrigation canals that still serve these fields today date back more than 160 years and represent historic agricultural infrastructure that has sustained this valley since its earliest settlement.

Because these irrigation systems remain active and integral to agricultural operations today, any impacts to them should be carefully evaluated not only as environmental impacts but also as impacts to historic and functional agricultural infrastructure.

In addition, the North Fields represent some of the most productive agricultural land remaining in the valley. According to the Draft EIS analysis, Alternative B would result in the loss of approximately 223 acres of prime farmland. The permanent loss of this land would significantly impact the valley's agricultural capacity and rural character.

Another important concern involves potential impacts to groundwater resources. The Heber Valley relies heavily on a sensitive aquifer system that supports drinking water, agriculture, and wetlands throughout the region. Construction of a major roadway through the North Fields raises legitimate concerns about long-term impacts from runoff, de-icing chemicals, and potential changes to natural drainage patterns.

I also served as the sole organizer of a community Tractorcade through the North Fields, which brought together residents who care deeply about the future of this valley. The purpose was to create a peaceful and visible way for

people to come together, share concerns, and encourage broader awareness of the issues surrounding the proposed bypass.

Like many members of this community, I recognize that transportation challenges exist and deserve thoughtful solutions. However, those solutions should be carefully evaluated to ensure they do not cause irreversible environmental and agricultural damage when less harmful alternatives may exist.

I have also submitted a supplemental community proposal outlining alternative approaches that could address transportation concerns while protecting the North Fields and the resources that sustain this valley.

For these reasons, I respectfully urge the project team to reconsider the selection of Alternative B and give full consideration to alternatives that avoid the North Fields and better protect the valley's wetlands, farmland, water systems, and historic agricultural landscape.

Decisions made through this Environmental Impact Statement will shape the future of the Heber Valley for generations. I respectfully ask that the environmental, agricultural, water resource, and historical significance of the North Fields, along with the voices of the community, be given meaningful consideration before selecting a final course of action.

Thank you for the opportunity to provide input during this important process.

Sincerely,

Bridget Nicole Whiting
Heber Valley, Utah

Heber Valley Transportation & Agricultural Stewardship Proposal

A Community-Focused Approach to Improving Mobility While Protecting Agricultural Land and Water Systems

Introduction

Heber Valley is experiencing growing traffic pressures as regional travel, tourism, and new development increase vehicle volumes entering the valley. Residents have expressed concerns about slow travel times through town, congestion along Main Street, difficulty turning onto US-40, and increasing traffic coming from the Jordanelle and Mayflower development areas.

The purpose of this proposal is not to deny the reality of these transportation challenges. Rather, it seeks to outline practical improvements that may help address congestion and safety issues while also protecting the agricultural lands, irrigation systems, and long-term character that define the valley.

Community Context

My family has deep ties to the agricultural history of Heber Valley. My fourth great-grandfather, Thomas Rasband (1818–1884), was among the early settlers who helped establish farming in the valley. Like many families in this community, our connection to the land has long been tied to the irrigation systems and agricultural landscape that still define the North and South Fields today.

Because of that connection, I care deeply about ensuring that transportation solutions address real traffic concerns while also protecting the agricultural land, irrigation systems, and water resources that sustain the valley.

Regional Growth and Traffic Pressures

Traffic conditions in Heber Valley are increasingly influenced by regional growth patterns beyond the city itself. Development near the Jordanelle Reservoir and the Mayflower Mountain area is generating significant new travel demand entering the valley from the north.

Vehicles traveling between Park City, Utah County, Jordanelle, and eastern Utah all pass through the Heber Valley corridor. During weekends and peak tourism seasons, these flows place additional pressure on Main Street and surrounding intersections.

Main Street Corridor Congestion

Congestion along Main Street appears to function as a corridor-wide condition rather than a single intersection failure. Multiple traffic streams converge along the US-40 corridor through downtown Heber, causing queues that extend across several signalized intersections during peak periods.

When vehicles enter the corridor faster than they can clear downstream signals, congestion spreads through the entire downtown section rather than remaining confined to one location.

Intersection Safety Challenges

Another common concern involves left-turn movements across heavy traffic. At several intersections along Main Street, permissive flashing-yellow left-turn signals require drivers to find gaps in traffic around long trucks and trailers.

When semi-trucks are present, visibility is reduced and drivers often wait through multiple signal cycles before attempting a turn. This can create frustration and safety concerns for regular drivers.

Truck Traffic Through the Corridor

Many residents observe that heavy trucks often travel straight through town along the Main Street corridor. Because large trucks accelerate slowly and

require additional space to maneuver, they can contribute to backups at signalized intersections and make turning movements more difficult for other drivers.

Traffic signal timing and intersection design that account for heavy vehicles may help improve traffic flow and reduce delays.

Operational Improvements to Evaluate

Before constructing a new bypass corridor through agricultural land, several operational improvements could be evaluated to improve safety and mobility along the existing corridor:

• Protected left-turn phases at key intersections

• Signal coordination along Main Street to improve traffic progression

• Traffic signal timing designed to accommodate heavy vehicles

• Longer turn lanes where queues currently spill into through lanes

• Targeted intersection improvements along US-189 and connected corridors

Parking and Downtown Access

On-street parking along Main Street may contribute to corridor constraints in certain locations where roadway width is limited. Rather than eliminating downtown access, transportation planners could evaluate selective parking adjustments where they interfere with traffic flow.

Shared rear parking areas, side-street parking, and pedestrian access improvements may allow downtown businesses to maintain accessibility while improving roadway performance.

Agricultural and Water Stewardship

The North and South Fields represent more than undeveloped land. They remain an active agricultural landscape supported by historic gravity-flow irrigation systems that have sustained farming and groundwater recharge in the valley for generations.

Transportation planning should carefully evaluate how corridor alignments interact with irrigation canals, laterals, drainage systems, and working farmland.

Phased Transportation Strategy

A phased strategy allows practical improvements to be implemented first while preserving future options if needed.

• Phase 1 – Optimize existing corridor operations through signal coordination, protected turns, and truck-focused timing.

• Phase 2 – Implement targeted intersection upgrades and turn-lane improvements where congestion persists.

• Phase 3 – Re-evaluate long-term corridor needs after operational improvements have been fully implemented.

Conclusion

Heber Valley's transportation challenges are real and deserve thoughtful solutions. However, before committing to a new bypass corridor through agricultural land, decision-makers should fully evaluate whether coordinated traffic operations, intersection improvements, and targeted corridor upgrades can improve safety and travel times.

This approach allows the community to address mobility concerns while also protecting the agricultural heritage, irrigation systems, and water resources that define the valley.

Comment Letter UDOT US 40 By Pass From Catharine Williamson 612-518-0776

How many of the UDOT Team —from your commissioner on down live in the Heber Valley, specifically Heber City, Midway, and the surrounding rural area of Utah?

You are making decisions that greatly impact the citizens who live in these communities.

Both the Heber City Council and the Wasatch CO Council have expressed they are opposed to bypass option B. They represent the people who live in the Heber Valley.

It appears UDOT is choosing option B because it is an easier, simpler option for construction even thought it requires more dollars than option A.

Few, if any, of you live in the Heber Valley. You outsiders are negating the importance of the North and South Fields to the people who live and work in the Heber Valley.

The Wasatch CO Council has passed 4 resolutions since early 2000 that express the desire to protect the North Fields. Much earlier in UDOT's planning process, Wasatch CO Council asked you to eliminate the North Fields as a by pass consideration, yet, you continued to consider the North Fields. Now you have proceeded to prefer a plan that wholeheartedly invades the North Fields.

Has this decision become a UDOT challenge/battle with the local voices? Does your desire to "win" override working with the desire of the local governing agencies and the people who reside in the Heber Valley? This isn't a contest; it should be a win-win for the residents of Heber Valley and UDOT.

I attended your UDOT Open House and the February 18th Wasatch CO Commissioners meeting, The Wasatch CO Commissioners have expressed their desire to "work with you" improving alternative A or an alternative solution to both Plan B and A. Neither entity, the Heber City Council or the Wasatch CO commissioners support plan B.

Why not think more positively toward the future. Instead of greatly changing 2 cities and their beautiful surrounding lands, look at options others are choosing.

Cities Utilizing The Boring Company: Many have suggested boring under Heber City Main Street.
Nashville TN
Las Vegan NV
Other Fast Growing Cities exploring this technology:
Austin, TX
Huntsville AL
Raleigh NC
Salt Lake City and Ogden-Clearfield UT

Restrict truck traffic to certain hours. Many cities across the country have implemented this law. Utah is an example.

Use One Way traffic through Main Street Heber City.

Consider changes to stop lights and widen the existing Hiway 40 to improve traffic flow.

Increase the use of Mass Transportation that makes sense and people will use.

Factor in the Train proposal from Provo to Park City that is currently being discussed.

Please Respect the Desires of the People who live in The Heber Valley. Please keep the beautiful North Fields and South Fields undisturbed by a major hi way. Leave the Environment as it is to Benefit the Water, Wildlife, and Residents of The Heber Valley. **"Wasatch CO ~ Better By Nature"**

ID 445

Subject: Deficiencies in DEIS Related to Aquifer Protection, Design Speed, Alternatives Analysis, and Growth Inducement

Dear UDOT Project Team,

I am a local resident submitting this comment to identify specific deficiencies in the Draft Environmental Impact Statement (DEIS) for the proposed bypass project. These concerns relate directly to compliance with **NEPA**, the **Clean Water Act**, and implementing regulations.

Aquifer and Groundwater Protection

The DEIS does not demonstrate that impacts to aquifer recharge areas and hydrologically connected wetlands have been adequately *avoided or minimized*, as required under the **Clean Water Act (33 U.S.C. § 1251 et seq.)** and **NEPA (42 U.S.C. § 4332)**. The analysis lacks sufficient site-specific hydrogeologic data addressing long-term risks from roadway runoff, spills, and maintenance activities. Given the reliance of this community on groundwater, this omission is significant and must be corrected.

Design Speed and Wildlife Impacts

The proposed **65 mph design speed** exceeds that of all connecting and nearby roadways and is the highest speed in the surrounding region. The DEIS *does not adequately analyze* the relationship between design speed and wildlife mortality, nor does it evaluate lower-speed alternatives consistent with the rural and environmental context. Failure to consider reduced design speeds violates NEPA's requirement to rigorously explore reasonable alternatives (**40 CFR § 1502.14**).

Failure to Analyze Existing Infrastructure Alternatives

The DEIS does not provide a meaningful evaluation of alternatives that improve or optimize existing transportation infrastructure, such as targeted roadway *improvements, intersection* upgrades, or traffic management strategies. NEPA requires consideration of reasonable alternatives, including those that utilize existing facilities (**40 CFR § 1502.14(c)**). The cursory treatment of these options is insufficient.

Growth-Inducing Impacts and Roadway Classification

The project is proposed as a **Class III facility**, which allows for future access points at approximately half-mile intervals. This classification is inherently growth-inducing. Despite this, the DEIS asserts that the project will not induce growth, without providing analysis to support that conclusion.

NEPA requires disclosure and analysis of indirect and induced growth impacts. Designing a roadway with freeway-level access potential while disclaiming growth effects is internally inconsistent and fails to meet NEPA standards. This inconsistency may also render the DEIS arbitrary and capricious under the **Administrative Procedure Act (5 U.S.C. § 706)**.

Requested Action

Before advancing the project, the DEIS must:

1. Provide a rigorous analysis of aquifer and groundwater impacts and demonstrate avoidance and minimization
2. Evaluate reduced design speeds consistent with surrounding roadways
3. Fully analyze alternatives utilizing existing infrastructure
4. Disclose and analyze growth-inducing impacts consistent with roadway classification
5. Reconsider roadway classification to align with the stated non-growth purpose of the project

Thank you for considering these comments. I request that these deficiencies be addressed in a revised or supplemental EIS.

Respectfully,

Catherine Scott

Midway UT

We also support the letter sent by Wasatch County.

ID 231

To: Craig Hancock, UDOT project manager

From: Celeste Johnson, previous Midway Mayor

Date: February 12, 2026

RE: Heber Valley Corridor EIS

Dear Craig,

For nearly my entire 8 years as Mayor of Midway, the bypass has been discussed. Back and forth the discussions went. Over and over we were all told that community input mattered, that studies had to be done and that the best alternative would be presented once all factors were considered.

For those of us who understood how important an additional transportation corridor was, and that it had been delayed for too long, we watched with anticipation as the process played out. We encouraged our citizens to be patient and participate at every opportunity. We trusted that the participation would be heard and respected.

I was very surprised then when I saw that Option B was selected. The overriding concern for protecting the North Fields and all the water associated with that area, as expressed by the vast majority of those who have been participating from the beginning seems to have been relegated to a minor concern.

The concern for wetlands, groundwater, aquifers and farmlands, have been shared by many others and they have sited Utah Code, as well as Federal Policy, so I won't go into all of that here because I know it has already been relayed to you.

I just want to say how disappointed I am that Alternative B was chosen. It's more expensive and it dramatically impacts the very things our community was most concerned about. Please read with serious consideration all the letters being sent to you and hopefully we will be pleasantly surprised with an alternative that respects our water and our farmland.

Sincerely,

Celeste Johnson

ID 550

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. ***Local costs and responsibilities***
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,

Cherie Reed

Name Cherie Reed

Address [redacted]

Phone Nun [redacted]

Email Add [redacted]

ID 149

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1/28/26

Name Chris Bodily

Phone [redacted]

Email [redacted]

Addre [redacted]

Would you like to receive email updates? (**Yes** or **No**)

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

Please reconsider going with option A.

These are my reasons:

- Route A minimizes the impact to the North Fields, which is very important to those that live in the valley.
- Route B affects both North & South Fields which is very bad for the residents. You will get better support from locals if you go with Route A.
- Developers along Coyote Lane dont speak for the people. They will encourage UDOT to make decisions that benefit their developements. Dont be swayed by those with deep pockets
- Putting the bypass thru the North Fields benefits People who don't live here. Don't take away something

of value to the locals to appease those outside our county

- This project is ridiculously expensive. This money could be used to do so many little things to help rather than a big project like the bypass.

- A lot of the through traffic from Provo to Park City is construction vehicles. Once we hit a recession, this traffic will drop significantly. We saw this in 2012 and it will happen again.

Thank you for your consideration

Where did you hear about the Heber Valley Corridor? kpcw.org

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

hebervalleyeis.udot.utah.gov
hebervalleyeis@utah.gov
801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 673

FRIENDS OF HEBER VALLEY

March 9, 2026

Utah Department of Transportation Region 3
[redacted]
hebervalleyeis@utah.gov
https://hebervalleyeis.udot.utah.gov/#comments

Re: *Comments Submitted By Friends of Heber Valley to the Utah Department of Transportation Regarding the Heber Valley Corridor Draft Environmental Impact Statement (Jan. 2026)*

Dear Mr. Hancock and Heber Valley Corridor Project Team:

On behalf of Friends of Heber Valley ("Friends"), please find attached to this letter "Comments Submitted by Friends of Heber Valley to the Utah Department of Transportation Regarding the Heber Valley Corridor Draft Environmental Impact Statement (Jan. 2026) ("DEIS"). The attached describes significant flaws in the DEIS pertaining to:

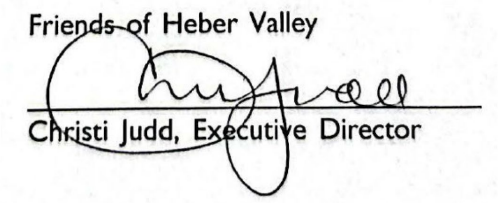
- Lack of an alternatives analysis that complies with CWA § 404(b)(1), 33 U.S.C. § 1344(b)(1), which prohibits selection of an alternative alignment unless it constitutes the "least environmentally damaging practicable alternative."
- Failure to consider local land use plans to protect open space, rural agricultural lands, and preserve the North Fields.
- Failure to demonstrate how wetlands impacts can be mitigated.
- Advancing a flawed and biased purpose and need statement.
- Ignoring or underestimating growth inducing impacts, and impacts to various resources: wetlands; groundwater, aquifers, and surface water tributaries to the Provo River; visual and aesthetic, wildlife, and protected agricultural lands.
- Failure to analyze alternatives to and impacts from the right-of-way configuration and frontage road.

Friends, identified on the attached list, consists of a broad coalition of individual property owners and concerned citizens who live, work, or recreate in the Heber Valley.

Friends request that UDOT make the attached comments and all materials referenced in them and cited in the text and footnotes part of the administrative record in this matter.

Thank you for your attention to this matter.

Sincerely,



FRIENDS OF HEBER VALLEY

Arthur M. Amann, Landowner
Rebecca Black, TB Ventures LLC
Troy Black, TB Ventures LLC
David Burbidge, David and David Invested
Norah Caskey, Mountain Laurels LLC
Ed Clyde, Landowner
John Crook, Landowner
Margaret Culley, Northfield Stables
Clint Gertsch, Bar One Ranch
Joshua Gertsch, Bar One Ranch
Laren Gertsch, Bar One Ranch
Alan Giles, Flying A Ranch
Lamont Harris, 1035W 1800N LLC
Alyson and Clay Hansen, VH Livestock
Aaron Taylor and Becky Hicken, VH Livestock
Adam Price and Julie Hicken, VH Livestock
Alyce Hicken, VH Livestock
Camille Kaitlyn Hicken, VH Livestock
Corbin Taylor Hicken, VH Livestock
Hallie Rebecca Hicken, VH Livestock
Joel Alexander Hicken, VH Livestock
John Robert Hicken, VH Livestock
John Robert Hicken II, VH Livestock
Kyler Aaron Hicken, VH Livestock
Robert John and Jill Hicken, VH Livestock
Sherry Hicken, VH Livestock
Deanne Hill, Hill Family Ranch `
Jeff Hill, Hill Family Ranch
Colby Holmes, GH Squared Property
George Holmes, GH Squared Property
Glen Holmes, GH Squared Property
Brad Lowder, Blue Barn farm
Marjorie Lowder, Blue Barn Farm
Mark Matley, Landowner
Robert McDonald, Landowner
Matt Menlove, Menlove Holding
Breeana Hicken Ostler, VH Livestock
Amelia and Gene Prisbrey, VH Livestock
Joan Probst, Probst Livestock
Michael Probst, Probst Livestock
Alicia Richardson, 5th Rock ranch
Neil Richardson, 5th Rock Ranch
Lance Richardson, 5th Roc Ranch
Michelle Richardson, 5th Rock Ranch
Hilary Richards, CNVF LLC
Emily Rodriquez, CNVF LLC
Todd Royal, VH Livestock
Mary E. Schwartz, Heritage Family Holdings, LLC
Kerry Siggard, Landowner
Sheila Siggard, Landowner
Dan Simmons, Two Girls Real Estate
Bill Spiker, Spring Creek Ranch
Dale Stewart, Landowner
Lori Stone, President of Preserve Midway
Tracy Taylor, Wasatch Open Lands Board Member
Dennis VanLeeuwen, Triple V ranch
Jill Van Leeuwen, Triple V Ranch
Mikel Williams, Landowner
Nathan Wright, N Wright
Malia Young, CNVF LLC
Brit Yonge, Brit Ventures LLC
Una Yonge, Brit Ventures LLC

<u>Preserve Midway Board of Directors</u>
Lori Stone, President
Holly Bodily, board member
Athina Koumarela, board member
Bryanna Layer, board member

COMMENTS SUBMITTED BY FRIENDS OF HEBER VALLEY TO THE UTAH DEPARTMENT OF TRANSPORATION REGARDING THE DRAFT ENVIRONMENTAL IMPACT STATEMENT, DATED JANUARY 2026 HEBER VALLEY CORRIDOR PROJECT

March 9, 2026

INTRODUCTION

On behalf of Friends of Heber Valley ("Friends"), this letter provides comments to the Utah Department of Transportation ("UDOT") Heber Valley Corridor Project Team regarding the "Draft Environmental Impact Statement and Sections 4(f)/6(f) Evaluation for the Heber Valley Corridor," dated January 2026 ("DEIS"). Contrary to the expressed positions of elected officials, stated objectives of local land use plans, and the overwhelming opposition to any roadway constructed through the North Fields, on January 9, 2026, UDOT issued its DEIS for public comment.[1] To the disappointment of Friends and the larger community, UDOT identified Alternative B as its "preferred alternative," which cuts a swath through and eliminates 54 acres of the North Fields wetlands all to reduce local and regional travel time in 2050 by a little more than a minute compared with Alternative A, which largely avoids the North Fields.

Friends consists of numerous individual property owners who live, work, or recreate in the Heber Valley. Friends believe that the proposed Heber Valley Corridor Project (the "Project") as currently described as "Preferred Alternative B" threatens the quality of life in our community, poses a significant threat to our fragile environment, and will not provide significant increased mobility. For these reasons, we have united and assembled experts, community leaders, and concerned citizens to request that UDOT withdraw the current DEIS and prepare a legally compliant analysis which satisfies the requirements of the National Environmental Policy Act ("NEPA"), the Clean Water Act ("CWA"), and various federal and state laws. Below, we provide comments to UDOT that address the following significant flaws in the DEIS analysis:

1. Lack of an alternatives analysis that complies with CWA § 404(b)(1), 33 U.S.C. § 1344(b)(1), which prohibits selection of an alternative alignment unless it constitutes the "least environmentally damaging practicable alternative."
2. Failure to consider local land use plans to protect open space and rural agricultural lands, and to preserve the North Fields.
3. Failure to demonstrate how wetlands impacts can be mitigated.
4. Advancing a flawed and biased purpose and need statement.
5. Ignoring or underestimating growth inducing impacts, and impacts to various resources: wetlands; groundwater, aquifers, and surface water tributaries to the Provo River; visual and aesthetic, wildlife, and protected agricultural lands.
6. Failure to analyze alternatives to and impacts from the right-of-way configuration and frontage road.

[1] *See* 91 Fed. Reg. 997 (Jan. 9, 2026).

FACTUAL BACKGROUND

Proposed Highway Through the North Fields

UDOT first proposed a highway through the North Fields (first called "Western Bypass D") in October of 2021—long after other initial bypass alternatives had been presented—apparently to appease certain real estate developers and interests advocating growth and expansion of the tax base. This occurred even though for decades, local government land use plans called for protecting the unique rural character and current agricultural use of the North Fields in response to overwhelming public support for North Fields preservation.

Municipality Support for Preservation of North Fields for Rural Agricultural Use

Long before and after UDOT's issuance of the Draft Alternatives Development and Screening Report on June 7, 2022, municipalities have strongly and consistently supported preserving the North Fields and opposing highway construction in the North Fields, as evidenced below:

- **Wasatch County (2022).** On July 13, 2022, the Wasatch County Council unanimously voted to oppose alignment options WA1, WB3 and WB4 due to impacts to special aquatic sites along the Provo River and degradation of the North Fields: "Wasatch County feels that the value the community places on the North Fields and the impacts to that area were not adequately considered in the selection of options WB3 and WB4."[2]

- **Wasatch County (2022).** On May 18, 2022, the Wasatch County Council unanimously voted to oppose "Bypass Alternative West D," which alignment passed through the North Fields.[3]

- **Wasatch County (2016).** The Wasatch Country General Plan proposed a bypass that avoids the North Fields.[4]

- **Heber City (2020).** "The desire to preserve open space and Heber's rural character is not a new idea, but it was a loud and clear message, especially in regard to the North Fields."[5] "Community interest in open space preservation is focused on the North Fields, maintaining separation between communities and the mountainsides. An open space system that includes those areas, as well creates open space corridors using the creeks, canals and utility corridors, could help retain the open feeling that the community has now. Much of the currently visible open space is a result of views of the surrounding mountains, agricultural fields and wetlands, all of which may slowly disappear unless actively preserved." *Id*. at 50.

[2] Wasatch County Council Resolution 22-09 (Jul. 13, 2022).
[3] *See* Minutes of the Wasatch County Council, at 13 (May 18, 2022).
[4] *See* Wasatch County General Plan, Map 32, 2016) (Exh. A).
[5] Heber City General Plan, at 11 (Dec. 5, 2023).

- **Heber City (2020).** The Heber City General Plan provides for an "Agricultural Preservation Zone" in the North Fields that maintains the 20-acre residential zoning and only allowing "[d]airy, grazing and grazing supportive crops with a homestead."[6]

- **Heber City (2018).** The Heber City Council voted to amend the Annexation Plan to ensure that currently undeveloped fields "maintain rural environment [and] provide a buffer zone between the City and surrounding cities."[7]

- **Heber City (2010).** The Heber City Master Road Plan, dated April 2010, identified the bypass south of 1200 North and avoided the North Fields entirely.

- **Joint Wasatch County and Heber City (2000).** Joint letter issued by Wasatch County and Heber City to UDOT on June 13, 2000, "recommended bypass road alignment" near 1200 South and avoided the North Fields.

Explicit Opposition to North Fields Highway

In addition to strong support for preserving the North Fields from municipalities, the public has overwhelmingly supported protecting the North Fields and opposing any highway through the North Fields. Specifically, Heber City documented that citizens have long supported the "approach to conserving the North Fields: 47% prefer to "[p]ermanently protect it and preclude all future development by purchasing land or development rights," 28% prefer to "[m]aintain rural 20-acre lot zoning for the entire North Fields," 20% prefer to "[m]aintain rural 20-acre lot zoning, except for northwest corner, where more intense development could happen," while only 4% believe there is "[n]o need to conserve the North Fields."[8]

As further evidence of North Fields preservation, an attempt was made in 2016 to rezone areas of the North Fields to 10 acres per home. A citizen referendum resulted in putting it to the vote of the people–74% of residents voted against rezoning the North Fields and maintaining the zoning at one home per 20 acres. It is therefore not surprising that with such strong public support for open space preservation, municipal governments and officials have supported preserving the North Fields.

Screening Process

On June 7, 2022, UDOT released a Draft Alternatives Development and Screening Report which included reviews of 23 alternatives, 18 of which did not pass screening criteria. The five alignments that passed the screening analysis included Alternative WA3 (West bypass – limited access and grade-separated interchanges with northern extension) and WB3 (West bypass – parkway and at-grade intersections with northern extension). WA3 would have eliminated 27.74 acres of jurisdictional waters of the United States ("WOTUS") (22.14 acres of wetlands and 8400 linear feet/1.98 acres of perennial stream channel), while WB3 would have eliminated

[6] *Id*. at 23, 62 (map showing planned open space through agricultural preservation in the North Fields), 78 (transportation map showing no city roads or bypass in the North Fields).
[7] Heber City Council Meeting Minutes, at 6 (Sept. 4, 2018).
[8] *See* Heber City General Plan, at 224 (2020), available here.

an estimated 12.48 acres of aquatic resources, i.e., 10.53 acres of wetlands and 6938 linear feet/1.3 acres of perennial stream channel.[9]

Because WA3 and WB3 would have constructed a destructive roadway swath through the entire length of the rural North Fields commencing at the "northern extension" terminus at the intersection of US-40 and SR-32, Friends submitted extensive comments criticizing UDOT's screening analysis due to (a) a flawed public notice and comment process, (b) a flawed and legally insufficient project purpose and need statement, and (c) failure to accurately apply the alternatives standard under CWA § 404(b)(1).[10]

Friends also demonstrated in their comments that the actual acreage of wetlands that would be impacted from WA3 and WB3 just on the parcel through the property owned by Mr. Dan Simmons was in excess of 28 acres based on a study prepared by Frontier Corporation USA ("Frontier"), dated July 21, 2022.[11] Finally, Frontier noted technical deficiencies in the characterization of aquatic resources in the screening report, namely that UDOT's analysis lacked:

> [T]he level of detail necessary for a formal USACE wetland delineation, which would be required for permit applications to fill, relocate or otherwise physically alter regulated wetlands or other [WOTUS] for roadway construction. Additional data collection and hydrologic analyses would be required in the early spring growing season in order to do a detailed and accurate wetlands and aquatic resources delineation for any property in the North Fields of the Heber Valley due to the unique hydrogeology of the area.[12]

Regarding the technical insufficiency of the analysis of wetlands impacts due to UDOT's failure to prepare a final delineation and request a jurisdictional determination from the Corps, the Environmental Protection Agency ("EPA") advised UDOT on November 3, 2021, early in the alternatives development process of the need "to delineate wetlands and waterbodies in the project area … [to] better inform alternatives selection and development in the EIS" given that "the western alternatives could result in greater wetland impacts and may not be the LEDPA under CWA 404."[13]

On July 21, 2022, EPA again informed UDOT of its concerns regarding the lack of rigor of the alternatives analysis and compliance with the CWA § 404(b)(1) LEDPA standard:

> One of our primary concerns regarding this project is the potential for eliminating alternatives that would be less likely to impact waterbodies and

[9] Draft Alternatives Development and Screening Report, Table 3-12, at 64 (Jun. 7, 2022).
[10] *See* Comments Submitted by Friends of Heber Valley North Fields to Utah Department of Transportation Regarding the Draft Alternatives Development and Screening Report, dated June 7, 2022 (Jul. 22, 2022) ("Friends Comments").
[11] Mr. Dan Simmons owns the property containing farmland and a home located on the east side of northern terminus of the Project.
[12] Frontier Corporation, Simmons Property Preliminary Wetlands Assessment Approximately 52-Acre Study Area within the Heber Valley Corridor Alternatives Heber City, Wasatch County, Utah, at 2 (Jul. 21, 2022).
[13] Matt Hubner and Nolan Hahn, EPA, Memorandum to Craig Hancock and Naomi Kisen, UDOT, "Heber Valley Corridor – Alternatives Concepts Development," at 2 (Nov. 3, 2021).

> wetland complexes than alternatives retained for detailed analysis. We appreciate the elimination of Alternative WA3, which appears to have the greatest direct impact to wetlands. However, only the least environmentally damaging practicable alternative (LEDPA) may be permitted under Clean Water Act (CWA) Section 404, and so we continue to voice concern that sole focus on the western alternatives, which would be expected to result in greater direct and indirect wetland impacts than the eastern alternatives, could result in an EIS that is inadequate for 404 permitting purposes. For instance, the report indicates the eastern bypasses were screened out because they did not meet the criterion to increase local mobility by 2050 yet met other screening criteria. It may be possible that eastern bypass and other alternatives may pass the mobility screening criterion if other features were included as components of the alternatives.[14]

On January 16, 2023, UDOT issued the "Final Alternatives Development and Screening Report," in which it dropped from further review Alternative WA3 (West bypass – limited access and grade-separated interchanges with northern extension to SR-32) due to impacts of **53.7** acres of presumed WOTUS (i.e., 49.9 acres of wetlands, 8.4 acres of perennial streams, 5.2 acres of ditches, and 1.6 acres of canals).[15] The Final Screening Report indicated that "**WA3 was eliminated in Level 2 screening because it would** perform similarly to the other alternatives but would **have greater impacts to potential WOTUS**."[16] However, it carried forward Alternative WB3 which included the northern extension to the SR-32 Interchange at the northern terminus of the Project.[17] The "similar performance" for regional mobility travel times was 6:45 minutes for the eliminated WA3 and 8:10 minutes for carried forward WB3.[18] Notably, the January 16, 2023 Final Screening Report carried forward three alternative alignments (WA1, WB1, and WB2, even though they would eliminate 8 buildings).[19]

On March 27, 2025, UDOT issued an Addendum to the Final Alternatives Development and Screening Report ("Addendum Screening Report") to reflect the "results of … additional alternatives development and screening process."[20] In that report, UDOT screened out the prior WB3 with the northern extension to the intersection SR-32 Interchange at the northern terminus of the Project, and replaced it with what was called in the Addendum Screening Report, the WB3-FF (West bypass – limited access and free-flow intersections with northern extension "that starts near Potter Lane to maintain interchange spacing standards between SR-32 and the bypass.").[21] UDOT significantly reduced the amount of roadway through the North

[14] Matt Hubner and Nolan Hahn, EPA, Memorandum to Craig Hancock and Naomi Kisen, UDOT, "Heber Valley Corridor – Draft Alternatives Development & Screening Report," at 1 (Jul. 21, 2022).
[15] DEIS Appendix 2A, Final Alternatives Development and Screening Report, at 58, Figure 3-17; at 69, Table 3-15 (Jan. 16, 2023).
[16] *Id*., at 65, Table 3-12 (emphasis added).
[17] *See id.*, Figure 3-17, at 58.
[18] *Id*. at 48, Table 3-9.
[19] *Id*. at 69, Table 3-15.
[20] DEIS Appendix 2B, Addendum to the Final Alternatives Development and Screening Report, at 1 (Mar. 27, 2025).
[21] *Id*., Table 2-1, at 9.

Fields, i.e., eliminating the segment through the North Fields between the junction of SR-32 approximately to Potter Lane where the northern terminus of the bypass would start. While the Addendum Screening Report indicates that WB3-FF will eliminate 51.2 total acres of presumed jurisdictional WOTUS (47.8 acres of wetlands, 4,819 linear feet/1.87 acres of perennial stream channel, 6,826 linear feet/.43 acres of ditches, and 4,015 linear feet/1.06 acres of canal), neither the Addendum Screening Report nor the DEIS disclose the reduced impacts from reducing the alignment through the North Fields.

The Addendum Screening Report further explained that in addition to advancing WB3-FF for full analysis in the DEIS, it was advancing WB1-FF (West bypass – limited access and free-flow intersections). The alignment for WB1-FF follows US-40 to 900 North where the bypass begins. This would result in significantly fewer environmental impacts, i.e., 22.3 total acres of presumed jurisdictional WOTUS (19.8 acres of wetlands, 1,677 linear feet/.82 acres of perennial stream channel, 9.005 linear feet/.60 acres of ditches, and 4,015 linear feet/1.06 acres of canal), compared to the 51.2 acres of WOTUS impacts for WB3-FF.[22] UDOT explains in the DEIS that WB1-FF is now called "Alternative A" and WB3-FF is the "Preferred Alternative B."[23]

UDOT's Rationale for Selection of Alternative B Over Alternative A

The DEIS offers only two action alternatives, with red indicating higher environmental impacts and green indicating lower environmental impacts under each alternative, according to the DEIS:[24]

"Preferred" Alternative B:

- Cuts through North Fields beginning at Potter Lane, thereby destroying the rural feel and aesthetic viewshed;
- Eliminates 54 acres of "waters of the United States" (wetlands and streams);
- Eliminates 223 acres of Farmland Protection Policy Act protected under federal law;
- Eliminates 38.4 acres of Agricultural Protection Areas protected under Utah law;
- Converts 276 acres of rural agricultural land to paved highway;
- Converts 328 acres of rural agricultural land to highway right-of-way;
- Requires 6 residential building relocations, 2 commercial building relocations, and impacting 1 historic building (none of the buildings are considered by the State Historic Preservation Officer as having historic significance);
- Provides travels times of 10:15 local and 6:55 regional in 2050; and
- Estimated cost of $760.5M.

Alternative A:

- Largely avoids the North Fields except immediately north of Heber City, thereby maintaining the rural feel and aesthetic viewshed;
- Eliminates 22.5 acres of "waters of the United States" (wetlands and streams);
- Eliminates 179 acres of Farmland Protection Policy Act protected under federal law;
- Eliminates 11.8 acres of Agricultural Protection Areas protected under Utah law;

[22] *Id*., Table 2-1w, at 33.
[23] DEIS Table 2.4-1, at 2-21; 2-42 ("UDOT's preferred alternative in this Draft EIS is Alternative B.").
[24] DEIS Table 2.6-6, at 2-39 (impacts); DEIS, Table 2.4-2, at 2-32 (travel times); DEIS at S-23 (cost).

- Converts 251 acres of rural agricultural land to paved highway;
- Converts 295 acres of rural agricultural land to highway right-of-way;
- Requires 12 residential building relocations, 15 commercial building relocations, and 4 historic buildings (none of the buildings are considered by the State Historic Preservation Officer as having historic significance);
- Provides travels times of 11:50 local and 8:10 regional in 2050; and
- Estimated cost of $711.9M.

While the impacts and cost of Alternative A are high, UDOT justified the substantially more environmentally impactful and expensive Preferred Alternative B based on its slightly shorter travel times in 2050, and for purportedly better meeting Heber City's downtown "vision."[25]

REGULATORY BACKGROUND

Applicable Legal Requirements Governing Alternatives Analyses

The Project is subject to three separate requirements governing consideration of project alternatives: CWA § 404(b)(1), Transportation Act § 4(f), and NEPA § 102(c). Each alternatives analysis arises from different legal standards that are independently analyzed involving different combinations of responsible agencies. Each alternatives requirement is discussed below.

A. CWA § 404(b)(1)

Responsible Agency. The District Engineer of the Army Corps of Engineers (the "Corps") shall not issue a CWA § 404 permit for the discharge of dredge or fill material into WOTUS unless the permit includes conditions which ensure compliance with the CWA § 404(b)(1) guidelines.[26]

Applicable Legal Standard. The CWA § 404(b)(1) guidelines[27] prohibit discharges of dredged or fill material "[i]f there is a **practicable alternative** to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other **significant adverse environmental consequences**."[28] This is known as the Least Environmentally Damaging Practicable Alternative, or "LEDPA." Thus, under the 404(b)(1) guidelines, the Corps may only authorize the LEDPA which includes three components: (1) it must be practicable, (2) there must not be another practicable alternative that would have less adverse impact on the aquatic environment, unless (3) other practicable alternatives would have other significant adverse environmental consequences. An alternative is "practicable" if it

[25] DEIS Appendix ("App.") 2E, at 12.
[26] 33 C.F.R. § 325.4(a) (2026).
[27] 33 U.S.C. § 1344(b) (each site for the placement of dredged or fill material "shall be specified for each such permit by the Secretary (1) through the application of guidelines developed by the Administrator, in conjunction with the Secretary."); *see* 45 Fed. Reg. 85344 (Dec. 24, 1980) (codifying CWA § 404(b)(1) guidelines at 40 C.F.R. § 230.10(a) (2026)).
[28] 40 C.F.R. § 230.10(a) (2026) (emphasis added).

is "available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes."[29]

Application. The United States Court of Appeals for the Tenth Circuit has emphasized that CWA § 404(b)(1) imposes a strict prohibition through application of the LEDPA standard: "CWA **prevents** the COE from issuing a § 404(b) permit if there is a less damaging practicable alternative."[30]

B. Transportation Act § 4(f)

Responsible Agency. Under Transportation Act § 4(f), the Secretary of Transportation must "cooperate and consult" with other federal agencies and states "to maintain or enhance the natural beauty of lands crossed by transportation activities or facilities."[31] UDOT has received delegated authority from FHWA to implement this requirement.[32]

Applicable Legal Standard. Transportation Act § 4(f), codified at 49 U.S.C. § 303, provides substantive protection for parks, recreation areas, wildlife and waterfowl refuges, and historic sites from transportation projects. The statute requires that transportation projects using such protected lands may only be approved if "(1) there is no **prudent and feasible alternative** to using that land; and (2) the program or project includes all possible planning to **minimize harm** to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use."[33]

Application. Unlike the prohibition under the CWA § 404(b)(1) guidelines, the regulations implementing Transportation Act § 4(f) expressly allow balancing of harms in applying the "no feasible and prudent avoidance alternative" standard:

> [T]he Administration may approve, from among the remaining alternatives that use Section 4(f) property, only the alternative that: (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 and need for the project;

[29] *Id*. § 230.10(a)(2) (2026).
[30] *Utahns for Better Transp. v. Dep't of Transp.*, 305 F.3d 1152, 1187 (10th Cir. 2002) (emphasis added).
[31] 49 U.S.C. § 303(b).
[32] DEIS Appendix 3J (Memorandum of Agreement between FHWA and UDOT).
[33] 49 U.S.C. § 303(c) (emphasis added).

(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 the alternatives.[34]

C. NEPA § 102(c)(iii)

Responsible Agency. UDOT is authorized by the Federal Highway Administration ("FHWA") to perform the NEPA analysis. In doing so, it must apply applicable federal law, regulations, and federal agency guidance documents regarding the same.[35] UDOT, as the lead agency, is required to invite "cooperating agencies" to participate in the NEPA process.[36] UDOT must invite and facilitate the Corps' participation in the NEPA process once a CWA §§404 permit is required in order to integrate or merge the NEPA and CWA § 404 alternatives analysis and analysis of regulatory requirements, as explained in detail below.[37] The Corps is required to comply with NEPA in connection with issuance of a CWA § 404 permit. Regarding the Corps' NEPA compliance, as a cooperating agency where another agency is lead agency–as with state highway projects authorized by FHWA–the Corps remains responsible for ensuring compliance with the CWA § 404(b)(1) guidelines.[38]

Applicable Legal Standard. NEPA requires that the lead agency include in the EIS a "detailed statement by the responsible official on":

> a **reasonable range of alternatives** to the proposed agency action, including an analysis of any negative environmental impacts of not implementing the proposed agency action in the case of a no action alternative, that are **technically and economically feasible**, and **meet the purpose and need of the proposal**.[39]

Application. The Tenth Circuit has explained that unlike CWA § 404(b)(1) which imposes a strict prohibition on issuing permits to proposed projects that fail the LEDPA standard, NEPA is different:

> NEPA does not require the selection of the least damaging practicable alternative. NEPA only requires that the Agencies rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated. NEPA prescribes the necessary process, but does not mandate a

[34] 23 C.F.R. § 774.3(c)(1) (2026) (emphasis added).
[35] *See* 23 U.S.C. § 327 (authorizing FHWA to assign compliance responsibilities under NEPA and other federal and state environmental laws).
[36] NEPA § 107(a)(2)(B), 42 U.S.C. § 4336a(a)(2)(B) ("A lead agency shall … request the participation of each cooperating agency at the earliest practicable time.").
[37] *Infra* pp. 10-11.
[38] 33 C.F.R. § 325.2(a)(6) (2026) (responsibility to include finding regarding compliance with 404(b)(1) guidelines in NEPA record of decision).
[39] NEPA § 102(2)(C)(ii), 42 U.S.C. § 4332(C)(ii).

particular result. Therefore, failure to select the better alternative is not a violation of NEPA.[40]

Legal Requirements Governing "Integration" of NEPA and CWA 404 Permitting

NEPA. By statute, regulation, and applicable guidance documents, UDOT is required to "integrate" the three alternatives analyses described above into the DEIS. Specifically, the Amendments to NEPA passed in June 2023 highlight the importance of close coordination by written agreement governing the nature, extent, and sequencing of a unified federal review where more than one federal agency has jurisdiction over a project: "If there are two or more participating Federal agencies, such agencies shall determine, **by letter or memorandum**, which agency shall be the lead agency based on consideration of the (i) **magnitude** of agency's involvement; (ii) project approval or disapproval authority; (iii) expertise concerning the action's environmental effects; (iv) **duration** of agency's involvement; and (v) **sequence** of agency's involvement."[41] Furthermore, the statute provides that "[t]o the extent practicable, if a proposed agency action will require action by more than one Federal agency and the lead agency has determined that it requires preparation of an environmental document, **the lead and cooperating agencies shall evaluate the proposal in a single environmental document**."[42]

FHWA NEPA Regulations. The FHWA regulations require that "[t]o the **maximum extent practicable** and consistent with Federal law, all environmental investigations, reviews, and consultations be coordinated as a **single process**, and compliance with all applicable environmental requirements be reflected in **a single environmental document** required by this part."[43]

FHWA Guidance. Similarly, joint FHWA guidance mandates the integration and merger (or "synchronization") of the NEPA and CWA 404(b)(1) alternatives analysis to ensure the adequacy of the alternatives analysis:

> [S]ynchronization agreements identify the selection of a reasonable range of alternatives as a checkpoint, such as alternative screening criteria, alternatives carried forward, or preferred alternative selection. This helps all agencies involved eliminate alternatives that are not permittable or do not meet the purpose and need, resulting in evaluation of a reasonable range of alternatives that is consistent with NEPA. **This provides a good opportunity for the transportation agency to gain greater regulatory assurances that the alternatives carried forward include alternatives that may be permittable** and that the level of detail to be included in the NEPA document on the alternatives is sufficient for adoption by other agencies. For example, USACE may inquire why a transportation agency would eliminate an alternative that the transportation agency has determined meets the established purpose and need, has similar costs and number of relocations as other alternatives, but has notably fewer impacts to aquatic resources. **An alternative like this would initially**

[40] *Utahns for Better Transp. v. Dep't of Transp.*, 305 F.3d at 1186-87 (cleaned up).
[41] *See* NEPA § 107(a)(1)(A), 42 U.S.C. § 4336a(a)(1)(A) (emphasis added).
[42] *Id*. § 107(b), 42 U.S.C. § 4336a(b) (emphasis added).
[43] 23 C.F.R. § 771.105(a) (2026) (emphasis added).

appear practicable and less environmentally damaging under the Section 404(b)(1) Guidelines.[44]

Other FNWA guidance requires integrating as early as possible the NEPA and CWA § 404 permitting process "to help State departments of transportation (DOTs) better navigate many of the challenges that can arise during the environmental review and permitting process for transportation projects under [NEPA]. These include lack of early engagement with resource and permitting agencies…. The goal of the NEPA/404 merger is early and active interagency coordination to expedite project delivery while minimizing impacts to aquatic resources."[45]

Corps NEPA Regulations. The Corps regulations provide that: "To the fullest extent possible, the District Engineer will prepare environmental documents concurrently with and integrated with analyses and related surveys and studies required by other Federal statutes. In appropriate instances, the District Engineer may participate in preparing a single environmental assessment, finding of no significant impact, environmental impact statement, and Record of Decision documents."[46]

DISCUSSION

I. The DEIS Alternatives Analysis Violates Applicable Law, Reflects Bias, and Is Arbitrary and Capricious

A. UDOT's Selection of Preferred Alternative B in the DEIS Procedurally Violates NEPA, FHWA Rules, and CWA § 404(b)(1)

The DEIS includes, as Appendix 2F, a Memorandum from UDOT's NEPA consultant HDR titled "Compliance with Clean Water Act Section 404(b)(1) Guidelines," dated December 2, 2025, which "evaluates Alternative B for compliance with the Guidelines."[47] It concedes that UDOT has not yet submitted the CWA § 404(b)(1) analysis (or CWA permit application) to the Corps for approval: "If Alternative B is selected in the Final EIS and Record of Decision, UDOT would submit a permit application to USACE identifying Alternative B as the proposed project. USACE would then apply the Guidelines as part of its permit evaluation."[48] Similarly, nothing in the DEIS or attachments indicates that UDOT received from the Corps concurrence that Preferred Alternative B satisfies the stringent CWA § 404(b)(1) LEDPA standard. Utah's approach fails to comply with applicable legal requirements.

[44] *See* FHWA, Army Corps, et al., 2015 Red Book: Synchronizing Environmental Reviews for Transportation and Other Infrastructure Projects, FHWA-HEP-15-047, at 1-2, 24-27 (Sept. 2015).
[45] *See* FHWA, "Integrating NEPA and Permitting Increases Efficiency in Environmental Review," at 1-2 (Sept. 2020).
[46] 33 C.F.R. § 333.36 (2026).
[47] DEIS, App. 2F, at 1.
[48] *Id*.

First, neither UDOT, nor its NEPA consultant (HDR), is authorized to evaluate and determine whether an alternative complies with CWA § 404(b)(1). That determination falls within the exclusive jurisdiction of the Corps District Engineer.[49]

Second, as part of efforts to streamline the NEPA and environmental permitting process, Congress required in its 2023 NEPA Amendments that "the lead and cooperating agencies **shall evaluate the proposal in a single environmental document**."[50] UDOT did not ensure that this occurred, and therefore clearly violated this statutory requirement. Rather, it appears that UDOT intends to separately submit to the Corps the CWA § 404(b)(1) analysis in one document subject to public notice and comment in clear violation of FHWA's NEPA regulations which require to the "**maximum extent practicable**" the integration of UDOT's NEPA process and the Corps' 404(b)(a) analysis into a "**single process**" and published "in a **single environmental document** required by this part."[51] UDOT also violates federal agency guidance requiring that it develop with the Corps a "synchronization" agreement to ensure as part of the NEPA process the presentation of a preferred alternative that satisfies CWA § 404(b)(1).[52]

B. UDOT's Selection of Preferred Alternative B Violates the Substantive Requirements of CWA § 404(b)(1)

UDOT correctly acknowledges in the DEIS that the CWA § 404(b)(1) Guidelines apply to the proposed action, and that "a Section 404 permit cannot be issued for an alternative if there is another practicable alternative that would cause a less adverse impact to aquatic resources."[53] Even if UDOT had not violated NEPA's **procedural** requirements, as explained above, UDOT's analysis and rationale for selection of Preferred Alternative B violates the **substantive** requirements of CWA § 404(b)(1).

Specifically, the DEIS claims that Preferred Alternative B satisfies the LEDPA standard based on the following representations in the DEIS body and supporting appendices:

- **DEIS, Chapter 2**. "Alternative B would have impacts to 53.92 acres of assumed jurisdictional aquatic resources (wetlands, streams, canals, and ditches) compared to 22.52 acres for Alternative A…. Although Alternative B would have greater aquatic resource impacts than would Alternative A, UDOT believes that Alternative B is the LEDPA because Alternative A has "other significant adverse environmental consequences," [citing HDR Memo, DEIS, App. 2F]…. **An alternative that cannot be**

[49] 33 C.F.R. § 323.6 (2026) ("The district engineer will review applications for permits for the discharge of dredged or fill material into waters of the United States in accordance with guidelines promulgated by the Administrator, EPA, under authority of section 404(b)(1) of the CWA…. [A] permit will be denied if the discharge that would be authorized by such a permit would not comply with the 404(b)(1) guidelines. If the district engineer determines that the proposed discharge would comply with the 404(b)(1) guidelines, he will grant the permit unless issuance would be contrary to the public interest."); 33 C.F.R. § 325.4(a)(1) (Corps must impose permit conditions to comply with CWA § 404(b)(1) guidelines).

[50] NEPA § 107(b), 42 U.S.C. § 4336a(b) (emphasis added).

[51] 23 C.F.R. § 771.105(a) (2026) (emphasis added).

[52] *Supra* p. 11.

[53] DEIS at 3-174.

identified by both analyses as the least harmful is not practicable, and UDOT has determined that Alternative B would have the least overall harm."[54]

- **DEIS, App. 2E (Preferred Alternative Report)**. "Although Alternative B would have greater aquatic resource impacts than would Alternative A, UDOT believes that Alternative B is the LEDPA because Alternative A has "**other significant adverse environmental consequences**," as outlined below [citing HDR Memo, DEIS, App. 2F]."[55]
- **DEIS, App. 2F (HDR Memo re Compliance with 404(b)(1)**. "Alternative A would have fewer impacts in terms of impacts on aquatic resources; however, it would result in **other significant adverse environmental consequences**, including significant **impacts to businesses and residences** (as identified in Table 2) and to properties protected under Section 4(f) of the Department of Transportation Act of 1966. Alternative A would have a combined business and residential relocation cost of $57 million versus Alternative B, which would have a combined business and residential relocation cost of $12 million."[56]

UDOT's stated reason for concluding that Preferred Alternative B satisfied the LEDPA standard, even though it impacted double the aquatic resources compared to Alternative A, violates substantive legal requirements for the following reasons.

First, UDOT misconstrues the LEDPA standard set forth in the CWA § 404(b)(1) guidelines which state that "no discharge of dredged or fill material [to CWA Section 404–regulated waters] shall be permitted if there is a **practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem**, so long as the alternative does not have **other significant adverse environmental consequences**."[57] UDOT reads out of the standard the words "**on the aquatic ecosystem**" and "**environmental consequences**," and assumes that it has discretion to disregard the 54 acres to aquatic resources in light of Alternative A's greater "impacts to businesses and residences" and historic properties, and higher relocation costs. But no exemption from application of the 404(b)(1) guidelines standard exists for routine property relocations which commonly occurs in most transportation projects. Moreover, UDOT cannot ignore the plain language of the 404(b)(1) guidelines which expressly protects "aquatic ecosystems" and consideration of "environmental consequences."

Second, UDOT failed to correctly apply the term "practicable," in the 404(b)(1) guidelines, which is defined as "**available and capable of being done** after taking into consideration **cost**, existing technology, and logistics in light of **overall project purposes**."[58] UDOT admits in the DEIS that Alternative A is (a) available, (b) capable of being done, (c) satisfies the overall project purposes, and (d) is less costly than Preferred Alternative B: "Both action alternatives support the purpose of the project—that is, both action alternatives would improve regional and local mobility on US-40 from River Road/SR-32 to US-189 and would

[54] *Id*. at 2-45 (emphasis added).
[55] DEIS App. 2D (Preferred Alternative Report), at 28.
[56] DEIS App. 2F, at 12-13.
[57] 40 C.F.R. § 230.10(a).
[58] 40 C.F.R. § 230.3(q) (2026) (emphasis added).

provide opportunities for nonmotorized transportation while allowing Heber City to meet their vision for the historic town center."[59] As such, under the facts, it is not a close call that Preferred Alternative B fails the LEDPA standard, and that Alternative A constitutes an "available" alternative "capable of being done" that meets the "overall project purposes."

Third, UDOT ignores another important aspect of the CWA § 404(b)(1) guidelines. Specifically, once a project is determined to be "non-water dependent" under the CWA § 404(b)(1) guidelines, "the burden shifts to the permit applicant to rebut the first presumption by '**clearly demonstrat[ing]' that a practicable alternative is not available**, and to rebut the second presumption **with 'detailed, clear, and convincing information *proving* that an alternative with less adverse impact is impracticable**.'"[60]

Nowhere in the DEIS does UDOT demonstrate that Alternative A is "impracticable." Rather, UDOT halfheartedly explains in its "rationale for Alternative B as the LEDPA" that "Alternative A would have a combined business and residential relocation cost of $57 million versus Alternative B, which would have a combined business and residential relocation cost of $12 million."[61] This analysis disregards that UDOT estimates that overall costs–which obviously include relocation costs–are higher under Preferred Alternative B by approximately $50 million.[62] Slightly higher relocation costs, given the overall project cost does not render Alternative A not "available and capable of being done" especially in light of other environmental harms resulting from the Preferred Alternative B.

Fourth, UDOT's "rationale for Alternative B as the LEDPA" also misapplies Transportation Act § 4(f). UDOT apparently believes that application of the Transportation Act § 4(f)'s "no feasible and prudent alternative" standard somehow cancels out the prohibition on permit issuance under the CWA § 404(b)(1) LEDPA standard. As the DEIS erroneously explains:

> For projects for which there are no alternatives that totally avoid use of Section 4(f) properties, a "least overall harm" assessment is conducted. The least overall harm assessment evaluates seven factors to determine which alternative results in the least overall harm. No Section 4(f) total avoidance alternatives were determined to be feasible and prudent. Both Alternative A and Alternative B would use Section 4(f) properties. UDOT conducted a least overall harm assessment, considering and balancing the seven factors listed in 23 C.F.R. § 774.3(c).[63]
>
> * * *
>
> Based on an assessment of all seven of the least overall harm factors, Alternative B is the least overall harm alternative.[64]

---

[59] DEIS at 2-32.

[60] *See City Club of New York v. Army Corps*, 246 F.Supp.3d 860, 866 (S.D.N.Y. 2017) (emphasis added) (*quoting Greater Yellowstone Coal. v. Flowers*, 359 F.3d 1257, 1269 (10th Cir. 2004)).

[61] DEIS App. 2F, at 12-13.

[62] *Supra* note 23; DEIS at S-23.

[63] DEIS App. 2F, at 13 (citing to DEIS Chap. 4).

[64] DEIS, at 4-40.

However, a close examination of UDOT's application of the seven Section 4(f) factors reveals a biased and misapplication of those factors in which UDOT favored Alternative B without compelling reasons, while disregarding more compelling factors favoring Alternative A as the alternative resulting in the "lease overall harm."[65]

- **Factor 1: Ability to Mitigate Adverse Impacts to 4(f) Properties.** Both Alternatives A and B impact historic (agricultural structures) that would be demolished and require "appropriately scaled public interpretive outreach." Thus, that factor is a wash.[66]
- **Factor 2: Relative Severity of Remaining Harm to Section 4(f) Properties.** Alternative A would require demolition of "4 eligible historic structures," while Alternative B would require demolition of only one eligible historic structure. However, the analysis concluded that "**no harm would remain because the structures would be gone**" under either alternative based on the analysis of experts after consultation with the Utah State Historic Preservation Office ("SHPO"). Thus, one can hardly argue a difference in significant harm between the two alternatives.[67]
- **Factor 3: Relative Significance of Section 4(f) Properties.** Again, the expert analysis concluded that under both Alternatives, **"[n]one of the historic structures is particularly unique or unusual or has significance greater than the other structures**." [68] Thus, UDOT admits no significant difference in harm.[69]
- **Factor 4: Consultation with Officials with Jurisdiction.** UDOT admits, based on such consultation, that "[n]one of the historic structures is particularly unique or unusual or has significance greater than the other structures." Again, no significant difference in harm.[70]
- **Factor 5: Degree to Which Project Purpose and Need is Met.** While the analysis concluded that both Alternatives "[m]eet purpose and need" for the proposed action, "Alternative B provides faster regional travel times and better local mobility than Alternative A. Alternative B performs better with respect to Heber City's vision for their historic town center. Alternative B attracts more regional truck traffic away from Main Street, and provides an alternative route in case of emergency on north US-40 between Potter Lane/College Way and 900 North."[71] However, 90 seconds faster regional travel time and a minute faster local travel time in 2050 can hardly be viewed as significant. Moreover, neither Alternative actually removes truck traffic from Main Street, as such neither fully meets that purpose and need, nor does UDOT document a significant difference in removal of truck traffic between the two alternatives.

[65] *See* DEIS Table 4.7-4 (Least Overall Harm), at 4-41.
[66] *Id*.
[67] *Id*.
[68] *Id*. (emphasis added).
[69] *Id*.
[70] *Id*.
[71] *Id*.

- **<u>Factor 6: Effects on Non–Section 4(f) Resources.</u>** Here, UDOT admits application of this factor does not favor Preferred Alternative B, while Alternative A "substantially" outperforms Preferred Alternative B in key areas, including impacts to aquatic resources: "In terms of impacts to non–Section 4(f) resources, **Alternative A is substantially better in terms of effects on aquatic resources, and slightly better in terms of farmland and noise impacts**. In contrast, Alternative B would have substantially fewer business and residential displacements. **Due to these trade-offs, UDOT determined that Alternatives A and B perform similarly for this least overall harm factor**."[72]
- **<u>Cost Difference.</u>** UDOT admits that Alternative A is less expensive than Preferred Alternative B by $48.6 million, but brushes aside this difference because the "difference is less than 10% of the total estimated cost."[73]

As demonstrated above, nothing in UDOT's analysis and application of the six Transportation Act 4(f) factors suggests that Preferred Alternative B has the "least overall harm" –rather, the opposite is true. This does not mean that in other circumstances harm to 4(f) properties or "Effects on Non–Section 4(f) Resources" could justify an outcome in which an alternative with greater impacts to aquatic resources may pass muster under CWA § 404(b)(1). For example, an alternative with fewer impacts to aquatic resources may have significantly higher impacts to habitat of species protected under the Endangered Species Act, or impacts to high value historic structures built by pioneers or ancient Native American dwellings. However, we have nothing resembling those scenarios here with respect to Alternatives A and B. Moreover, UDOT gives little to no weight regarding the primary purpose of CWA § 404(b)(1), i.e., Preferred Alternative B significantly greater "aquatic resources" impacts compared Alternative A's impacts (54 vs. 22 acres). UDOT also ignores the lower overall cost of Alternative A and other areas in which Alternative A outperforms Preferred Alternative B regarding:

- Noise impacts;
- Acres of lost agricultural land protected under the Farmland Protection Policy Act (223 vs. 179 acres);
- Acres of lost agricultural land protected under Utah law (38 vs. 12 acres);
- Acres of converted rural agricultural land to paved highway (276 vs. 251 acres);
- Acres of rural agricultural land converted to highway right-of-way (328 vs. 295 acres);

UDOT's analysis fails to give weight to these greater impacts from Preferred Alternative B. Nor does UDOT account for the full range of impacts to the local economy, lost jobs, reduced agricultural productivity, and impacts on tourism resulting from constructing a highway in the North Fields. As such, one can only conclude that UDOT's alternatives analysis is highly biased, outcome driven, and arbitrary and capricious to disregard the significantly greater losses of aquatic resources and productive agricultural land resulting from Preferred Alternative B. Bias in the analysis is also demonstrated by the fact that UDOT previously screened out

[72] *Id*. (emphasis added)
[73] *Id*.

Alternative WA3 because it would "**have greater impacts to potential WOTUS,**"[74] but UDOT now claims Preferred Alternative B satisfies the LEDPA standard even though it has the same WOTUS impacts (54 acres) as the previously rejected alternative.[75] Moreover, Preferred Alternative B is inconsistent with local land use plans all of which favor protecting the North Fields, as demonstrated below.

II. UDOT Failed to Consider Local Land Use Plans Designed to Preserve Open Space, Agricultural Lands and Uses, and the North Fields

NEPA requires consideration of local land use plans in connection with transportation projects. FHWA NEPA guidance specifically requires that the lead agency consider whether "alternatives [are] consistent with local land-use plans," and that doing so can reduce the risk of "[d]isputes that may arise at various junctures in the NEPA process" including disputes over the alternatives advanced and purpose and need for the project.[76]

As set forth above, Wasatch County and Heber City land use plans strongly emphasized the need to protect "currently visible open space" with particular "focus[] on the North Fields" and protected "agricultural fields and wetlands."[77] Ironically, UDOT acknowledged the same in the DEIS: "Throughout the study, UDOT heard from the public and local governments that the general plan also **demonstrates a desire to protect open space and the rural character**."[78] Yet, UDOT disregarded this strong land use planning preference in its selection of Preferred Alternative B. As such, UDOT should prepare a supplemental draft EIS which includes an action alternative that fully considers local land use plan's strong preference to protect the North Fields. Failure to do so violates FHWA NEPA regulations that require the EIS to "focus on … land use implications of the major alternatives."[79]

Moreover, not only did UDOT fail to give due consideration to local land use plans in selecting a reasonable range of alternatives, remarkably UDOT admitted that it actively thwarted efforts by private citizens and federal agencies to preserve the North Fields through the imposition of conservation easements through the Natural Resources Conservation Services (NRCS).[80] Because NRCS can still act to approve federal conservation easements on these protected agricultural lands, it is reasonably foreseeable that they will be approved at a future date. As such, UDOT should disclose the effect of these additional 4(f) resources on the selection of Alternative B as the preferred alternative in its 4(f) analysis.

---

[74] *Id*., at 65, Table 3-12 (emphasis added).
[75] DEIS App. 2F, at 13-14.
[76] FHWA, "Guidance on Managing Conflict and Resolving Disputes between State and Federal Agencies During the Transportation Project Development and Environmental Review Process" § 4.1.
[77] *See*, *e.g.*, Heber City General Plan, at 60 (2023).
[78] DEIS at 1-7 (emphasis added).
[79] 23 C.F.R. § 771.111(g) (2026).
[80] DEIS at 2-3 ("A federal conservation easement proposal that overlapped all five alternatives, if approved, would prevent UDOT from proceeding with the EIS. UDOT would have been prevented from condemning the land it needs for the bypass. UDOT initiated meetings with the Natural Resources Conservation Service (NRCS) to discuss a path forward. NRCS determined that it will not proceed with a conservation easement at this this time.").

III. UDOT Failed to Demonstrate How Wetlands Impacts Can Be Mitigated

The DEIS claims that UDOT will fully mitigate North Fields wetlands impacts by locating compensatory mitigation sites in the North Fields: "UDOT will prioritize establishing a mitigation site in the North Fields and will submit this recommendation to USACE for its approval in UDOT's Clean Water Act Section 404 permit application."[81] UDOT further asserts that "[o]nce designated, wetland mitigation sites have the potential to limit sprawl based on where they are located because they are protected in perpetuity and cannot be developed. Focusing the wetland mitigation efforts of the Heber Valley Corridor on the north fields, as proposed by UDOT in this Draft EIS, could limit development and provide a scenic buffer."[82] UDOT also asserts that it may purchase "credits from an authorized wetland mitigation bank or in-lieu fee program."[83]

The above soft commitments constitute empty promises that UDOT knows or should know are unachievable. *First*, the amount of acreage needed to provide compensatory mitigation that satisfies the Corps mitigation requirements under 33 C.F.R. Part 332 in connection with loss of the 54 acres of wetlands from Preferred Alternative B would be astronomical, i.e., UDOT concedes that the amount of mitigation acreage required ranges from 338 to 809 acres depending on the replacement ratio that the Corps imposes.[84] As explained by Frontier. "Evaluation of Heber Valley Corridor DEIS, Aquatic Resources Issues" (Mar. 9, 2026) ("Frontier Report"), attached hereto as **Exhibit A**, finding a willing seller for that amount of satisfactory compensatory mitigation acreage and water rights would be highly unlikely if not impossible.[85] Recent efforts by another state agency to obtain suitable mitigation acreage in the amount of 8.5 acres took an inordinate amount of time, proved expensive, and was extremely difficult to obtain.[86]

Second, if UDOT were serious about obtaining mitigation acreage in the North Fields, it should have included the details of its mitigation plan and location of mitigation sites that it had submitted and received at least preliminary approval from the Corps. Indeed, the DEIS states that UDOT has not even attempted to locate and evaluate potential mitigation areas in the North Fields, but intends to kick the can down the road until it submits a permit application to the Corps.[87]

---

[81] *Id*. at 3-195.
[82] *Id*. at 3-24.
[83] *Id.* 3-195.
[84] *Id*.
[85] *See* Frontier Report, at 3-5.
[86] *Id*. at 5.
[87] DEIS App. 2F, at 3 ("In its permit application to USACE, UDOT will summarize applicable mitigation measures from the EIS and coordinate with USACE to identify any additional measures that are appropriate and practicable.").

Third, it is not possible for UDOT to purchase mitigation credits given that there currently are no existing Corps-approved mitigation bank or in-lieu fee program within the service area of the Heber Valley—nor are there plans to create one.[88]

Not only do UDOT's vague future good intentions to mitigate for lost wetlands functions and values in the North Fields lack specificity and credibility, but UDOT violates NEPA's separate mitigation requirement that "[m]easures necessary to mitigate adverse impacts be **incorporated into the action**."[89] Furthermore, UDOT violates the requirement that the NEPA analysis must not be speculative; rather, the lead agency must "make use of any reliable data" and the underlying analysis must reflect "professional integrity, including scientific integrity" and make "use of reliable data and resources."[90]

IV. UDOT Advanced a Flawed Purpose and Need Statement

The DEIS explains that the first project purpose and need is to "[i]mprove regional and local mobility on U.S. 40 from River Road/SR-32 to US-189"[91] as measured by the following:

- Local mobility: Improve arterial and intersection level of service (LOS) on U.S. 40.
- Local mobility: Decrease travel time on Main Street (S.R. 32 to hub intersection).
- Local mobility: Substantially decrease vehicle queue lengths on U.S. 40.
- Regional mobility: Substantially decrease through traffic travel time (S.R. 32 to U.S. 189).
- Regional mobility: Minimize conflicts (driveway accesses, intersections, etc.) to north-south mobility for through traffic.[92]

A second "need for the project" is to implement Heber City's "**planned vision for redeveloping their historic downtown** to be a more walkable and bicycle-friendly destination. The downtown setting is adversely affected by regional traffic, which includes many oil tankers and other trucks, and congestion."[93]

However, UDOT fails to explain how through traffic through Heber City will be sufficiently reduced to achieve both reduced congestion and slower traffic speed to achieve the feel of an "historic town center" (discussed below) and, at the same time, enhance mobility. Moreover, by screening out for detailed review the main street enhancements (including one-way couplet and reversible-lane alternatives), UDOT has lost sight of a central purpose of NEPA–to give the public and other decisionmakers a complete understanding of impacts and alternatives, so that reasoned choices can be made by these and other relevant decisionmakers. This is particularly true here given the modest increased mobility (in terms of travel times) achieved by the west bypass, even based on UDOT's limited and incomplete

[88] *See* Frontier Report, at 7.
[89] 23 C.F.R. § 771.105(e) (2026) (emphasis added).
[90] 42 U.S.C. § 4332(D), (E); *see also* 23 C.F.R. § 771.115 (2026) (requiring use of "reliable data" in highway NEPA documents).
[91] DEIS at 1-9.
[92] *Id.* at 1-21 to 1-32.
[93] *Id.* at 1-10 (emphasis added).

information it provided to the public.[94] It is also striking that UDOT claimed snow removal as a reason to screen out an elevated alternative or bridging over U.S. 40,[95] given the many bridges and structurally elevated freeways in Montana, Wyoming, Colorado, Alaska, and Canada which experience far greater snowfall than the Heber Valley.[96]

Moreover, while UDOT's references the "vision" for Heber City, UDOT fails to recognize that Heber City's actual "vision statement" contained in the Heber City General Plan cuts against UDOT's preferred alignments through the North Fields:

> **Vision Statement**: "Heber City is nestled in a green valley, brimming with **historic agricultural uses**, the beautiful Provo River, and unmatched views of the Wasatch Mountains. **Our residents value this beautiful and unique setting and are committed to preserving its character** while growing and nurturing our city. Together, we desire to:
>
> - **preserve the beautiful open lands** that surround us;
> - create friendly neighborhoods and centers that focus homes, jobs, shopping, and recreation into places where we gather and interact regularly;
> - enhance and strengthen downtown—the heart of our community; and
> - grow, promote and diversify our recreational opportunities."
>
> By focusing our growth in specific areas, we foster a vibrant community and **a quiet countryside**—a place residents and visitors alike will enjoy for generations to come.[97]

Similarly, item number one on Heber City's "Vision Map" is "Significant open space preservation," explained as follows: "**North and South Fields are permanently protected**. Land or development rights are purchased, and conservation easements are placed, precluding future development."[98] It is difficult to imagine how UDOT's "vision" of a major freeway cutting through the middle of the "historic agricultural uses" in the North and South Fields adjacent to "the beautiful Provo River" destroying this "unique setting" and "quiet countryside" could be more diametrically opposed to the actual "vision" described in the Heber City General Plan.

Nowhere in the DEIS does UDOT define the "vision for the historic town center," nor the origin of such a vision since it does not originate from the actual Heber City General Plan, which defines the planning principles for the downtown as follows:

> Downtown, Heber'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.
>
> 1. Heber preserves, enhances, and improves access to its valued places and buildings on Main Street.

---

[94] *Supra* pp. 6-7.
[95] DEIS at 2-6.
[96] *See*, *e.g.*, AASHTO, Integration of Resilience and Context Sensitivity on a Mountain Corridor: Interstate 70 Project, Colorado (2022), available here.
[97] *Heber City Envision 2050 General Plan*, at 5 (updated Dec. 5, 2023) (emphasis added).
[98] *Id*. at 15.

2. Heber improves pedestrian and bike accessibility, parking, and traffic conditions along Main Street.
3. Underused spaces are reimagined into significant new places to work, live and enjoy time together.
4. Downtown is a regional destination for annual gatherings and traditions that Heber residents and visitors enjoy.[99]

To accurately articulate the purpose and need of the above based on the Heber City General Plan, UDOT will need to evaluate an alternative that achieves this vision without a destructive freeway that runs counter to the Heber City General Plan's protection of the North Fields. Such an alternative could include traffic calming features, improved transit and transit-oriented development, and improvements to Main Street similar to those used by other rural communities. Another alternative to achieve preserving an historic downtown center could involve an elevated bypass such as was constructed by the Idaho Transportation Department in Sandpoint, Idaho on U.S. Highway 95 (Sand Creek Byway Project), which has received awards for its design.[100]

UDOT's vision of a historic Main Street without diesel truck traffic assumes that haul trucks will necessarily take the bypass route, yet diesel haul trucks often take the shortest route especially when loaded. UDOT fails to explain the actual legal mechanism for removing haul trucks from Main Street; rather, it concedes that it has no authority to remove truck traffic.[101]

Moreover, UDOT's understanding and articulation of the "vision for the historic town center" is flawed in another important respect. The Heber City General Plan contemplates a series of town centers connected by arterial roads, not a single town center bypassed by a freeway:

> New centers will be strategically located, connected to each other and the greater community, and offer walkable access to amenities and day-to-day needs. New centers should encourage many distinct features: outdoor gathering spaces; parks and plazas, schools; community centers; a mix of shopping, restaurants, offices; as well as a variety of housing choices, including more affordable options.[102]

In addition, the Heber City General Plan discusses the need to make more "vibrant downtown, town centers and business center; neighborhoods with open space; rural residential clusters."[103] A "revitalized downtown," as contemplated by the Heber City General Plan, does not contemplate a quieter two-lane walkable Main Street suggested by UDOT. UDOT's own traffic study does not enable Heber City to remove the current four-lane highway on Main Street, and recent annexations likely require maintaining the four-lane Main Street.

---

[99] *Id*. at 39.

[100] For more on the Sand Creek Byway Project, available here, and *see North Idaho Community Action Network v. U.S. Dep't of Transp.*, 545 F.3d 1147 (9th Cir. 2006).

[101] DEIS at 1-33 ("Regarding truck traffic, UDOT noted its limited authority to restrict trucks on US-40 but acknowledged potential measures to discourage truck use of Main Street if a western corridor is built.").

[102] *Id*. at 7.

[103] Heber City General Plan, at 15.

Finally, UDOT will need to evaluate how a bypass could negatively impact certain businesses such as restaurants and retail spaces that depend on through traffic and could make the downtown less economically viable and tourist-friendly which has happened in so many small towns with freeway bypasses. UDOT's vision of an historic quiet Main Street appears incongruous with the revitalized downtown contemplated in the Heber General Plan.

A third purpose of the Project, according to UDOT, is to "provide opportunities for nonmotorized transportation."[104] However, applicable local and regional planning documents do not contemplate bike and walking trails that are co-located with current U.S. 40 or improvements to U.S. 40. Most people do not want to walk adjacent to a freeway with vehicles going 45 to 55 mph (or faster). Bikeways and walkways, particularly those designed primarily to enhance mobility (as opposed to recreation) need to be located where people live and work, not in the North Fields. Applicable local and regional plans contemplate pathways and bikeways elsewhere – not adjacent to a freeway.[105]

V. UDOT Underestimated Impacts to Various Resources

A. Wetlands Impacts

UDOT underestimates the impacts to wetlands located in the North Fields for three reasons. *First*, UDOT continues to heavily rely on wetlands acreage impacts based on National Wetlands Inventory ("NWI") maps, which are dated, inaccurate, and likely underestimate the wetlands present in the North Fields. As Frontier explains, UDOT should prepare a complete inventory and delineation of aquatic resources that includes an aquatic resources functions and services assessment which forms the basis for the mitigation type and ratios required in the mitigation plan.[106]

Second, many wetlands in the North Fields are seasonal wet meadows that may only have wetland hydrology present during the early-spring growing season in association with the shallow, unconfined alluvial aquifer found on the valley floor and historic river flood plain that supplies the active water table and groundwater hydrology of these wetlands. The valley floor is populated with numerous low-lying drainage patterns that are remnants of historic meanders, distributary channels, and tributary channels associated with the movement of the Provo River through the North Fields area over time. Many of these drainage patterns are situated on lands that were converted to pasture fields that are dominated by facultative

---

[104] DEIS at 1-9.

[105] *See* Heber City Envision 2050 General Plan, Appendix, at 17, 98, 119, 153-54, 156 (adopted Mar. 17, 2020) (planned bike paths along 100 East and 100 West based on public comment; trails should connect neighborhoods' "trails connect centers"; "new and existing homes should have walking access to parks, trails"; "trails [should] connect residents to other neighborhoods, downtown, and new centers"; "all residents can walk to a park"); Wasatch County General Plan, Chap. 3, at 6, 13 (updated Feb. 2, 2022) (Favors a "connected multi-modal transportation infrastructure" that includes "safe and comfortable bike and pedestrian facilities … compatible with the mountain and rural characteristics of Wasatch County," but "oppose[s] proposals that encourage incompatible development within the corridor" or that fail to "establish[] agricultural operations as a priority use of the land [and] protect existing and future agricultural operations.").

[106] Frontier Report at 2, 4, 7; *see also* 23 C.F.R. § 771.115 (2026) (requiring use of "reliable data" in highway NEPA documents).

graminoids and forbs commonly found in seasonal wet meadows that dry in the summer if not irrigated. Detailed delineation studies, including groundwater hydrology monitoring, must be done during the spring growing season to verify presence/absence of wetland hydrology in these drainage patterns. Because the DEIS failed to undertake such an analysis (and the aquatic resources delineation attached to the DEIS as Appendix 3N, dated February 28, 2023, falls short of including the information required to support a CWA permit application and compensatory mitigation plan), the actual impacts resulting from Preferred Alternative B remain unknown.[107]

B. Groundwater Quality and Aquifer Impacts

In the screening process and DEIS, UDOT made little mention of the need to consider potential impacts to groundwater and aquifers. Indeed, one could argue that this should have been one of the most significant screening criteria to apply. Notably, the environmental impact statement for the Provo River Restoration Project emphasized the importance of groundwater recharge to sustaining the Middle Provo River and Deer Creek Reservoir for the benefit of both water users and the riparian complex. That recharge is heavily dependent on adequate surface and subsurface flows.[108] Disruption of both the lateral and vertical movement of groundwater through the shallow alluvial aquifer can alter the active water table and result in significant indirect impacts to avoided wetland and stream areas in the North Fields and potentially to the wetlands found along the riparian corridor of the Provo River. These types of impacts tend to occur more slowly over time but are long-lasting and usually irrevocable, and the effects of these types of direct impacts can be widespread. For that reason, such foreseeable direct impacts to groundwater resources from a highway constructed and operated in the North Fields must be analyzed and included in the DEIS – failure to do so violates NEPA.[109]

Moreover, the North Fields are zoned A-20 because of its high-water table, wetlands, Provo River corridor, and surrounding drainages. Preferred Alternative B will impact the wetlands and water quality that ultimately drains into the Provo River, Deer Creek Reservoir as well as the Valley's Class 1A aquifer, which provides drinking water for all private and public wells within the entire Heber Valley.[110] UDOT's analysis of the comparative impacts between Alternatives A and B is inadequate, and UDOT makes no consideration of the relative impacts on groundwater and aquifer in selecting Preferred Alternative B. UDOT merely states that for both alternatives water quality standards are not exceeded in Provo River or aquifer from either alternative.[111] UDOT's only consideration in DEIS Chapter 3 to "Groundwater Resources and Quality" is to note that "[t]he evaluation area is entirely within the Heber Valley

---

[107] *Id*.

[108] *See*, *e.g.*, Provo River Restoration Project FEIS, at 3-11 to 3-14 (Apr. 2015) ("[T]he groundwater discharged from the basin (which includes groundwater return flow to surface water) is an important source of water for Deer Creek Reservoir and water users downstream of the reservoir…. Groundwater is in contact with the surface in many places in the valley — most predominantly in the North Fields Irrigation Company. Wetlands, springs, and seeps occur at locations such as these.").

[109] *See* NEPA § 102(2)(C)(i),(ii), 42 U.S.C. § 4332(C)(i), (ii).

[110] *See* Utah Admin. Rules §§ 317-6-3.2, 317-6-4.2, 317-6-5.1 (groundwater quality protection).

[111] DEIS App. 2E, Table 11, at 25.

groundwater basin, and the underlying aquifer provides an important source of drinking water. Because the water in the aquifer is high quality, it has been classified by UDEQ as a Class IA – Pristine aquifer."[112] This only states the obvious without providing analysis of comparative impacts among the action alternatives. Regarding mitigation of environmental impacts to groundwater and aquifers, UDOT merely commits to use existing facilities and best management practices to protect water quality.[113]

C. Impacts to the Provo River and its Tributaries

The DEIS acknowledges that it must evaluate impacts to the "main surface water bodies in the water quality and water resources evaluation area," which include "Provo River, Rock Creek, Spring Creek, the Sagebrush and Spring Creek Canal, the Surplus Canal, and the Wasatch Canal."[114] Yet, UDOT fails to give adequate consideration to the impacts of surface waters from Preferred Alternative B arising from its close proximity to the Provo River and surface waters that drain directly and indirectly into the Provo River.

UDOT should have considered and factored into its selection of alternatives, and selection of the Preferred Alternative B, impacts to surface waters, especially those with impacts to Rock Creek which is an immediate tributary to the Provo River and a spawning ground for Brown trout. The Middle Provo River is currently considered a blue-ribbon Brown trout fishery with both ecological and economic significance to the region and State.[115] The CWA specifically requires that UDOT analyze project impacts that can "alter or destroy communities and populations of aquatic animals and vegetation, … modify habitat, restrict movement of aquatic fauna, destroy spawning areas, and change adjacent, upstream, and downstream areas."[116] UDOT purported to model impacts from the two alternatives based on the "number of new stream crossings or encroachments that would be required for each action alternative to allow water to pass under the road."[117]

However, UDOT's analysis of impacts to groundwater from Preferred Alternative B fails to acknowledge the greater potential impacts from construction and operation of a highway in the North Fields in closer proximity to the Provo River and its tributaries that drain into surface and groundwater, but offers the following conclusory statement: "UDOT anticipates that, after final design and implementation of stormwater [best management practices] BMPs, impacts to groundwater quality with Alternative B would be minor. The underlying aquifer would not exceed protective groundwater quality standards because the volume of highway stormwater

---

[112] DEIS at 3-160.
[113] *Id*. at 3-162 ("existing water quality control facilities (or BMPs) along the existing roads and to design and construct any new facilities that are needed to address the stormwater runoff from additional impervious areas that would be added with the selected alternative.").
[114] *Id*. at 3-155.
[115] *See* Park City Fly Fishing, Middle Provo River, available here.
[116] 40 C.F.R. § 230.24(b) (2026).
[117] DEIS at 3-163.

runoff would be small compared to the volume of the underlying aquifer and because of the benefits provided by the implemented BMPs."[118]

UDOT provides no rationale why risk to groundwater and aquifer resources from constructing a highway in the North Fields is acceptable given that Alternative A largely avoids all such impacts. Notably, UDOT ignored EPA's recommended best management practice to reduce the risk of salt from highway runoff which would be greater under Preferred Alternative B, stating that "UDOT will consider using alternative de-icing products that contain less salt for use on the Heber Valley Corridor."[119] UDOT's indifference to risks to groundwater quality and aquifers from Preferred Alternative B is disturbing.

UDOT provides no follow-up discussion of what the exact "benefits" would be to groundwater parameters as a result of implemented BMPs. Protection of water quality through BMPs is a requirement, not a "benefit." Protection requires implementation of BMPs to prevent/minimize degradation of existing resource conditions. Benefits imply actions that will promote or improve the well-being of existing resource conditions. In order to claim benefits, UDOT must provide a detailed explanation and scientific rationale as to how the implementation of surface stormwater runoff BMPs will benefit existing groundwater conditions.

D. Visual and Aesthetic Impacts

The DEIS purports to evaluate the "visual impacts" of each alternative, which the DEIS define as

> the combined assessment of the visual compatibility of the action alternative and viewer sensitivity at each key view to determine the degree of visual impact. Impacts to visual quality are a function of the visual compatibility of the action alternative and viewer sensitivity to visual changes at each key view. Impacts to visual quality can be adverse, beneficial, or neutral. Not every action alternative is visible from every key view.[120]

The impacts analysis downplays the severity of the greater visual and aesthetic impacts of Preferred Alternative B which cuts through the North Fields:

> The long-term visual impacts from Alternative B would be the same as those from Alternative A except in the North Fields Extension and North US-40 segments…. With Alternative B, the overall long-term visual changes to visual quality would be neutral to adverse compared to the existing conditions, depending on the vantage point. In locations of neutral visual impacts, the alternative would maintain a similar level of natural harmony, cultural order, and landscape composition as the existing conditions. That is, in urban areas, in areas of existing roads, or where the Heber Valley Corridor is viewed from a great distance and blends in with the existing development, the visual impact would

[118] *Id*. at 3-168.
[119] *Id*. at 3-169.
[120] *Id*. at 3-227.

be neutral. In locations where the alternative would introduce a new freeway where one does not currently exist or where the new freeway is viewed in close proximity, the visual impact would be adverse.[121]

The visual and aesthetic impacts from Preferred Alternative B are not neutral or insignificant. UDOT repeatedly ignores the importance of the unspoiled rural setting of the North Fields that would be forever lost from a major highway with a 250-foot right-of-way width. That is one of the critical reasons motivating municipalities to advocate in their land use plans the long-term protection of the North Fields from development and highway construction. Yet, in UDOT's examination of Transportation Act § 4(f) factors relating to "Effects on Non-Section 4(f) resources," no mention is made of visual and aesthetic impacts, although noise is mentioned.[122]

UDOT's 404(b)(1) analysis downplays the significance of the impacts from Preferred Alternative B on the North Fields, erroneously implying that the visual impacts from the two alternatives are comparable: "Both action alternatives would have adverse visual effects. Alternative A would be more visually intrusive to the north US-40 corridor, while Alternative B would be more visually intrusive to the north fields."[123] In the opinion of UDOT, the visual and aesthetic impacts of improvements on the US-40 – an **existing highway** – are no different from and comparable to the visual and aesthetic impacts of constructing and maintaining a **new highway** through the unspoiled rural agricultural North Fields along the Provo River under Preferred Alternative B. As such, UDOT gives little to no consideration or weight to visual and aesthetic impacts in its decision to select the Preferred Alternative.[124] Given UDOT's disregard for visual and aesthetic impacts to the North Fields, it should not be difficult for UDOT to understand the strong opposition to Preferred Alternative B by citizens and elected officials alike.

E. Wildlife Impacts

The DEIS acknowledges that under Alternative A, "[t]he addition of the frontage roads and trail would increase noise and visual disturbance to wildlife near the road and would also increase the barrier to wildlife crossing US-40…. The addition of the frontage roads and path would lengthen the distance that wildlife need to travel to cross US-40 and could increase the number of wildlife–vehicle collisions in this segment of US-40."[125] As to Preferred Alternative B, the DEIS explained that "[t]his new road and trail would increase noise and visual disturbance to wildlife and add a barrier to wildlife movement in the area."[126]

The DEIS fails to examine mitigation measures to reduce impacts to wildlife such as wildlife overpasses or underpasses. Nor does it acknowledge and compare significantly more

---

[121] *Id*. at 3-243.
[122] *Id*. at 4-41.
[123] DEIS App. 2F, at 11-12 & Table 2.
[124] The only mention of visual impacts in its Preferred Alternative Report is as follows: "The No-action Alternative would not result in visual impacts other than a congested Main Street. Alternative A would be more visually impactful to the north US-40 corridor. Alternative B would be more visually impactful to the north fields." DEIS App. 2E, Table 11, at 25.
[125] DEIS at 3-192.
[126] *Id.* at 3-193.

wildlife impacts that would occur from Preferred Alternative B's cutting through the North Fields which is home to more wildlife along the Provo River corridor. Nor does UDOT evaluate the significant impacts from habitat fragmentation that would result from a roadway through the North Fields along the Provo River which has the highest concentration of wildlife in the study area.

F. Protected Agricultural Lands

Members of Friends own and manage approximately 150 acres of ranch and farmlands designated as Agricultural Protection Areas or "APAs" located in the Heber Valley that appear included in Preferred Alternative B.[127] The DEIS analysis indicates that Preferred Alternative B results in a loss of 223 acres of farmland protected under the Federal Farmland Protection Policy Act, while Alternative A eliminates 179 acres.[128] Similarly, Preferred Alternative B eliminates 38 acres of "Agricultural Protection Areas" protected under the Utah law compared to 12 acres for Alternative A.[129] The DEIS indicates that "[a]s of May 2, 2023, 24 individual parcels totaling about 341 acres were approved and recorded within APAs in the farmland evaluation area."[130]

Regarding federally protected farmland, the DEIS acknowledges that "[f]or projects such as the Heber Valley Corridor Project, the FPPA requires that each alternative under study be evaluated to determine the impacts from the action alternatives and the resulting conversion of identified prime farmland, unique farmland, or farmland of statewide or local importance."[131] The DEIS attaches as Appendix 3B the "Farmland Conversion Impact Rating" forms that assigned the score to Preferred Alternative B of 156 (which narrowly misses the 160 point threshold requiring UDOT to select Alternative A as the alternative that would "convert less farmland or that convert farmland of lower value"). However, the DEIS and its supporting appendices fail to provide sufficient information regarding the underlying calculations and methodology UDOT used for assigning the Farmland Conversion Impact Rating Scores to the action alternatives.[132]

Regarding Agricultural Protection Areas under state law, the DEIS acknowledges that UDOT must "[c]onsider whether the transportation corridor would: Be located on land that is included within an APA, or interfere with agriculture production activities on land within an

---

[127] *See* Letter to Craig Hancock from Friends (Dec. 16, 2025).

[128] Congress enacted the Farmland Protection Policy Act ("FPPA") to "minimize the extent to which Federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses…" 7 U.S.C. § 4201(b); 7 C.F.R. Part 658 (2026). The FPPA also stipulates that federal programs be compatible with state, local and private efforts to protect farmland. For the purposes of the law, federal programs include construction projects—such as highways, airports, dams and federal buildings—sponsored or financed in whole or part by the federal government, and the management of federal lands. The U.S. Department of Agriculture's Natural Resources Conservation Service ("NRCS") is charged with oversight of the FPPA.

[129] *See* Utah Code Ann. § 17-81-201(1)(a) (process to create "agriculture protection area"). The law imposes limitations on political subdivisions and state agencies that attempt to use, condemn or convert Agriculture Protection Areas to highways. *Id*. §§ 17-81-305, 17-81-307.

[130] DEIS at 3-30.

[131] *Id*. at 3-26.

[132] *See id*. at 3-38 to 3-40; DEIS App. 3B.

APA, and consider reasonably comparable alternatives to the placement of the corridor on land within an APA, and Make reasonable efforts to minimize or eliminate any detrimental impact on agriculture that may result from the designation of a transportation corridor."[133]

UDOT admits that "[t]he northern extension through the North Fields and connection to US-40 at Potter Lane result in more farmland impacts from Alternative B than from Alternative A. Alternative B would convert the most pasture land because of Alternative B's northern extension."[134] Yet, UDOT gives little to no weight to this significantly greater loss of protected agricultural lands under Preferred Alternative B. The DEIS's evaluation of impacts of the loss from farmland conversion is narrow, myopic, and limited to comparing the loss of crop and farmland type, but without considering indirect economic effects and qualitative effects on lifestyle.

UDOT's lack of analysis of impacts, alternatives, and mitigation of state Agricultural Protection Areas violates state law which requires UDOT to (a) submit its plans to the Utah Commissioner of Agriculture and Food for "review of state agency's proposed development plan" to condemn and use Agricultural Protection Areas for highway construction, (b) obtain from the Commissioner "any modifications to the development project that would **protect the integrity of the agriculture protection area**…, or that would protect the agriculture protection area from nonfarm encroachment…," and (c) disclose UDOT's plan to implement such recommendations and modifications and to otherwise protect the integrity of the agriculture protection area.[135]

UDOT also fails to seriously consider "reasonably comparable alternatives," which would have resulted in selection of Alternative A, or to "[m]ake reasonable efforts to minimize or eliminate any detrimental impact on agriculture."[136] Rather, UDOT claims that "UDOT will work with each farm owner on a case-by-case basis to determine the farm's eligibility for benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and other federal and state guidelines. Generally, UDOT will provide compensation for the expense of re-establishing farm enterprises and for the fair market value of the buildings and land."[137] UDOT fails to recognize that the greater loss of agricultural lands arising from selection of Alternative B will destroy an irreplaceable way of life, one that is the primary reason so many residents choose to live in the Heber Valley.

VI. UDOT Failed to Consider Growth Inducing Impacts from the Project

In comparing the action alternatives, UDOT fails to consider and explain the effect of increased travel and traffic that have been designed to accommodate and induce development and growth. UDOT cannot simultaneously claim that increased growth and traffic congestion re inevitable while admitting that a purpose of an alternative is to accommodate such growth.[138] UDOT must also reconcile its contradictory statements of purpose and need: on the one hand, UDOT claims the Project will "improve regional and local mobility," yet on the other hand,

---

[133] *Id*. at 3-27.
[134] *Id*. at 3-34.
[135] Utah Code Ann. § 17-81-307(2)(b) (emphasis added).
[136] DEIS at 3-41.
[137] *Id.* at 3-44.
[138] *Id*. at 2-43 (Preferred Alternative B "benefits … the Master-planned North Village").

UDOT selected Preferred Alternative B, which is specifically designed to facilitate more growth that will, in turn, increase traffic and travel into Heber City. This fundamental incongruity needs to be acknowledged and addressed in the DEIS.

UDOT acknowledges, but fails to analyze, growth inducing effects resulting from the western frontage road. Instead, UDOT provides the following:

> Both of the action alternatives could result in indirect impacts to land use by increasing the timing of development in areas in western Heber City near the accesses to the Heber Valley Corridor and its frontage roads. Any development that would occur in these areas would be subject to Heber City zoning rules and approval…. Because the frontage road would not be under UDOT's control and therefore would not have an access management plan, there could be increased development pressure in this area. The interchanges that are proposed for Potter Lane/College Way and Coyote Canyon Parkway would not connect to local roads in the north fields on the west side of US-40. However, it would be fairly straightforward from an engineering standpoint to provide a connection from the interchanges to the local roads, and these connections could result in increased development pressure on the west side of US-40. [139]

In an effort to provide UDOT both information and the ability to address and mitigate adverse impacts from the proposed frontage report, including induced growth, Mr. Simmons presented UDOT with a possible solution. Specifically, assuming that adverse impacts to his well, irrigation system, and the natural hydrology and springs in the area of the frontage road can be avoided, and stormwater adequately managed, Mr. Simmons proposed agreeing to a frontage road on his property as part of the proposed improvements to US-40 provided that the proposed frontage road would be limited to emergency vehicle access which he would grant under a limited use easement.[140] To further accomplish this approach, the northern terminus of the western frontage road could end at the southern boundary of the Simmons Property and be configured with a standard hammerhead turnaround (or similar configuration) designed for fire apparatus and other emergency response vehicles.[141]

Because UDOT failed to include a limited use frontage road that would provide property owners unrestricted access and emergency vehicle limited access, and because UDOT extended the western frontage road to the northern terminus of the Project—which abuts a large proposed resort development (The Slope)—UDOT must issue a supplemental draft environmental assessment. This supplemental assessment must fully analyze the induced growth resulting from the new frontage road to planned developments immediately to the nort, as well as growth impacts stemming from other features of Preferred Alternative B, and to compare such growth impacts to those from Alternative A.

---

[139] DEIS at 3-23.

[140] *See* Letter from Dan Simmons at 4.

[141] *Id*.

First, this additional analysis is required because UDOT actually included in the selection of the Preferred Alternative B accommodating a specific planned development: "Alternative B is more consistent with Heber City's North Village Master Plan than Alternative A."[142]

Second, as the U.S. Supreme Court recently made clear: "To be sure, in certain circumstances, other projects may be interrelated and close in time and place to the project at hand—**a residential development next door to and built at the same time as a ski resort, for example**. The question then is whether that is a single project within the authority of the agency in question. There may be a gray area in defining the project at hand."[143] This is our precise situation. Because UDOT has authority over the configuration of the frontage road, if the road is going to provide unlimited access to a large resort development project (i.e., The Slope) immediately to the north to be constructed at the same time (or before) the Project, the indirect impacts arguably should have been considered in the DEIS.

VII. UDOT Failed to Analyze Impacts from, and Alternatives to, the Project Right-of-Way

UDOT indicates that its engineers have utilized standard right-of-way dimensions used for free-flow highways.[144] Both Alternatives recommend the same width of right-of-way, i.e., between 230 feet and 325 feet in locations with along US-40, and up to 250 feet in the "Western Corridor." Nowhere does UDOT provide an analysis of alternative right-of-way dimensions to reduce impacts to resources, such as wetlands, agricultural lands, wildlife, etc. Nor does UDOT explain why the western corridor width under both alternatives would be 122 feet. Notably, a close review of the design standards cited by UDOT indicate that flexibility exists regarding all of these dimensions. Moreover, other roadway projects built by UDOT and other state highway agencies commonly utilize narrower rights-of-way, median strips, etc. Nor does UDOT analyze the different impacts from right-of-way configurations under each action alternative. The 325-foot width could also accommodate future lanes which UDOT has not included in the analysis.

Any failure to fully analyze impacts from and alternatives to the Project's right-of-way configuration, in light of the applicability of the CWA § 404(b)(1) would result in a fatal flaw in UDOT's analysis similar to UDOT's failed alternatives analysis in the Legacy Parkway matter. In that case, one of the many flaws in the CWA and NEPA analysis was UDOT's failure to evaluate the impacts from and alternatives to the right-of-way configuration. Specifically, UDOT proposed a "a four-lane, divided, limited access, state-funded highway. As currently proposed, it is to be 330 feet wide consisting of four lanes, a 65.6–foot median, a 59–foot berm and utility corridor, and a 13.1–foot pedestrian/equestrian/bike trail."[145] Project opponents argued that

---

[142] DEIS App. 2E, at 29. The North Village Master Plan includes a "North Village Resort" (now called The Slope). *See* North Village Master Plan at 30 (Jan. 18, 2021).

[143] *Seven County Infrastructure Coalition v. Eagle County, Colorado*, 145 S.Ct. 1497, 1517 (2025) (emphasis added).

[144] DEIS at 2-18 (citing A Policy on Geometric Design of Highways and Streets, 7th Edition (AASHTO 2018); Roadside Design Guide, 4th Edition (AASHTO 2011); UDOT's Roadway Design Manual (UDOT 2021); Roadway Design Manual Drawings (UDOT 2023b); 2024 Standard Specifications for Road and Bridge Construction (UDOT 2024)).

[145] *Utahns for Better Transp. v. Dep't of Transp.*, 305 F.3d at 1161.

UDOT's analysis of the right-of-way configuration violated, inter alia, the CWA § 404(b)(1) guidelines for failing to consider reducing the width of the median and other components of the highway right-of-way. UDOT claimed that the right-of-way width was desirable to safety, pollution filtration, and other reasons. In holding that UDOT had violated the CWA, the Tenth Circuit held:

> [UDOT] justified the wider configuration by explaining why a package including several amenities would be desirable to various interests. The CWA test is not, however, whether features of a proposal would make a more desirable project. Rather [UDOT] and [the Corps] are obligated to determine the feasibility of the least environmentally damaging alternatives that serve the basic project purpose. If such an alternative exists—like a highway configuration that is much narrower because it dispenses with the amenities—then the CWA compels that the alternative be considered and selected unless proven impracticable. UDOT's stated purpose here was to meet the 2020 travel demand for the I–15 North Corridor and the amenities are irrelevant to meeting that purpose. We, therefore, conclude that the [Corps] failed to assess rationally whether a narrower median is practicable, thereby rendering the issuance of the permit arbitrary and capricious on this basis.[146]

With its approach to champion Preferred Alternative B without the requisite analysis of alternatives to roadway and right-of-way configuration, UDOT appears ready to intentionally or unintentionally repeat history.

VIII. UDOT Failed to Analyze Impacts from, and Alternatives to, the Western Frontage Road

Both action alternatives include a western and eastern frontage road in the US-40 segment of the roadway:

- **Preferred Alternative A**. "Alternative A would include discontinuous, two-way frontage roads parallel to the North US-40 segment to consolidate driveways and local road accesses along US-40 between River Road/SR-32 and 900 North. Access to US-40 would be limited to interchanges at River Road/SR-32, Potter Lane/College Way, and Coyote Canyon Parkway. These frontage roads would maintain property access but would introduce some out-of-direction travel for some trips compared to existing conditions. Consolidating access to frontage roads—that is, no longer allowing driveways or local roads to access US-40 except at an interchange—would reduce conflict points in the transportation evaluation area and would improve safety and regional mobility on the North US-40 segment. UDOT is coordinating with Heber City regarding these potential changes, and Heber City is coordinating with developers. Updates to the master plan and access agreement will be made after UDOT identifies the selected alternative."[147]

- **Preferred Alternative B**. The frontage road would be designed to "consolidate driveway and local road accesses between River Road/SR-32 and Potter Lane/College Way. With Alternative B, access to the Heber Valley Corridor would be limited to the interchange at

[146] *Id*. at 1188-89.
[147] DEIS at 3-90.

River Road/SR-32. There would be no access to the free-flow ramps from Potter Lane or College Way. Access to US-40 would be limited to the interchange at River Road/SR-32 and the traffic signal at Potter Lane/College Way. UDOT expects that consolidating access to frontage roads would improve safety and regional mobility between River Road/SR-32 and Potter Lane/College Way."[148]

The frontage road on the western side of US-40 includes the following dimensions:

- 25-foot buffer between the frontage road and the property line;
- two-12-foot lanes;
- 48-foot clear zone between frontage and highway shoulder.

Nowhere in the NEPA analysis does UDOT justify the need for a 25-foot buffer. Nor does UDOT explain why a 12-foot lane width is needed given that this is normal for a high-speed frontage. If local traffic is limited to property owners who lost access past the northern terminus, standard lane dimensions could be reduced to 10 feet. Similarly, the standard clear zone of a highway is not fixed but can be much narrower. Given that the roadway and right-of-way configuration impacts jurisdictional WOTUS, the CWA requires a road design which avoids and minimizes impacts, prior to mitigation.

Specifically, UDOT must develop a project design which will "[i]dentify appropriate and practicable changes to the project plan to minimize the environmental impact of the discharge, based upon the specialized methods of minimization of impacts" to aquatic resources.[149] The Corps cannot issue a CWA § 404 permit for the project unless the Corps determines that UDOT has taken "all appropriate and practicable steps to avoid and minimize adverse impacts to waters of the United States" prior to approving any compensatory mitigation plan.[150]

B. The Western Frontage Road Would have Significant Adverse Effects on Property Owners and the North Fields

The western frontage road under either alternative would have significant adverse effects that are unanalyzed in the DEIS. For example, one concerned landowner, Mr. Dan Simmons, alerted UDOT and Heber City of the need to disclose the precise location and configuration of the frontage road because preliminary drawings that UDOT had released without consulting landowners indicated that the frontage road would have serious impacts on his groundwater well used for irrigation purposes, piping used to connect to the irrigation system, landscaping, electric utilities, stream crossings, and other property amenities.[151]

Mr. Simmons also met with UDOT personnel to explain his concerns and provided an alternative to what UDOT proposed. Specifically, he objected to UDOT's proposal to connect the future frontage road with a future large resort development located immediately to the north (The Slope). Mr. Simmons did not oppose the frontage road itself. Rather, he objected to UDOT's use of his property as a southern entrance and exit point for The Slope development. Instead, he proposed that UDOT terminate the frontage road at a turnaround located just

[148] *Id*. at 3-93.
[149] 40 C.F.R. § 230.5(j) (2026).
[150] *Id*. § 230.91(c)(2) (2026).
[151] *See* Letter from Dan Simmons to Heber City Council with copy to Craig Hancock, UDOT (Jan. 5, 2026).

inside the southern boundary of his property.[152] Unfortunately, UDOT ignored this recommendation and issued the DEIS without addressing impacts from the frontage road on Mr. Simmon's property. Nor did UDOT address similar impacts to other landowners with property abutting the proposed frontage road.

Moreover, the frontage road shown on the DEIS terminates at the northern boundary of Mr. Simmon's property. Attached hereto is an overlay showing the impacts to this property owner's well, irrigation system, utilities, and other features of the Simmons Property that will impair the owner's ability to continue the agricultural uses of his land.[153] The overlay diagraph shows the extent of the intrusion of the proposed frontage road on the property owner's irrigation ditches, irrigation gate control structures, culinary well, power poles, and pressurized pipe hookup for sprinkler irrigation, and the field immediately adjacent to the proposed frontage road that would be reduced in size, resulting in the loss of an irrigation system and well. Such impacts will significantly reduce the current agricultural uses of the Simmons Property.[154]

CONCLUSION

As explained above, UDOT incorrectly assumes that it can ignore the CWA § 404(b)(1) LEDPA standard in its selection of Preferred Alternative B, which eliminates 54 acres of wetlands in the North Fields notwithstanding the fact that Alternative A would impact half that amount (22.5) acres and is "practicable" (capable of being done) and meets the project purpose and need—all of which UDOT admits. UDOT apparently and erroneously interprets the law to grant it deference to ignore the LEDPA standard because Alternative A impacts slightly more Transportation Act § 4(f) historic properties, and results in more residential and commercial structure relocations than Preferred Alternative B. UDOT's legal interpretation is incorrect: both CWA § 404(b)(1) and Transportation Act § 4(f) must be separately applied. Application of either statute can and often does result in eliminating an alternative during the screening process, as happened here, when "**WA3 was eliminated in Level 2 screening because it would perform similarly to the other alternatives but would have greater impacts to potential WOTUS**."[155] Moreover, the LEDPA CWA § 404(b)(1) standard not only lacks an exception for non-aquatic impacts (such as for historic properties and residential and business structure relocations) but imposes a rebuttable presumption requiring that UDOT demonstrate "**with 'detailed, clear, and convincing information *proving* that an alternative with less adverse impact is impracticable**."[156]

The above may become a moot point because it is ultimately the Corps that must approve (a) UDOT's comprehensive delineation and inventory of aquatic resources with

---

[152] *Id.* at 4.

[153] *See* Alternative B Frontage Road with Simmons Property Overlay, **Exhibit B**, attached hereto.

[154] Friends further note that impacts from the western frontage road to the concrete structure (also known as the "piped spring") located at the southeast corner of the future proposed development to the north of the Simmons Property catches spring water for stock watering on the Simmons Property. This water also flows into the McDonald Ditch which is used for irrigation by Mr. Simmons and his neighbor to the south. These impacts are not addressed and mitigated in the DEIS.

[155] DEIS App. 2A., at 65 and Table 3-12 (emphasis added).

[156] *Supra* p. 14 and note 61.

sufficient detail to support a CWA § 404 permit application and compensatory mitigation plan; (b) the selection of Preferred Alternative B as the "least environmentally damaging practicable alternative; and (c) a mitigation plan in which UDOT claims it will provide up to 809 acres of mitigation and an unknown amount of compensatory stream channel **located in the North Fields** to mitigate for the vast impacts from constructing a highway through the middle of the scenic North Fields. Once UDOT submits its CWA § 404 permit application, CWA § 404(b)(1) analysis, and comprehensive mitigation plan, Friends expect that the Corps will send UDOT back to the drawing board. If Friends are wrong about this, **where in the DEIS and supporting documents does UDOT demonstrate that the Corps has consented to the Preferred Alternative?** It is not even clear that the Corps has approved UDOT's Aquatic Resources Delineation Report (DEIS App. 3N, dated Feb. 28, 2023). In reality, because UDOT indicates it actually does not have funding for the Project at this time, it may be years before UDOT submits the required regulatory compliance documentation to the Corps for approval. Since an aquatic resources delineation only has a five-year shelf life, the current delineation that UDOT relies on to support the DEIS may expire and UDOT will be required to prepare a new (and hopefully more comprehensive) delineation.

In the event UDOT pursues Preferred Alternative B, litigation is likely. Friends and other project opponents likely would seek injunctive relief and a declaratory judgment that UDOT misinterpreted and failed to satisfy the requirements of CWA § 404(b)(1) just as it had done over a decade ago when UDOT commenced construction of the Legacy Parkway despite the commencement of litigation. In that case, the Tenth Circuit held that "CWA prevents the COE from issuing a § 404(b) permit if there is a less damaging practicable alternative…. We conclude that the COE's issuing of the § 404(b) permit was arbitrary and capricious."[157] The court also explained the Administrative Procedure Act ("APA") "arbitrary and capricious" standard of judicial review: "The APA empowers a reviewing court to hold unlawful and set aside agency action, findings, and conclusions found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law. 5 U.S.C. § 706(2)(A). If the record before the agency does not support the agency action, if the agency has not considered all relevant factors, or if the reviewing court simply cannot evaluate the challenged agency action on the basis of the record before it, the proper course, except in rare circumstances, is to remand to the agency for additional investigation or explanation."[158]

As illustrated below, UDOT's own analysis in the DEIS heavily favors selection of Alternative A as LEDPA and rejection of the Preferred Alternative B based on an unbiased and objective analysis of the relevant facts:

ISSUE	ALTERNATIVE A	ALTERNATIVE B	ANALYSIS / WEIGHT
Wetlands Impacts	22.5	54	Heavily favors Alternative A
Groundwater / Aquifer Impacts	Insignificant because avoids North Fields and proximity to Provo River	Significant because roadway placed in North Fields with proximity to Provo River	Heavily favors Alternative A

[157] *Utahns for Better Transp. v. Dep't of Transp.*, 305 F.3d at 1187, 1192.
[158] *Id*. at 1164.

		tributaries with abutting wetlands	
Protected Agriculture Lands (federal)	179	223	Heavily favors Alternative A
State Agricultural Protection (state)	11.8	38	Heavily favors Alternative A
Loss of Agricultural Use and Productivity	Frontage road will result in impacts to ag lands and use	Significant impacts to agricultural lands and uses	Heavily favors Alternative A
Local Land Use Plan Consistency	Consistent because preserves North Fields	Inconsistent because impacts North Fields	Heavily favors Alternative A
Visual / Aesthetic Impacts	Minor impacts because avoids North Fields	Significant impacts because placed in North Fields	Heavily favors Alternative A
Ag Economic Impacts	Insignificant impacts because avoids North Fields	Significant impacts because reduces ag production and jobs in North Fields	Heavily favors Alternative A
Wildlife Impacts	Insignificant impacts because avoids North Fields	Significant impacts because placed in North Fields where wildlife encounters will exist	Heavily favors Alternative A
Conversion of rural land to paved highway	251	276	Heavily favors Alternative A because converted lands are not in North Fields
Conversion of rural land to right-of-way	295	328	Heavily favors Alternative A because converted lands are not in North Fields
Historic Properties	4	1	Only slightly favors Alternative B because properties have little significance
Residential Structure Relocations	12	6	Only slightly favors Alternative B because properties have little significance and can be relocated
Commercial Structure Relocations	15	2	Only slightly favors Alternative B because properties have little significance and can be relocated
Regional Travel Time	8:10	6:55	Insignificant difference; both alternatives meet purpose and need
Local Travel time	11:50	10:15	Insignificant difference; both alternatives meet purpose and need

Vision of Downtown	Will entice some haul trucks from downtown but cannot remove	Will entice slightly more haul trucks from downtown but cannot remove	No significant difference and truck removal is largely speculative because cannot force removal of trucks
Nonmotorized transportation opportunities	Provides opportunities	Provides opportunities	No difference
Public and elected official support	Significant support	Little support	Heavily favors Alternative A

Friends request that UDOT prepare a supplemental draft environmental impact statement that preserves the North Fields, addresses the deficiencies identified above, and fully complies with legal requirements applicable to the Project. In the alternative, if UDOT does not address these deficiencies prior to issuing a final environmental impact statement, Friends recommends that UDOT engage in robust consultation with the Corps, EPA, USFWS, Heber City, and Wasatch County to obtain candid feedback regarding the appropriateness of and legal sufficiency for UDOT's continued efforts to construct a highway through the North Fields. In addition, UDOT could engage a qualified alternative dispute resolution team avoid litigation. Otherwise, UDOT may again make case law that can be used as a lessons-learned case study to educate other state transportation departments.[159]

37227353_v3

[159] *See* AASHTO, Case Law Details: *Utahns for Better Transportation v. USDOT* (2002) ("Legacy Parkway is a state funded, four lane, divided, limited access highway. The 14-mile long road was designed with a 65.6-foot median and a 59-foot berm and utility corridor. The right-of-way also included a 13-foot wide trail for pedestrians, bicycles, and horseback riding. The Parkway would connect to I-15 near Salt Lake City and run along the east side of the Great Salt Lake, finally connecting to US 89. The selected alternative crossed through wetlands surrounding the Great Salt Lake…. Plaintiffs appealed the district court's decision, raising numerous issues on appeal. Plaintiffs also requested an injunction pending appeal. The Court of Appeals granted the injunction, requiring plaintiffs to post a 50,000 bond. After briefing and oral argument, the Court of Appeals, in a comprehensive decision, affirmed in part, reversed in part and remanded for further consideration. The court continued the injunction, but released the plaintiffs from the obligation to post a bond."), available here.

EXHIBIT A TO FRIENDS' COMMENTS

Frontier Corporation USA "Evaluation of Heber Valley Corridor
Draft Environmental Impact Statement
Aquatic Resources Issues"

FRONTIER CORPORATION USA
Environmental Consultants

March 9, 2026

Ms. Christi Judd
Executive Director
Friends of Heber Valley

Subject: **Evaluation of Heber Valley Corridor**
Draft Environmental Impact Statement
Aquatic Resources Issues

Dear Ms. Judd:

Per the request from Friends of Heber Valley, Frontier Corporation USA (Frontier) completed an evaluation of the Heber Valley Corridor Draft Environmental Impact Statement (DEIS), dated January 2026, issued by the Utah Department of Transportation ("UDOT") to support UDOT's selection of the Preferred Alternative B (the Project). You asked that Frontier evaluate and form opinions based on a review of the information referenced below and prior experience delineating aquatic and wetland resources and preparing Clean Water Act Section 404 permit applications and mitigation plans for development projects located in Wasatch County and other nearby areas. Specifically, you requested that Frontier address the following aquatic resources issues associated with Preferred Alternative B, as described in the DEIS:

1. Whether UDOT is likely to identify and procure properties with sufficient wetlands and stream channels as compensatory mitigation for impacts in the North Fields.

2. Whether UDOT is likely to identify and procure sufficient water rights to support compensatory wetlands and stream channels in the North Fields.

3. Whether UDOT is likely to obtain mitigation credit from an approved wetlands mitigation bank or in lieu fee wetlands mitigation program.

4. Whether the wetlands and stream channels found within the alignment and study area of Preferred Alternative B contain relatively permanent, standing, or continuously flowing stream channels and adjacent wetlands that are connected with traditional navigable waters.

The U.S. Army Corps of Engineers (USACE) regulates aquatic and wetland resources that meet certain regulatory criteria as jurisdictional waters of the U.S. (WoUS) under Section 404 of the federal Clean Water Act.

Having worked on numerous projects that triggered Section 404 permitting and

mitigation requirements with the USACE, including projects in Wasatch County and other nearby areas, I believe it is improbable that UDOT will be able to identify properties in the North Fields area with sufficient amounts of wetlands and stream channels, and water sources with adjudicated water rights, that can be developed into compensatory mitigation sites that will off-set the loss of aquatic and wetland resource impacts as required under Section 404 of the federal Clean Water Act.

Moreover, there are currently no USACE-approved mitigation banks or in lieu fee programs available with service areas that can be used to replace the loss of wetland or stream channel impacts that would occur in the Heber Valley.

Given the proximity of the Preferred Alternative B alignment to the Provo River and the numerous drainage patterns that are present on the historic river flood plain and valley floor, I believe that a complete aquatic and wetland resources delineation study utilizing current methodologies, standards and procedures required by the USACE would confirm the presence of a coalescing network of relatively permanent, standing, or continuously flowing stream channels and adjacent contiguous wetlands covering the North Fields area that have tributary connections to the Provo River as illustrated on the attached Google Earth aerial map with national wetlands inventory (NWI) overlay.

BACKGROUND

The DEIS sets forth the following information and assertions relevant to Frontier's analysis of aquatic and wetland resources that would be impacted by and associated with the Preferred Alternative B and UDOT's analysis of the same:

- **Use of Mitigation Bank and In-Lieu Fee Program.** "Compensatory mitigation may include … purchasing credits from an authorized wetland mitigation bank or in-lieu fee program." DEIS at 3-195.
- **North Fields Mitigation Amount Needed Up to 809 Acres.** "The size of the mitigation site in the north fields would depend on what types of mitigation are incorporated and the corresponding replacement ratios that are determined by USACE. Based other UDOT mitigation efforts, the wetland replacement ratios can range from 2:1 (about 45 acres for 22.52 acres of aquatic resource impacts from Alternative A and about 108 acres for 53.92 acres of aquatic resource impacts from Alternative B) to 15:1 (about 338 acres for 22.52 acres of aquatic resource impacts from Alternative A and 809 acres for 53.92 acres of aquatic resource impacts from Alternative B)." *Id*.
- **Willing Sellers in North Fields.** "UDOT would purchase the land for the mitigation site, working with willing sellers in the north fields first when identifying potential mitigation sites." *Id*.
- **Wetlands Mitigation Sites Will Mitigate Against Sprawl.** "Once designated, wetland mitigation sites have the potential to limit sprawl based on where they are located because they are protected in perpetuity and cannot be developed. Focusing the wetland mitigation efforts of the Heber Valley Corridor on the north fields, as proposed by UDOT in this Draft EIS, could limit development and provide a scenic buffer." DEIS at 3-24.

- **Status of Jurisdictional Determination.** "In April 2024, UDOT requested an Approved Jurisdictional Determination (AJD) from USACE for aquatic resources that would be impacted by the action alternatives. As part of USACE's AJD process, USACE typically conducts a field review to observe delineated aquatic resources and evaluate their jurisdictional status. In May 2025, USACE and UDOT conducted a field review to assist in USACE's AJD. As of December 2025, an AJD has not been issued." DEIS, Appendix 2E (Preferred Alternative Report), at 27.
- **WOTUS Rules Change.** "The wetland impacts in the Draft EIS are based on wetlands UDOT identified as likely jurisdictional in accordance with current regulations and guidance, including the guidance EPA and USACE issued on March 12, 2025. On November 17, 2025, EPA and USACE announced their proposed revisions to the 2023 definition of "waters of the United States." The proposed revisions are focused on relatively permanent, standing or continuously flowing bodies of water and wetlands that are connected and indistinguishable from such waterbodies (USACE and EPA 2025b). The definition of "waters of the United States" is an evolving issue that UDOT is following closely. The jurisdictional wetlands impacts used to compare the action alternatives might change if an AJD differs from the wetlands UDOT identified as likely jurisdictional and when the EPA and USACE finalize the definition of 'waters of the United States.'" *Id.* at 27-28.
- **Delineated Aquatic Resources.** "The jurisdictional status of delineated aquatic resources is subject to determination by USACE. Aquatic resources in the survey area do not have an identifiable connection to interstate or foreign commerce, and they do not include any interstate waters or a traditional navigable waterbody (TNW). Relatively permanent waters in the survey area drain into the Middle Provo River. The Middle Provo River drains into Deer Creek Reservoir. Water from Deer Creek Reservoir is released into the Lower Provo River, which drains into Utah Lake, a TNW." DEIS, Appendix 3N (Aquatic Resources Delineation Report), at 51 (Feb. 28, 2023).

DISCUSSION

The evaluation by Frontier of each aquatic resources issue is set forth below.

I. Likelihood of UDOT's Identifying and Procuring Properties with Sufficient Wetlands and Stream Channels for Compensatory Mitigation in the North Fields

As illustrated in the attached NWI exhibit, there are many potential wetlands and stream channels in the North Fields area. The amounts of existing wetlands and stream channels that would be needed to off-set and compensate the amounts of impacts would require very high replacement ratios because existing wetlands and stream channels in the North Fields tend to be in good condition and under good land ownership and management. This means that mitigation would most likely have to rely on the preservation of existing aquatic and wetland resources. Although UDOT uses a 15:1 replacement ratio for preservation, the USACE mitigation procedures can require up to 20:1 (or greater)

replacement ratios for mitigation that only entails preservation. That means for every one acre of wetland impact up to 20 acres of existing wetlands (or more) would have to be acquired. The loss of mature riparian trees and shrubs in wetlands that border stream channels can require additional mitigation acreage. Replacement for stream channel impacts using preservation can involve even higher replacement ratios depending if the stream channel sustains fisheries or other high value aquatic ecosystem functions.

In addition to land acreage to preserve existing wetlands and existing stream channels within a mitigation site, the USACE requires a mandatory protective buffer of at least 50 feet setback distance from the protected wetland and stream channels and the installation of livestock management fencing and signage to deter trespassing in order to maintain natural ecosystem services and habitat functions. This increases the total amount of land needed for a mitigation site(s) in addition to the wetland and stream channel acreage calculated by the replacement ratio.

The USACE prefers large contiguous mitigation sites that abut properties with compatible land uses, such as existing public resource lands or open space preservation areas, preferably managed by professional federal, state or local resource management agencies, such as sites bordering U.S. Forest Service lands, sites bordering State Waterfowl Management Areas, sites bordering municipal nature parks, etc. This is to ensure land uses bordering mitigation sites are compatible to the long-term preservation and maintenance of the ecosystem services and habitat functions of the aquatic and wetland resources within the mitigation sites. Mitigation sites that do not border land with compatible land uses can be required to include additional acreage to buffer the aquatic and wetland resources from indirect impacts caused by incompatible land use pressures. For these reasons, mitigation that would entail several, separate and discontinuous mitigation sites in areas with incompatible land uses, especially small mitigation sites, would likely require even more mitigation acreage. The DEIS does not identify areas within the North Fields that would have compatible land uses potentially suitable for establishing mitigation sites. Key to any mitigation site would be to ensure it has a robust and unambiguous jurisdictional connection to the Provo River to ensure that all of the aquatic and wetland resources in the mitigation site will be protected in the long-term as jurisdictional WoUS.

The DEIS and the aquatic resources delineation report, dated February 28, 2023, do not include an aquatic resources functions and services assessment which forms the basis for the mitigation type and ratios required in the mitigation plan. Nor does the DEIS identify the anticipated size of what a mitigation site in the North Fields would have to be to mitigate for the lost functions and values. Rather, it just identifies replacement acreages using up to a 15:1 replacement ratio. Thus, the DEIS is insufficient for assessing UDOT's preferred alternative relative to its ability to develop a mitigation plan and procure properties that would meet federal Clean Water Act Section 404 permitting requirements because the amount of land needed for mitigation would be much greater than just an assumed mitigation acreage replacement ratio. Nor does the DEIS adequately address areas in the North Fields with compatible land uses for establishing potential mitigation sites, or possible configurations of potential mitigation sites. Thus, neither the practicability nor potential effectiveness of locating a mitigation site(s) in the North Fields area can be assessed.

The USACE requires mitigation sites to be protected in perpetuity through some type

of a deed restriction of perpetual conservation easement with restricted land uses. The USACE requires that a long-term mitigation site manager be assigned to oversee the mitigation site(s) in perpetuity in accordance with a long-term land use mitigation maintenance and habitat management plan with monitoring requirements to ensure the mitigation site is achieving performance standards that are specified in the maintenance and management plan. The mitigation site manager would be responsible for implementing an adaptive management plan to address unforeseen changes in site conditions and taking corrective actions to ensure the perpetual preservation of high value wetland and stream channel habitats within the mitigation "Preserve". Additionally, UDOT would have to establish an annual mitigation maintenance and management budget and set up a long-term funding and financial assurance mechanism to ensure that the sufficient annual funding is available for the long-term maintenance and management of the mitigation site(s). This would be a very expensive, long-term commitment given the amount of compensatory mitigation required for the Preferred Alternative. The DEIS does not address how these mandatory requirements for long-term maintenance and management of the mitigation site would be achieved.

For all the mitigation requirements stated above, the vast amount of property that UDOT would have to acquire by fee title purchase on a willing participant basis would likely be untenable. These are mainly trophy properties, dream properties and/or legacy properties for affluent land owners that, in my opinion, will not likely be interested in selling or granting conservation easements to advance an unpopular highway project. Rather, conservation easements more commonly are attractive to small family-owned ranching and farming operations that desire to supplement their income while maintaining ranching and agricultural operations without selling to corporate interests but also benefitting by being able to conserve the values of the natural resources on their land in perpetuity through the assistance provided in the conservation agreement.

Furthermore, identifying and organizing private land owners to voluntarily participate in a perpetual mitigation "Preserve" that could be perceived as restricting their property rights and the uses of their properties by oversight of a mitigation manager, especially if it would entail restrictions to horses, livestock and outdoor recreational uses that were likely the main reasons they acquired their properties in the first place, would be met with skepticism and resistance based on Frontier's recent experience attempting to establish other permittee responsible mitigation sites in the area. For example, in one instance it has taken more than two years of effort and great expense to obtain a conservation easement agreement from willing property owners for an 8.5 acres mitigation site in Wasatch County for a road project, like the Preferred Alternative, requiring mitigation to replace both wetland and stream channel impacts. The transaction for that relatively modest compensatory mitigation site still not has been finalized because of ongoing issues in securing the necessary water rights for the site.

A key to successful conservation agreements for mitigation sites is making win-win situations where existing aquatic and wetland resources are "preserved" in a protective conservation agreement but the land owners still retain enough "rights" to get the value they want or need from their land. For the North Fields area, this would likely require separate negotiations with each participating landowner to establish a property-specific maintenance and management mitigation plan that is agreeable to the landowner, UDOT, the USACE, and

all other parties of interest. The determination of mitigation ratios and the resulting amounts of mitigation credits that can be achieved at each property would largely be dependent on the types, acreages, and existing functional conditions of the aquatic and wetland resources that are currently present within each property, and the long-term effects the agreed maintenance and management mitigation plan for the property would have on the existing aquatic and wetland resources. This means the mitigation ratio for preservation can be different on different properties depending on the current conditions of the aquatic and wetland resources that are on the property and the site-specific components of the maintenance and management mitigation plan that is agreed for each property.

The USACE would have to approve an overall mitigation plan that would likely have to at the very least identify all of the property parcels and owners that have agreed to participate in a mitigation "Preserve", with a detailed maintenance and management plan to preserve and protect sufficient acreages of wetlands, stream channels and adjacent buffers in the "Preserve" as compensatory mitigation before the USACE can issue a Section 404 permit authorizing the destruction of wetlands and streams for road construction. Once approved, UDOT would have to implement the mitigation plan either prior to or concurrent with any road-related construction work that would result in the filling of wetlands or the piping or relocation of stream channels. The DEIS does not adequately identify how UDOT would systematically implement a program to recruit property owners, or incentivize property owners, to voluntarily participate in a mitigation "Preserve" program that could be achieved in a timely manner or the associated costs for implementing the mitigation, or the associated inflation costs for constructing the Preferred Alternative in consideration of the time it will take to get a Section 404 permit and a compensatory mitigation plan approved by the USACE before project construction can proceed.

II. Likelihood of UDOT's Identifying and Procuring Sufficient Water Rights to Support Wetlands and Stream Channel Mitigation in the North Fields

Simply put, wetlands or streams cannot exist without a water source. The 2008 Corps of Engineers Final Mitigation Rule requires that a mitigation site have an adequate and predictable source of hydrology to sustain the preserved aquatic and wetland resources. When the USACE issues a permit to fill wetlands that will be permanently impacted and lost forever, the compensatory mitigation to replace the permanent impact must be designed, to the extent practicable, to be perpetually self-sustaining for the long-term. Hence the USACE requires a source(s) of water to be dedicated to the mitigation site in perpetuity to ensure the long-term sustainability of the aquatic and wetland resources in the mitigation site. In Utah this is routinely done by the perpetual dedication of a water right(s) to the mitigation site. Water rights are very difficult to obtain in the Heber Valley and elsewhere along the Wasatch Back.

In Frontier's experience, failure in meeting the USACE's mitigation requirements when trying to procure a specific site is usually due to Applicant's failure to be able to obtain a water right(s) with sufficient hydrological and water quality parameters that can be dedicated to the mitigation site in perpetuity. Water rights do not necessarily come with the land that is being planned for use as a mitigation site. Water rights usually have to be acquired for specific dedication to a mitigation site, which requires transactions separate from the land transactions needed for the dedication of the mitigation site. Water rights for

mitigation sites would also have to be procured on a willing participant basis. Water rights transactions include transfer approvals by the Utah State Engineer's Office to allow changes in places of use and changes in beneficial use to allow water rights to be converted to habitat preservation. Thus, the selections of potential mitigation sites are also constrained by the ability to dedicate a water right(s) to the selected sites. Additionally, the amounts of water rights needed to create or restore wetlands or stream channels on properties where none currently exist would mostly likely be much greater on a per acre basis than the amounts of water rights needed to maintain existing wetlands and stream channels. So, the method of mitigation can also affect the amount of water rights needed for mitigation. None of this analysis is contained in the DEIS.

Nearly all of the existing wetlands and stream channels in the North Fields are supported in part, either directly or indirectly, by flood irrigation from a century old network of canals and ditches with water controlled mostly by local irrigation companies. The effect of the irrigation water on the existing wetlands and streams that would be impacted by Preferred Alternative B is unknown, and the effect of irrigation water on existing wetlands and streams at any given mitigation site is unknown based on the lack of analysis contained in the DEIS. Hence, the only way to reasonably ensure the perpetual existence of wetlands and streams as compensatory mitigation at any site in the North Fields will largely depend on UDOT's ability to procure and dedicate, in perpetuity, appropriate water rights to the site. The DEIS does not adequately address how water sources would be identified to sustain a compensatory mitigation site, or how the water source would be dedicated to the mitigation site with water rights.

III. Likelihood of UDOT's Obtaining Mitigation Credit from an Approved Mitigation Bank or In Lieu Fee Program for Aquatic Resources Impacts Associated with the Project

There are currently no USACE-approved mitigation banks or in lieu fee programs with service areas that include the Heber Valley. Thus, this is not a viable mitigation alternative at this time.

IV. Relatively Permanent, Standing, or Continuously Flowing Stream Channels and Adjacent Wetlands Connected with Traditional Navigable Waters Found in the Preferred Alternative B Alignment

Given the proximity of the Preferred Alternative B alignment to the Provo River and the numerous drainage patterns that are present on the historic river flood plain and valley floor, I believe that a complete aquatic and wetland resources delineation study utilizing current methodologies, standards and procedures required by the USACE would confirm the presence of a coalescing network of relatively permanent, standing, or continuously flowing stream channels and adjacent contiguous wetlands covering the North Fields area that have tributary connections to the Provo River as illustrated on the attached Google Earth aerial map with national wetlands inventory (NWI) overlay. This means that future changes in WoUS rules will not likely have a far-reaching effect on the presence of jurisdictional WoUS in the North Fields area. This opinion is based on my 35 years of professional wetlands consulting experience in Utah, including numerous projects in the Wasatch Back and Wasatch County.

CONCLUSIONS

Based on the reasons I have described and discussed above, I believe it is reasonable to conclude the following:

1. It is unlikely that UDOT will be able to identify and procure enough properties with sufficient amounts of existing wetlands, stream channels and adjacent buffers in the North Fields area as one large contiguous mitigation site on a willing participant basis. Key to any mitigation site in the North Fields would be to ensure it has a robust and unambiguous jurisdictional connection to the Provo River to ensure that all of the aquatic and wetland resources in the mitigation site will be protected in the long-term as jurisdictional waters of the U.S. Requiring multiple mitigation sites would increase total land acreage that would be needed for incorporation into mitigation sites. This will increase the complexity of the long-term maintenance and management of mitigation sites, and the complexity of formalizing agreements and the long-term cooperation that would be needed among multiple private land owners working together on a willing participant basis. Locating a mitigation site(s) consisting of multiple participating property parcels in the North Fields area that would be adjacent to other non-participating properties with assured long-term compatible land uses may not be possible.

2. It is unlikely that UDOT will be able to identify and procure enough water rights to sustain many hundreds of acres of mitigation sites on a willing participant basis, which is likely the amount of mitigation acreage that will ultimately be needed if preservation is the primary method used for mitigation.

3. There are currently no USACE-approved mitigation banks or in lieu fee programs available with service areas that can be used to replace the loss of wetland or stream channel impacts that would occur in the Heber Valley. Therefore, neither of these are viable mitigation options for UDOT to pursuit at this time.

4. Given the proximity of the Preferred Alternative B alignment to the Provo River and the numerous drainage patterns that are present on the historic river flood plain and valley floor, I believe that a complete aquatic and wetland resources delineation study utilizing current methodologies, standards and procedures required by the USACE would confirm the presence of a coalescing network of relatively permanent, standing, or continuously flowing stream channels and adjacent contiguous wetlands covering the North Fields area that have tributary connections to the Provo River as illustrated on the attached Google Earth aerial map with NWI overlay. This means that future changes in WoUS rules will not likely have a far-reaching effect on the presence of jurisdictional WoUS in the North Fields area. This is especially true if traditional farming, ranching, equestrian ranchettes and similar land uses that rely on traditional irrigation practices remain predominant in the North Fields, which is what UDOT suggests would be a benefit from establishing mitigation sites in the North Fields because the mitigation sites would help limit development (i.e., conversion of irrigated agricultural-based land to residential or commercial development).

FRONTIER EXPERT QUALIFICATIONS AND PRIOR INVOLVEMENT WITH THE HEBER CORRIDOR PROJECT

Frontier Corporation USA is a Utah-based company offering professional consulting services for a wide range of complex environmental issues. The company was founded by Dennis Wenger in 2000. Dennis has a BS in Biology holds a MS in Ecology. He has been a professional consultant based out of Cache Valley, Utah since 1991, and has 35 years of environmental analysis and permitting experience throughout the Intermountain West specializing in Clean Water Act aquatic and wetland resources delineations, permitting, mitigation and related issues.

Over the years, Mr. Wenger has prepared more than 100 aquatic and wetland resources delineations in the Wasatch Back of Wasatch, Summit, and Morgan Counties, including preparation of the "Simmons Property Preliminary Wetlands Assessment" (July 21, 2022). That report concluded:

> "Based on our site observations, all of the 28.81 acres of potential wetlands and channels that were identified on Figure 3 would be hydrologically connected to Rock Creek or East Branch Rock Creek. Thus, all of stream channels and potential wetland areas would likely be classified as WoUS by the USACE. This means that the potential acreage of WoUS for the WB3 and WB4 alternative roadway routes is significantly greater than the 12.35 to 12.48 acres of WoUS that were identified by UDOT in the June 2022 Draft Alternatives Development and Screening Report."

Subsequent to issuing the July 21, 2022 Report, UDOT modified the northern segment of the proposed alignment to avoid the wetlands on Mr. Simmons property except for the proposed frontage road described in the Preferred Alternative B.

Exhibit of North Fields Area with National Wetlands Inventory Map Data.
Heber Valley, Wasatch County, Utah

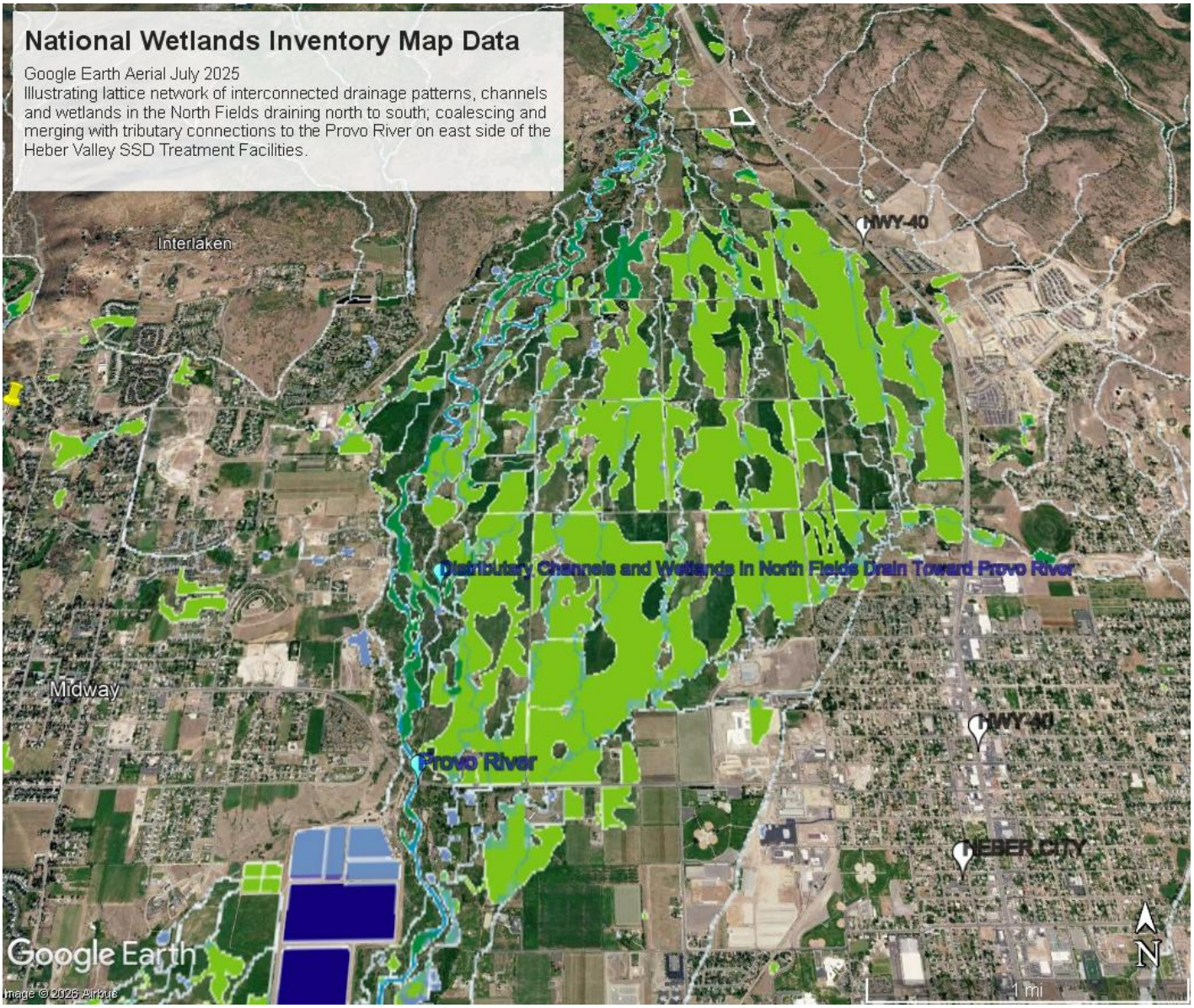


EXHIBIT B TO FRIENDS' COMMENTS

Alternative B Frontage Road with Simmons Property Overlay

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT
Bridge
Pavement
Detention Basin
Multi-Use Trail
Existing ROW Line
Proposed ROW Line
Barns supplied by piped well water
Hay Barn
Feed Lot
Farm machinery barn
NFIC piped spring outlet for stock watering
McDonald Ditch - North Fields Irrigation Company
Field is flood irrigated and pressure sprinkler irrigated
NFIC concrete screw gate control structure
Tree line is irrigated with well water
Simmons Culinary Well, also Well #1 in Wasatch County Century Well System to monitor water quality in Class 1A aquifer
Power pole supplies well pump and barns
Power pole
Wasatch Irrigation Company pressurized pipe hook-up for sprinkler irrigation
N

Heber Valley EIS <hebervalleyeis@utah.gov>

Heber Valley EIS Public Comment

Christen Thompson [redacted] Sun, Mar 1, 2026 at 4:52 PM
To: hebervalleyeis@utah.gov

Please post this as a public comment:

UDOT's proposal to build a four-lane freeway through the North Field is short-sighted, environmentally destructive, and will have lasting negative consequences for Heber Valley and the communities that depend on it.

Utah's population is projected to grow from 3.5 million today to 5.6 million by 2065. That growth will require 800,000 new homes and the infrastructure to support them. But simply paving over Utah is not a plan — it is a surrender of imagination at precisely the moment we need bold thinking most.

The science is clear: building roads doesn't solve traffic.

Study after study confirms that adding highway capacity induces demand. New lanes fill up. Congestion returns. We spend billions and end up exactly where we started — except we've permanently sacrificed farmland, community character, and environmental quality to get there. I have add five peer-reviewed studies documenting this effect at the end of this comment.

There is a better way.

A single quality rail line can move the equivalent of twelve lanes of freeway traffic. Investment in mass transit — trains, buses, and connected bike infrastructure — produces lasting transportation benefits without the irreversible land costs of freeway expansion.

Specifically, I urge UDOT to seriously consider a trench-and-cap alternative.

The above-grade freeway proposal carries an estimated price tag of over $800 million. For a comparable investment, we could trench Highway 40 beneath Main Street, cap it, and transform Heber City's downtown in the process. This is not a radical idea — cut-and-cover tunneling has been used successfully in cities around the world, and it works.

Here is what that alternative could look like:

Using Claude AI with full reasoning mode and sourced cost breakdowns (see attachment), trenching Highway 40 is estimated at **$850 million to $1 billion** — in the same range as the surface proposal. According to Google Maps, Main Street is approximately 85 feet wide. Reducing it to two lanes frees up roughly 40 feet of width across the full two-mile corridor — nearly **10 acres of prime downtown real estate**. That land, made available for two- to three-story mixed-use development, could generate the tax base and land-sale revenue needed to close the funding gap between the surface and trench options.

The result would not just be a highway. It would be:

- A **walkable, connected downtown** with shops, housing, and gathering spaces

- Desperately needed **housing supply** in a community facing serious affordability pressure
- A corridor ready for **future rail** — the trainbox can be sized now to accommodate a commuter or intercity rail line, avoiding the far greater cost of retrofitting later
- A **lasting asset** for Heber City rather than a scar through its heart

For further inspiration on what transformative regional transportation can look like, I encourage UDOT and decision-makers to review the Rio Grande Plan (riograndeplansaltlakecity.org) created by concerned citizens and the Wasatch Back Train proposal (wasatchbacktrain.org) created by me.

As a rule we should work to stop urban sprawl, concentrate growth in downtown areas and use tax revenue to buy and preserve land with public access for all of us to enjoy and to protect and create clean air and water.

Heber Valley deserves a transportation solution that serves the next hundred years — not one that trades its future for a few minutes of commute time today. I urge UDOT to pause, think bigger, and choose the path that builds a better Utah.

Studies:

- The Fundamental Law of Road Congestion (Duranton & Turner, 2011): This comprehensive study found that vehicle kilometers traveled (VKT) increase in direct proportion to the expansion of highways (a 1-to-1 relationship).
- UC Davis National Center for Sustainable Transportation (2015): Confirmed that for every 1% increase in highway capacity, traffic increases by 0.29% to 1.1% in the long term, driven by more trips, longer trips, and shifts to car travel.
- Katy Freeway (Houston, TX): Despite being widened to up to 26 lanes at a cost of $2.8 billion, the commute time actually increased by 30-55% within four years, as reported in studies on induced demand.
- SHIFT (Systemic Hitting of Induced Demand for Transportation) Calculator: A tool frequently used by researchers to show that expanding lane capacity, such as in the Portland I-5 project, increases, rather than decreases, total traffic.
- Texas A&M Transportation Institute Studies: Data indicates that new lanes are often 40% full of new, induced traffic almost immediately, and 100% full within four years.

Claude Cost Estimate

Cost Estimate: Trench-and-Cap (Cut-and-Cover Tunnel)

US-40 Through Heber City, Utah — 1200 South to 900 North (~2 Miles)

What "Trainboxing" Means Here

A **cut-and-cover (trench-and-cap)** operation involves:

1. Excavating a trench along the existing freeway alignment
2. Constructing a reinforced concrete box structure (walls, floor slab, roof slab)
3. Backfilling over the roof and restoring the surface (roads, parks, etc.)
4. Maintaining traffic during construction (phased)

This is distinct from a bored tunnel and is the same technique used on Boston's Big Dig surface streets and many urban highway lids.

Key Site Conditions (Heber City Specific)

These meaningfully affect cost:

Factor	Assessment	Cost Impact
Heber Valley water table	High — near Provo River floodplain	🔴 High — major dewatering needed

Soil type	Alluvial silts/gravels, some clay	🟡 Moderate complexity
Seismicity	Active Wasatch Fault zone nearby	🔴 Seismic structural premium
Elevation (~5,600 ft)	Short construction season, frost depth	🟡 Moderate
Remoteness	No major urban contractor base nearby	🟡 Mobilization premium
Existing ROW	US-40 already exists — limits but helps	🟢 Saves some land cost
Utilities	Moderate urban utility conflicts	🟡 Manageable

Project Scope Assumptions

- **Length:** 2.0 miles (10,560 linear feet)
- **Roadway:** 4 lanes + shoulders = ~70 ft inside clear width
- **Box cross-section:** ~90 ft wide × 22 ft tall (exterior), reinforced concrete
- **Depth of cover:** ~5–8 ft of fill over roof slab
- **Interchanges:** 2–3 modified at-grade or half-diamond ramps at portals and mid-point (not full buried interchanges)
- **Surface restoration:** Local streets + landscaping/trail on top

Detailed Cost Breakdown

1. Excavation & Earthwork

- Cross-section cut: ~90 ft wide × 25 ft deep = 2,250 sq ft
- Total excavation volume: ~2,250 × 10,560 ft ÷ 27 = **~880,000 cubic yards**
- Dewatering (Provo River proximity, high water table): adds significant cost
- Haul and disposal of ~880K CY of material
- **Estimate: $55M – $80M**

2. Concrete Box Structure (Main Tunnel)

This is the single largest cost driver. A 90-ft-wide, double-barrel reinforced concrete box in seismic Zone D with waterproofing:

- Approximate unit cost: **$18,000 – $28,000 per linear foot**
- 10,560 LF × $23,000 avg = **~$243M**
- **Estimate: $190M – $295M**

3. Portal Structures & Transitions

- Flared retaining walls, wing walls, drainage headworks at each end
- 2 portals × ~$8M–12M each
- **Estimate: $16M – $24M**

4. Interchange Modifications

- Entrance/exit ramps must reconnect at portals or via mid-tunnel openings
- Cut-and-cover interchanges are extremely expensive (requires openings in roof structure, grade separations)
- 2–3 simplified interchange connections
- **Estimate: $40M – $80M**

5. Drainage & Dewatering Systems

- Permanent sump systems inside tunnel (freeway tunnels need pump stations)

- Perimeter drainage, waterproofing membrane on roof/walls
- Construction dewatering given high water table
- **Estimate: $20M – $35M**

6. Mechanical, Electrical & Ventilation (MEP)

- Tunnel ventilation (jet fans or transverse), lighting, fire suppression, CCTV, emergency systems — all required by NFPA 502
- **Estimate: $30M – $50M**

7. Utility Relocation

- Gas, water, sewer, telecom, power — all must be relocated or sleeved
- Heber City has moderate utility density
- **Estimate: $15M – $25M**

8. Surface Restoration on Top of Lid

- Local street reconstruction, sidewalks, landscaping, potential trail or park lid
- **Estimate: $15M – $30M**

9. Traffic Management During Construction

- Phased construction maintaining 2 lanes each direction at all times — requires temporary detours, signals, barriers over 4–6 year construction window
- **Estimate: $10M – $20M**

Construction Cost Summary

Component	Low	High	Midpoint
Excavation & Earthwork	$55M	$80M	$67M

Concrete Box Structure	$190M	$295M	$242M
Portal Structures	$16M	$24M	$20M
Interchange Modifications	$40M	$80M	$60M
Drainage & Dewatering	$20M	$35M	$27M
MEP / Tunnel Systems	$30M	$50M	$40M
Utility Relocation	$15M	$25M	$20M
Surface Restoration	$15M	$30M	$22M
Traffic Management	$10M	$20M	$15M

Subtotal Construction	**$391M**	**$639M**	**$513M**

Soft Costs & Project Delivery

Item	Estimate
Engineering & Design (12–15%)	$47M – $96M
Environmental Review (EIS/NEPA)	$5M – $15M
Geotechnical Investigation	$3M – $6M
ROW Acquisition (partial, some businesses)	$15M – $40M
Construction Management (8–10%)	$31M – $64M
Contingency (25–30% — appropriate for this complexity)	$98M – $192M

Total Project Cost Estimate

Scenario	Total
Optimistic (simple geotechnics, few changes)	**~$590M**
Most Likely	**~$800M – $950M**
Conservative (high water table complications, seismic upgrades, scope growth)	**~$1.1B – $1.3B**

Best single-point estimate: ~$850 million – $1 billion

Calibration / Reality Checks

- **Seattle SR-99 Bored Tunnel** (1.7 miles, 4 lanes): ~$3.3B total — but bored tunneling is far more expensive than cut-and-cover
- **Boston Big Dig surface-level cut-and-cover** sections: ~$150–200M/mile in early 2000s dollars → ~$280–380M/mile in 2025 dollars, but narrower
- **Utah DOT major projects**: I-15 through Provo reconstruction was ~$1.8B for a broader scope; UDOT projects typically run 10–20% under coastal equivalents
- **At $800M for 2 miles**, that's **$400M/mile** — which is within the plausible range for a wide-box cut-and-cover in a geologically challenging mountain valley

---

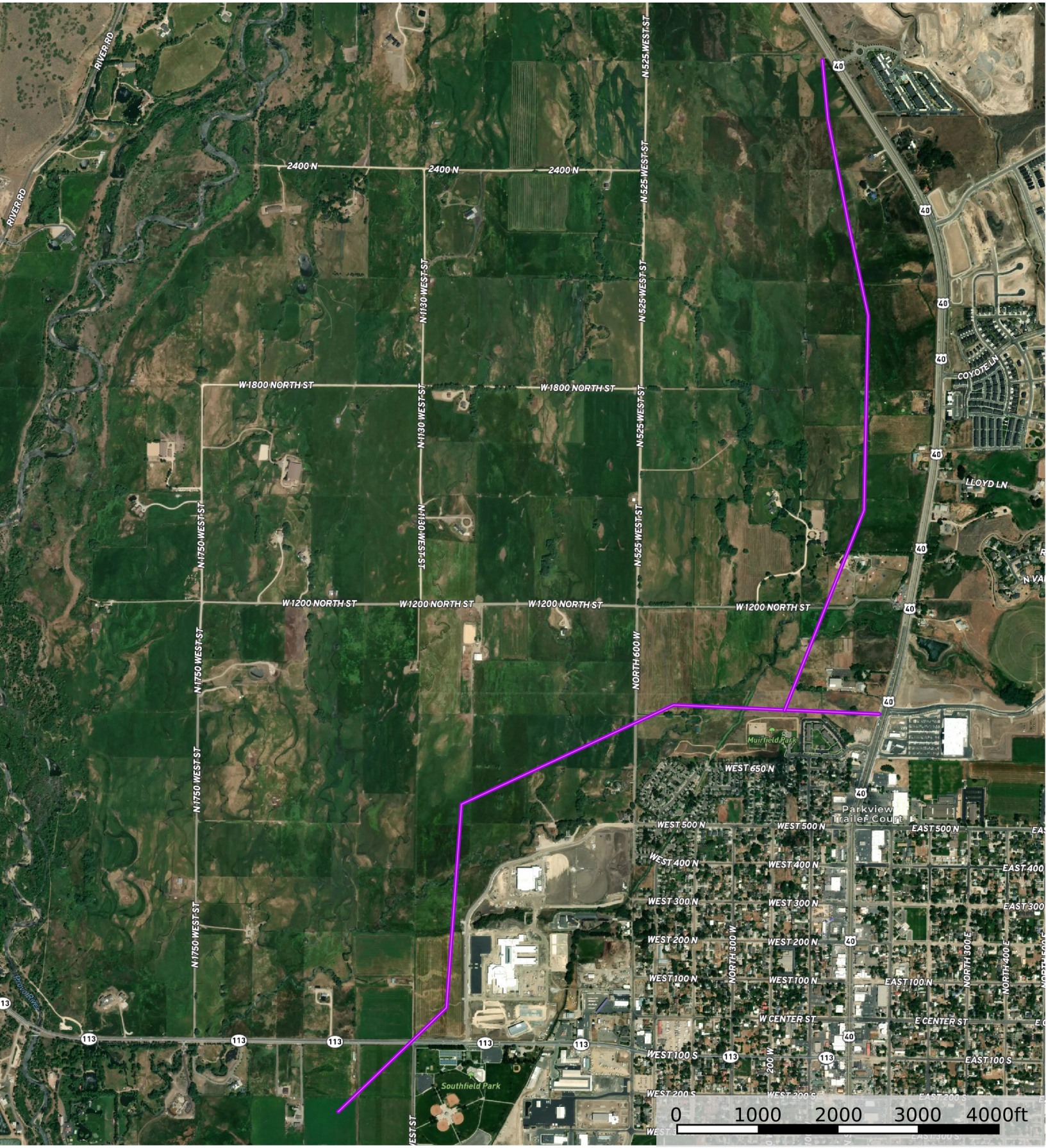
Important Caveats

This estimate carries **±30–40% uncertainty** at this level of definition. Key unknown risks that could swing the number significantly:

1. **Groundwater depth** — if the water table is within 10 ft of surface (plausible near Provo River), dewatering and waterproofing costs could add $50–100M
2. **Seismic design requirements** — a Wasatch Fault proximity study could trigger significant structural upgrades
3. **UDOT's interchange configuration requirements** — if UDOT requires full grade-separated interchanges within the box, costs balloon dramatically
4. **Environmental mitigation** — Heber Valley is a scenic corridor with active stakeholders; mitigation could add cost
5. **Schedule** — a 5–7 year construction window risks significant inflation exposure

A full feasibility study and geotechnical investigation would be needed to narrow the range meaningfully.

ID 583


RIVER RD
2400 N
N 525 WEST ST
N 1130 WEST ST
W 1800 NORTH ST
N 1750 WEST ST
W 1200 NORTH ST
NORTH 600 W
COYOTE LN
LLOYD LN
Muirfield Park
WEST 650 N
Parkview Trailer Court
WEST 500 N
EAST 500 N
WEST 400 N
EAST 400
WEST 300 N
EAST 300
WEST 200 N
NORTH 300 W
NORTH 300 E
NORTH 400 E
WEST 100 N
EAST 100 N
W CENTER ST
E CENTER ST
WEST 100 S
EAST 100 S
200 W
Southfield Park
Provo River
0 1000 2000 3000 4000ft

Laren Gertsch

Heber Valley, Wasatch County, Utah

NFIC Shareholder | Former Vice-President, North Field Irrigation Company | North Fields Landowner, Fifth Generations

March 9, 2026

Heber Valley Corridor EIS Project Team

Utah Department of Transportation

Via email: hebervalleyeis@utah.gov

Re: Individual Comment of Laren Gertsch — Heber Valley Corridor Draft Environmental Impact Statement, Preferred Alternative B

Submitted in Individual Capacity as Directly Impacted Landowner, Livestock and Hay Operator, Fifth-Generation North Fields Farmer, and Former Vice-President of the North Field Irrigation Company

Dear Project Team:

I. Introduction and Standing

My name is Laren Gertsch. My family has farmed in the Heber Valley for five generations. I am among the largest individual landowners within the North Field Irrigation Company's ("NFIC") service area and a substantial NFIC shareholder. I served as Vice-President of the NFIC Board of Directors. Before retiring to full-time farming, I worked for one of the largest CPA firms for ten years. Also, I served as a senior financial executive of a large pipeline company for over thirty years, where in one of my roles, I was responsible for approval of new capital projects before the Federal Energy Regulatory Commission (because the pipeline company crossed state lines) and the prudency of both operating and capital costs to be charged to our customers primarily local distribution companies (i.e. Enbridge fka Questar). Expenditures were in the range of the projected Alternative A and B project costs.

I bring both perspectives to this comment: the perspective of a fifth-generation farmer whose land, water, and livelihood are directly threatened by Alternative B — and the perspective of a financial executive who has reviewed UDOT's cost estimates and found them to be materially incomplete and analytically indefensible.

I formally incorporate by reference:

- **The formal comment of the North Field Irrigation Company (NFIC)**, which identifies 99 specific deficiencies in the DEIS — 36 classified as FATAL and 63 as MAJOR.
- **The formal comment of the Friends of Heber Valley to UDOT dated March 9, 2026.** I am a landowner participant in the formal comments of the Friends of Heber Valley.
- **All other landowner formal comments** that are affected by Alternative B and seek an alternative route or Alternative A.
- **The formal comments of Wasatch County Council.**

I urge UDOT to select Alternative A, or to realign Alternative B as close to US-40 as possible, before any Record of Decision is issued.

II. Personal and Property Impacts

Alternative B will directly destroy my family's fifth-generation operation in the following ways:

- **Condemnation of nearly 50 acres family land** farmed. No equivalent replacement land exists in the valley: the DEIS contains no soil analysis, no replacement parcel inventory, and no study of forage production equivalence. The North Fields alluvial soils almost certainly qualify as prime farmland under USDA classification, triggering mandatory evaluation and minimization requirements before project approval. *(See Farmland Protection Policy Act, 7 U.S.C. § 4201 et seq.; USDA Form AD-1006.)*
- **Permanent severance of remaining property** on both sides of a four-lane divided highway. Livestock cannot safely cross. Equipment cannot move freely between fields. Parcels that function today as an integrated operation will be permanently affected.
- **Destruction of livestock and irrigated hay operations** dependent on the high-quality alluvial soils and gravity-flow water delivery of the North Fields. The DEIS does not evaluate post-taking operational viability — it counts acres and ignores enterprises.
- **Severance of gravity-flow irrigation access**. As a major NFIC shareholder, I formally affirm NFIC's position: conversion of the 165-year-old gravity-flow canal system to a mechanical siphon network — with no engineering design, no cost estimate, and no funded maintenance plan — is not acceptable. The canal infrastructure and surrounding agricultural landscape may qualify as historic properties requiring consultation prior to any Record of Decision. I have not been included as a consulting party in that process. *(See National Historic Preservation Act, 54 U.S.C. § 306108; Section 106 consultation requirements.)*
- **Water rights as separate property interests.** The appurtenant water rights associated with my NFIC shares and any water rights attached to my land parcels

constitute separate property interests under Utah law. Any taking, impairment, or interference with those rights requires independent identification, valuation, and compensation. This is not addressed anywhere in the DEIS. *(See Utah Code § 73-1-1 et seq.; water rights to be identified upon request.)*

III. Traffic Model Results Are Mathematically Indefensible

The Core Discrepancy

- UDOT Commissioner Carlos Barcenas stated to the Wasatch County Council in October 2024 that **75 percent of corridor traffic is local.**
- DEIS baseline: travel time on Main Street = **21.5 minutes** (do-nothing scenario).
- DEIS projection with Alternative B: travel time drops to **6.55 minutes** — a reduction of approximately 15 minutes — when only 25 percent (non-local) traffic uses the bypass.
- **This is arithmetically impossible.** Removing 25 percent of vehicles from a roadway does not produce a 70 percent reduction in travel time for the remaining 75 percent of traffic. No credible traffic engineering model produces this result. UDOT has not explained it. Commissioner Barcenas also confirmed that **neither Alternative A nor Alternative B solves Main Street traffic** — a material admission absent from the DEIS alternatives analysis.

Formal Requests

- Provide full technical documentation of the traffic model methodology producing this result.
- Correct the DEIS travel-time projections to reflect mathematically defensible outputs.
- Model and disclose the projected travel-time savings under the scenario in which only non-local traffic (25 percent) uses Alternative B, consistent with Commissioner Barcenas' own public statements.
- Incorporate Commissioner Barcenas' admission that Main Street traffic is not resolved by either alternative.

IV. Bypass Road Location — Shift Route East

A. Southern Segment Near SR-113

- **Request that the bypass crossing SR-113 be shifted east to Parcel No. 00-0008-0163**, which UDOT already owns. UDOT needs to justify why they are not honoring their commitment with Wasatch County and Heber City that there would be no on and off ramps on Midway Lane. A flyover Southfield Road has always been the planned bypass with Wasatch County and UDOT. This would allow Southfield Road to continue to have the ability to turn left on Midway Lane. UDOT needs to

justify why the map shown in Exhibit A would not work if this commitment were honored. There is no justification for condemning private land when the state owns an adjacent parcel in the appropriate alignment corridor.

- In the unlikely event that on and off ramps are included in the Final Record of Decision, we request that UDOT seek a variance on the distance from the stoplight where SR113 has an entrance to the high school so that a signaled intersection can be built on Midway Lane that can service our access to properties that are not acquired for the bypass road at UDOT's expense. UDOT seems to be using a bias for a wider road at a higher speed to justify its preference for Alternative B. UDOT needs to justify why its mandating a 65 mile-an-hour road in this area where it merges into a 55 mile-an-hour zone near River Road.
- Wasatch County acquired **Parcel No. 00-008-08-4298** (south side of SR-113) specifically for this road alignment, with the agreed route running diagonally from the southwest to the northeast corner, crossing SR-113. This alignment should be honored.
- Wasatch County also acquired **Parcel No. 00-0008-0114** directly north of the UDOT-owned parcel for the same purpose, confirming the eastern alignment as the agreed corridor among UDOT, Wasatch County, and Heber City.
- Benefits: avoids Agricultural Protection Area condemnations; creates proper entrance from South Field Road; honors prior governmental agreements. See Exhibit A.

B. Northern Segment: 900 North to US-40

- **Request that the bypass route be shifted east of 600 West, as close to US-40 as practicable.** See Exhibit A
- I support Wasatch County's proposed Alternate Route. A westward shift of approximately 200-300 yards from US-40 homes would preserve this alignment while protecting those residences. See Exhibit A.

An eastern bluff alignment produces the following measurable improvements:

- **Aquifer protection:** Higher bluff elevation reduces highway infrastructure interference with the 12–18 inch water table beneath the North Fields and the municipal aquifer it recharges.
- **Gravity-flow preservation:** Road elevation allows water delivery through culverts by gravity, eliminating the need for a siphon system and its perpetual unfunded maintenance burden.
- **APA compliance:** Eastern alignment avoids Agricultural Protection Area parcels condemned by the current Alternative B.

- **Overpass elimination:** Eliminates the need for the promised livestock/agricultural overpasses at 1800 North and 2400 North, saving an estimated $50–$100 million per structure.
- **600 West preserved:** Maintains the primary access road for North Fields landowners.
- **Significant wetland avoidance:** Wetland concentrations are heaviest in the western North Fields; eastern alignment avoids them, reducing mitigation costs substantially.
- **Shorter road length:** Northern terminus modification reduces total bypass length, eliminating two homesite removals at Potter Lane/US-40 and removing walking path/livestock conflicts at 1200 North.

V. Project Cost Analysis — Alternative B Is Materially Understated

UDOT claims a cost differential of approximately $50 million between alternatives. As a former senior financial executive who has reviewed capital project budgets of this scale, I can state clearly: **that figure is not credible.** The following cost categories have been omitted from Alternative B's estimate:

Omitted Cost Categories

- **Wetland mitigation:** Alternative B destroys 140% more wetlands than Alternative A (53.92 vs. 22.52 acres). Mitigation costs run 2x to 15x the per-acre land value. No mitigation cost range appears in the DEIS. Land and water acquisition for mitigation banking alone renders the current cost estimate unreliable.
- **Promised overpasses at 1200 North, 1800 North, and 2400 North in the North Fields:** UDOT verbally committed these structures to NFIC. None appear in the cost estimate. At $50–$100 million per overpass, two omitted structures represent a $100–$200 million understatement. Moving the bypass road to the east would eliminate all these overpasses.
- **Fragmented land and severance costs:** UDOT's estimate covers only the highway footprint. It excludes: (a) severance damages for properties bisected and rendered non-viable; (b) acquisition of landlocked or access-denied parcels; and (c) relocation costs for displaced operations. Utah law specifically requires compensation for diminution in value of the remainder parcel after a partial taking. *(See Utah Code § 78B-6-511; Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. § 4651 et seq.)*
- **Rock Ditch rerouting:** UDOT must design, build, and fund new ditch infrastructure on both sides of Alternative B where the Rock Ditch is severed. No cost estimate for this work appears in the DEIS.

- **Land acquisition not based on appraisals:** UDOT's own documents acknowledge that land acquisition costs are "not based on an appraised value." A cost comparison built on non-appraised land values is not a legitimate basis for a billion-dollar public expenditure decision.
- **Federal appraisal requirement not met:** Federal law requires individual appraisals at current fair market value for each affected parcel before acquisition under the Uniform Relocation Assistance and Real Property Acquisition Policies Act. UDOT's recent land transactions in the North Fields area have produced per-acre values substantially above historical averages. Using historical unit-price averages rather than individual parcel appraisals understates true acquisition costs and does not comply with federal law.

Formal Cost Requests

- Prepare a complete, independently verified cost comparison including all categories above.
- Provide a wetland mitigation cost range reflecting current mitigation banking market rates.
- Include the two promised overpasses in Alternative B's cost estimate at current construction costs.
- Base all land acquisition costs on independent appraisals before any Record of Decision.
- Calculate and disclose severance and access-denial costs for all bisected properties.
- Provide Rock Ditch rerouting cost estimates on both sides of the highway.

VI. Main Street Traffic — A Missing Alternative

UDOT has changed its justification for the bypass multiple times: first, removing Uintah Basin oil field semis from Main Street (UDOT's own scoping analysis found semis represent 1 percent of Main Street traffic); then, facilitating Utah County-to-Summit County through traffic (US-40 is already congested at the Park City entrance). Commissioner Barcenas confirmed that neither bypass alternative resolves Main Street traffic.

UDOT has conducted no studies of lower-cost Main Street operational improvements. The Final EIS must include, in coordination with Heber City, a formal analysis of the following alternatives:

- Restrict parking on Main Street during peak hours to create a three-lane configuration (comparable to 7th East, Salt Lake City — requires only removal of planter boxes between 200 South and 300 North).
- Install overpass crossing for students at 790 South.
- Install pedestrian overpass at park crossing near 250 South.

- Convert 100 West to one-way flow.
- Convert 100 East to one-way flow.
- Install multiple lanes which can switch direction depending on the time of day – similar to West Valley.
- Optimize traffic signal sequencing on the Main Street corridor.

These measures represent a small fraction of the cost of either bypass alternative and have not been studied. Their omission is a NEPA deficiency.

VII. Aquifer and Hydrogeologic Impacts — UDOT Has No Plan B

The Hydrogeologic Dam Problem

- The water table beneath the North Fields sits **12 to 18 inches below the surface**. This shallow table recharges the aquifer supplying drinking water to Heber City, Daniels, and Charleston.
- **Dr. Robert Simons submitted a study** during the alternatives selection comment process demonstrating that a road placed through the middle of the North Fields would function as a **hydrogeologic dam**: wetter on one side, drier on the other — permanently disrupting surface irrigation flow and aquifer recharge patterns.
- This study was formally provided to UDOT during the selection process comments and again presented directly in a 2025 NFIC-UDOT meeting.
- **UDOT has provided no analysis, no study, and no response refuting Dr. Simons' findings.** The dam-effect analysis stands unrebutted in the record. An agency's failure to respond to a submitted technical study constitutes a failure to take the "hard look" at environmental consequences required under NEPA. *(See Kleppe v. Sierra Club, 427 U.S. 390 (1976); 40 C.F.R. § 1502.1.)*
- In the 2022 NFIC-UDOT meeting, **UDOT project representative Craig Hancock was asked directly: what is UDOT's contingency plan if the road dries up the municipal wells in Heber City and surrounding communities?** His answer: **"UDOT does not have a Plan B."** That statement is in the record as it was submitted by me as part of my comments during the selection process comment period. It cannot be permitted to stand as UDOT's final answer on municipal water supply.

Formal Aquifer Requests

- Commission and publish an independent hydrogeologic study specifically addressing the dam effect identified by Dr. Simons, and make it available for public comment before any Record of Decision.
- Develop and disclose a contingency plan for municipal drinking water supply if the aquifer is disrupted or contaminated by Alternative B.

- Explain how unlined detention basins discharging 100 percent of highway runoff — including deicing chemicals — into the aquifer recharge zone comply with Utah drinking water standards. State water quality certification must confirm compliance before any federal permit may issue. *(See Clean Water Act § 401, 33 U.S.C. § 1341; Utah Admin. Code R317.)*
- Recalibrate the SELDM stormwater model using Utah-specific data before any design approvals.

XIII. Reasonable Efforts Required to Minimize or Eliminate Any Detrimental Impact on Agriculture

- DEIS properly acknowledges Utah Code § 17-41-406(3) (DEIS cites code incorrectly, should be § 17-81-307(3), see page 3-27) that as a State Agency, they are required to make reasonable efforts to minimize or eliminate any detrimental impact on agriculture that may result from the designation of a transportation corridor in an Agriculture Protection Area (APA). However, the DEIS is silent regarding UDOT's compliance with this statute and fails to clearly articulate what reasonable efforts were used to minimize or eliminate any detrimental impact on agriculture resulting from this transportation corridor affecting APA land.
- UDOT acknowledges Alternative B has greater impacts to APAs, affecting 38.5 acres versus the 11.76 acres required in Alternative A. However, no explanation is provided for how this decision complies with § 17-81-307(3) in minimizing or eliminating any detrimental impact on agriculture resulting from the transportation corridor. UDOT needs to clearly articulate how it complies with this statute regarding its decision of choosing Alternative B where reasonable alternatives are available that truly minimize or eliminate any detrimental impact. DEIS p. 3-41.
- DEIS attempts to justify Alternative B has the "best option for the community" because "Alternative B minimizes property disruption, requiring significantly fewer relocations, affecting only 8 properties (2 businesses and 6 homes) compared to 27 under Alternative A. However, this analysis is silent to any specific detrimental impact on agricultural businesses located on APA land in Alternative B. DEIS attempts to address impacts to any agriculture businesses via "Impacts to Agricultural Economics" under 3.5.4.2.3 which then directs you to 3.3 to review "Farmland" where it is also silent to specific agricultural businesses being affected. This analysis is attempting to lump all impacts to agriculture into an "agriculture economics" group but fails to individualize the specific businesses that will be affected as DEIS did when evaluating brick and mortar and commercial businesses. This omission misrepresents Alternative B as affecting fewer businesses than Alternative A. DEIS pp.3-75 to 77. Further, there are very few homes and businesses north of 1200 north affected under Alternative A. UDOT needs to properly represent the number of homes and businesses north of 1200 North.

- **Agricultural Protection Area and A-20 zoning override.** The North Fields carry Agricultural Protection Area designation and A-20 zoning protections established specifically to keep working farms and ranches in production. UDOT's cost estimate contains no accounting for what it costs the county, the tax base, or future generations when a highway permanently overrides these protections. That analysis is required before any Record of Decision is issued. *(See Utah Code § 17-41-401 et seq.)*

Summary of Requested Actions

- UDOT must issue a Supplemental DEIS with a complete explanation for why their analysis excludes agricultural businesses located in the affected APA land, and redo its study to include these businesses to account for their incomplete conclusions of only 2 businesses needing to be relocated under Alternative B.
- UDOT must issue a Supplemental DEIS addressing why Alternative B is the preferred alternative given the comments in this APA Section VIII.
- UDOT must clearly articulate their legal justification in the Supplemental DEIS for choosing Alternate B versus Alternative A or a different route altogether that affects less APA land where they have a clear statutory mandate to minimize or eliminate detrimental impact on agriculture resulting from the transportation corridor when reasonable alternatives exist to minimize that detrimental impact as required under § 17-81-307(3).

IX. Summary of Formal Requests

I formally request that UDOT:

- Select **Alternative A**, or realign Alternative B as far east toward US-40 as practicable, consistent with NFIC's formal request since 2022.
- **Shift the cross at SR-113** to UDOT-owned Parcel No. 00-0008-0163 and align through Wasatch County's acquired parcels, consistent with prior governmental agreements.
- **Correct the traffic model** to produce mathematically defensible travel-time projections and respond to Commissioner Barcenas' public admission.
- **Prepare a complete, independently verified cost comparison** including wetland mitigation, promised overpasses, severance costs, fragmented land acquisition, and Rock Ditch rerouting — with all land values based on independent appraisals.
- **Commission an independent hydrogeologic study** responding directly to Dr. Simons' dam-effect analysis, and publish it for public comment.

- **Develop a contingency plan** for municipal drinking water if Alternative B disrupts the aquifer.
- **Analyze Main Street operational improvements** as required alternatives in the Final EIS.
- **Issue a Supplemental DEIS** addressing all 99 deficiencies identified in NFIC's formal comment before any Record of Decision is issued.
- **Address the issues in the Supplemental DEIS** raised by the Friends of Heber Valley in their formal comment dated March 9, 2026.

The North Fields have sustained farming families in this valley for more than 160 years. My family has been part of that story for five generations. UDOT has received the warnings, the studies, and the data. The DEIS as written does not justify ending what five generations have built. I urge the agency to do better.

Joint Submission of Comments. Joshua and Clint Gertsch are co-owners of the parcels with me. They participate in the farming and ranching operations on our properties. They are similarly qualified to attest to the validity of the costs and impact of the Alternatives presented by UDOT. The comments herein are being submitted jointly among Laren Gertsch, Joshua Gertsch, and Clint Gertsch.

Reservation of Rights. Laren Gertsch, Joshua Gertsch, and Clint Gertsch reserve all rights. Nothing in this comment constitutes a waiver of any legal remedy available under federal or state law. The Gertsches expressly preserves all rights under NEPA, the Fifth Amendment to the United States Constitution, the Uniform Relocation Assistance and Real Property Acquisition Policies Act, the Farmland Protection Policy Act, the National Historic Preservation Act, the Clean Water Act, and applicable Utah and federal law — including the right to just compensation for all property taken or damaged, the right to independent appraisal of each affected parcel at current fair market value, the right to just compensation for all appurtenant water rights taken or impaired, the right to challenge any Record of Decision, and the right to pursue all available legal remedies if this process fails to correct the deficiencies placed on the record here. The Gertsches further preserves all rights of judicial review of agency action under the Administrative Procedure Act. *(See 5 U.S.C. § 706.)*

Respectfully submitted,

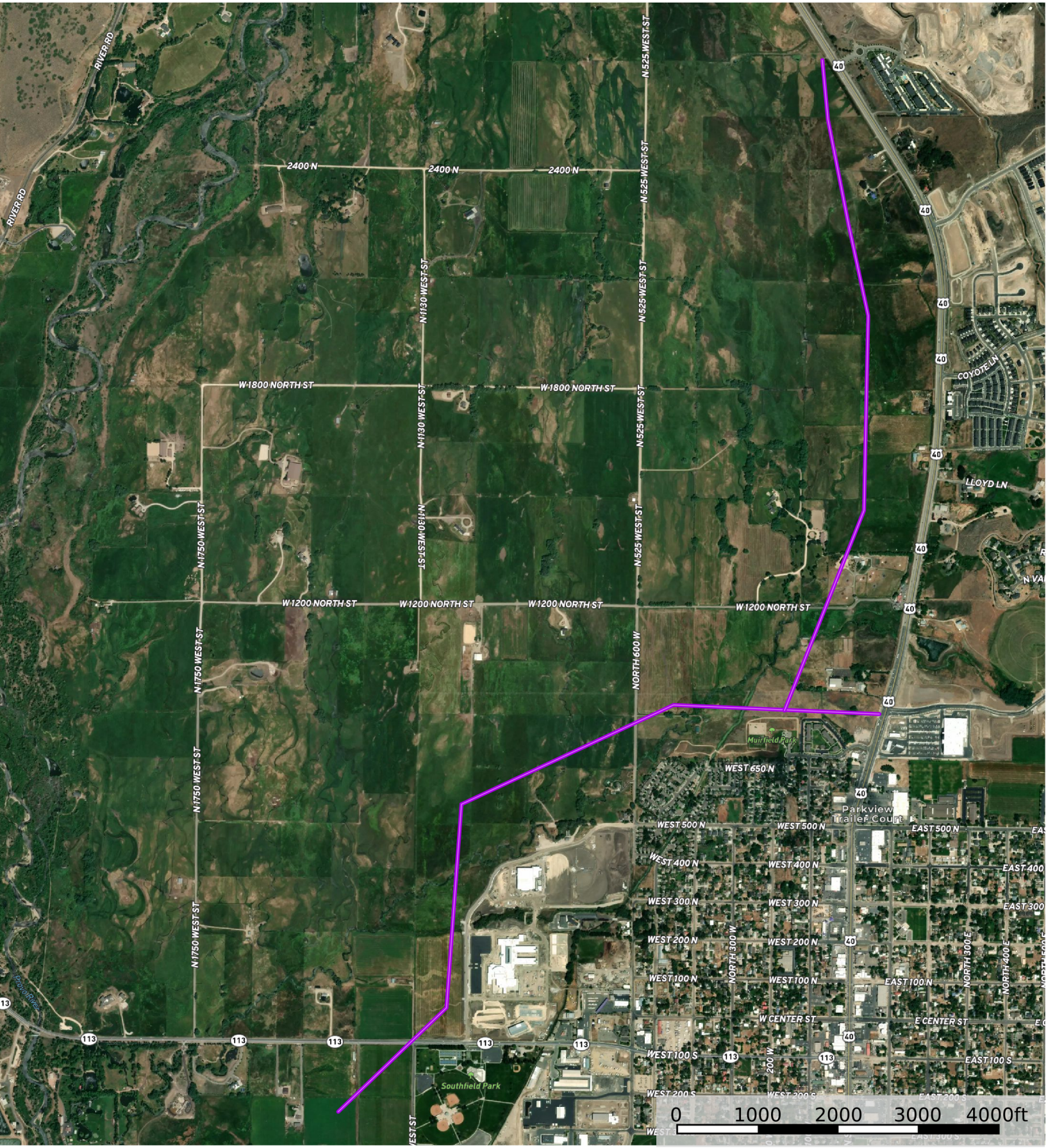
Laren Gertsch

Heber Valley, Wasatch County, Utah

NFIC Shareholder | Former Vice-President, NFIC

March 9, 2026

ID 672


RIVER RD
2400 N
N 525 WEST ST
N 1130 WEST ST
W 1800 NORTH ST
N 1750 WEST ST
W 1200 NORTH ST
NORTH 600 W
COYOTE LN
LLOYD LN
Muirfield Park
WEST 650 N
Parkview Trailer Court
WEST 500 N
EAST 500 N
WEST 400 N
EAST 400
WEST 300 N
EAST 300
WEST 200 N
NORTH 300 W
NORTH 300 E
NORTH 400 E
WEST 100 N
EAST 100 N
W CENTER ST
E CENTER ST
WEST 100 S
EAST 100 S
200 W
Southfield Park
Provo River
0 1000 2000 3000 4000ft

Laren Gertsch

Heber Valley, Wasatch County, Utah

NFIC Shareholder | Former Vice-President, North Field Irrigation Company | North Fields Landowner, Fifth Generations

March 9, 2026

Heber Valley Corridor EIS Project Team

Utah Department of Transportation

Via email: hebervalleyeis@utah.gov

Re: Individual Comment of Laren Gertsch — Heber Valley Corridor Draft Environmental Impact Statement, Preferred Alternative B

Submitted in Individual Capacity as Directly Impacted Landowner, Livestock and Hay Operator, Fifth-Generation North Fields Farmer, and Former Vice-President of the North Field Irrigation Company

Dear Project Team:

I. Introduction and Standing

My name is Laren Gertsch. My family has farmed in the Heber Valley for five generations. I am among the largest individual landowners within the North Field Irrigation Company's ("NFIC") service area and a substantial NFIC shareholder. I served as Vice-President of the NFIC Board of Directors. Before retiring to full-time farming, I worked for one of the largest CPA firms for ten years. Also, I served as a senior financial executive of a large pipeline company for over thirty years, where in one of my roles, I was responsible for approval of new capital projects before the Federal Energy Regulatory Commission (because the pipeline company crossed state lines) and the prudency of both operating and capital costs to be charged to our customers primarily local distribution companies (i.e. Enbridge fka Questar). Expenditures were in the range of the projected Alternative A and B project costs.

I bring both perspectives to this comment: the perspective of a fifth-generation farmer whose land, water, and livelihood are directly threatened by Alternative B — and the perspective of a financial executive who has reviewed UDOT's cost estimates and found them to be materially incomplete and analytically indefensible.

I formally incorporate by reference:

- **The formal comment of the North Field Irrigation Company (NFIC)**, which identifies 99 specific deficiencies in the DEIS — 36 classified as FATAL and 63 as MAJOR.
- **The formal comment of the Friends of Heber Valley to UDOT dated March 9, 2026.** I am a landowner participant in the formal comments of the Friends of Heber Valley.
- **All other landowner formal comments** that are affected by Alternative B and seek an alternative route or Alternative A.
- **The formal comments of Wasatch County Council.**

I urge UDOT to select Alternative A, or to realign Alternative B as close to US-40 as possible, before any Record of Decision is issued.

II. Personal and Property Impacts

Alternative B will directly destroy my family's fifth-generation operation in the following ways:

- **Condemnation of nearly 50 acres family land** farmed. No equivalent replacement land exists in the valley: the DEIS contains no soil analysis, no replacement parcel inventory, and no study of forage production equivalence. The North Fields alluvial soils almost certainly qualify as prime farmland under USDA classification, triggering mandatory evaluation and minimization requirements before project approval. *(See Farmland Protection Policy Act, 7 U.S.C. § 4201 et seq.; USDA Form AD-1006.)*
- **Permanent severance of remaining property** on both sides of a four-lane divided highway. Livestock cannot safely cross. Equipment cannot move freely between fields. Parcels that function today as an integrated operation will be permanently affected.
- **Destruction of livestock and irrigated hay operations** dependent on the high-quality alluvial soils and gravity-flow water delivery of the North Fields. The DEIS does not evaluate post-taking operational viability — it counts acres and ignores enterprises.
- **Severance of gravity-flow irrigation access**. As a major NFIC shareholder, I formally affirm NFIC's position: conversion of the 165-year-old gravity-flow canal system to a mechanical siphon network — with no engineering design, no cost estimate, and no funded maintenance plan — is not acceptable. The canal infrastructure and surrounding agricultural landscape may qualify as historic properties requiring consultation prior to any Record of Decision. I have not been included as a consulting party in that process. *(See National Historic Preservation Act, 54 U.S.C. § 306108; Section 106 consultation requirements.)*
- **Water rights as separate property interests.** The appurtenant water rights associated with my NFIC shares and any water rights attached to my land parcels

constitute separate property interests under Utah law. Any taking, impairment, or interference with those rights requires independent identification, valuation, and compensation. This is not addressed anywhere in the DEIS. *(See Utah Code § 73-1-1 et seq.; water rights to be identified upon request.)*

III. Traffic Model Results Are Mathematically Indefensible

The Core Discrepancy

- UDOT Commissioner Carlos Barcenas stated to the Wasatch County Council in October 2024 that **75 percent of corridor traffic is local.**
- DEIS baseline: travel time on Main Street = **21.5 minutes** (do-nothing scenario).
- DEIS projection with Alternative B: travel time drops to **6.55 minutes** — a reduction of approximately 15 minutes — when only 25 percent (non-local) traffic uses the bypass.
- **This is arithmetically impossible.** Removing 25 percent of vehicles from a roadway does not produce a 70 percent reduction in travel time for the remaining 75 percent of traffic. No credible traffic engineering model produces this result. UDOT has not explained it. Commissioner Barcenas also confirmed that **neither Alternative A nor Alternative B solves Main Street traffic** — a material admission absent from the DEIS alternatives analysis.

Formal Requests

- Provide full technical documentation of the traffic model methodology producing this result.
- Correct the DEIS travel-time projections to reflect mathematically defensible outputs.
- Model and disclose the projected travel-time savings under the scenario in which only non-local traffic (25 percent) uses Alternative B, consistent with Commissioner Barcenas' own public statements.
- Incorporate Commissioner Barcenas' admission that Main Street traffic is not resolved by either alternative.

IV. Bypass Road Location — Shift Route East

A. Southern Segment Near SR-113

- **Request that the bypass crossing SR-113 be shifted east to Parcel No. 00-0008-0163**, which UDOT already owns. UDOT needs to justify why they are not honoring their commitment with Wasatch County and Heber City that there would be no on and off ramps on Midway Lane. A flyover Southfield Road has always been the planned bypass with Wasatch County and UDOT. This would allow Southfield Road to continue to have the ability to turn left on Midway Lane. UDOT needs to

justify why the map shown in Exhibit A would not work if this commitment were honored. There is no justification for condemning private land when the state owns an adjacent parcel in the appropriate alignment corridor.

- In the unlikely event that on and off ramps are included in the Final Record of Decision, we request that UDOT seek a variance on the distance from the stoplight where SR113 has an entrance to the high school so that a signaled intersection can be built on Midway Lane that can service our access to properties that are not acquired for the bypass road at UDOT's expense. UDOT seems to be using a bias for a wider road at a higher speed to justify its preference for Alternative B. UDOT needs to justify why its mandating a 65 mile-an-hour road in this area where it merges into a 55 mile-an-hour zone near River Road.
- Wasatch County acquired **Parcel No. 00-008-08-4298** (south side of SR-113) specifically for this road alignment, with the agreed route running diagonally from the southwest to the northeast corner, crossing SR-113. This alignment should be honored.
- Wasatch County also acquired **Parcel No. 00-0008-0114** directly north of the UDOT-owned parcel for the same purpose, confirming the eastern alignment as the agreed corridor among UDOT, Wasatch County, and Heber City.
- Benefits: avoids Agricultural Protection Area condemnations; creates proper entrance from South Field Road; honors prior governmental agreements. See Exhibit A.

B. Northern Segment: 900 North to US-40

- **Request that the bypass route be shifted east of 600 West, as close to US-40 as practicable.** See Exhibit A
- I support Wasatch County's proposed Alternate Route. A westward shift of approximately 200-300 yards from US-40 homes would preserve this alignment while protecting those residences. See Exhibit A.

An eastern bluff alignment produces the following measurable improvements:

- **Aquifer protection:** Higher bluff elevation reduces highway infrastructure interference with the 12–18 inch water table beneath the North Fields and the municipal aquifer it recharges.
- **Gravity-flow preservation:** Road elevation allows water delivery through culverts by gravity, eliminating the need for a siphon system and its perpetual unfunded maintenance burden.
- **APA compliance:** Eastern alignment avoids Agricultural Protection Area parcels condemned by the current Alternative B.

- **Overpass elimination:** Eliminates the need for the promised livestock/agricultural overpasses at 1800 North and 2400 North, saving an estimated $50–$100 million per structure.
- **600 West preserved:** Maintains the primary access road for North Fields landowners.
- **Significant wetland avoidance:** Wetland concentrations are heaviest in the western North Fields; eastern alignment avoids them, reducing mitigation costs substantially.
- **Shorter road length:** Northern terminus modification reduces total bypass length, eliminating two homesite removals at Potter Lane/US-40 and removing walking path/livestock conflicts at 1200 North.

V. Project Cost Analysis — Alternative B Is Materially Understated

UDOT claims a cost differential of approximately $50 million between alternatives. As a former senior financial executive who has reviewed capital project budgets of this scale, I can state clearly: **that figure is not credible.** The following cost categories have been omitted from Alternative B's estimate:

Omitted Cost Categories

- **Wetland mitigation:** Alternative B destroys 140% more wetlands than Alternative A (53.92 vs. 22.52 acres). Mitigation costs run 2x to 15x the per-acre land value. No mitigation cost range appears in the DEIS. Land and water acquisition for mitigation banking alone renders the current cost estimate unreliable.
- **Promised overpasses at 1200 North, 1800 North, and 2400 North in the North Fields:** UDOT verbally committed these structures to NFIC. None appear in the cost estimate. At $50–$100 million per overpass, two omitted structures represent a $100–$200 million understatement. Moving the bypass road to the east would eliminate all these overpasses.
- **Fragmented land and severance costs:** UDOT's estimate covers only the highway footprint. It excludes: (a) severance damages for properties bisected and rendered non-viable; (b) acquisition of landlocked or access-denied parcels; and (c) relocation costs for displaced operations. Utah law specifically requires compensation for diminution in value of the remainder parcel after a partial taking. *(See Utah Code § 78B-6-511; Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. § 4651 et seq.)*
- **Rock Ditch rerouting:** UDOT must design, build, and fund new ditch infrastructure on both sides of Alternative B where the Rock Ditch is severed. No cost estimate for this work appears in the DEIS.

- **Land acquisition not based on appraisals:** UDOT's own documents acknowledge that land acquisition costs are "not based on an appraised value." A cost comparison built on non-appraised land values is not a legitimate basis for a billion-dollar public expenditure decision.
- **Federal appraisal requirement not met:** Federal law requires individual appraisals at current fair market value for each affected parcel before acquisition under the Uniform Relocation Assistance and Real Property Acquisition Policies Act. UDOT's recent land transactions in the North Fields area have produced per-acre values substantially above historical averages. Using historical unit-price averages rather than individual parcel appraisals understates true acquisition costs and does not comply with federal law.

Formal Cost Requests

- Prepare a complete, independently verified cost comparison including all categories above.
- Provide a wetland mitigation cost range reflecting current mitigation banking market rates.
- Include the two promised overpasses in Alternative B's cost estimate at current construction costs.
- Base all land acquisition costs on independent appraisals before any Record of Decision.
- Calculate and disclose severance and access-denial costs for all bisected properties.
- Provide Rock Ditch rerouting cost estimates on both sides of the highway.

VI. Main Street Traffic — A Missing Alternative

UDOT has changed its justification for the bypass multiple times: first, removing Uintah Basin oil field semis from Main Street (UDOT's own scoping analysis found semis represent 1 percent of Main Street traffic); then, facilitating Utah County-to-Summit County through traffic (US-40 is already congested at the Park City entrance). Commissioner Barcenas confirmed that neither bypass alternative resolves Main Street traffic.

UDOT has conducted no studies of lower-cost Main Street operational improvements. The Final EIS must include, in coordination with Heber City, a formal analysis of the following alternatives:

- Restrict parking on Main Street during peak hours to create a three-lane configuration (comparable to 7th East, Salt Lake City — requires only removal of planter boxes between 200 South and 300 North).
- Install overpass crossing for students at 790 South.
- Install pedestrian overpass at park crossing near 250 South.

- Convert 100 West to one-way flow.
- Convert 100 East to one-way flow.
- Install multiple lanes which can switch direction depending on the time of day – similar to West Valley.
- Optimize traffic signal sequencing on the Main Street corridor.

These measures represent a small fraction of the cost of either bypass alternative and have not been studied. Their omission is a NEPA deficiency.

VII. Aquifer and Hydrogeologic Impacts — UDOT Has No Plan B

The Hydrogeologic Dam Problem

- The water table beneath the North Fields sits **12 to 18 inches below the surface**. This shallow table recharges the aquifer supplying drinking water to Heber City, Daniels, and Charleston.
- **Dr. Robert Simons submitted a study** during the alternatives selection comment process demonstrating that a road placed through the middle of the North Fields would function as a **hydrogeologic dam**: wetter on one side, drier on the other — permanently disrupting surface irrigation flow and aquifer recharge patterns.
- This study was formally provided to UDOT during the selection process comments and again presented directly in a 2025 NFIC-UDOT meeting.
- **UDOT has provided no analysis, no study, and no response refuting Dr. Simons' findings.** The dam-effect analysis stands unrebutted in the record. An agency's failure to respond to a submitted technical study constitutes a failure to take the "hard look" at environmental consequences required under NEPA. *(See Kleppe v. Sierra Club, 427 U.S. 390 (1976); 40 C.F.R. § 1502.1.)*
- In the 2022 NFIC-UDOT meeting, **UDOT project representative Craig Hancock was asked directly: what is UDOT's contingency plan if the road dries up the municipal wells in Heber City and surrounding communities?** His answer: **"UDOT does not have a Plan B."** That statement is in the record as it was submitted by me as part of my comments during the selection process comment period. It cannot be permitted to stand as UDOT's final answer on municipal water supply.

Formal Aquifer Requests

- Commission and publish an independent hydrogeologic study specifically addressing the dam effect identified by Dr. Simons, and make it available for public comment before any Record of Decision.
- Develop and disclose a contingency plan for municipal drinking water supply if the aquifer is disrupted or contaminated by Alternative B.

- Explain how unlined detention basins discharging 100 percent of highway runoff — including deicing chemicals — into the aquifer recharge zone comply with Utah drinking water standards. State water quality certification must confirm compliance before any federal permit may issue. *(See Clean Water Act § 401, 33 U.S.C. § 1341; Utah Admin. Code R317.)*
- Recalibrate the SELDM stormwater model using Utah-specific data before any design approvals.

XIII. Reasonable Efforts Required to Minimize or Eliminate Any Detrimental Impact on Agriculture

- DEIS properly acknowledges Utah Code § 17-41-406(3) (DEIS cites code incorrectly, should be § 17-81-307(3), see page 3-27) that as a State Agency, they are required to make reasonable efforts to minimize or eliminate any detrimental impact on agriculture that may result from the designation of a transportation corridor in an Agriculture Protection Area (APA). However, the DEIS is silent regarding UDOT's compliance with this statute and fails to clearly articulate what reasonable efforts were used to minimize or eliminate any detrimental impact on agriculture resulting from this transportation corridor affecting APA land.
- UDOT acknowledges Alternative B has greater impacts to APAs, affecting 38.5 acres versus the 11.76 acres required in Alternative A. However, no explanation is provided for how this decision complies with § 17-81-307(3) in minimizing or eliminating any detrimental impact on agriculture resulting from the transportation corridor. UDOT needs to clearly articulate how it complies with this statute regarding its decision of choosing Alternative B where reasonable alternatives are available that truly minimize or eliminate any detrimental impact. DEIS p. 3-41.
- DEIS attempts to justify Alternative B has the "best option for the community" because "Alternative B minimizes property disruption, requiring significantly fewer relocations, affecting only 8 properties (2 businesses and 6 homes) compared to 27 under Alternative A. However, this analysis is silent to any specific detrimental impact on agricultural businesses located on APA land in Alternative B. DEIS attempts to address impacts to any agriculture businesses via "Impacts to Agricultural Economics" under 3.5.4.2.3 which then directs you to 3.3 to review "Farmland" where it is also silent to specific agricultural businesses being affected. This analysis is attempting to lump all impacts to agriculture into an "agriculture economics" group but fails to individualize the specific businesses that will be affected as DEIS did when evaluating brick and mortar and commercial businesses. This omission misrepresents Alternative B as affecting fewer businesses than Alternative A. DEIS pp.3-75 to 77. Further, there are very few homes and businesses north of 1200 north affected under Alternative A. UDOT needs to properly represent the number of homes and businesses north of 1200 North.

- **Agricultural Protection Area and A-20 zoning override.** The North Fields carry Agricultural Protection Area designation and A-20 zoning protections established specifically to keep working farms and ranches in production. UDOT's cost estimate contains no accounting for what it costs the county, the tax base, or future generations when a highway permanently overrides these protections. That analysis is required before any Record of Decision is issued. *(See Utah Code § 17-41-401 et seq.)*

Summary of Requested Actions

- UDOT must issue a Supplemental DEIS with a complete explanation for why their analysis excludes agricultural businesses located in the affected APA land, and redo its study to include these businesses to account for their incomplete conclusions of only 2 businesses needing to be relocated under Alternative B.
- UDOT must issue a Supplemental DEIS addressing why Alternative B is the preferred alternative given the comments in this APA Section VIII.
- UDOT must clearly articulate their legal justification in the Supplemental DEIS for choosing Alternate B versus Alternative A or a different route altogether that affects less APA land where they have a clear statutory mandate to minimize or eliminate detrimental impact on agriculture resulting from the transportation corridor when reasonable alternatives exist to minimize that detrimental impact as required under § 17-81-307(3).

IX. Summary of Formal Requests

I formally request that UDOT:

- Select **Alternative A**, or realign Alternative B as far east toward US-40 as practicable, consistent with NFIC's formal request since 2022.
- **Shift the cross at SR-113** to UDOT-owned Parcel No. 00-0008-0163 and align through Wasatch County's acquired parcels, consistent with prior governmental agreements.
- **Correct the traffic model** to produce mathematically defensible travel-time projections and respond to Commissioner Barcenas' public admission.
- **Prepare a complete, independently verified cost comparison** including wetland mitigation, promised overpasses, severance costs, fragmented land acquisition, and Rock Ditch rerouting — with all land values based on independent appraisals.
- **Commission an independent hydrogeologic study** responding directly to Dr. Simons' dam-effect analysis, and publish it for public comment.

- **Develop a contingency plan** for municipal drinking water if Alternative B disrupts the aquifer.
- **Analyze Main Street operational improvements** as required alternatives in the Final EIS.
- **Issue a Supplemental DEIS** addressing all 99 deficiencies identified in NFIC's formal comment before any Record of Decision is issued.
- **Address the issues in the Supplemental DEIS** raised by the Friends of Heber Valley in their formal comment dated March 9, 2026.

The North Fields have sustained farming families in this valley for more than 160 years. My family has been part of that story for five generations. UDOT has received the warnings, the studies, and the data. The DEIS as written does not justify ending what five generations have built. I urge the agency to do better.

Joint Submission of Comments. Joshua and Clint Gertsch are co-owners of the parcels with me. They participate in the farming and ranching operations on our properties. They are similarly qualified to attest to the validity of the costs and impact of the Alternatives presented by UDOT. The comments herein are being submitted jointly among Laren Gertsch, Joshua Gertsch, and Clint Gertsch.

Reservation of Rights. Laren Gertsch, Joshua Gertsch, and Clint Gertsch reserve all rights. Nothing in this comment constitutes a waiver of any legal remedy available under federal or state law. The Gertsches expressly preserves all rights under NEPA, the Fifth Amendment to the United States Constitution, the Uniform Relocation Assistance and Real Property Acquisition Policies Act, the Farmland Protection Policy Act, the National Historic Preservation Act, the Clean Water Act, and applicable Utah and federal law — including the right to just compensation for all property taken or damaged, the right to independent appraisal of each affected parcel at current fair market value, the right to just compensation for all appurtenant water rights taken or impaired, the right to challenge any Record of Decision, and the right to pursue all available legal remedies if this process fails to correct the deficiencies placed on the record here. The Gertsches further preserves all rights of judicial review of agency action under the Administrative Procedure Act. *(See 5 U.S.C. § 706.)*

Respectfully submitted,

Laren Gertsch

Heber Valley, Wasatch County, Utah

NFIC Shareholder | Former Vice-President, NFIC

March 9, 2026

ID 441

The Holmes Family
Children of George Holmes
Heber Valley, Wasatch County, Utah

February 28, 2026

Heber Valley Corridor EIS Project Team
Utah Department of Transportation
Via email: hebervalleyeis@utah.gov

Re: Comment of the Holmes Family on the Heber Valley Corridor Draft Environmental Impact Statement — Preferred Alternative B

Dear Project Team:

We are the children of George Holmes and part-owners of land in the North Fields. We are writing this comment together because the land UDOT proposes to destroy is not just our father's property—it is where we grew up, where we learned to work, and where some of us still earn our living. For several of us, our income depends directly on the productivity of the North Field operation. And it is not just our family. Our father's operation employs many people whose families depend on this work to pay their mortgages, feed their children, and build their lives in this valley. This is not only our family's legacy. It is our livelihood—and theirs.

We were raised on our father's dairy and livestock operation. From the time we were old enough to sit on a horse or ride in the back of a truck, we were out in the North Fields—moving cattle between pastures, helping with irrigating, checking fences, and doing the work that keeps a livestock operation running. We did not grow up watching this land from a distance. We grew up *on* it, with mud on our boots and hay in our hair, learning from our father that the ground under your feet is only as good as the care you put into it.

Our father operates across the state of Utah. We have worked alongside him on ground from one end of this state to the other. We can tell you from our own experience that there is nothing like the North Fields. The soil is different. The feed it produces is different. The cattle know it—you can see the difference in the herd when they are grazing North Field pasture versus anything else we run. Our father has said publicly that the North Fields are irreplaceable, and we are writing to tell you that he is right. We have seen the comparison firsthand, across years and across the state. There is no substitute for this land.

UDOT's proposed Alternative B would put a four-lane highway between our father's dairy and the North Field pastures we grew up working. His home and dairy facilities are less than two miles from the North Fields. We moved cattle back and forth across that ground our entire lives. Alternative B would end that. The DEIS does not include a single cattle underpass, livestock crossing, or agricultural corridor anywhere along the highway through the North Fields. That

means the pastures we helped build and maintain—pastures that are still physically there, still producing the best feed in the valley—would become land our family can no longer use. Not because the soil failed. Not because the water dried up. Because UDOT designed a highway without any way for a cattle operation to function across it.

We want to be clear about what that means in real terms. This is not about losing a strip of land under a road. **It is about losing access to every North Field pasture on the other side of that road.** Cattle cannot cross a four-lane highway. When you sever a livestock operation from its pastures, you do not just impact it—you destroy it. The DEIS does not study this. It does not acknowledge it. It counts the acres under the highway footprint and calls the rest "mitigable." We grew up on this operation. There is nothing mitigable about watching your best ground go unused because a state agency could not be bothered to design a cattle crossing.

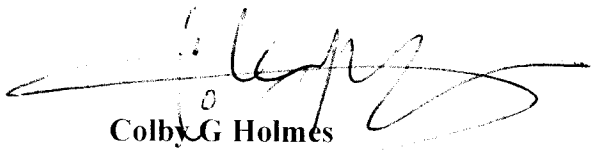
Our father built this operation over a lifetime. He taught us what this land can do and what it takes to keep it productive. Some of us work this operation today—our income depends on the cattle that graze North Field pasture and the dairy production that North Field feed supports. Others of us hoped to return to carry the operation forward as the next generation. But the harm extends well beyond our family. The Holmes operation supports many families in this community—people who work the dairy, manage the cattle, maintain the equipment, and keep the operation running day to day. When you destroy an operation's access to its primary feed source, you do not just hurt the owner. You upend the lives of every family that depends on that operation for work. Alternative B would take all of those futures away. You cannot sustain a family's income—or the incomes of the families who work alongside them—on an operation that has been cut off from its feed source. You cannot pass down a dairy whose best pastures sit empty on the other side of a highway. And you cannot tell the families who depend on this work that their jobs are "mitigable" when the DEIS does not contain a single word about the employment and economic ripple effects of destroying a major agricultural operation in this valley.

We also share the community's concern about water. We grew up drinking the water that comes from beneath the North Fields. Our father's cattle drink from the same source. UDOT's own data shows the highway would push deicing salt concentrations above the legal limit for the aquifer—and the DEIS proposes dumping all runoff straight into the ground with no treatment. That is not a technical concern to us. It is personal. It is the water we grew up on.

We support our father's formal comment and the North Field Irrigation Company's comment identifying 99 deficiencies in the DEIS. We ask UDOT to select Alternative A, which is less damaging and less costly by every measure. If Alternative B must proceed, we ask that it be moved as close to US-40 as possible and that UDOT design actual livestock crossings so that the operations this highway bisects can survive.

We are not engineers or lawyers. We are the people who grew up doing the work on the ground that UDOT proposes to destroy—and some of us are the people whose paychecks still depend on it. So are the many families who work alongside us and whose livelihoods will be upended if this operation is destroyed. We know what this land is worth because we have spent our lives on it. We are asking you not to take it away—not from our father, not from our family, not from the families who depend on this operation for work, and not from this valley—for 70 seconds of saved travel time.

Respectfully submitted,



Colby G Holmes
Owner of North Field land
Heber Valley, Wasatch County, Utah

ID 610

State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

Department of Agriculture and Food

KELLY PEHRSON
Commissioner

AMBER BROWN
Deputy Commissioner

TROY FORREST
Deputy Commissioner

March 4, 2026

To: Utah Department of Transportation
hebervalleyeis@utah.gov

Subject: UDAF comments concerning the Heber Valley Corridor Draft EIS

The Utah Department of Agriculture and Food (UDAF) has reviewed the Utah Department of Transportation's (UDOT) Heber Valley Corridor Draft Environmental Impact Statement (EIS). UDAF has significant concerns with this project and hopes to be able to work with UDOT and the agricultural producers affected by this project to find common ground and create an effective path forward. UDAF's mission is, "to support the development of Utah's agriculture and food industries, serve as a steward of our natural resources, safeguard public health, protect consumers, and ensure a quality food supply." With agricultural lands quickly diminishing every year, our priority is to help maintain lands available for agricultural use and to help farmers and ranchers continue being able to provide the necessary food and fiber for Utahns.

UDAF appreciates communication with UDOT regarding this project and looks forward to continually working together. However, we are concerned that communication from UDOT to UDAF happened very late in the process. Communication coming so late in the process feels like UDOT is trying to check a box rather than conducting a meaningful process that seeks valuable feedback. We are very concerned about this proposed project and how it impacts agriculture. We are concerned about the logistics of the project as well as the process of the project. The proposed alternative in the EIS goes through multiple areas used for agricultural production, including several Agriculture Protection Areas (APA). This will have a detrimental impact to the agricultural industry in the Heber Valley. Additionally, we are concerned with the lack of communication and coordination with our department, as well as with the landowners that this project will impact.

Alternative B, the proposed alternative, includes property acquisitions from 10-14 parcels of agricultural production in the North Fields. This totals 149.72 acres of agricultural land that will be affected. According to the Draft EIS, 38.4 acres have an APA designation, and the Draft EIS states, "This impact is the acreage of land protected by state and local laws that would unreasonably restrict farming." Regardless of the timing when these APAs were designated, landowners have the right to seek for an APA designation at any point to protect their agricultural land. Additionally, Alternative B impacts 223 acres of federally regulated farmland,

which says, “This impact is acreage of land protected by the Farmland Protection Policy Act (prime farmland and farmland of statewide importance).” We request an alternative that does not negatively impact agriculture to be selected as the preferred alternative.

Utah Code Section 17-81-307 states:

“(1) A state agency that plans any development project that might affect land within an agriculture protection area, industrial protection area, or critical infrastructure materials protection area, shall submit the state agency's development plan to:

(a) the advisory board of the relevant protection area; and

(b) in the case of an agriculture protection area, the commissioner of agriculture and food.

(2) The commissioner of agriculture and food, in the case of an agriculture protection area, and the advisory board shall:

(a) review the state agency's proposed development plan; and

(b) recommend any modifications to the development project that would protect the integrity of the agriculture protection area, industrial protection area, or critical infrastructure materials protection area, as the case may be, or that would protect the agriculture protection area from nonfarm encroachment, the industrial protection area from nonindustrial encroachment, or the critical infrastructure materials protection area from encroachment of uses unrelated to critical infrastructure materials operations.

(3) A state agency and political subdivision of the state that designates or proposes to designate a transportation corridor shall:

(a) consider:

(i) whether the transportation corridor would:

(A) be located on land that is included within an agriculture protection area; or

(B) interfere with agriculture production activities on land within an agriculture protection area; and

(ii) each other reasonably comparable alternative to the placement of the corridor on land within an agriculture protection area; and

(b) make reasonable efforts to minimize or eliminate any detrimental impact on agriculture that may result from the designation of a transportation corridor.”

We appreciate the meetings, communication, and involvement we’ve had with UDOT staff recently. However, we feel that we were involved too late in the process of this project. We request to be included early in the process on any similar projects involving APAs and allow us to fulfill our statutory role in reviewing the projects and making any recommended modifications. We also request to be included as a Cooperating Agency when agricultural land is affected by a project.

Alternative B, the preferred alternative, for the Heber Valley Corridor EIS will cause detrimental impacts to the agricultural industry in the Heber Valley. We strongly request that UDOT select a different alternative that does not affect agricultural production in the North Fields of the Heber Valley. We have met several times with the landowners that this project will affect, and they have told us repeatedly that UDOT has never met with them. It is very concerning that there hasn’t been communication from UDOT to the landowners that this project will directly affect.

We recommend that the Final EIS not be developed and released to the public until UDOT has met with the landowners and an alternative is selected that is not detrimental to agriculture.

We formally recommend the following modifications for this project:

1. **Fencing Standards:** Any new or replacement fencing required along or in the affected area must be constructed to the specific standard required by the agricultural producer for the appropriate containment of livestock. This ensures the functionality of the farm operations is maintained or improved.

2. **Gate Specifications and Access:** All gates installed or relocated within the affected area must be built to the standard required by the agricultural producer to accommodate their modern farm equipment, including minimum necessary width and suitable surfacing for all-weather access. Access to fields and internal farm roads must remain completely functional during and after construction.

3. **Road Geometry:** We recommend that UDOT prioritize consideration for the use of farm equipment when constructing roads. This includes careful consideration being given to any road medians that might obstruct or hinder transportation of large agricultural equipment and allow for crossings of farm equipment.

4. **Drainage and Runoff:** The design must fully address new roadway drainage. Any water runoff generated by the roadway must be accounted for and directed to suitable discharge points that do not cause flooding, erosion, or saturation damage to adjacent cropland or pastureland, and must be contained to prevent contamination of adjacent farmland.

5. **Irrigation Infrastructure:** We emphasize the critical need to fully account for and protect all existing irrigation ditches, canals, and water delivery infrastructure that intersect or run parallel to the new roadway. Any necessary relocation or modification of these systems must maintain or increase the existing flow capacity and integrity to prevent any disruption to agricultural water rights or distribution.

Incorporating these recommended modifications is necessary to fulfill the statutory mandate of Utah Code Section 17-81-307. We emphasize the importance of communication and coordination with the local landowners. This proposed EIS has been going through the NEPA process for several years with plenty of time to meet with the landowners.

Additionally, we request to be included earlier in the process of any project affecting agricultural land and to be extended Cooperating Agency status when applicable. There are other projects, as well as future projects, involving APAs and we would like to be on the same page in these instances. We express gratitude to UDOT for coordination on this project and look forward to continually working together.

Sincerely,

Kelly Pehrson
Commissioner
Utah Department of Agriculture and Food

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Denver Federal Center, Building 46
Post Office Box 25207
Denver, Colorado 80225-0007

4111

March 9, 2026

IN REPLY REFER TO:
ER 26/0012

Naomi Kisen
Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway # 200
Cottonwood Heights, UT 84121

Subject: Utah Department of Transportation's (UDOT) Draft Environmental Impact Statement (DEIS), and Section 4(f) Evaluation, Heber Valley Corridor, Wasatch County, UT

Dear Naomi Kisen,

The U.S. Department of the Interior (Department) has reviewed the DEIS and Section 4(f) Evaluation for the Heber Valley Corridor, Wasatch County, UT.

Section 4(f) of the U.S. Department of Transportation Act specifies that the Secretary of Transportation may approve a transportation program or project requiring the use of Section 4(f) property only if there is no prudent and feasible alternative that avoids the Section 4(f) property and that the project includes all possible planning to minimize harm to the Section 4(f) property; or that the agency makes a finding that the project has a de minimis impact on the Section 4(f) property.

The Department concurs with the Individual Section 4(f) Evaluation that there are no prudent and feasible avoidance alternatives for Section 4(f) use of the historic properties noted, and that the 4(f) evaluation describes the affected Section 4(f) resource. The Department concurs that the with the de minimis use determinations. Utah Department of Transportation and the Utah State Historic Preservation Office have developed a draft Memorandum of Agreement in accordance with Section 106 of the NHPA, the Department has no objection to Section 4(f) approval of this

project. The Department recommends that consultation continue with all Section 106 consulting parties pursuant to 36 CFR § 800.6 and that the project not proceed until the MOU is finalized.

The Department appreciates the opportunity to review the Draft Individual Section 4(f) Evaluation. For matters related to the Department's Section 4(f) review, please coordinate with Deena Lentz, Regional Environmental Coordinator, National Park Service, Interior Regions 6, 7, and 8 at [redacted]

If you have any questions for the Department, please contact me at [redacted], or [redacted]

Sincerely,

COURTNEY HOOVER
Digitally signed by COURTNEY HOOVER
Date: 2026.03.09 11:48:17 -06'00'

Courtney Hoover
Regional Environmental Officer
Office of Environmental Policy and Compliance

TRANSMITTED ELECTRONICALLY – NO HARDCOPY TO FOLLOW

ID 150

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date _____

Name Dan Kennedy

Phone [redacted]

Email [redacted]

Addres [redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

I moved from overpass all over Calif. & it will NOT help anyone in Heber / Midway N Fields are the ♡ & lungs of the valley protect our Air & water quality Billions will NOT fix the problem We need better internal roads. Response time for Hospital 70% is local traffic

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

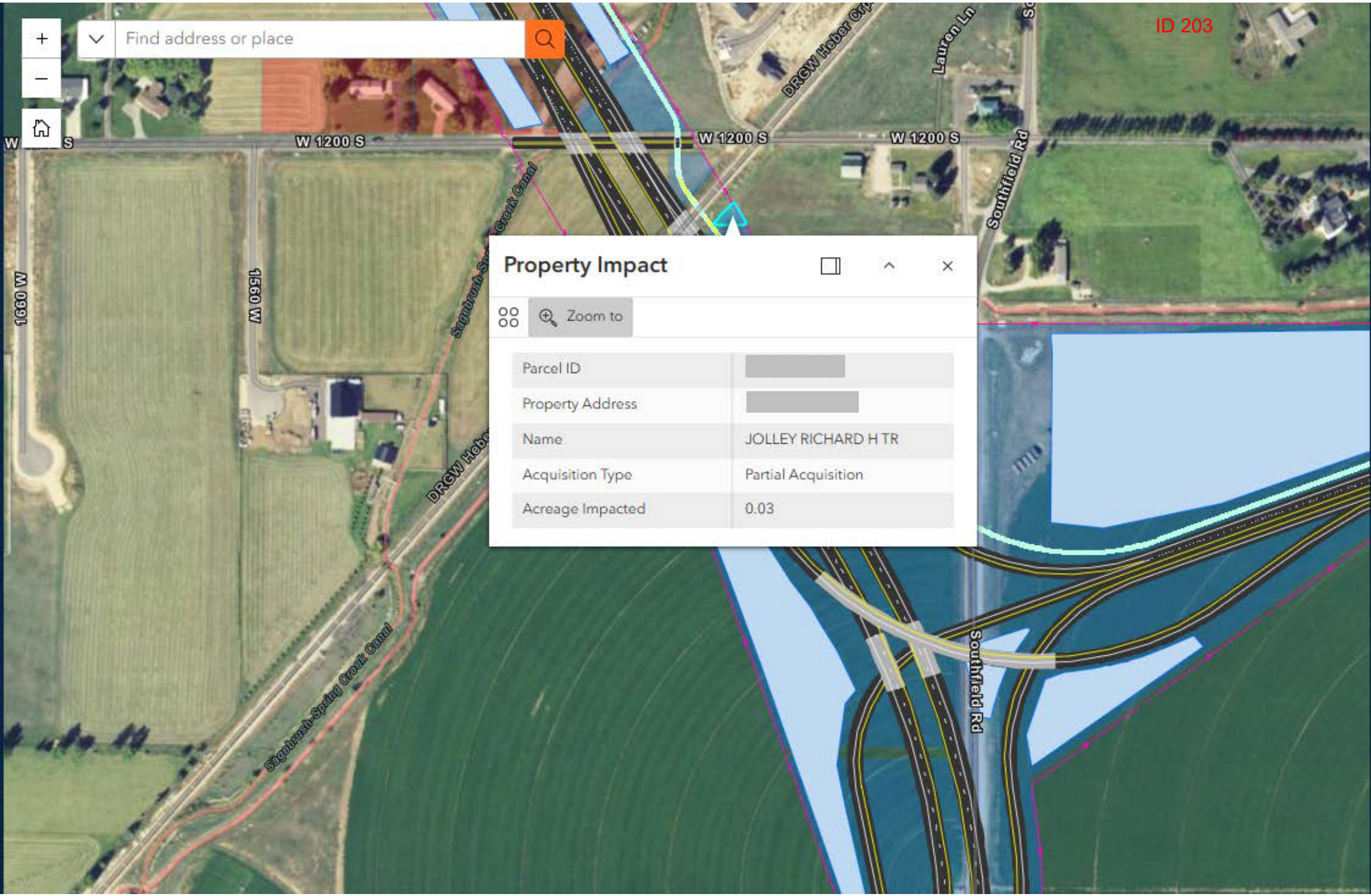
OTHER WAYS TO COMMENT

hebervalleyeis.udot.utah.gov
hebervalleyeis@utah.gov
801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving


ID 203
Find address or place
W 1200 S
W 1200 S
W 1200 S
1660 W
1660 W
Southfield Rd
Southfield Rd
Lauren Ln
Property Impact
Zoom to
Parcel ID
Property Address
Name
JOLLEY RICHARD H TR
Acquisition Type
Partial Acquisition
Acreage Impacted
0.03

Bypass a Bypass: Keep US-40's Pulse through the Heber Valley's Core

As our Heber Valley continues to grow, my observations from extensive travel and study of similar communities suggest we would benefit more by emulating a through-town approach like Steamboat Springs, CO, rather than the bypassing models seen in Fillmore, Beaver, or Nephi, UT. Maintaining US-40's current alignment through downtown—enhanced with local improvements such as bump-outs, medians, side street enhancements, and pedestrian features—could better preserve and bolster Heber City's core vitality without the risks of reallocating economic activity to new nodal developments at the new bypass interchanges. Research shows that a bypass could stunt Heber's downtown core for 20-30 years, requiring intensive revitalization efforts to recover, as evidenced in Golden, CO.

Having followed the Heber Valley Corridor meetings, participated in social media discussions, read the full Draft Environmental Impact Statement (EIS), and reviewed UDOT's YouTube recaps, I respectfully disagree with the proposed alternatives' emphasis on regional diversion around town. While I appreciate the EIS's thorough analysis, I believe a more balanced, local-first strategy could address mobility needs without the trade-offs to our valley's character.

While I hold a Master's in Architecture with a focus on urban design and a graduate certificate in real estate development, I don't engage in daily transportation planning like UDOT. What I may lack in that expertise, I supplement with observations from hundreds of cities and towns—locally, nationally, and internationally—often preferring routes through old highways and small communities to understand their built environments and human interactions. As an interested Heber Valley resident fascinated by what makes places thrive, these experiences heighten my concern about prioritizing regional throughput at the expense of local improvements.

Simply rewatch the movie Cars for a lighthearted illustration showcasing that bypassed towns often see their natural flow of vitality redirected, leading to challenges in maintaining a town's core health without intensive public efforts like downtown revitalization programs, tax increment financing, or community reinvestment areas.

Recognizing Structural Emphasis in the EIS Toward Regional Over Local Mobility

The EIS purpose—"to improve regional and local mobility on US-40 from River Road/SR-32 to US-189 and provide opportunities for nonmotorized transportation while allowing Heber City to meet their vision for the historic town center" (EIS Executive

Summary, p. ES-1; Chapter 1, p. 1-1)—lists "regional" first, which appears to be intentional, echoing a deeper focus throughout. Regional concerns, like keeping the National Highway System humming for trucks and through-traffic, get top billing and more ink (around 25 mentions in the Summary), while local needs often play second fiddle, described as side effects of that bigger flow (Chapter 1, Section 1.3).

The metrics tell the story too: Alternatives are judged mainly on regional travel times, corridor queues, and US-40 intersections (Chapter 2, Tables 2-1 and 2-2; Appendix 2C), with Alternative B shining for its regional perks like faster trips and truck shifts (EIS p. ES-11). Local gains? They're simply bonuses from easing that north-south pressure.

Into, Within, and Ultimately Through

Agreeing with Wasatch County's motto, our shared and greatest underlying asset is that we truly are "better by nature." This is what draws people to live here and tourists to visit. Being "better by nature" is recognizing and protecting our open spaces: water ways, fields, mountains, and skies. It's about being in them and not about constructing raised roadways on and over them so we can pass through them at freeway speeds!

We need smart fixes for growth, but let's flip the script: Prioritize getting into and within the valley before zooming through it. Take Alternative A (Chapter 2, Section 2.3.1)—it hugs the existing US-40 path, saving embodied carbon and skirting wetlands at the mountain's base (not fully explored in Chapter 3.4 or Appendix 3D). That's preventive wisdom in action.

Here are grounded ideas to blend local heart with regional flow:

- **Smoother Traffic Along US-40 from Alternative A:** Smooth out the ride from SR-32 down to Heritage Farms Parkway (by the new Smith's), sticking to 55 mph—no need for freeway rushes that divide us. Incorporate all of Alternative A along this stretch to ease traffic into the core with freeflowing interchanges beginning at River Road.
- **Bump-Outs and Cross-Traffic Warmth**: Soften Main Street's wide asphalt with bump-outs, medians, and pedestrian perks to shorten crossings and calm speeds—making it inviting as seen in Steamboat Springs, CO (aligns with EIS p. ES-2 and Chapter 3.1 for Heber's walkable vision).
- **Side-Street Diversions for Everyday Ease**: Guide bikes, walkers, and locals to parallels like 100 West (southbound bias) and 100 East (northbound), tapping their 80-foot widths for wider commercial sidewalks, angled parking, buffered bike lanes, and slimmer residential sides (think Fort Smith, Arkansas). This builds a unified 22-block core from 500 North to 600 South, turning underused space into vibrant connectors. This is all within Heber City's ability.
- **Targeted Bypass Piece from Alternative A**: Add that northwest leg from Heritage Farms around to South Field Road (Chapter 2, Figure 2-3)—it siphons some regional pressure without orphaning downtown, easing those northern woes.
- **Trail Network Nod**: I'm all for the multi-use trails (Chapter 2, Section 2.4)—they weave in safe crossings and tie everything together!

This echoes Steamboat Springs, where US-40 threads downtown with bump-outs and medians, keeping tourism alive amid the peaks (CDOT 2024 projects).

Conclusion

This project will affect everyone, shaping the valley for many many years. By leading with local insights, we can ensure smooth movement into, within, and yes, through—while keeping the core/heart strong. I might be wrong, but the data, my travels, and these timeless stories convince me otherwise.

By Heber Valley Resident Daniel Lyman
[redacted] Heber City, UT
[redacted]
February 18th, 2026

David and Ann George
[redacted]
Heber City, UT 84032

March 8, 2026

Dear UDOT,

Comments on Deficiencies in the UDOT Draft EIS for the Heber Valley Bypass Road

I have commented on the UDOT Heber Valley Bypass proposals for several years including on July 19, 2022, at the Public Meeting in Heber (3 min presentation and written copy of my comments) on January 28, 2026, and now as a formal reply to the Draft EIS.

We live in Wasatch County at [redacted], just outside of Heber City. The location of the bypass has changed significantly because of poor planning by both Heber City and Wasatch County and new UDOT freeway design criteria. If the UDOT Bypass Road system, either Alternative A or B, is built as proposed it will greatly impact on our property and many others in Heber Valley. Our small farm will be cut in half and likely be rendered uneconomic.

UDOT failed to fully investigated all practical options to handle the forecast increased local and pass-through traffic on US-40, including Heber Cities Main Steet. The DEIS has numerous FATAL and MAJOR flaws. The appropriate remedy is for UDOT to withdraw the DEIS and redesign the freeway concept to comply with the many Federal, State and Local requirements and reduce the impact on Heber Valley. This would also allow UDOT to work with the City and County to identify ways to address traffic without resorting to an expensive project that destroys the valley.

Attachment 1 is a summary of some of the deficiencies in the DEIS that I was able to identify. There are likely many more. Many of the items are fatal flaws that necessitate re-doing the DEIS to make it comply with the NEPA process and many other legal local, State and Federal requirements. I hope that UDOT will understand that the DEIS design has many flaws and oversights that should be remedied before a UDOT can render a final recommendation.

Attachment 2 is a proposal for a process to identify an alternative, minimum change traffic design that has potential to address the traffic concerns of the ~70% who drive within Heber and the ~30% who travel through Heber City. This is the option that UDOT should have used as part of its NEPA evaluation. Failure to identify and evaluate this option

constitutes a FATAL flaw in the DEIS process and violates NEPA and other legal requirements.

I anticipate that the DEIS will face considerable legal challenges. Hopefully these will necessitate that UDOT address the deficiencies in the DEIS and come up with a more practical solution that won't blight the Heber Valley.

Kind regards,

David and Ann George

Attachments 1 & 2

Note: Transmitted to UDOT prior to the March 9th comment submission deadline by: Web Site link, e-mail and hard copy mail on Sunday, March 8th, 2026

Attachment 1

Deficiencies in the UDOT Draft EIS for the Heber Valley Bypass

Summary: This index catalogs 18 specific deficiencies in UDOT's DEIS for the Heber Valley Corridor Project, 14 of these are **FATAL** (deficiencies of such severity that they invalidate the DEIS conclusions or are likely to be found in violation of federal law), and 3 are classified as **MAJOR** (omissions or flaws that misrepresent impacts or costs or that fail to support conclusions in the DEIS). In addition, the DEIS uses descriptive language that is incorrect or misleading, which can confuse the reader or promote false or ambiguous conclusions.

#	Category	Deficiency Description	Source Reference	Severity
1	NEPA Basis	UDOT's base design, as required by NEPA, includes the existing streets, roads and traffic controls. UDOT then concludes with no evidence that the existing system is optimized and looks no further. UDOT failed to consider logical improvements to traffic flow such as providing connectivity from the 9th North intersection on US-40 to the existing Southfield Road north terminus at SR-113. This logical improvement and many others have potential to eliminate the need for any freeway-like bypass roads. Remedy: Redo the analysis for a practical base case using current traffic data and updated future data. See attachment 2.	DEIS Chapter 2 page 2-5	FATAL
2	NEPA Basis Good Engineering Practice Traffic Model	UDOT relied on traffic data from a few days of traffic quantification period in July and August 2019. The technique used, Bluetooth MAC address monitoring, is now obsolete. More advanced techniques allow data collection using cellular phone locations to map the traffic flow over the entire study area and over long time periods. Major changes in commuter habits, post-Covid 19 are	Various	FATAL

		well documented, but ignored in the UDOT analysis.		
3	NEPA Basis Good Engineering Practice	UDOT's traffic time modeling did not include any sensitivity analysis to test alternative configurations for local traffic controls. The traffic at 5th North and at Main and Center Street and Main and Midway Lane, characterized as high level failures, should have been evaluated using other traffic light sequences or even prohibiting left turns at some time periods. Eliminating the traffic light on Midway Lane and diverting traffic to Center Street has potential to improve the failure determination.	Various	FATAL
4	Good Engineering Practice	UDOT based traffic transit times on unrealistic and biased speed limits. The 65-mph speed limit on Alternative A and B is high. This is inconstant with the lower 55 to 60 mph speed limits on the US-189 after the bypasses or on US-40 east of Heber. This results in overstating the time savings for the bypass over the current system and biasing the results. It is not clear if the speed limits assume any impact from high traffic periods.	DEIS Ch. 2 2.2.4	FATAL
6	Good Engineering Practice	UDOT failed to show or discuss the small transit time improvements that would be achieved during non-peak hours, the bulk of the time. The peak time percentages were not clearly communicated, which misleads the reader.	Various	MAJOR
7	NEPA Basis	UDOT did not provide any engineering definition of critical infrastructure such as overpasses over local roads, irrigation system realignments, livestock corridors, impact of traffic on livestock, etc. This violates NEPA's requirement to study and evaluate the	DEIS Ch 4 Page 4	FATAL

		impacts before a decision on the infrastructure is made. (40 C.F.R § 152.16)		
8	NEPA	Route fails to maximize distance from many farms and homes and fails to provide any quantification if there are any additional costs or savings from an optimized route. This prevents affected landowners from evaluating functional equivalency.	DEIS Ch5, Page 5	FATAL
9	Traffic Model	UDOT traffic modeling was not verified. The use of nested models, models inside of other models, is generally a poor practice for dynamic modeling. UDOT never validated that the model results accurately depicted the current traffic flows. Further, they never used equivalent other modeling techniques to confirm modeling validity.	DEIS Ch 2	FATAL
10	Traffic Model	UDOT improperly states that their model results 'measure' the traffic delays and traffic back-ups. Models do not measure anything. At best models give an indication of a potential result if all the underlying assumptions are valid, which is almost never the case.	DEIS Chap 2	Misleading Statement
11	NEPA	UDOT misinterprets the Heber City Vision by not referencing the main theme, preservation of the rural, agricultural and scenic valley. They add to deliberate confusion by claiming, incorrectly, that they endeavor to meet the Heber City Vision of "a walkable main street", "promoting non-motorized commuting" and making Main Street safe for pedestrians and bicycles. At no point did UDOT analyze the cost of achieving these mistaken goals or offer a lower cost design that did not achieve their vision of what Heber wants.	Multiple references	Fatal

12	Cost Estimate	UDOT failed to provide anything than a summary level table of the costs for their two chosen options, A and B. UDOT notes that the costs when built may be higher but they fail to comment on the recent history of extreme cost overruns on many transportation projects in the US. UDOT should have provided their basis for project escalation with evidence that the inflation rate is reasonable and appropriate. The cost estimate is a Class 5 or conceptual estimate which in normal engineering businesses is a -50% to +100% estimate. There is no evidence that UDOT has applied a suitable engineering contingency to the project costs that they provide. Given the lack of engineering a suitable contingency would be 30% to 50% at this stage. Escalation could increase the cost by another 50%. The total project cost could exceed $1.4 billion.	DEIS CH. 4 DEIS App. 2E	Fatal
13	Cost Estimate	UDOT has failed to identify the lowest cost option to deal with future traffic. My property is noted to be reduced by 1/3 or more; there is no reliable design. Since my property is a small farm, it appears impossible to continue hay production to support my horses. This should trigger legally mandated 'remainder' damages. The UDOT DEIS provides no details on how the remainder damages were calculated for the cost estimate. The topic was only a place holder with no details. Similarly, since my property may no longer be a viable agricultural enterprise, it may trigger total economic buyouts for my property and others.	DEIS Ch 5	Fatal

14	NEPA	UDOT measured the background noise level near my property and then argued that sound mitigation was not appropriate based on their interpretation of the road noise. This analysis is likely incorrect because my property has unusually low background noise levels, particularly at night. It is almost certain that with a freeway immediately adjacent to my property and only 200 ft from my bedroom, that the noise will be continual and excessive. The application of typical assumptions used to minimize the need for noise mitigation appear to be in violation of the provisions in NEPA. If UDOT selects concrete as the road surface, which they often do, the noise level will be higher than with asphalt. Their use of noise along highway 40 at some unknown time and traffic use is not correct from an engineering point of view.		Fatal
15	NEPA	Environmental contamination. UDOT proposes to use a median area to allow salt and contaminant water to percolate into a pristine aquifer. They fail to demonstrate that this high salt (chloride) water will not result in groundwater quality exceedance. In fact, exceedance is likely. The impact of chloride and other contaminants on domestic well water adjacent to the proposed route was not discussed and no cost provisions were made for 'zero cost city water' replacement or secondary purification of well water in the event of well contamination.	Deis App. 3K	FATAL

16	NEPA	Salt spray from the freeway will drift onto my property, cause corrosion and contamination of agricultural and residential buildings and potentially reduce crop production. Salt spray will also fall onto the new Heber Light and Power and Rocky Mountain Power substation. This will trigger electrical faults from salt buildup and 'flash-over' events. This has already happened on Highway 40 north of Heber. This potential was noted in comments to the City and Power Companies prior to their decision to site the substation on what was formerly agriculture land. Cost to mitigate the salt spray were not included in the estimate. The bypass route is not optimal and needs to be moved further west to avoid the substation. Reduced speed limits will reduce salt spray generation, but this option was never discussed. There are alternatives to chloride based de-icers but UDOT only mentioned these with no binding commitment to use them or define the added cost.	DEIS Ch 3 etc.	FATAL
17	Livestock	No study of construction noise/vibration and dust impacts on livestock immediately adjacent to the proposed freeway. Loud noise and heavy equipment could make horse riding on properties adjacent to the proposed freeway unsafe, resulting in economic and lifestyle costs. Mitigation of these risks could be expensive, including high barrier walls for isolation.	DEIS Ch 3	MAJOR

18	Wetland Data	The perc tests to determine wetlands were not conducted during the normal wet season in the spring. Testing during the July-November 2021 and June-November 2022 will undercount wetlands. My property has seen water standing in fields during prolonged wet cycles. Not to mention this possibility or design around it is unacceptable.	DEIS App 3N	FATAL

Attachment 1

A Practical Alternative to the UDOT Proposed Bypass Freeway Designs

The topic of this attachment is to request that UDOT initiate a new process to identify an alternative to the two preferred UDOT Bypass option freeways. I believe that these options could be completed quickly and at much lower cost by making minor changes to the roads and streets in Heber City and Wasatch County. This is the base case that UDOT should have evaluated but ignored. The path forward includes the following:

Problem

Traffic in Heber Valley is projected to grow significantly by 2050 due to the underlying growth in the immediate Heber City area and dramatic growth of new housing and hotels in the north and east end of the valley and east along Highway 40. These growth projections are based on a variety of views from policy study organizations, developers, government associations, select local government entities and internal UDOT views. Many of the new habitations, up to 40% in some areas, are either second homes or short-term rentals with mainly seasonal use (skiing and summer). There is low confidence that the projected traffic volumes destined to go to or through Heber are correct.

Traffic surveys used by UDOT to model future traffic patterns were based on a scant 4 days in July and August 2019, before Covid. This is a primitive data acquisition process and has been supplanted by much higher resolution techniques that track cell phone 'addresses' and use AI to analyze the data and produce a real quantification of traffic. Even the UDOT traffic data collection showed that traffic congestion is only a problem in Heber on Main Street and north on US-40 for a short duration (1 hour) at evening rush hour. Basing the entire UDOT design on a short survey 7 years ago is simply not good engineering practice.

UDOT, as part of the NEPA EIS process, is required to use as the base case the current traffic design and controls, such as stop lights, cross streets, etc. to mathematically model traffic flow and identify bottlenecks called failed intersections. UDOT has reviewed several alternatives to the bypass freeway but were quick to reject them as impractical or non-functional. They considered their evaluation to be comprehensive and sufficient justification to go directly into Freeway building mode. Nothing in the Federal NEPA EIS process prevents UDOT from considering a continuum of traffic improvements to optimize travel through the valley.

A detailed review of the UDOT Draft EIS finds there are many fatal flaws and major deficiencies. There are many stakeholders reviewing the EIS and it is likely that this will lead to lengthy and costly legal challenges. Many of these flaws are in violation of Federal

Laws governing the preparation of an EIS. Others are more qualified to address the many legal problems that the current DEIS fails to properly address.

The UDOT Draft EIS process justified the freeway options by claiming a small commute time improvement and meeting the 'desires' of Heber City's Vision. They failed to understand that the Heber Vision guiding principle is the preservation of the rural setting so unique in the Heber Valley. They misinterpreted the Heber vision as placing huge value on providing a path for mainly oil tank trucks to bypass Main Street, allowing for undefined and likely insignificant non-motorized commuting and making Main Street 'walkable'. These goals, so readily accepted by UDOT, are apparently not fully supported by the local governments and are poorly defined.

The cost for the UDOT preferred option, the North Fields Freeway, is $780 million in mid-2025 dollars. The estimate is apparently not yet publicly available (I wrote to UDOT but received no response), but it is likely the estimates are incorrect and low. The fundamental problem is the very limited engineering performed to define the costs. There was no geotechnical testing, roads, bridges and overpasses were factored from other projects, cost for land acquisition is undefined but likely low, and there is no time estimate for consruction. Transportation projects have among the highest potential for significant cost overruns. The Association for the Advancement of Cost Engineering (AACE) defines estimates according to the degree of engineering definition underlying the estimate. The lowest accuracy estimate is a Class 5 estimate, which is defined as having between <1% to 5% of engineering completed. The accuracy of a Class 5 estimate is -50% to +100%. An appropriate contingency for a Class 5 estimate is between 30% to 50%.

Cost escalation for major road projects has been dramatic since 2018, with peaks of 20% in some years. The average escalation over the last 7 years has been reported to be much greater than 5%. Assuming time for legal challenges, project approval and construction suggest a minimum 7-year time frame during which the cost will increase to over $ 1.1 billion. It is entirely possible that the time frame could extend to 10 to 15 years. Applying a 30% contingency for just 7 years raises the cost to over $1.4 billion.

The benefit after this huge expenditure is a few minute reduction in the travel time from SR-32 at the far end of Heber Valley to the SR-113 and US-189 intersection near Deer Creek Reservoir but only during the highest traffic periods at rush hour. Most drivers, up to 70%, will be local and not benefit from this minor time savings. UDOT also applied a very high-speed limit, 65 mph, to the freeway. This likely overstates the potential commuter time savings and does nothing for local traffic.

The probability of approval for such an expensive project with so few benefits seems unlikely.

Alternative – No Freeway Option

Given the defects in the UDOT freeway design and evaluation it is recommended that two studies be performed to support a revision of the DEIS. The first deals with characterizing the current traffic flow and patterns, including the anticipated population growth in the NE area of the valley. The second is to re-envision traffic flow within the city by modifying and augmenting local streets so that traffic can move through and within Heber without necessarily having to travel down Main Street.

Some specific action items include:

1. Obtain real data on traffic movement. Heber and Wasatch County, in cooperation with UDOT, should engage an independent traffic consulting company to use more modern technology to quantify, not estimate, the actual traffic through Heber over the full seasonal cycle of recreational and commuter use. This can be done easily by analyzing cellular phone locations and movement, without any privacy concerns. If performed properly this can also quantify the traffic from new growth areas and correlate this with the growth in housing and hotels.

2. Determine how traffic flow can be improved. The consulting firm would review non-bypass options to improve traffic. This may require changes in the existing intersections, traffic lights, use of "smart" traffic lights, curtailment of some turning at peak times, etc.

3. Check the UDOT model results. Modeling is an attempt to mathematically understand a system, in this case traffic flow, using many imprecise assumptions. UDOT used two different traffic models that were combined to provide the final assessment. It is entirely possible that UDOT's modeling is delivering erroneous results. An independent model check using more current traffic data would validate or invalidate UDOT results, identify opportunities for improvements and inform local government of the underlying uncertainty in modeling.

4. Improve underutilized surface streets. This is the case that UDOT did not study. Simply stated the goal is to provide pathways for traffic to avoid central Main Street during high congestion periods. It is not to provide an alternative heavy truck route through Heber City.

Extend Southfield Road north past SR-113 and connect to the 9th North (Smiths) traffic light. To avoid excessive impact on the residents along Southfield Road, me included, the road would be patterned after the successful River Road design. The road extension would be typical of a surface street, with two lanes and right and left turning lanes as justified. Major intersections would be 'calmed' by using roundabouts. These would be installed at 12th South, 650 South, the Wasatch County Fair Ground, SR-113, Northfield Road (N600 W) and perhaps at another location on the extension north of SR-113. The speed limit would be reduced to 25 mph in residential areas. Roundabouts would discourage heavy truck traffic, and the city could prohibit truck traffic if it became a problem. Access to the new High School and Technical College would be improved. The UDOT plan to effectively cul-de-sac Southfield Road at 12th South and restrict left turns at SR-113 would be eliminated.

This option can divert a significant amount of automobile traffic off Main Street and directly to US-189 during high traffic periods. Residents may object but they should look at River Road where traffic has been effectively calmed. It may be necessary to install a traffic light-controlled intersection at the intersection of Southfield Road and Highway 189. There would little impact on farms and rural residents living in the small area north and east of Midway Lane to 9th North.

Midway Lane, SR-113, is already used as a bypass around Heber's Main Street. UDOT did little to quantify the traffic along that route or project how it could play a role in the future. Traffic tracking needs to be performed at several points along SR-113. This can support modeling of traffic to and through Midway. I do note that UDOT claimed in the Draft EIS that SR-113 was 'approved' to be expanded to 5 lanes...is this true? I can understand 5 lanes for the short section near the new High School but all the way to Midway seems unwarranted. What problem is that highway expansion seeking to remedy?

The mismatch between Center Street and Midway Lane (SR-113), a one block offset, is unfortunate. It might be possible to redesign this area to eliminate one stop light on Main Street. UDOT found that closely spaced stop lights were problematic in their high traffic flow models, but they never offered any remedies. I've seen similar off set intersections in many other cities and they can work fine.

There may be other surface street improvements that could provide residents with better options than Main Street travel. I'm less familiar with the streets east of Main Street but this area can probably take some of the traffic load. Remember, about 70% of the traffic in Heber and along US-40 is local traffic.

The overall objective is to eliminate the need for a UDOT freeway system to bypass Heber. It will require that all of us accept some additional traffic, but if done correctly, the impact can be minimized.

David and Ann George
[redacted]
Heber City, UT 84032

March 8, 2026

Dear UDOT,

Comments on Deficiencies in the UDOT Draft EIS for the Heber Valley Bypass Road

I have commented on the UDOT Heber Valley Bypass proposals for several years including on July 19, 2022, at the Public Meeting in Heber (3 min presentation and written copy of my comments) on January 28, 2026, and now as a formal reply to the Draft EIS.

We live in Wasatch County at [redacted], just outside of Heber City. The location of the bypass has changed significantly because of poor planning by both Heber City and Wasatch County and new UDOT freeway design criteria. If the UDOT Bypass Road system, either Alternative A or B, is built as proposed it will greatly impact on our property and many others in Heber Valley. Our small farm will be cut in half and likely be rendered uneconomic.

UDOT failed to fully investigated all practical options to handle the forecast increased local and pass-through traffic on US-40, including Heber Cities Main Steet. The DEIS has numerous FATAL and MAJOR flaws. The appropriate remedy is for UDOT to withdraw the DEIS and redesign the freeway concept to comply with the many Federal, State and Local requirements and reduce the impact on Heber Valley. This would also allow UDOT to work with the City and County to identify ways to address traffic without resorting to an expensive project that destroys the valley.

Attachment 1 is a summary of some of the deficiencies in the DEIS that I was able to identify. There are likely many more. Many of the items are fatal flaws that necessitate re-doing the DEIS to make it comply with the NEPA process and many other legal local, State and Federal requirements. I hope that UDOT will understand that the DEIS design has many flaws and oversights that should be remedied before a UDOT can render a final recommendation.

Attachment 2 is a proposal for a process to identify an alternative, minimum change traffic design that has potential to address the traffic concerns of the ~70% who drive within Heber and the ~30% who travel through Heber City. This is the option that UDOT should have used as part of its NEPA evaluation. Failure to identify and evaluate this option

constitutes a FATAL flaw in the DEIS process and violates NEPA and other legal requirements.

I anticipate that the DEIS will face considerable legal challenges. Hopefully these will necessitate that UDOT address the deficiencies in the DEIS and come up with a more practical solution that won't blight the Heber Valley.

Kind regards,

David and Ann George

Attachments 1 & 2

Note: Transmitted to UDOT prior to the March 9th comment submission deadline by: Web Site link, e-mail and hard copy mail on Sunday, March 8th, 2026

Attachment 1

Deficiencies in the UDOT Draft EIS for the Heber Valley Bypass

Summary: This index catalogs 18 specific deficiencies in UDOT's DEIS for the Heber Valley Corridor Project, 14 of these are **FATAL** (deficiencies of such severity that they invalidate the DEIS conclusions or are likely to be found in violation of federal law), and 3 are classified as **MAJOR** (omissions or flaws that misrepresent impacts or costs or that fail to support conclusions in the DEIS). In addition, the DEIS uses descriptive language that is incorrect or misleading, which can confuse the reader or promote false or ambiguous conclusions.

#	Category	Deficiency Description	Source Reference	Severity
1	NEPA Basis	UDOT's base design, as required by NEPA, includes the existing streets, roads and traffic controls. UDOT then concludes with no evidence that the existing system is optimized and looks no further. UDOT failed to consider logical improvements to traffic flow such as providing connectivity from the 9th North intersection on US-40 to the existing Southfield Road north terminus at SR-113. This logical improvement and many others have potential to eliminate the need for any freeway-like bypass roads. Remedy: Redo the analysis for a practical base case using current traffic data and updated future data. See attachment 2.	DEIS Chapter 2 page 2-5	FATAL
2	NEPA Basis Good Engineering Practice Traffic Model	UDOT relied on traffic data from a few days of traffic quantification period in July and August 2019. The technique used, Bluetooth MAC address monitoring, is now obsolete. More advanced techniques allow data collection using cellular phone locations to map the traffic flow over the entire study area and over long time periods. Major changes in commuter habits, post-Covid 19 are	Various	FATAL

		well documented, but ignored in the UDOT analysis.		
3	NEPA Basis Good Engineering Practice	UDOT's traffic time modeling did not include any sensitivity analysis to test alternative configurations for local traffic controls. The traffic at 5th North and at Main and Center Street and Main and Midway Lane, characterized as high level failures, should have been evaluated using other traffic light sequences or even prohibiting left turns at some time periods. Eliminating the traffic light on Midway Lane and diverting traffic to Center Street has potential to improve the failure determination.	Various	FATAL
4	Good Engineering Practice	UDOT based traffic transit times on unrealistic and biased speed limits. The 65-mph speed limit on Alternative A and B is high. This is inconstant with the lower 55 to 60 mph speed limits on the US-189 after the bypasses or on US-40 east of Heber. This results in overstating the time savings for the bypass over the current system and biasing the results. It is not clear if the speed limits assume any impact from high traffic periods.	DEIS Ch. 2 2.2.4	FATAL
6	Good Engineering Practice	UDOT failed to show or discuss the small transit time improvements that would be achieved during non-peak hours, the bulk of the time. The peak time percentages were not clearly communicated, which misleads the reader.	Various	MAJOR
7	NEPA Basis	UDOT did not provide any engineering definition of critical infrastructure such as overpasses over local roads, irrigation system realignments, livestock corridors, impact of traffic on livestock, etc. This violates NEPA's requirement to study and evaluate the	DEIS Ch 4 Page 4	FATAL

		impacts before a decision on the infrastructure is made. (40 C.F.R § 152.16)		
8	NEPA	Route fails to maximize distance from many farms and homes and fails to provide any quantification if there are any additional costs or savings from an optimized route. This prevents affected landowners from evaluating functional equivalency.	DEIS Ch5, Page 5	FATAL
9	Traffic Model	UDOT traffic modeling was not verified. The use of nested models, models inside of other models, is generally a poor practice for dynamic modeling. UDOT never validated that the model results accurately depicted the current traffic flows. Further, they never used equivalent other modeling techniques to confirm modeling validity.	DEIS Ch 2	FATAL
10	Traffic Model	UDOT improperly states that their model results 'measure' the traffic delays and traffic back-ups. Models do not measure anything. At best models give an indication of a potential result if all the underlying assumptions are valid, which is almost never the case.	DEIS Chap 2	Misleading Statement
11	NEPA	UDOT misinterprets the Heber City Vision by not referencing the main theme, preservation of the rural, agricultural and scenic valley. They add to deliberate confusion by claiming, incorrectly, that they endeavor to meet the Heber City Vision of "a walkable main street", "promoting non-motorized commuting" and making Main Street safe for pedestrians and bicycles. At no point did UDOT analyze the cost of achieving these mistaken goals or offer a lower cost design that did not achieve their vision of what Heber wants.	Multiple references	Fatal

12	Cost Estimate	UDOT failed to provide anything than a summary level table of the costs for their two chosen options, A and B. UDOT notes that the costs when built may be higher but they fail to comment on the recent history of extreme cost overruns on many transportation projects in the US. UDOT should have provided their basis for project escalation with evidence that the inflation rate is reasonable and appropriate. The cost estimate is a Class 5 or conceptual estimate which in normal engineering businesses is a -50% to +100% estimate. There is no evidence that UDOT has applied a suitable engineering contingency to the project costs that they provide. Given the lack of engineering a suitable contingency would be 30% to 50% at this stage. Escalation could increase the cost by another 50%. The total project cost could exceed $1.4 billion.	DEIS CH. 4 DEIS App. 2E	Fatal
13	Cost Estimate	UDOT has failed to identify the lowest cost option to deal with future traffic. My property is noted to be reduced by 1/3 or more; there is no reliable design. Since my property is a small farm, it appears impossible to continue hay production to support my horses. This should trigger legally mandated 'remainder' damages. The UDOT DEIS provides no details on how the remainder damages were calculated for the cost estimate. The topic was only a place holder with no details. Similarly, since my property may no longer be a viable agricultural enterprise, it may trigger total economic buyouts for my property and others.	DEIS Ch 5	Fatal

14	NEPA	UDOT measured the background noise level near my property and then argued that sound mitigation was not appropriate based on their interpretation of the road noise. This analysis is likely incorrect because my property has unusually low background noise levels, particularly at night. It is almost certain that with a freeway immediately adjacent to my property and only 200 ft from my bedroom, that the noise will be continual and excessive. The application of typical assumptions used to minimize the need for noise mitigation appear to be in violation of the provisions in NEPA. If UDOT selects concrete as the road surface, which they often do, the noise level will be higher than with asphalt. Their use of noise along highway 40 at some unknown time and traffic use is not correct from an engineering point of view.		Fatal
15	NEPA	Environmental contamination. UDOT proposes to use a median area to allow salt and contaminant water to percolate into a pristine aquifer. They fail to demonstrate that this high salt (chloride) water will not result in groundwater quality exceedance. In fact, exceedance is likely. The impact of chloride and other contaminants on domestic well water adjacent to the proposed route was not discussed and no cost provisions were made for 'zero cost city water' replacement or secondary purification of well water in the event of well contamination.	Deis App. 3K	FATAL

16	NEPA	Salt spray from the freeway will drift onto my property, cause corrosion and contamination of agricultural and residential buildings and potentially reduce crop production. Salt spray will also fall onto the new Heber Light and Power and Rocky Mountain Power substation. This will trigger electrical faults from salt buildup and 'flash-over' events. This has already happened on Highway 40 north of Heber. This potential was noted in comments to the City and Power Companies prior to their decision to site the substation on what was formerly agriculture land. Cost to mitigate the salt spray were not included in the estimate. The bypass route is not optimal and needs to be moved further west to avoid the substation. Reduced speed limits will reduce salt spray generation, but this option was never discussed. There are alternatives to chloride based de-icers but UDOT only mentioned these with no binding commitment to use them or define the added cost.	DEIS Ch 3 etc.	FATAL
17	Livestock	No study of construction noise/vibration and dust impacts on livestock immediately adjacent to the proposed freeway. Loud noise and heavy equipment could make horse riding on properties adjacent to the proposed freeway unsafe, resulting in economic and lifestyle costs. Mitigation of these risks could be expensive, including high barrier walls for isolation.	DEIS Ch 3	MAJOR

18	Wetland Data	The perc tests to determine wetlands were not conducted during the normal wet season in the spring. Testing during the July-November 2021 and June-November 2022 will undercount wetlands. My property has seen water standing in fields during prolonged wet cycles. Not to mention this possibility or design around it is unacceptable.	DEIS App 3N	FATAL

Attachment 1

A Practical Alternative to the UDOT Proposed Bypass Freeway Designs

The topic of this attachment is to request that UDOT initiate a new process to identify an alternative to the two preferred UDOT Bypass option freeways. I believe that these options could be completed quickly and at much lower cost by making minor changes to the roads and streets in Heber City and Wasatch County. This is the base case that UDOT should have evaluated but ignored. The path forward includes the following:

Problem

Traffic in Heber Valley is projected to grow significantly by 2050 due to the underlying growth in the immediate Heber City area and dramatic growth of new housing and hotels in the north and east end of the valley and east along Highway 40. These growth projections are based on a variety of views from policy study organizations, developers, government associations, select local government entities and internal UDOT views. Many of the new habitations, up to 40% in some areas, are either second homes or short-term rentals with mainly seasonal use (skiing and summer). There is low confidence that the projected traffic volumes destined to go to or through Heber are correct.

Traffic surveys used by UDOT to model future traffic patterns were based on a scant 4 days in July and August 2019, before Covid. This is a primitive data acquisition process and has been supplanted by much higher resolution techniques that track cell phone 'addresses' and use AI to analyze the data and produce a real quantification of traffic. Even the UDOT traffic data collection showed that traffic congestion is only a problem in Heber on Main Street and north on US-40 for a short duration (1 hour) at evening rush hour. Basing the entire UDOT design on a short survey 7 years ago is simply not good engineering practice.

UDOT, as part of the NEPA EIS process, is required to use as the base case the current traffic design and controls, such as stop lights, cross streets, etc. to mathematically model traffic flow and identify bottlenecks called failed intersections. UDOT has reviewed several alternatives to the bypass freeway but were quick to reject them as impractical or non-functional. They considered their evaluation to be comprehensive and sufficient justification to go directly into Freeway building mode. Nothing in the Federal NEPA EIS process prevents UDOT from considering a continuum of traffic improvements to optimize travel through the valley.

A detailed review of the UDOT Draft EIS finds there are many fatal flaws and major deficiencies. There are many stakeholders reviewing the EIS and it is likely that this will lead to lengthy and costly legal challenges. Many of these flaws are in violation of Federal

Laws governing the preparation of an EIS. Others are more qualified to address the many legal problems that the current DEIS fails to properly address.

The UDOT Draft EIS process justified the freeway options by claiming a small commute time improvement and meeting the 'desires' of Heber City's Vision. They failed to understand that the Heber Vision guiding principle is the preservation of the rural setting so unique in the Heber Valley. They misinterpreted the Heber vision as placing huge value on providing a path for mainly oil tank trucks to bypass Main Street, allowing for undefined and likely insignificant non-motorized commuting and making Main Street 'walkable'. These goals, so readily accepted by UDOT, are apparently not fully supported by the local governments and are poorly defined.

The cost for the UDOT preferred option, the North Fields Freeway, is $780 million in mid-2025 dollars. The estimate is apparently not yet publicly available (I wrote to UDOT but received no response), but it is likely the estimates are incorrect and low. The fundamental problem is the very limited engineering performed to define the costs. There was no geotechnical testing, roads, bridges and overpasses were factored from other projects, cost for land acquisition is undefined but likely low, and there is no time estimate for consruction. Transportation projects have among the highest potential for significant cost overruns. The Association for the Advancement of Cost Engineering (AACE) defines estimates according to the degree of engineering definition underlying the estimate. The lowest accuracy estimate is a Class 5 estimate, which is defined as having between <1% to 5% of engineering completed. The accuracy of a Class 5 estimate is -50% to +100%. An appropriate contingency for a Class 5 estimate is between 30% to 50%.

Cost escalation for major road projects has been dramatic since 2018, with peaks of 20% in some years. The average escalation over the last 7 years has been reported to be much greater than 5%. Assuming time for legal challenges, project approval and construction suggest a minimum 7-year time frame during which the cost will increase to over $ 1.1 billion. It is entirely possible that the time frame could extend to 10 to 15 years. Applying a 30% contingency for just 7 years raises the cost to over $1.4 billion.

The benefit after this huge expenditure is a few minute reduction in the travel time from SR-32 at the far end of Heber Valley to the SR-113 and US-189 intersection near Deer Creek Reservoir but only during the highest traffic periods at rush hour. Most drivers, up to 70%, will be local and not benefit from this minor time savings. UDOT also applied a very high-speed limit, 65 mph, to the freeway. This likely overstates the potential commuter time savings and does nothing for local traffic.

The probability of approval for such an expensive project with so few benefits seems unlikely.

Alternative – No Freeway Option

Given the defects in the UDOT freeway design and evaluation it is recommended that two studies be performed to support a revision of the DEIS. The first deals with characterizing the current traffic flow and patterns, including the anticipated population growth in the NE area of the valley. The second is to re-envision traffic flow within the city by modifying and augmenting local streets so that traffic can move through and within Heber without necessarily having to travel down Main Street.

Some specific action items include:

1. Obtain real data on traffic movement. Heber and Wasatch County, in cooperation with UDOT, should engage an independent traffic consulting company to use more modern technology to quantify, not estimate, the actual traffic through Heber over the full seasonal cycle of recreational and commuter use. This can be done easily by analyzing cellular phone locations and movement, without any privacy concerns. If performed properly this can also quantify the traffic from new growth areas and correlate this with the growth in housing and hotels.

2. Determine how traffic flow can be improved. The consulting firm would review non-bypass options to improve traffic. This may require changes in the existing intersections, traffic lights, use of "smart" traffic lights, curtailment of some turning at peak times, etc.

3. Check the UDOT model results. Modeling is an attempt to mathematically understand a system, in this case traffic flow, using many imprecise assumptions. UDOT used two different traffic models that were combined to provide the final assessment. It is entirely possible that UDOT's modeling is delivering erroneous results. An independent model check using more current traffic data would validate or invalidate UDOT results, identify opportunities for improvements and inform local government of the underlying uncertainty in modeling.

4. Improve underutilized surface streets. This is the case that UDOT did not study. Simply stated the goal is to provide pathways for traffic to avoid central Main Street during high congestion periods. It is not to provide an alternative heavy truck route through Heber City.

Extend Southfield Road north past SR-113 and connect to the 9th North (Smiths) traffic light. To avoid excessive impact on the residents along Southfield Road, me included, the road would be patterned after the successful River Road design. The road extension would be typical of a surface street, with two lanes and right and left turning lanes as justified. Major intersections would be 'calmed' by using roundabouts. These would be installed at 12th South, 650 South, the Wasatch County Fair Ground, SR-113, Northfield Road (N600 W) and perhaps at another location on the extension north of SR-113. The speed limit would be reduced to 25 mph in residential areas. Roundabouts would discourage heavy truck traffic, and the city could prohibit truck traffic if it became a problem. Access to the new High School and Technical College would be improved. The UDOT plan to effectively cul-de-sac Southfield Road at 12th South and restrict left turns at SR-113 would be eliminated.

This option can divert a significant amount of automobile traffic off Main Street and directly to US-189 during high traffic periods. Residents may object but they should look at River Road where traffic has been effectively calmed. It may be necessary to install a traffic light-controlled intersection at the intersection of Southfield Road and Highway 189. There would little impact on farms and rural residents living in the small area north and east of Midway Lane to 9th North.

Midway Lane, SR-113, is already used as a bypass around Heber's Main Street. UDOT did little to quantify the traffic along that route or project how it could play a role in the future. Traffic tracking needs to be performed at several points along SR-113. This can support modeling of traffic to and through Midway. I do note that UDOT claimed in the Draft EIS that SR-113 was 'approved' to be expanded to 5 lanes…is this true? I can understand 5 lanes for the short section near the new High School but all the way to Midway seems unwarranted. What problem is that highway expansion seeking to remedy?

The mismatch between Center Street and Midway Lane (SR-113), a one block offset, is unfortunate. It might be possible to redesign this area to eliminate one stop light on Main Street. UDOT found that closely spaced stop lights were problematic in their high traffic flow models, but they never offered any remedies. I've seen similar off set intersections in many other cities and they can work fine.

There may be other surface street improvements that could provide residents with better options than Main Street travel. I'm less familiar with the streets east of Main Street but this area can probably take some of the traffic load. Remember, about 70% of the traffic in Heber and along US-40 is local traffic.

The overall objective is to eliminate the need for a UDOT freeway system to bypass Heber. It will require that all of us accept some additional traffic, but if done correctly, the impact can be minimized.

ID 151

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1-28-26

Name DAVID ROBLING

Phone [redacted]

Email [redacted]

Address [redacted]

Would you like to receive email updates? (Yes) or **No**

PUBLIC COMMENT PERIOD: Jan. 9 – March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

DO NOTHING. NOT COST EFFECTIVE. THE DISRUPTION IS NOT WORTH THE BENEFITS

LET IT BE!!!

DO NOTHING.

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 326

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. **Local costs and responsibilities**
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,

Deb Stenger

Name

Address

Phone Number

Email Address

ID 152

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date Jan 28, 2026

Name Donna Kuzmiski

Phone [redacted]

Email [redacted]

Addres[redacted] Heber UT 84032

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

Heber has always been a beautiful quiet Wasatch back community. Although I understand progress, it reaches a point when you have destroyed the reason people wanted to live here. Freeways DO NOT belong in this beautiful valley. It would destroy our wetlands, wildlife, air and quality of outdoor activities currently the lore of beautiful Heber Valley.

Progress should be well thought out without losing site of the people that made this community the beautiful place it is.

Overdevelopment has destroyed many communities, please don't put Heber on that list.

All we here about is water conservation, yet development after development continues to get approved.

We need a mosatorium on building and development in this valley now.

Donna Kuzmiski

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

hebervalleyeis.udot.utah.gov
hebervalleyeis@utah.gov
801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

COUNTY MANAGER
Dustin A. Grabau

COUNTY PLANNERS
Doug G. Smith, Director
Austin Corry, Assistant Director
Anders Bake, Planner
Nathan Rosvall, Planning Tech.

BETTER BY NATURE
WASATCH
COUNTY
PLANNING

COUNTY COUNCIL
Kendall Crittenden
Colleen Bonner
Karl McMillan
Mark Nelson
Spencer Park
Erik Rowland
Luke Searle

MEMORANDUM

To: **UDOT Heber Valley Corridor EIS Team**

From: **Wasatch County**

Date: **6 March 2026**

Re: **UDOT EIS Public Comments**

DISCUSSION

The following items are concerns that the Wasatch County submits as a formal comment to UDOT:

ISSUE #1 north frontage road: The proposal shows a frontage road on the west side of highway 40 from Potter Lane that ends at the south end of the "Slopes" development. This frontage road provides access to several residents along the frontage road. The road appears to provide a second or emergency access and cu-de-sac for the Slopes development which is in Heber City. There is approximately 600 feet from the last dwelling to the south side of the Slopes development.
Discussion item: Please clarify the responsible entity for built assets. The final design will need to match the standards of the owning entity.

ISSUE #2 Proposed cul-de-sac at the south end of Southfield Road and no left turn at Southfield and 113: Southfield Road is a collector on the County Road classification map in the General Plan. This road currently accesses Highway 189. The road is a major access to the County event Center, Southfield Park, Heber Valley Railroad and the future County administration building as well as residents. This will greatly impede traffic flows to this area, especially during regional events. Please consider an option that allows for access to the Corridor from the south end of Southfield road.

Northbound drivers will not be able to turn left at the intersection of Southfield Road and Midway Lane to get to the bypass. Unless and until the realignment of Southfield Road at the high school intersection happens, all traffic will have to turn right and either go through town or make a U turn to get on the bypass. Wasatch County seeks support from UDOT on the Southfield Road realignment.

ISSUE #3 No trail access through Midway Lane interchange: The bypass has a trail along the route that will take an approximately ½ mile detour around the Midway Lane and bypass interchange. If bikers or walkers do not use the ½ mile detour there will be many conflicts under the overpass with entrances and

exits to the bypass. Staff feels that recreational riders and walkers may be happy to use the ½ mile detour, but active transportation riders will most likely brave the conflicts and go through the interchange. Please include bike lanes for users to navigate the interchange along Highway 113.

ISSUE#4 Regional trail gaps on the east side of Highway 40: The bypass proposal includes a 12' wide trail along the bypass route that would be a mixture of recreational and active transportation. Alternative A showed a trail along the east side of Highway 40 north of Coyote Canyon. Alternative B leaves a gap on the east side of Highway 40 between Potter Lane and the Coyote Canyon developments in Heber City. A trail along the east side of Highway 40 would be beneficial for active transportation in the North Village developments, UVU and Heber City that would have been accomplished with Alternative A. Please consider shifting trail improvements to the currently existing Highway 40 alignment for the segments that extend north of 900 North.

ISSUE #5 All proposed connections between the bypass and US-40 or US-189 transition from single-lane ramps to dual-lane segments on the bypass: The concern is that these single-lane connections may create operational bottlenecks where traffic merges into dual lanes, potentially reducing the effectiveness of the bypass.

For example, southbound US-40 traffic is reduced to a single lane to enter the bypass. While not all traffic may utilize the bypass at this location, northbound bypass traffic is required to transition from dual lanes to a single lane in order to continue northward. There are no alternative movements at this location, meaning 100 percent of northbound bypass traffic must merge into a single lane before re-expanding to dual lanes on US-40. This condition is of particular concern near the College Way (Potter Lane) area.

The stated purpose of the bypass is to provide a safe, efficient, and convenient route for through-traffic to bypass downtown Heber City from all three primary approaches. To fully meet this objective, the bypass should function as a continuous, free-flowing dual-lane facility along its entire length. Single-lane transitions may undermine this intent and could result in drivers perceiving Main Street as the more direct or reliable route based on the currently proposed configuration. Designing and constructing these facilities now may help avoid future operational deficiencies and costly retrofits as traffic demand increases.

Please consider making on- and off-ramps double lanes so that traffic is not impeded as they transition to or from the Corridor.

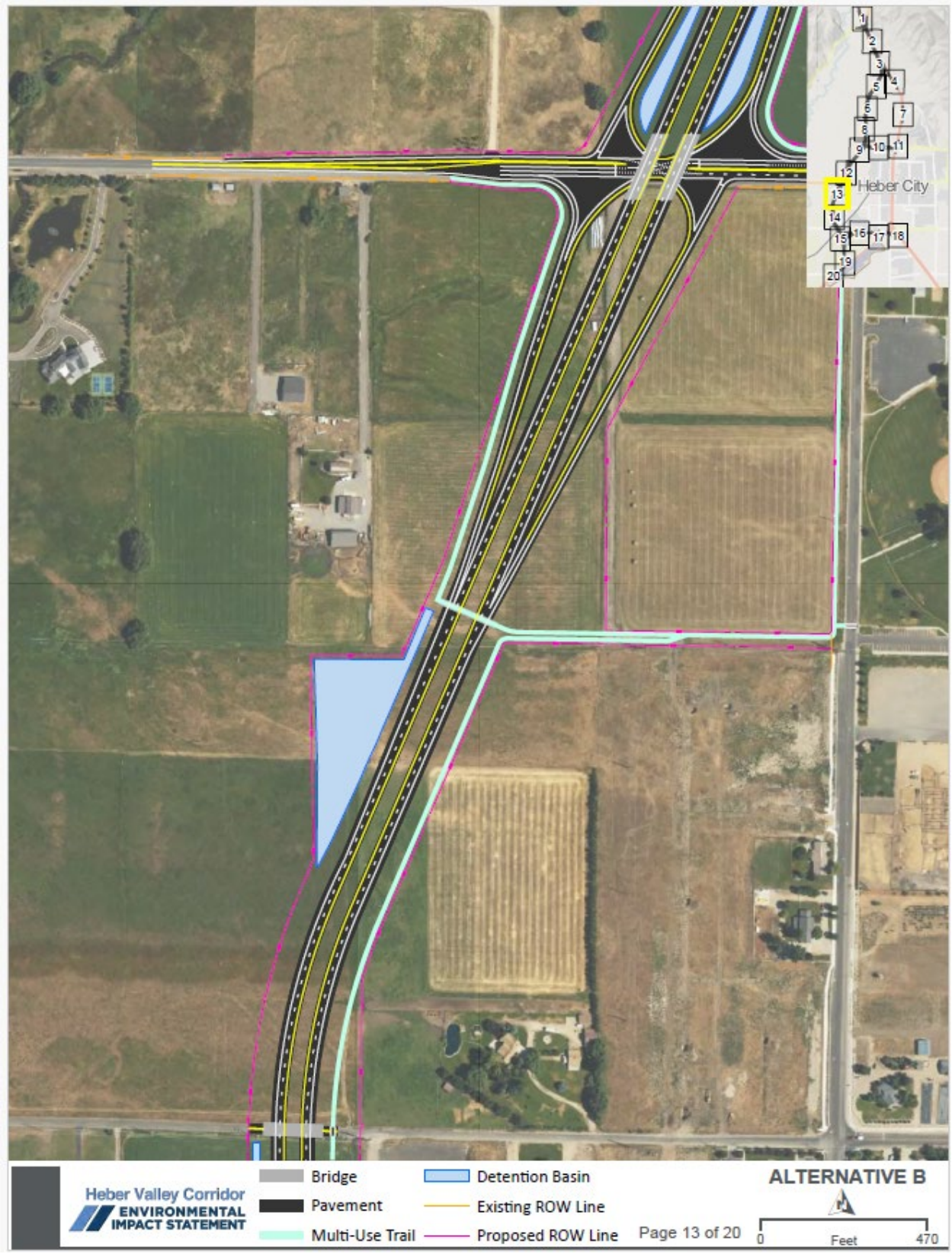
ISSUE #6 Wetland mitigation and purchase of mitigation land in the north fields area: The EIS states that there could be between 108 – 809 acres of preserved and purchased wetland mitigation property. The UDOT summary document states, "Throughout the study, UDOT has heard from the public and local government officials that they desire to protect the north fields. In response, and as a commitment to the community, UDOT will prioritize establishing a mitigation site in the north fields with either alternative and will submit this recommendation to the U.S. Army Corps of Engineers (USACE) for its approval in UDOT's Clean Water Act Section 404 permit application. Once designated, wetland mitigation sites have the potential to limit sprawl based on where they are located because they are protected in perpetuity and cannot be developed". (UDOT summary pg. S-27)

The county would support an effort for the mitigation ground to be in the area bordered by Highway 40 on the east, bypass on the west, 900 North on the South and Potter Lane on the north. This area is approximately 500 acres. If property in this area were purchased it would preclude sprawl along the highway 40 corridor and the bypass and provide a rural entry into the valley.

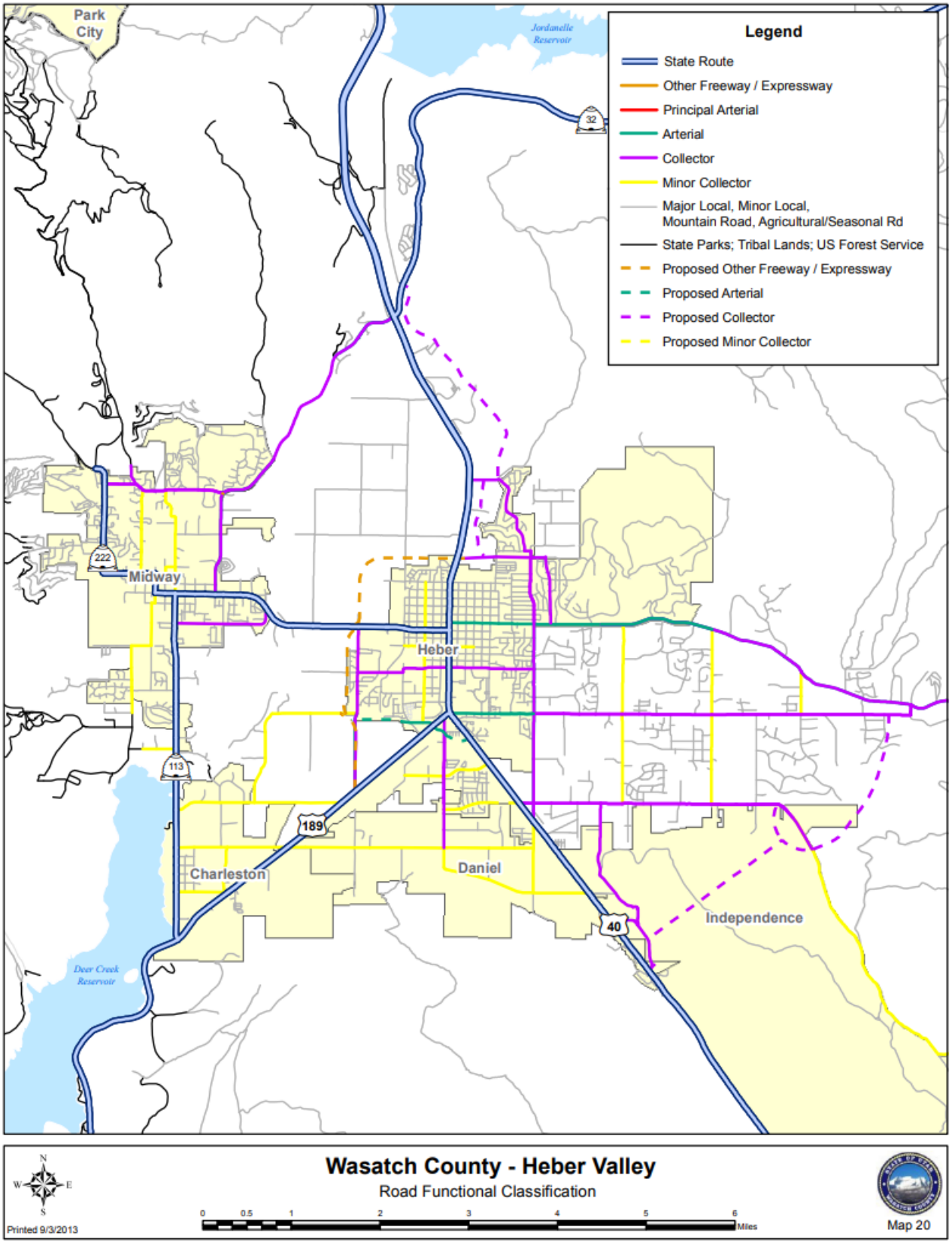
Please consider properties that minimize agricultural impacts and help prevent induced growth.

Frontage road on west side of 40 with emergency access into the Slope

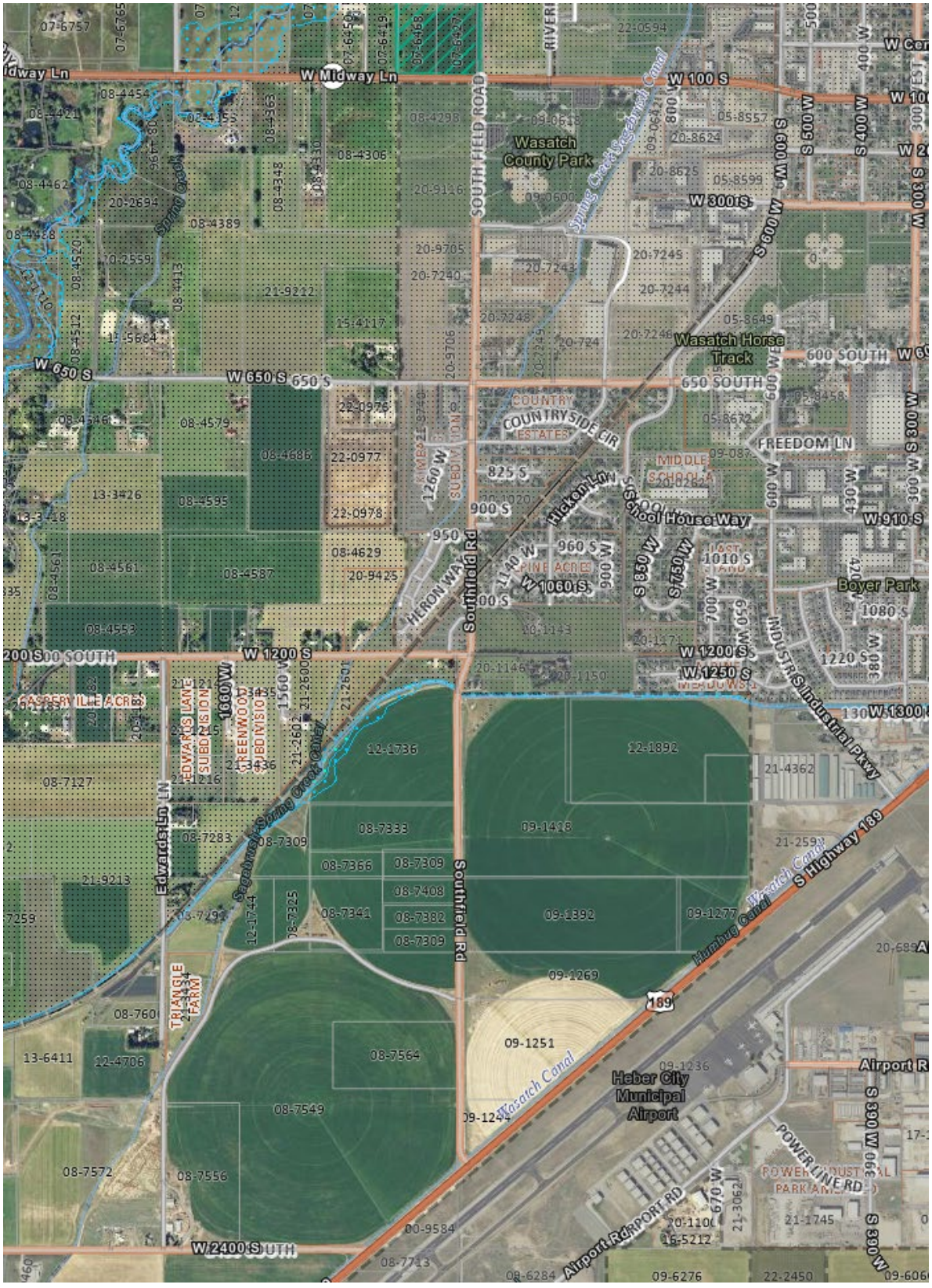
Trail bypass at Southfield Road



General plan road classification map



Southfield Road and tributary connections

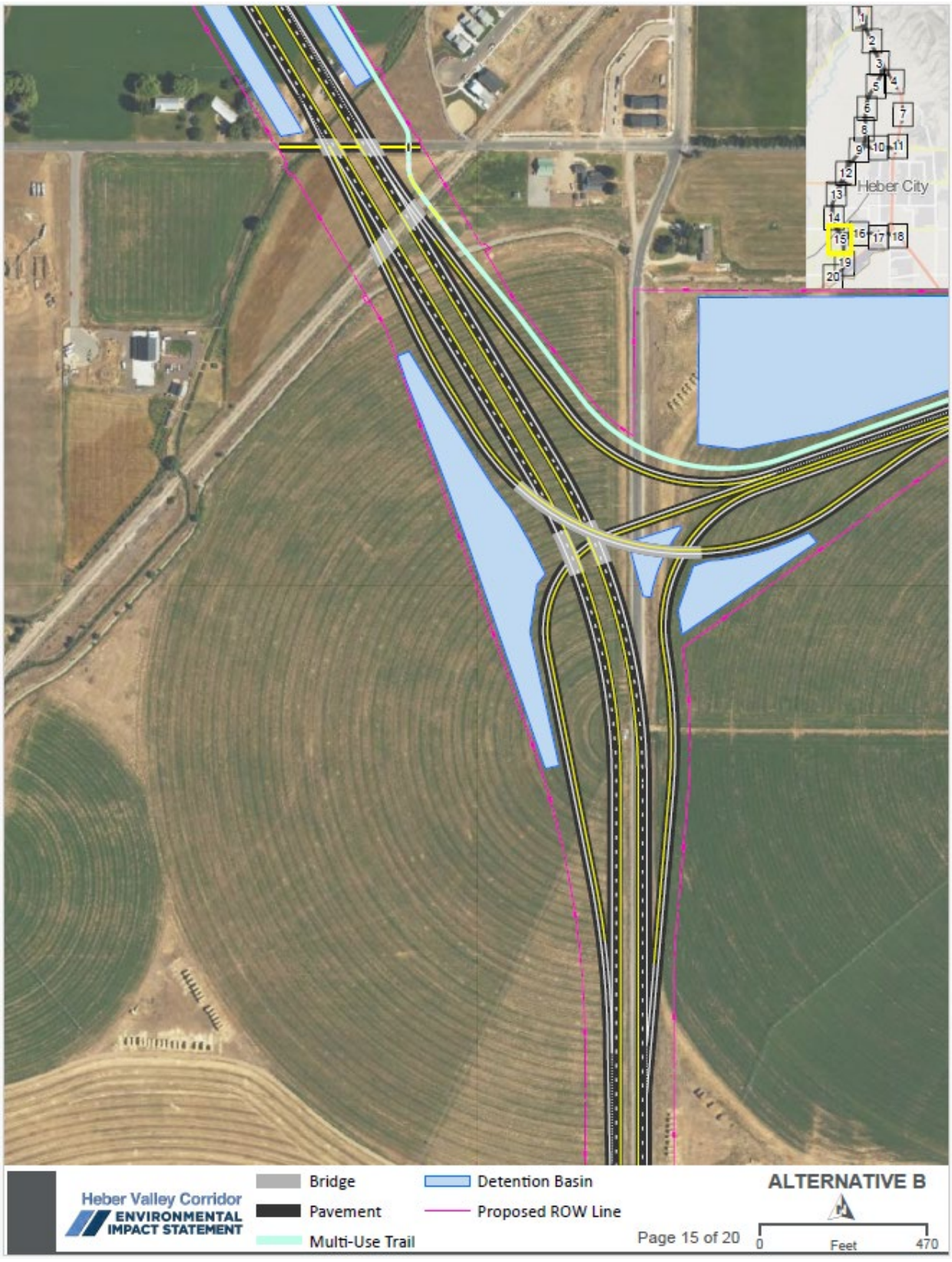


Trail gap south of Potter Lane interchange

Single Lane overpass

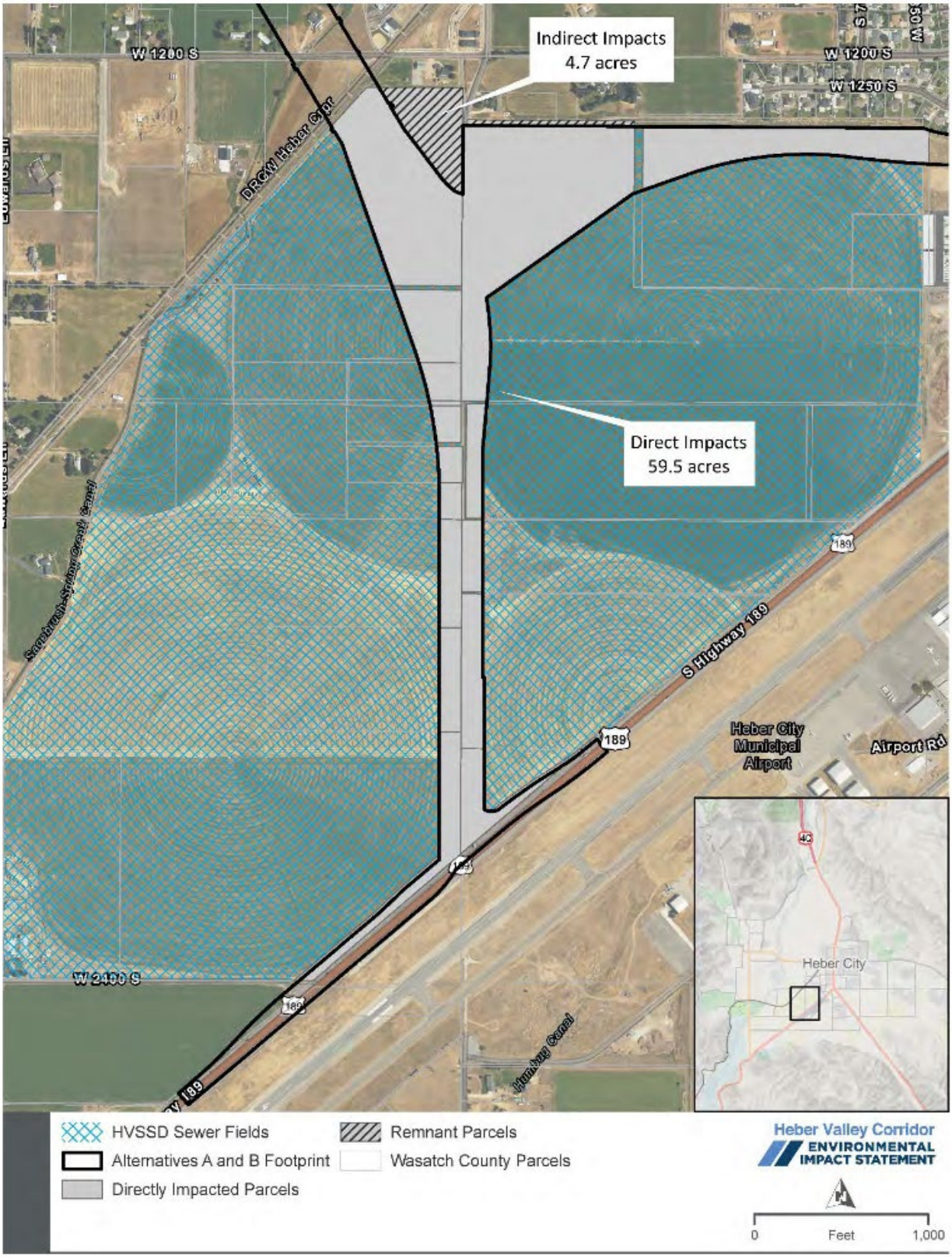
Single lane overpass

Single lane overpasses



Preferred Wetland preservation area

Figure 3.4-5. Sewer Field Impacts from Alternative A



ID 692

ID 552

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. **Local costs and responsibilities**
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,

Emily Armstrong

Name Emily Armstrong

Address [redacted]

Phone Nu

Email Ad

ID 405

The Holmes Family
Children of George Holmes
Heber Valley, Wasatch County, Utah

February 28, 2026

Heber Valley Corridor EIS Project Team
Utah Department of Transportation
Via email: hebervalleyeis@utah.gov

Re: Comment of the Holmes Family on the Heber Valley Corridor Draft Environmental Impact Statement — Preferred Alternative B

Dear Project Team:

We are the children of George Holmes and part-owners of land in the North Fields. We are writing this comment together because the land UDOT proposes to destroy is not just our father's property—it is where we grew up, where we learned to work, and where some of us still earn our living. For several of us, our income depends directly on the productivity of the North Field operation. And it is not just our family. Our father's operation employs many people whose families depend on this work to pay their mortgages, feed their children, and build their lives in this valley. This is not only our family's legacy. It is our livelihood—and theirs.

We were raised on our father's dairy and livestock operation. From the time we were old enough to sit on a horse or ride in the back of a truck, we were out in the North Fields—moving cattle between pastures, helping with irrigating, checking fences, and doing the work that keeps a livestock operation running. We did not grow up watching this land from a distance. We grew up *on* it, with mud on our boots and hay in our hair, learning from our father that the ground under your feet is only as good as the care you put into it.

Our father operates across the state of Utah. We have worked alongside him on ground from one end of this state to the other. We can tell you from our own experience that there is nothing like the North Fields. The soil is different. The feed it produces is different. The cattle know it—you can see the difference in the herd when they are grazing North Field pasture versus anything else we run. Our father has said publicly that the North Fields are irreplaceable, and we are writing to tell you that he is right. We have seen the comparison firsthand, across years and across the state. There is no substitute for this land.

UDOT's proposed Alternative B would put a four-lane highway between our father's dairy and the North Field pastures we grew up working. His home and dairy facilities are less than two miles from the North Fields. We moved cattle back and forth across that ground our entire lives. Alternative B would end that. The DEIS does not include a single cattle underpass, livestock crossing, or agricultural corridor anywhere along the highway through the North Fields. That

means the pastures we helped build and maintain—pastures that are still physically there, still producing the best feed in the valley—would become land our family can no longer use. Not because the soil failed. Not because the water dried up. Because UDOT designed a highway without any way for a cattle operation to function across it.

We want to be clear about what that means in real terms. This is not about losing a strip of land under a road. **It is about losing access to every North Field pasture on the other side of that road.** Cattle cannot cross a four-lane highway. When you sever a livestock operation from its pastures, you do not just impact it—you destroy it. The DEIS does not study this. It does not acknowledge it. It counts the acres under the highway footprint and calls the rest "mitigable." We grew up on this operation. There is nothing mitigable about watching your best ground go unused because a state agency could not be bothered to design a cattle crossing.

Our father built this operation over a lifetime. He taught us what this land can do and what it takes to keep it productive. Some of us work this operation today—our income depends on the cattle that graze North Field pasture and the dairy production that North Field feed supports. Others of us hoped to return to carry the operation forward as the next generation. But the harm extends well beyond our family. The Holmes operation supports many families in this community—people who work the dairy, manage the cattle, maintain the equipment, and keep the operation running day to day. When you destroy an operation's access to its primary feed source, you do not just hurt the owner. You upend the lives of every family that depends on that operation for work. Alternative B would take all of those futures away. You cannot sustain a family's income—or the incomes of the families who work alongside them—on an operation that has been cut off from its feed source. You cannot pass down a dairy whose best pastures sit empty on the other side of a highway. And you cannot tell the families who depend on this work that their jobs are "mitigable" when the DEIS does not contain a single word about the employment and economic ripple effects of destroying a major agricultural operation in this valley.

We also share the community's concern about water. We grew up drinking the water that comes from beneath the North Fields. Our father's cattle drink from the same source. UDOT's own data shows the highway would push deicing salt concentrations above the legal limit for the aquifer—and the DEIS proposes dumping all runoff straight into the ground with no treatment. That is not a technical concern to us. It is personal. It is the water we grew up on.

We support our father's formal comment and the North Field Irrigation Company's comment identifying 99 deficiencies in the DEIS. We ask UDOT to select Alternative A, which is less damaging and less costly by every measure. If Alternative B must proceed, we ask that it be moved as close to US-40 as possible and that UDOT design actual livestock crossings so that the operations this highway bisects can survive.

We are not engineers or lawyers. We are the people who grew up doing the work on the ground that UDOT proposes to destroy—and some of us are the people whose paychecks still depend on it. So are the many families who work alongside us and whose livelihoods will be upended if this operation is destroyed. We know what this land is worth because we have spent our lives on it. We are asking you not to take it away—not from our father, not from our family, not from the families who depend on this operation for work, and not from this valley—for 70 seconds of saved travel time.

Respectfully submitted,

Emily H. Rodriguez

Emily H. Rodriguez
Owner of North Field land
Heber Valley, Wasatch County, Utah

ID 487

George Holmes
Heber Valley, Wasatch County, Utah
NFIC Shareholder and Member, Board of Directors

February 28, 2026

Heber Valley Corridor EIS Project Team
Utah Department of Transportation
Via email: hebervalleyeis@utah.gov

Re: Individual Landowner Comment on the Heber Valley Corridor Draft Environmental Impact Statement — Preferred Alternative B

Dear Project Team:

My name is George Holmes. I am a large-scale livestock operator and dairy producer with operations spanning the state of Utah. I own property in the North Fields of the Heber Valley, where I operate critical pastures that are integral to my dairy and livestock enterprise. My home and primary dairy facilities are located less than two miles from the North Fields. I also serve on the Board of Directors of the North Field Irrigation Company ("NFIC"). I submit this comment in my *individual capacity* as a directly impacted property owner whose North Field land will be partially condemned and whose entire operation will be permanently impaired by Preferred Alternative B. My operation employs many people whose families depend on this work for their livelihoods. The consequences of Alternative B extend far beyond my property line—they reach into the homes of every family that depends on this operation for a paycheck.

I urge UDOT to select Alternative A or, at minimum, realign Alternative B as far east toward US-40 as possible. As proposed, **Alternative B will not merely take a strip of my North Field land—it will sever my access to pastures that are essential to my dairy operation and that cannot be replaced by any other ground I operate anywhere in the state.**

The Bypass Will Destroy Far More Than the Land It Takes

I operate North Field pastures as part of an integrated livestock and dairy system. My dairy and home base are less than two miles away. I move cattle regularly between my home facilities and the North Field pastures for rotational grazing, feeding, and herd management. Alternative B would place a four-lane divided highway between my base of operations and my North Field ground—with no livestock crossings, no cattle underpasses, and no agricultural corridors anywhere in the DEIS design.

The result is not just the loss of the land under the highway. **It is the functional loss of every North Field pasture I can no longer move cattle to or from.** Pastures that are physically intact but cut off from my dairy facilities by an impassable highway are pastures I cannot use. The DEIS counts only the acres under the right-of-way as "impacted." It entirely ignores the far larger acreage that becomes operationally useless when a livestock operation loses the ability to access its own land.

This Land Cannot Be Replaced—I Know Because I've Looked

I operate across the state of Utah. I know what agricultural land looks like in every corner of this state. The North Field pastures are **irreplaceable**. The alluvial soils, sustained by NFIC's 165-year-old gravity-flow irrigation system, produce forage of a quality and nutritional density that I have not found on any other ground I operate. For a dairy operation, feed quality directly determines milk production, butterfat content, and animal health. Losing access to this feed—not because the land has been destroyed, but because UDOT designed a highway without a single cattle crossing—will force me to purchase replacement feed at substantial ongoing cost or reduce my herd. Either outcome fundamentally damages the economics of my dairy—and with it, the livelihoods of the many families who work this operation. When a dairy is forced to reduce its herd or absorb unsustainable feed costs, the people who lose their jobs are not abstractions on a spreadsheet. They are families in this valley whose lives will be upended by the loss of work. UDOT has conducted no analysis of these cascading agricultural and employment impacts.

The Valley's Water Is at Stake

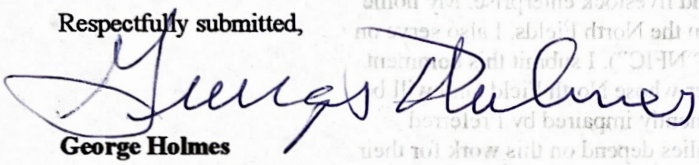
As an NFIC Board member, I have firsthand knowledge that NFIC warned UDOT repeatedly—beginning in June 2022—about the risks Alternative B poses to the Class IA pristine aquifer beneath the North Fields and to NFIC's senior water rights. UDOT's own stormwater model shows that deicing salt concentrations would exceed the legal limit for this aquifer. The DEIS proposes no treatment and no contingency plan. My operation depends on clean water. The community depends on clean drinking water. UDOT is asking us to gamble both.

What I Am Asking

I formally request that UDOT: (1) select Alternative A, which is less damaging and less costly in every measurable environmental category; (2) if Alternative B proceeds, realign it as close to US-40 as possible; (3) conduct the severance damage analysis, agricultural economic impact study, and livestock crossing assessment that the DEIS omits entirely; and (4) issue a Supplemental DEIS that addresses the 99 deficiencies identified by NFIC before any Record of Decision is issued.

This land is my livelihood, my family's future, and the economic foundation for the many families whose work depends on this operation. I operate across this state, and I can tell you without hesitation that there is no replacement for North Field ground. The DEIS proposes to cut me off from the most productive pastures in my entire operation—land I will be able to see from less than two miles away but can no longer use—all to save 70 seconds of travel time compared to Alternative A. I ask UDOT to consider not just the land on its maps but the people whose lives depend on what that land produces.

Respectfully submitted,



George Holmes
Landowner, Livestock Operator, and Dairy Producer
Member, Board of Directors, North Field Irrigation Company

ID 153

UDOT Comment: Support for Alternative B

Eric Gingras | 15-Year Resident | Real Estate Professional

THE FACTS

- **Regional Growth:** We are the bridge between Park City, Jordanelle, Deer Valley and Sundance, Provo/Orem. That growth is real, and we need to manage it responsibly.
- **Saving Neighbors:** Alternative A forces us to remove local homes and businesses. Alternative B preserves our community's core.
- **Traffic Reality:** Industrial trucks and weekend travelers are increasing. They need a dedicated route *around* us, not *through* our neighborhoods.
- **The Data:** Alternative B is simply the better long-term solution for traffic flow and reduced congestion.

THE FUTURE

- **Engineering Confidence:** Concerns about water mitigation are valid, but they are solveable engineering challenges, not deal-breakers.
- **Our Identity:** We are evolving from strictly agricultural to a premier Resort Community. Our infrastructure needs to match that new reality.
- **Vibrant Main Street:** To have the walkable, thriving downtown we all want, we *must* move the heavy traffic to the bypass (Alt B).

Closing: "Alternative B allows us to honor our past while building a functional future. Thank you."

ID 33

Amphibian Refuge

Website: amphibianrefuge.org

[redacted]
Albuquerque, NM 87111

January 15, 2026

Utah Department of Transportation
Uploaded to Website Form

RE: Comment on Heber Valley Corridor DEIS

Amphibian populations are declining worldwide, and amphibians are experiencing high extinction rates due to habitat loss, chytrid fungus, pollutants, pesticides, invasive species, and climate change. Amphibians are the most threatened class of vertebrates. Climate change is modifying amphibian habitats and hydrologic conditions.

We recommend that amphibian population surveys be conducted in potential amphibian habitats. If amphibians are located, they should be relocated to a protected area.

Thank you for this opportunity to comment.

References

Catenazzi, A. 2015. State of the World's Amphibians. *Annual Review of Environment and Resources, 40: 91-119.*

Collins, J.P., and M.L. Crump. 2009. *Extinction in Our Times: Global Amphibian Decline. New York, NY: Oxford University Press.*

International Union for the Conservation of Nature. 2024. *Amphibian Conservation Action Plan.* Gland Switzerland: International Union for the Conservation of Nature.

Kolbert, E. 2014. *The Sixth Extinction, an Unnatural History, Chapter 1.* New York, NY: Bloomsbury.

Luedtke et al. 2023. Ongoing Declines for the World's Amphibians in the Face of Emerging Threats. *Nature, Volume 622, 12 October 2023, 308-314.*

McCallum, M.L. 2007. Amphibian Decline or Extinction? Current Declines Dwarf Background Extinction Rate. *Journal of Herpetology, Volume 41, Number 3, pp. 483-491.*

ID 621

PROVO RIVER
WATERSHED COUNCIL

Utah Department of Transportation
Heber Valley Corridor EIS
hebervalleyeis@utah.gov

March 9, 2026

Subject: Comment Letter regarding the Heber Valley Corridor Draft Environmental Impact Statement

UDOT Project Team:

On behalf of the Provo River Watershed Council (PRWC), we are writing to formally introduce our organization and mission. Established in 1982 to oversee the implementation of the water quality management plan for the Jordanelle and Deer Creek Reservoirs, the PRWC serves as a vital forum for communication and coordination among federal, state, and local stakeholders. Our council is dedicated to facilitating projects and policies that protect, restore, and improve the chemical, physical, and biological integrity of the Provo River and its many tributaries.

As a stakeholder-driven organization, we represent a diverse coalition of interests, including major entities that financially support our mission such as the Central Utah Water Conservancy Project, the Metropolitan Water District of Salt Lake and Sandy, and the Jordan Valley Water Conservancy District. Together, we rely on the long-term health and stability of this watershed. We operate as a technical and advisory resource, ensuring that developmental impacts are balanced with the critical need to safeguard the water resources that sustain the Heber Valley and the broader Wasatch Mountains.

In support of this mission, our Governing Board has adopted a comprehensive Strategic Plan that prioritizes the mitigation of top-tier risks to the watershed—specifically identifying 'Development,' 'Stormwater,' and 'Traffic Events' as primary threats that require proactive, science-based management actions over the next 20 years

We wish to express our vested interest in the long-term impacts this project will have on our watershed as UDOT moves toward a Record of Decision in summer 2026.

Our primary goal is to establish a collaborative, long-term partnership with UDOT to mitigate water quality impacts and manage drainage/runoff once a final alignment is selected. We believe that by working together during the design phase, we can ensure that modern Low Impact Development (LID) standards are met and that the road's drainage infrastructure is compatible with existing irrigation and natural flow patterns.

The PRWC is prepared to provide local expertise during the upcoming permitting phases to ensure that the project's permanent water quality controls are engineered to offer the highest level of protection for the watershed.
UDOT's stated mission for this project is to keep Utah moving while enhancing the quality of life through transportation improvements. The PRWC believes that preserving the pristine water quality of the Provo River is a fundamental component of maintaining that quality of life for residents in the Heber Valley and beyond. We view ourselves as a local stakeholder and technical resource, and we believe that early and consistent coordination will ensure that UDOT's transportation objectives are met while upholding our shared responsibility to protect these vital water resources.

We look forward to a productive partnership as this project enters the final design and permitting phases.

Sincerely,

Eric Sorensen, Vice-Chair of the Provo River Watershed Council

ID 689

Midway

WASATCH COUNTY

Midway City Council
160 West Main Street
Midway, Utah 84032

Wasatch County Council
25 North Main Street
Heber City, Utah 84032

Dear Director and Project Team,

On behalf of Midway City and Wasatch County Council, we extend our appreciation for the substantial effort undertaken by UDOT in preparing the Heber Valley Corridor EIS. We recognize the regional importance of improving safety, mobility, and system redundancy within the Heber Valley and respect the complexity of the balancing required in this process.

After careful review of the Draft EIS, the Preferred Alternative Technical Report, and extensive public engagement within our community, Midway City and Wasatch County Council respectfully submits that:

An alternate alignment based on Route B but located as close to the existing US-40 footprint as possible is a more appropriate and sustainable long-term solution for the Heber Valley Corridor

While we recognize this is not one of the presented alternatives, we feel our recommendation is supported by state and federal law, and reflective of overwhelming public support within Midway City and Wasatch County. We present the following considerations in a spirit of partnership and constructive dialogue.

---

1. Protection of Water Quality, the Class 1A Aquifer, and Drinking Water Standards

Portions of the Heber Valley are underlain by high-quality groundwater resources classified under **Utah Administrative Code R317-6** as **Class 1A – Pristine Ground Water**, the highest level of groundwater protection under Utah law.

The regulatory objective for Class 1A groundwater is to maintain existing high quality and prevent degradation. Transportation infrastructure that expands into recharge areas increases exposure to:

- Highway stormwater infiltration,
- De-icing chemical loading,
- Long-term pollutant migration,
- Spill risk in proximity to recharge zones.

Although surface water modeling may show compliance with numeric standards, groundwater protection under R317-6 is preventative in nature and designed to avoid degradation before it occurs.

Furthermore, the proposed Route B directly affects a number of established canals and waterways specifically designed to facilitate the flood-control irrigation process. This flood-control is essential to the aquifer recharge process. By disrupting and/or removing these long established waterways could significantly affect this aquifer.

Rerouting Route B to run as close as possible to US-40 limits expansion into new recharge areas and better aligns with the preventative intent of Utah's groundwater protection framework.

Midway WASATCH COUNTY

Midway City and Wasatch County requests:

- A route-specific recharge/vulnerability narrative and map set (with GIS) identifying where each alternative overlies the most sensitive recharge areas and DWSP zones (R309-600);
- Long-term chloride/TDS loading projections that extend meaningfully beyond the design year (to reflect multi-decade operations and accumulation trends);
- Clear groundwater monitoring commitments (locations, frequency, thresholds, and corrective actions) tied to enforceable triggers; and
- A transparent demonstration that selecting Route B would not increase the risk of groundwater degradation relative to Route A under Utah's groundwater and drinking water source protection standards.
- An assessment of how the selected alternative affects potential future compliance under §19-4-113.

Protection of drinking water resources is among the highest priorities. It is both the City and the County's findings that the currently proposed Route B demonstrates the highest practicable risk to groundwater and is not consistent with Utah's groundwater and DWSP frameworks.

Therefore it is both the City and County's opinion that by realigning Route B to run as closely as possible to the existing US-40 corridor will mitigate these risks to this irreplaceable aquifer.

---

2. Historic Preservation, Agricultural Cultural Landscapes and Section 106/4(4) Risks

We recognize UDOT's concerns regarding potential historic resource impacts associated with Route A. However, federal law requires that historic agriculture properties should not only be avoided whenever feasible but treated with equal weight as physical structures.

Under **Section 106 of the National Historic Preservation Act (54 U.S.C. §306108)** and **Section 4(f) of the U.S. Department of Transportation Act (49 U.S.C. §303)**, is not limited to demolition of physical buildings. Under the implementing regulations (36 CFR 800.5), adverse effects also include impacts that diminish a property's integrity through changes to its setting, feeling, or association. This includes visual, noise, or other environmental intrusions that alter the historic character of a landscape.

Both the City and the County are concerned that the Draft EIS focuses primarily on individual structures and does not fully evaluate the North Fields as a **historic agricultural cultural landscape**. This landscape includes:

- Historic agricultural landscape integrity and field patterns,
- Irrigation ditch/canal networks as contributing systems,
- Rural farm complex context and continuity, and
- The integrity elements of setting, feeling, and association.

Route B introduces a new corridor into what is currently an intact rural landscape. This would create new visual and noise intrusion and permanently alter the larger agricultural setting. Even if Route A presents more site-specific right-of-way impacts, Route B creates a broader landscape-level impact that increases the risk of adverse effect findings under Section 106 and potential vulnerability under Section 4(f).

The historic and agricultural importance of the North Fields is not a recently established designation. It has been consistently recognized in City and County planning actions and public initiatives for decades. Of few of which include:

- Joint Wasatch County/Heber City UDOT letter with map showing preferred bypass route – June 13, 2000 (see table 1)
- Wasatch County RPO Proposed By-Pass map – June 2000 (see table 2)
- Resolution No. 06-04 in support of bypass with map alignment – Aug. 2006 (see table 3)
- Resolution No. 2007-05 in support of bypass with map alignment – June 2007 (see table 4)
- South Bypass Study presentation – 2009 (see table 5)
- Heber City Master Road Plan – April 2010 (see table 6)
- Voter initiative approving open space preservation bonds – Nov. 2018 (see table 7)
- Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022 (see table 8)
- Resolution No. 24-03 supporting conservation of the North Fields – May 2024 (see table 9)

Given this longstanding record, we respectfully request the following:

- Evaluate the North Fields explicitly as a potential historic district/agricultural cultural landscape (including irrigation systems and field patterns) and compare alternatives using integrity factors (including setting, feeling, and association) **per 36 CFR 800.5**;
- Clearly distinguish "direct effects" from "setting-based/cultural landscape effects" so the record does not underweight Route B's broader landscape intrusion; and
- Provide a transparent Section 4(f) pathway explanation identifying feasible/prudent avoidance options and, if use is unavoidable, the minimization framework (49 U.S.C. § 303).

In summary, Route B introduces a new corridor through intact rural and agricultural historic landscapes, creating broader setting-based impacts that present greater risk under both Section 106 and Section 4(f). A realignment of Route B to run as close as possible to the existing US-40 footprint would substantially reduce these landscape-level effects. It is both the City and the County's opinion that until such analysis is fully developed, the record does not clearly demonstrate that Route B represents the least overall harm.

---

3. Protection and Expansion of Conservation Easements and Vote-Mandated Open Space Policy

The City and County's commitment to open space preservation is voter-mandated. In 2018, Wasatch County voters approved a $10 million Open Space Bond to preserve agricultural lands and conservation easements, with an emphasis on the North Fields. That bond reflects a clear and direct policy mandate from the residents of this County.

Under **Utah Code §17-27a-305 and §17-41-101 et seq.**, counties are authorized to protect agricultural land and establish Agriculture Protection Areas. Infrastructure placement that unnecessarily fragments such areas undermines the very statutory framework the state has created to preserve them.

As such, the County has partnered with landowners to secure voluntary conservation easements that preserve:

- Working agricultural lands
- Scenic viewsheds and rural character
- Wildlife corridors
- Long-term community identity and heritage

Route B directly undermines these objectives by introducing a new corridor through the North Fields. This action:

- Complicates or constrains easement design and long-term stewardship;
- Reduces landowner willingness to participate due to uncertainty and corridor-adjacency impacts; and
- Has already chilled and/or delayed easement negotiations in practical terms.

Realigning Route B to run as close as possible to the existing US-40 footprint is more compatible with the County's conservation easement strategy. This alignment will ensure as much opportunities for conservation easements as possible.

---

4. Minimization of Open Space and Aquatic Resource Fragmentation (Wetland/LEDPA/404)

The Draft EIS identifies **Route B as the Least Environmentally Damaging Practicable Alternative (LEDPA)**. However, selection of an alternative as the **LEDPA** is ultimately a §404(b)(1) Guidelines compliance determination that must be supported by a **complete, permit-ready alternatives record** consistent with **40 C.F.R. § 230.10(a)**. Under § 230.10(a),

"*No discharge…shall be permitted if there is a practicable alternative…which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse* ***environmental*** *consequences.*"

Appendix 2F of the Draft EIS acknowledges that **Route A has lower aquatic resource impacts than Route B**. Even with that acknowledgement, it still concludes that Route B is the LEDPA. Because Route B is associated with greater aquatic impacts, the Final EIS should more clearly and transparently demonstrate—using the § 230.10(a) framework — why the less-aquatic-impact alternative is not the LEDPA due to "other significant adverse **environmental** consequences". It should also provide the underlying technical support for that conclusion at a level suitable for Corps review and incorporation into a future §404 permit application.

To ensure the record is complete and defensible, the Final EIS should include (or clearly reference in an accessible appendix) the following key LEDPA components:

- **Jurisdictional Basis and Delineation Status**
  The Final EIS should clearly identify:
  - Which aquatic features are being treated as jurisdictional waters of the United States;
  - Which determinations are based on preliminary delineations or professional judgment versus USACE-approved Jurisdictional Determinations (JDs);
  - The degree of uncertainty associated with those determinations; and
  - Whether that uncertainty could materially affect the comparative aquatic impact totals between Routes A and B.

Midway WASATCH COUNTY

Without this clarity, it is difficult to confirm that the aquatic comparison underlying the LEDPA determination is consistent and reliable.

- **Practicability and Design Variant Analysis**
  The record should clearly document:
  - Any design refinements or sub-variants considered to avoid or reduce aquatic impacts within each route;
  - Whether additional avoidance or minimization measures were evaluated;
  - Why any such measures were determined to be impracticable.

The Clean Water Act requires consideration not only of alternatives, but also of practicable avoidance and minimization measures. The Final EIS should demonstrate that such measures were thoroughly evaluated.

- **Support for "Other Significant Adverse Environmental Consequences"**
  If Route B is selected despite having greater aquatic impacts, the record must clearly and quantitatively explain the non-aquatic impacts that justify that decision under § 230.10(a)

  This explanation should identify:
  - The specific impacts relied upon (e.g., relocations, Section 4(f) constraints, cost, constructability);
  - The metrics or thresholds used to evaluate those impacts;
  - The technical sources supporting those conclusions;
  - Whether those determinations are final or subject to further refinement before the Record of Decision.

A transparent, evidence-based explanation is necessary to demonstrate compliance with the Clean Water Act framework.

- **USACE Coordination and Permit Record Clarity**
  The Final EIS should identify:
  - The current status of coordination with the U.S. Army Corps of Engineers regarding the different route analysis;
  - Whether the Final EIS and its appendices are intended to serve as the Section 404(b)(1) alternatives analysis record;
  - What additional documentation (such as approved delineations or Jurisdictional Determinations) will be submitted with the permit application.

Due to the importance of ensuring this project proceeds with as few legal challenges as possible, the City and County wish to ensure that as much clarity as possible is provided at this stage. We feel this will only strengthen the defensibility and efficiency of the future permitting process.

Requested Action: To ensure the Final EIS provides a transparent, permit-ready foundation for §404(b)(1) compliance, we respectfully request that UDOT:

- Publish, as a public appendix, the complete LEDPA comparison tables and supporting data used to compare aquatic impacts and practicability across alternatives. This should include acreage summaries by resource type, avoidance and minimization variants evaluated, and assumptions regarding jurisdictional status.

- Clearly identify in the Final EIS the specific documents, tables, GIS layers, and technical reports that will be submitted to the U.S. Army Corps of Engineers as the Section 404 alternatives analysis record, including delineation materials and the methodology supporting the § 230.10(a) determination.

Midway City and Wasatch County are committed to engaging with landowners affected by either route and are willing to work collaboratively with UDOT to evaluate and refine an alignment that **runs as close to the US-40 footprint as possible** as a potentially viable option.

Accordingly, the Final EIS should:

- Acknowledge this ongoing local coordination effort,
- Identify a clear near-term process and schedule for structured work sessions with UDOT, Heber City, Midway City, Wasatch County, and affected landowners

---

5. Protection of Agricultural Viability, Parcel Continuity, and Working-Lands Functionality (FPPA)

The inclusion of Farmland Protection Policy Act (FPPA) evaluation materials in the Draft EIS confirms the presence of prime and important agricultural lands within the project area. Agricultural viability depends on:

- Contiguous parcels suitable for mechanized farming
- Efficient irrigation canal systems
- Practical equipment crossings and predictable access patterns
- Minimizing corridor-induced fragmentation and operational inefficiency

Both routes incorporate free-flow elements that consolidate access and reduce at-grade crossings. However, **Route B's creation of a new corridor across working agricultural lands increases risk** by:

- Splitting viable farm parcels and reducing operational efficiency,
- Increasing travel distance and complexity for agricultural equipment and irrigation management, and
- Accelerating speculative land value pressures and growth inducement near new interchanges.

Regardless of which route is ultimately selected, the City and County express their strong concern that any agricultural land acquired by UDOT for the Heber Valley Corridor project should, to the maximum extent practicable, remain in **active agricultural use**. The permanent removal of farmland from agricultural operation — beyond what is strictly necessary for roadway infrastructure — would undermine both the intent of Utah's Agriculture Protection Area statutes (Utah Code §17-41-101 et seq.) and the clear policy direction established by Wasatch County voters through the Open Space Bond.

Where right-of-way acquisition results in remnant parcels, buffer areas, or temporary construction zones, the City and County respectfully requests that UDOT implement mechanisms — such as agricultural leases, conservation-compatible management, or cooperative agreements with adjacent landowners — to ensure continued farming activity. Preserving agricultural productivity on acquired lands not only honors statutory preservation objectives, but also mitigates fragmentation impacts and supports the long-term viability of the County's working landscapes.

In addition, both the City and the County are prepared to work collaboratively with UDOT to identify suitable agricultural lands within Wasatch County that may fulfill the applicable 2:1 mitigation requirement, ensuring that mitigation efforts meaningfully preserve farmland and align with local conservation priorities.

---

6. Consolidation of Infrastructure Within an Existing Corridor

It is the City and County's opinion that from a land-use, open space, and preservation standpoint, consolidating transportation improvements within an established corridor is significantly preferable to introducing a new limited-access corridor through currently intact agricultural and open lands.

Rerouting Route B to run as close to the existing US-40 footprint:

- Builds upon an existing transportation footprint;
- Limits the geographic spread of transportation infrastructure;
- Better aligns with adopted County land-use priorities; and
- Aligns with voter-mandated open space preservation.

Route B as presented introduces a new transportation spine into areas that presently function as open space and a working agricultural landscape. Even where direct right-of-way impacts may be debated on a parcel-by-parcel basis, the long-term fragmentation and setting-based impacts differ substantially from Route A.

---

7. Segment Road Closures, Access Consolidation, and Proposed Overpasses

The City and the County have major concerns regarding the proposed road closures, access consolidation measures, and grade-separated overpasses. While the City and the County recognize the safety and operational objectives associated with free-flow traffic patterns, the cumulative effect of eliminating at-grade intersections and consolidating access points warrants closer examination.

The proposed consolidation of local road connections into fewer interchange locations — combined with permanent closure of certain at-grade crossings — may substantially alter local mobility patterns in ways that are not fully quantified in the Draft EIS.

Specifically, the City and the County requests clarification and further analysis in the following areas:

- A comprehensive, side-by-side matrix identifying every existing public road, private access, and agricultural crossing proposed for closure, relocation, grade separation, or consolidation through both proposed routes;
- Quantified analysis of increased travel distance for agricultural equipment and livestock movement resulting from the elimination of at-grade crossings;
- Evaluation of farm equipment turning movements and the operational feasibility of the proposed overpass locations;
- Emergency response modeling demonstrating that response times and route redundancy will not be adversely affected by closure of local connections;

- Before-and-after connectivity mapping showing redistribution of local traffic patterns.

While individual closures may appear minor when evaluated independently, the cumulative effect of multiple closures — combined with limited crossing opportunities — may create increased travel burden for agricultural operators, livestock operations, reduce network redundancy during emergency events, and concentrate local traffic at fewer high-speed interchange nodes.

The City and the County also requests that UDOT document whether alternative design configurations were evaluated, including (see Table 11):

- partial grade separation,
- modified intersection control,
- possibility of roundabouts,
- reduced design speed approaches in limited areas,
- or context-sensitive solutions that could preserve additional local crossings while still achieving safety objectives.

The City and County's concern is not simply the presence of overpasses, but whether the recommended design represents the **minimum necessary intervention** to achieve corridor safety and mobility goals.

Accordingly, the City and the County respectfully requests additional documentation demonstrating that the proposed road closures and overpasses **reflect the least disruptive practicable design and that all reasonable avoidance and minimization measures have been fully considered**.

---

8. Pedestrian Safety, Walkability, and Community Connectivity

Midway City and Wasatch County respectfully submit that pedestrian safety and walkability warrant greater emphasis in the evaluation of both corridor alternatives.

Under the **National Environmental Policy Act (42 U.S.C. §4321 et seq.)**, agencies must take a "hard look" at impacts to the human environment, including community cohesion, safety, and quality of life. Additionally, under **23 U.S.C. §217** and applicable federal transportation planning guidance, pedestrian accommodation is a recognized component of transportation system performance — not merely an ancillary design feature.

While the Draft EIS includes discussion of nonmotorized opportunities and multi-use trails, pedestrian considerations appear secondary to vehicle mobility metrics. The comparative analysis of Route A and Route B does not include detailed quantitative evaluation of:

- Pedestrian crash history and projected risk reduction,
- Pedestrian Level of Service (LOS),
- Crossing distance and exposure at interchanges,
- Truck–pedestrian conflict points,
- Impacts to downtown walkability and historic Main Street vitality,
- Long-term pedestrian connectivity within future growth areas.

Given that one of the stated goals of the project is to improve conditions within Heber City's historic core, pedestrian comfort and safety must be treated as a primary performance criterion, not simply a secondary benefit.

Large free-flow interchange configurations, particularly in new alignment areas, may increase crossing distances, create high-speed merge zones, and introduce pedestrian barriers that divide neighborhoods or future development areas. These design choices can have generational impacts on community connectivity and walkability that extend well beyond traffic operations.

Midway City and Wasatch County respectfully requests:

- A comparative pedestrian safety and connectivity analysis for all proposed routes, including projected pedestrian exposure and crossing safety metrics;
- A detailed assessment of pedestrian conditions in and around Heber City's historic town center under each alternative;
- Evaluation of interchange design impacts on pedestrian continuity and crossing feasibility;
- A commitments framework ensuring pedestrian infrastructure is designed to meet or exceed current safety best practices.

Pedestrian mobility is not a peripheral concern within either the City or Wasatch County — it is central to the character, economic vitality, and public safety of our communities. Infrastructure decisions made today will define walkability for decades to come.

We respectfully urge UDOT to elevate pedestrian safety and community connectivity as a primary consideration in final route selection and to ensure that the selected alternative demonstrably improves — not merely accommodates — pedestrian conditions.

Conclusion

Midway City and Wasatch County do not approach this matter in opposition to UDOT, but in partnership.

When measured against both the City's and County's priorities — and particularly in light of the voter-approved conservation easement program — **Realigning Route B to run in parallel to US-40, along with a stronger emphasis on pedestrian mobility, represents a more responsible and compatible long-term solution for the Heber Valley.**

This proposal better aligns with:

- Protecting groundwater and drinking water sources,
- Consolidating infrastructure within an established corridor,
- Remains intact the historic nature of the North Fields,
- Supporting voter-mandated open space priorities,
- Strengthens LEDPA transparency and permit readiness,
- Improving pedestrian safety and community connectivity

Midway City and Wasatch County stand ready to work collaboratively with UDOT to ensure that the final corridor selection is legally durable, environmentally responsible, and reflective of the values of the community it will serve.

Midway

WASATCH COUNTY

Respectfully,

Midway City Council

Kevin P. Payne

Wasatch County Council

Colleen C. Bonner

Kendall Crittenden

HEBER CITY

Heidi Franco

Jerome M. Barney

Morgan Murdock

STATE REPS

Ronald Winterton

Midway

WASATCH COUNTY

Supporting Documents

Table 1: Joint Wasatch County/Heber City UDOT letter with map showing preferred bypass route

June 13, 2000

Allen Mecham
c/o Utah Department of Transportation, Region Three
825 North 900 West
Orem, Utah 84057

RE: Heber Valley By-Pass Road

Dear Mr. Mecham,

The Wasatch County Interlocal Advisory Board met on April 11, 2000 to discuss the Heber Valley bypass road. After reviewing different options, Wasatch County and Heber City have come to an agreement on the alignment of the road. The suggested alignment would be a connection off Highway 40 on the north and tying into the South Fields Road area on the south. The attached map shows the recommended by pass road alignment.

It was also concluded that if the Heber City Airport is expanded to the west to include the existing highway 189, we would like to see the extension of a road from the South Fields Road thru the sewer farm and connect with Highway 40 in the vicinity of 1200 South.

We ask that UDOT investigate any possible funding to help our communities pay for the improvements of Highway 189. A few property owners with land along the proposed alignment, have even expressed interest in dedicating some of their property as part of the right of way for the by-pass.

We feel that with the growth in the area, the urgency for safety, the tremendous increase in both tourist and local traffic, along with the rapidly approaching 2002 Olympic's, it is imperative that action be taken immediately to move forward on this project.

If you have any questions regarding these proposals, we would be happy to discuss them with you.

Sincerely,

T. LaRen Provost, Chairman
Wasatch County Commission

Lynn Adams, Mayor
Heber City

Midway

WASATCH COUNTY

Table 2 (cont): Joint Wasatch County/Heber City UDOT letter with map showing preferred bypass route

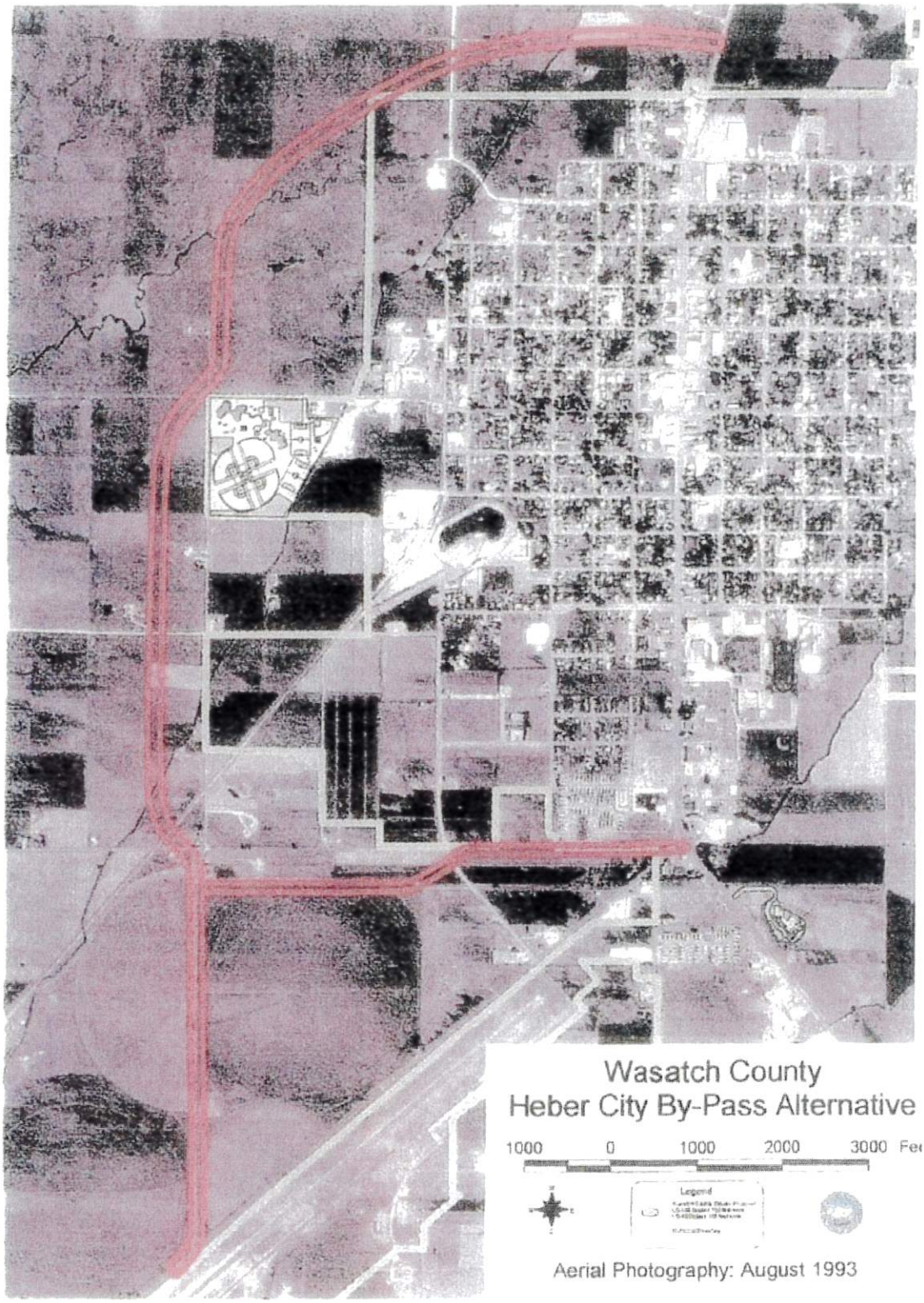
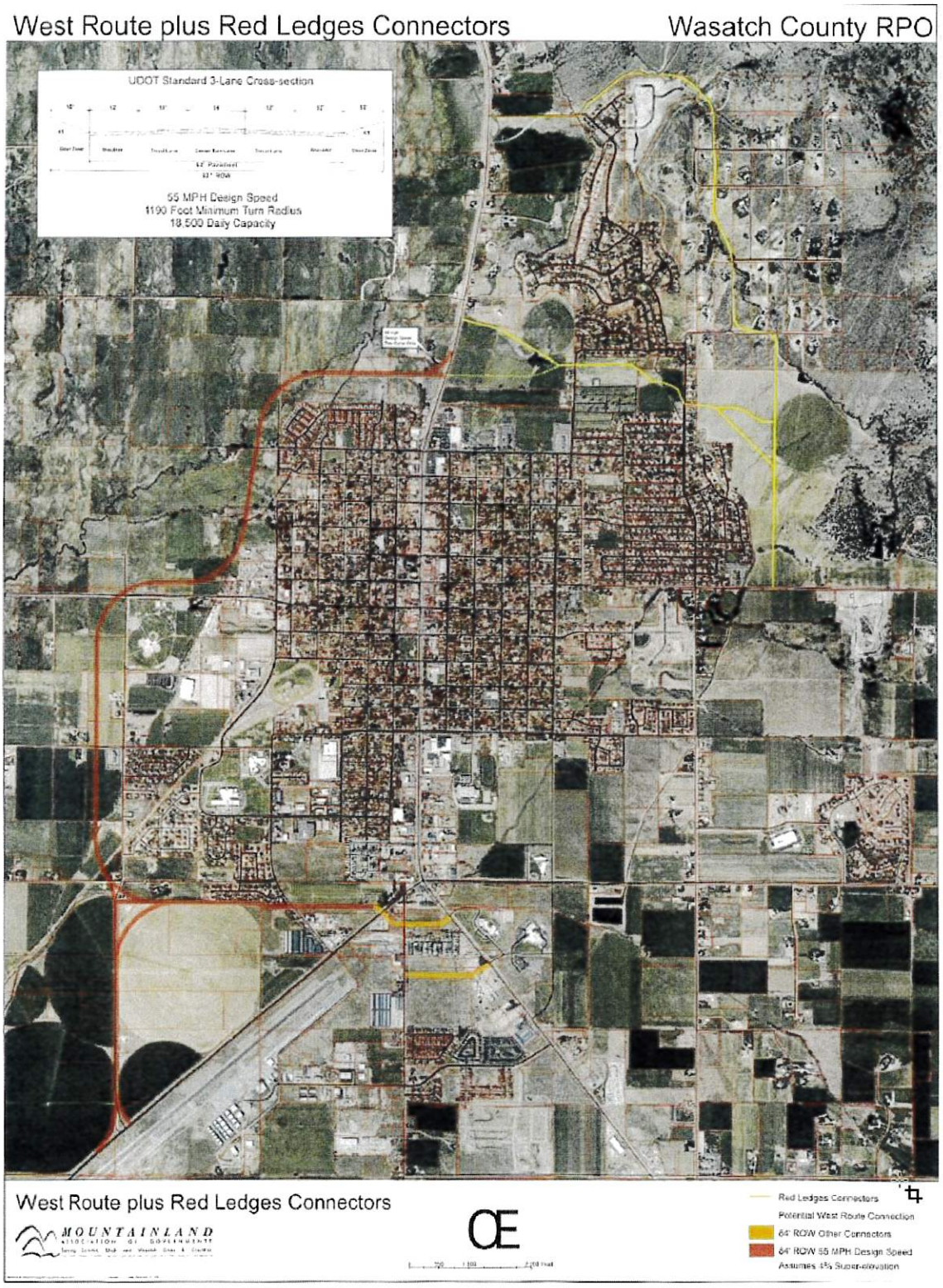


Table 3: Wasatch County RPO Proposed By-Pass map – June 2000



Midway WASATCH COUNTY

Table 4: Resolution No. 06-04 in support of bypass with map alignment – Aug. 2006

RESOLUTION NO. 06-04

A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A TRANSPORTATION CORRIDOR CONNECTING SR 189 AND US 40 IN A MANNER THAT WILL BYPASS THE BUSINESS DISTRICT OF HEBER CITY'S MAIN STREET.

WHEREAS SR 189 and US 40 are the principal thoroughfares through Wasatch County and Heber City; and

WHEREAS the traffic on SR 189 and US 40 in Wasatch County has increased dramatically over recent years due to increased recreational opportunities in the County, improved roads leading to the County, and a variety of other reasons; and

WHEREAS the increased traffic through Heber City's Main Street, which occupies US 40 for a distance of approximately two miles, has resulted in congestion, inconvenience, and safety concerns for local citizens and visitors to the area; and

WHEREAS Wasatch County and Heber City both recognize the need for an alternate traffic corridor (hereafter "Bypass Road") through the County that can relieve the traffic on Heber City's Main Street; and

WHEREAS such Bypass Road, in order to be effective, must connect SR 189 and US 40 in a convenient and efficient manner, including exit lanes, merge lanes, overpasses and limited access as necessary so that by-pass traffic may access and use said road without being stopped; and

WHEREAS Wasatch County has recently enacted an ordinance establishing a Transportation Corridor Preservation Fee for the purpose of raising funds to preserve an appropriate alternate traffic corridor for such a Bypass Road; and

WHEREAS it is essential that Heber City and Wasatch County agree, as soon as possible, on an appropriate route for a Bypass Road corridor so that the corridor can be preserved.

NOW, THEREFORE, BE IT RESOLVED that the Wasatch County Council hereby expresses its support and endorsement for the adoption of the Bypass Road corridor described on the map that is attached hereto. Nonstop intersection @ North & South ends

APPROVED and PASSED this 9th day of August, 2006.

ATTEST:

Brent R. Titcomb
Wasatch County Clerk / Auditor

WASATCH COUNTY COUNCIL

Jay Price, Chair

Midway WASATCH COUNTY

Table 5: Resolution No. 2007-05 in support of bypass with map alignment – June 2007

Resolution 2007-05

A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A TRANSPORTATION CORRIDOR CONNECTING STATE ROAD 189 AND US HIGHWAY 40 IN A MANNER THAT WILL BYPASS THE BUSINESS DISTRICT OF HEBER CITY'S MAIN STREET.

WHEREAS SR 189 and US 40 are the principal thoroughfares through Wasatch County and Heber City; and

WHEREAS the traffic on SR 189 and US 40 in Wasatch County has increased dramatically over recent years due to increased recreational opportunities in the County, improved roads leading to the County, and a variety of other reasons, and

WHEREAS the increased traffic through Heber City's Main Street, which occupies US 40 for a distance of approximately two miles, has resulted in congestion, inconvenience, and safety concerns for local citizens and visitors to the area; and

WHEREAS Wasatch County and Heber City both recognize the need for an alternate traffic corridor (hereafter "Bypass Road") through the County that can relieve the traffic on Heber City's Main Street; and

WHEREAS such Bypass Road, in order to be effective, must connect SR 189 and US 40 in a convenient and efficient manner, including exit lanes, merge lanes, overpasses and limited access as necessary so that by-pass traffic may access and use said road without being stopped; and

WHEREAS Wasatch County has recently enacted an ordinance establishing a Transportation Corridor Preservation Fee for the purpose of raising funds to preserve an appropriate alternate traffic corridor for such a Bypass Road; and

WHEREAS it is essential that Heber City and Wasatch County agree, as soon as possible, on an appropriate route for a Bypass Road corridor so that the corridor can be preserved.

NOW, THEREFORE, BE IT RESOLVED that the Heber City Council hereby expresses its support and endorsement for the adoption of the Bypass Road corridor described on the map that is attached hereto.

APPROVED and **PASSED** this 21st day of June, 2007.

ATTEST: **HEBER CITY COUNCIL**

Paulette Thurber
City Recorder

Terry Wm. Lange
Mayor Pro Tempore

Table 5 (cont): Resolution No. 2007-05 in support of bypass with map alignment – June 2007

Midway

WASATCH COUNTY

Table 6: South Bypass Study presentation – 2009

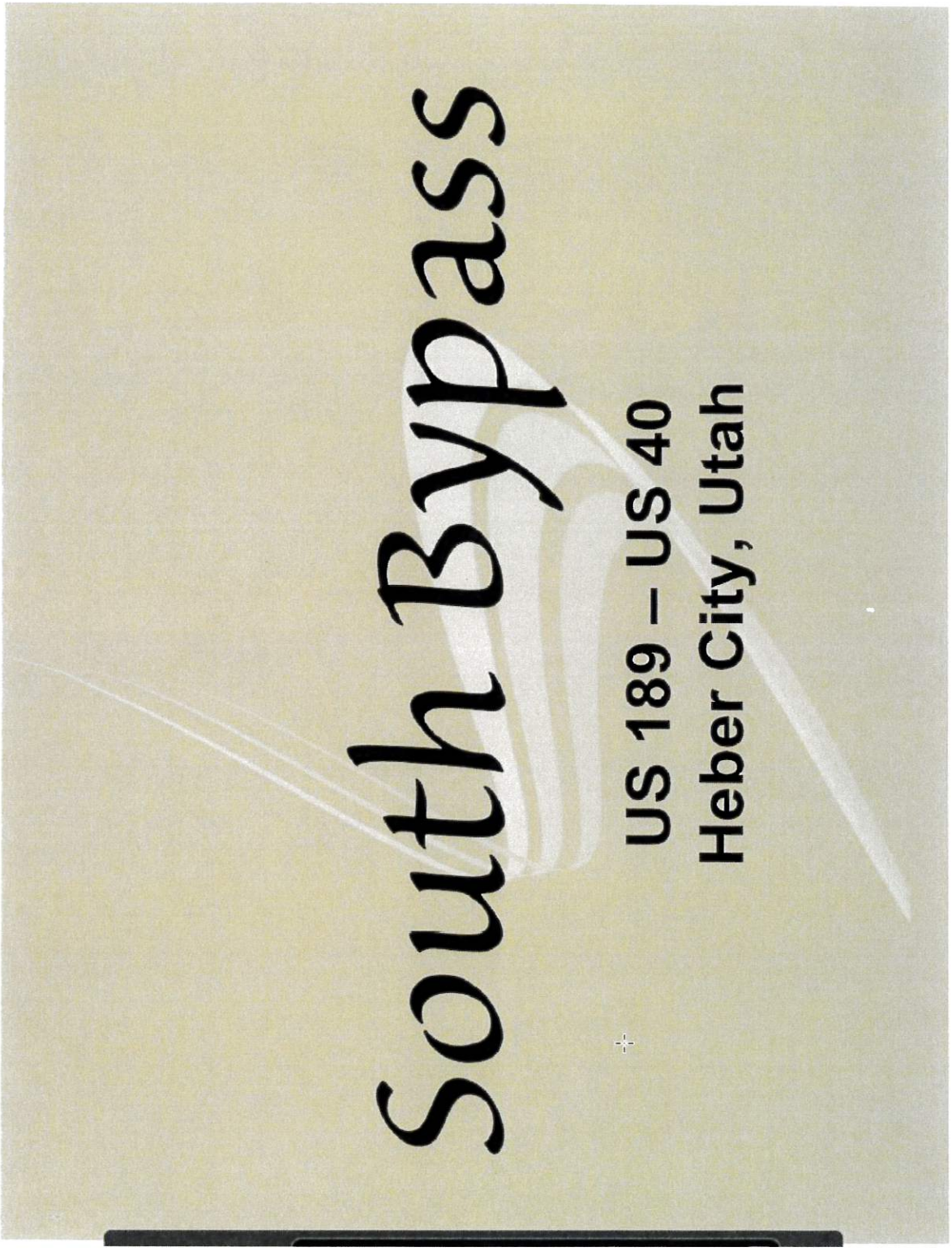


Table 6 (cont): South Bypass Study presentation – 2009

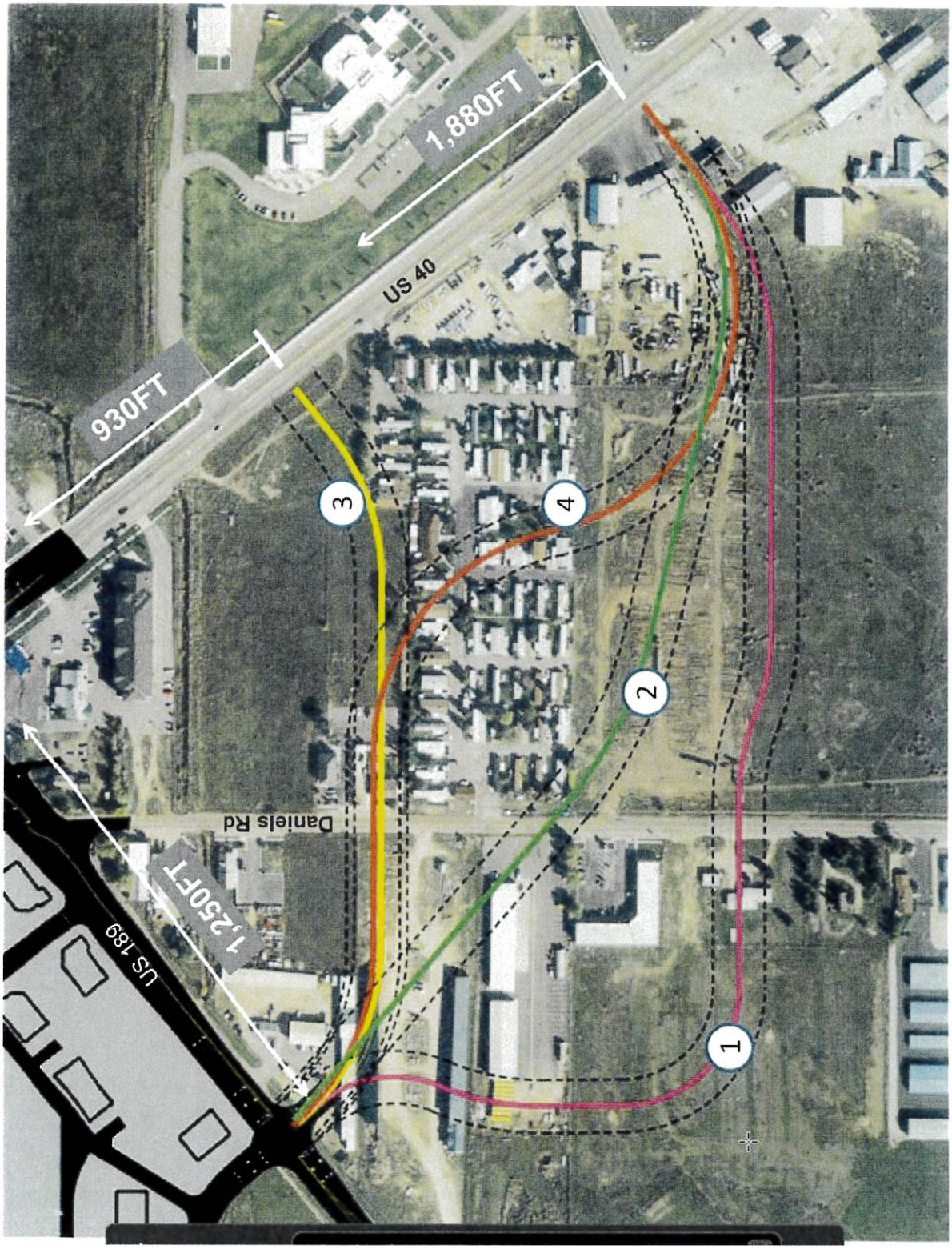


Table 6 (cont): South Bypass Study presentation – 2009

Tabulation of alignment impacts

Alignment	Number of Parcels Effected	Effected SQ FT	Historic (Section 4f & 6f)	Number of Relocations	Geometry (Consistent with AASHTO)	Runway Protection Zone Impact	Within Recommended Intersection Spacing of 1320'
1 / Purple	10	336,161	NO	5	YES	YES	YES
2 / Green	8	270,235	NO	8	YES	NO*	YES
3 / Yellow	7	179,910	NO	6	YES	NO*	NO
4 / Red	10	288,372	NO	20	YES	NO*	YES

= WORST (most) IMPACT OUT OF THE FOUR ALIGNMENTS

= LEAST IMPACT OUT OF THE FOUR ALIGNEMENTS

* Intersection only

Table 6 (cont): South Bypass Study presentation – 2009

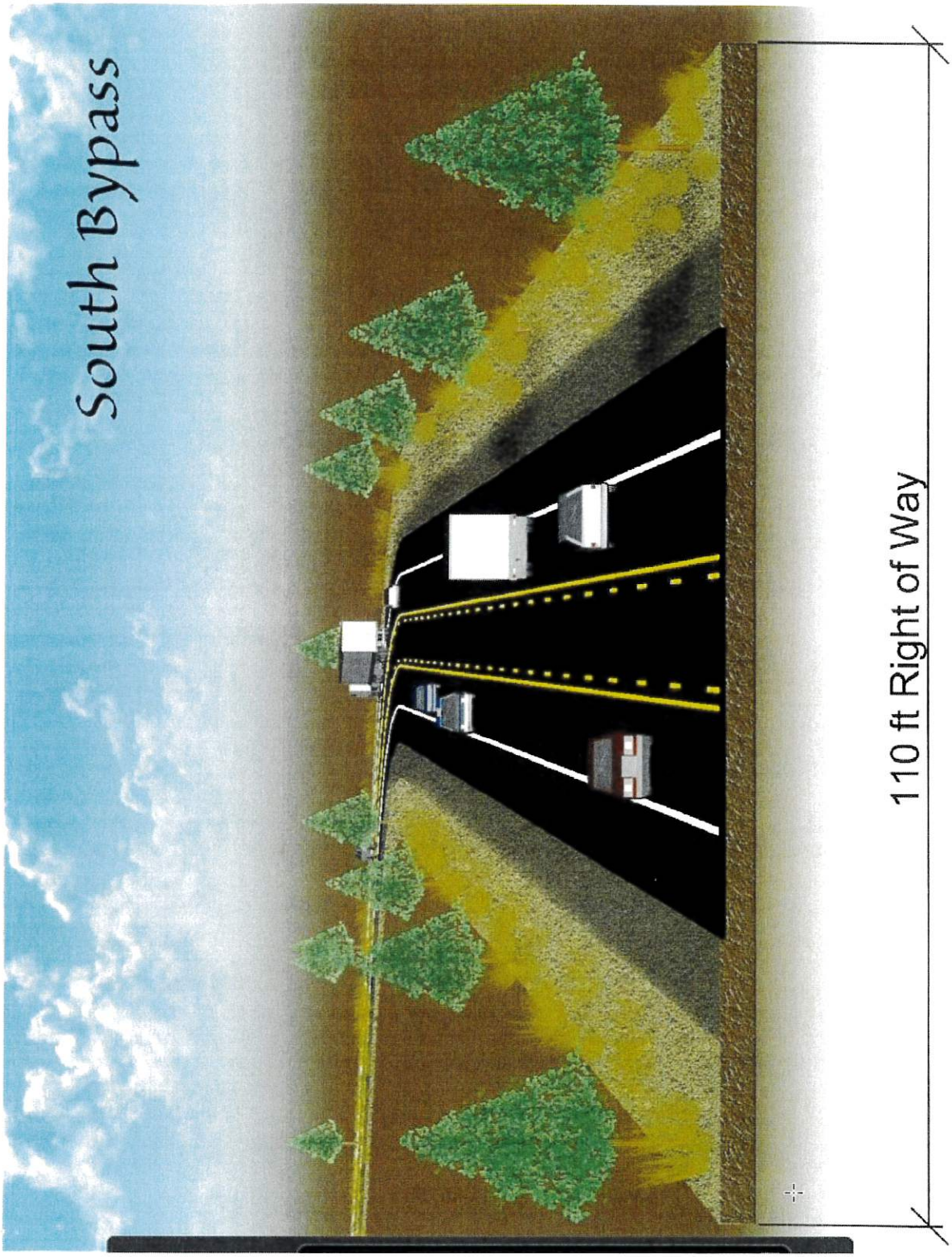
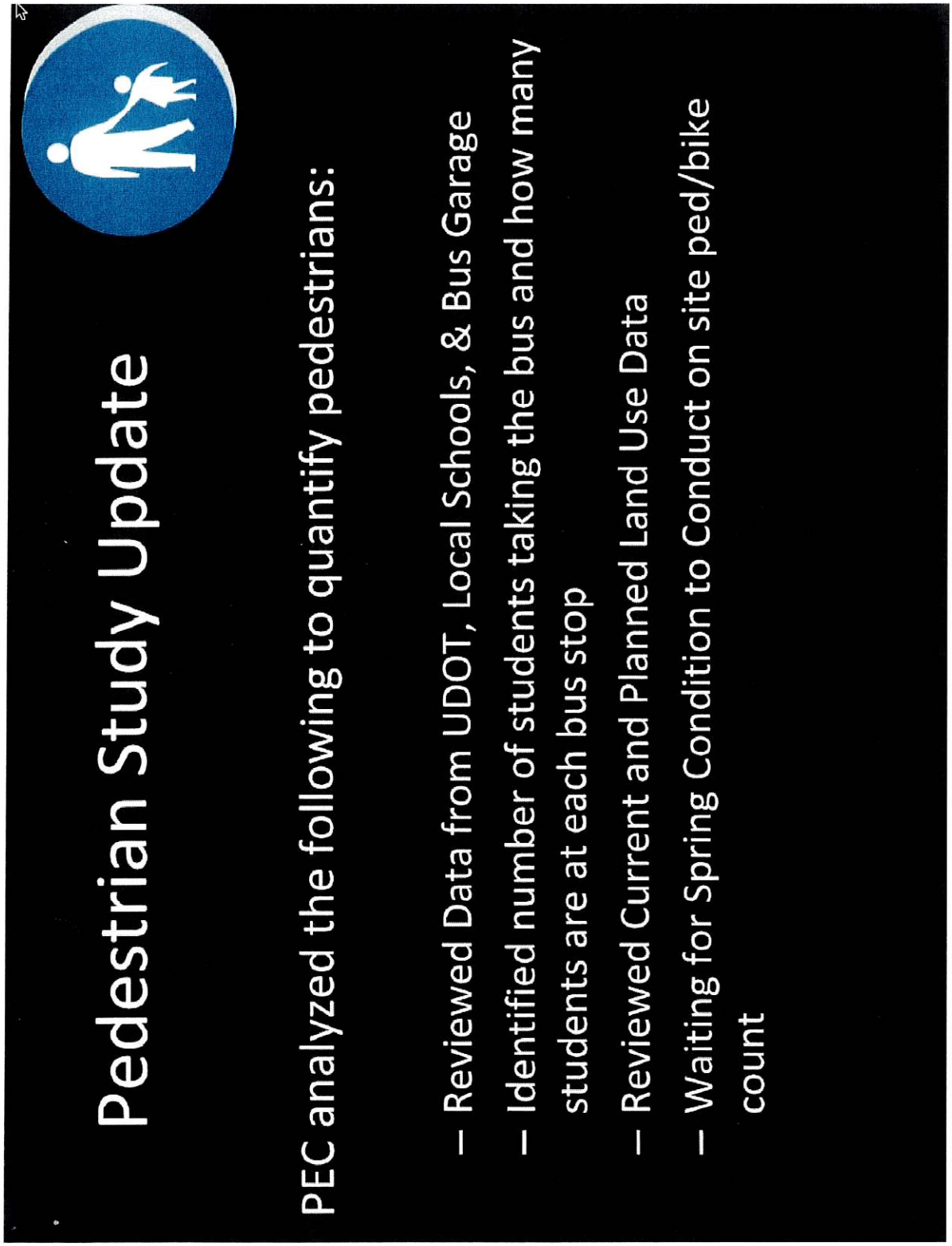


Table 6 (cont): South Bypass Study presentation – 2009



Midway

WASATCH COUNTY

Table 6 (cont): South Bypass Study presentation – 2009

Pedestrian Study Update

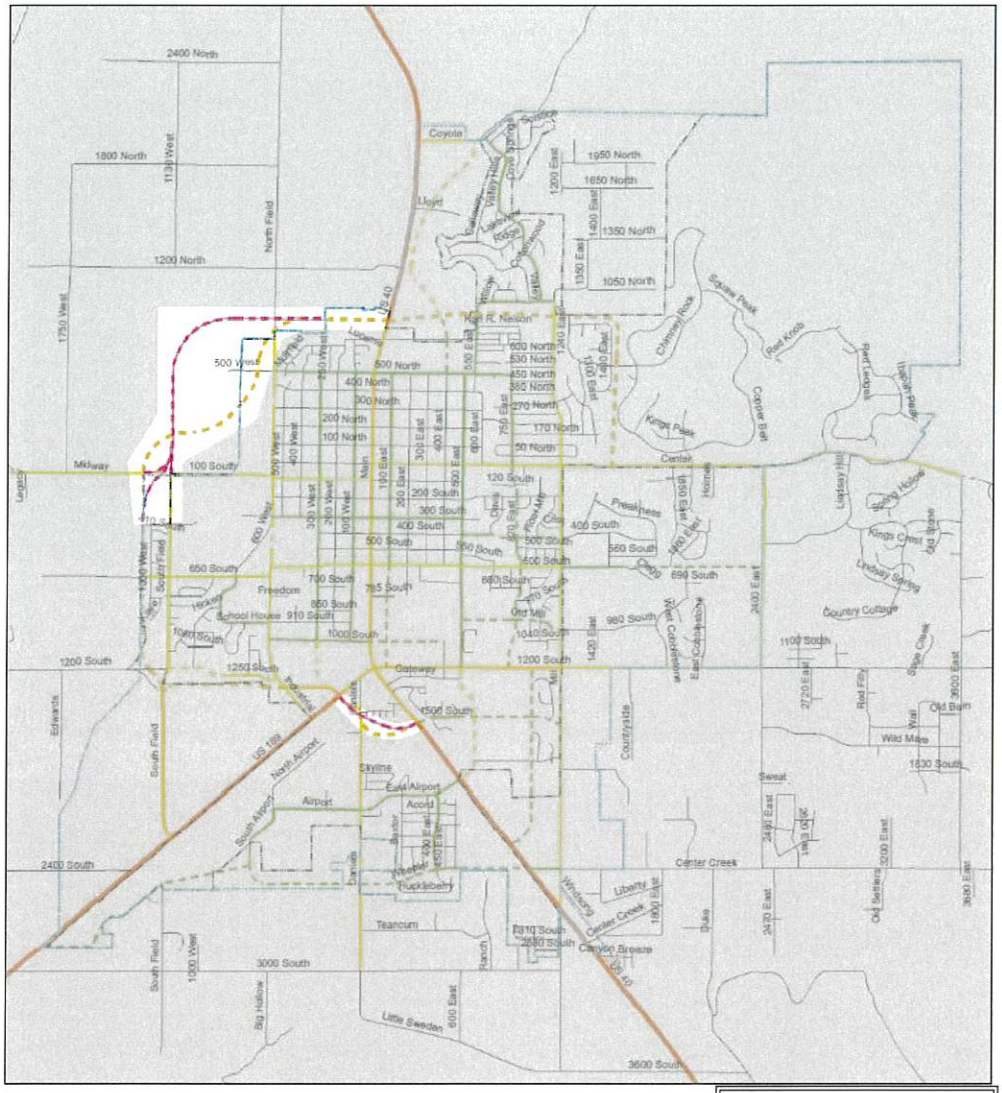
Forecasting/Modeling:

- PEC will use the Spring bike/ped counts and also take into account projected developments and future land uses to forecast trips.

Recommendations at this point:

- Perform another on site bike/ped count once Wal-Mart and the new High School is open to acquire accurate base data for modeling future ped counts.
- During count watch for any J-walking problems that might occur at Daniels road or across US-189
- Install missing links of sidewalk on both sides of US-189

Table 7: Heber City Master Road Plan – April 2010


2400 North
1800 North
1200 North
1130 West
1750 West
North Field
Coyote
Lloyd
1950 North
1650 North
1350 North
1050 North
1200 East
1400 East
1350 East
Squaw Peak
Chimney Rock
Red Knob
Kings Peak
Alpine Loop
Center
Holmes
Lindsay Hill
Stony Hollow
Kings Christ
Old Stone
Lindsay Spring
Country Cottage
Stys Creek
Red Fifty
Old Barn
Wild Mare
1630 South
Sweat
Center Creek
Old Settlers
3680 East
Liberty
Duke
Canyon Breeze
Ranch
Teancum
Puckleberry
Daniels
Airport
North Airport
South Airport
East Airport
Skyline
Courtyside
Gateway
Edwards
South Field
Big Hollow
Little Sweden
Mkway
Legacy
Main
100 South
200 South
300 South
400 South
500 South
600 South
650 South
700 South
785 South
850 South
910 South
1000 South
1040 South
980 South
1100 South
1200 South
1250 South
1500 South
2400 South
3000 South
3600 South
500 West
300 West
200 West
100 West
400 West
600 West
1200 West
1000 West
500 North
400 North
300 North
200 North
100 North
50 North
170 North
270 North
350 North
530 North
600 North
500 East
300 East
400 East
600 East
700 East
800 East
1000 East
1150 East
1240 East
1450 East
1420 East
2100 East
2720 East
2480 East
2470 East
3200 East
3680 East
Ken R. Nelson
Cemetery
Valley Hills
Dove Spring
Cedar
Redwood
Willow
Meadow
Sunset
Hillcrest
Heber
Freedom
Hickory
School House
Old Mill
Meadowbrook
Mountain View
Creek
Canyon
Prospector
Ascent
Sunrise
Skyline
Aspen
Cedar
Maple
Oak
Elm
Pine
Willow
Hickory
Meadow
Sunset
Hillcrest
Heber
Freedom

Midway WASATCH COUNTY

Table 8: Voter initiative approving open space preservation bonds – Nov. 2018

Summary Results Report
GENERAL ELECTION
November 6, 2018

FINAL RESULTS
As of Nov 14 Canvas
Wasatch County

LOCAL BALLOT PROPOSITION
Vote For 1

	TOTAL	VOTE %
FOR THE ISSUANCE OF BONDS (YES)	6,916	57.80%
AGAINST THE ISSUANCE OF BONDS (NO)	5,050	42.20%
Total Votes Cast	**11,966**	100.00%

PROPOSITION 10
Vote For 1

	TOTAL	VOTE %
AGAINST	7,001	62.41%
FOR	4,217	37.59%
Total Votes Cast	**11,218**	100.00%

MIDWAY CITY PROPOSITION LOCAL BALLOT
Vote For 1

	TOTAL	VOTE %
FOR THE ISSUANCE OF BONDS (YES)	1,467	54.68%
AGAINST THE ISSUANCE OF BONDS (NO)	1,216	45.32%
Total Votes Cast	**2,683**	100.00%

OFFICIAL BALLOT PARK CITY BOND
Vote For 1

	TOTAL	VOTE %
AGAINST THE ISSUANCE OF BONDS	2	66.67%
FOR THE ISSUANCE OF BONDS	1	33.33%
Total Votes Cast	**3**	100.00%

Midway WASATCH COUNTY

Table 9: Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

WASATCH COUNTY
RESOLUTION NO. 22-09

A RESOLUTION SUBMITTING COMMENTS TO UDOT ON THE HEBER VALLEY CORIDOR EIS DRAFT ALTERNATIVE DEVELOPMENT SCREENING REPORT

WHEREAS, the Wasatch County supports the design and construction of road improvements to reduce traffic congestion on U.S. 40 in Heber City; and,

WHEREAS, the Wasatch County Council desires to raise public awareness of options being explored by UDOT; and,

WHEREAS, the Wasatch County Council desires to submit an official comment during the current comment period on the selection process of alternatives; and,

WHEREAS, Wasatch County Council is united in its concern about factors related to three of the options advancing through the screening process; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Wasatch County Council as follows:

The Wasatch County Council submits the attached document (exhibit A) as an official comment to UDOT on the Heber Valley Corridor Environmental Impact Statement.

APPROVED and **PASSED** this 13 day of July, 2022.

Attest:

Joey Granger
Wasatch County Clerk / Auditor

WASATCH COUNTY COUNCIL:

Mark Nelson, Chair
Wasatch County Council

VOTE

Mark Nelson, Chair	Y
Kendall Crittenden	Y
Steve Farrell	Y
Jeff Wade	
Danny Goode	Y
Marilyn Crittenden	Y
Spencer Park	

Midway WASATCH COUNTY

Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

EXHIBIT A

Section I: Heber Valley Corridor EIS Draft Alternatives Development and Screening Report Feedback

1. Included in the criteria for the report are the following two directives:
   a. Clean Water Act:
      i. Wasatch County Feels that the North Fields, specifically the Provo River corridor, qualify as a special aquatic site under the clean water Act.
      ii. Option WA1 would significantly impact the water flow of properties located on the south and east of the route and affect historic flows into the special aquatic site.
      iii. Because option WB3 and WB4 discharge into this special aquatic site, both options should account for this adverse impact.
   b. Department of Transportation Section 4(f):
      i. Wasatch County Feels that the North Fields qualifies as a Historic site of significant value and as such WB3 and WB4 adversely impact this site.
      ii. The North Fields qualifies for this designation under the grounds that it represents broad patterns of Wasatch County's agricultural heritage and rural character; properties included in the north fields include those of locally significant historical persons; and the North Fields represents a collectively distinguishable entity valued by the public as being of locally significant historical value.

Section II: Wasatch County and Heber City General Plans Protections on the North Fields

1. Wasatch County feels that the value the community places on the North Fields and the impacts to that area were not adequately considered in the selection of options WB3 and WB4. Public statements and official documents on the importance of this area are as follows:
   a. In the Heber City General Plan:
      i. "Preserve the beautiful open lands that surround us" (pg. 5).
      ii. Heber shows future land use in the north fields (pg. 18) and shows the north fields as part of the city. The zoning is AP (Agricultural Preservation).
      iii. "Heber actively works with neighboring communities and the County on strategies to implement the permanent protection of farmlands, natural open spaces and rural character to maintain distinct separation between communities". (GP, Ch. 6 pg. 49)
      iv. "Maintain open space between Heber and surrounding communities". It is the second most important feature that defines "small town" for Heber residents (according to a recent survey completed as a part of the City's visioning process). Residents want to preserve larger open spaces that provide a rural feel and promote a distinct identity for each community in the Heber Valley. (GP, Ch. 6, pg. 50)
      v. Promote a Countywide effort to retain the open spaces between communities through such techniques as clustering and agricultural 20-acre lot zoning. (GP Ch. 6, Pg. 51)
      vi. Consider bonding as an important open space preservation strategy. (GP. Pg. 76)

Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

vii. Partner with non-profits, such as Utah Open Lands to preserve open space. (GP. Pg. 76)
viii. Envision Heber City 2050 "Big Ideas". The number 1 big idea was; "preservation of Open space/rural preservation". (GP. Pg. 187)
ix. Envision Heber City 2050 "Big Ideas". Number 6 big idea was: Small town character by separating towns with open space. (GP. Pg. 199)
x. Preferred approach to conserving the North Fields? Almost half want to permanently protect the North Fields by purchasing land or development rights, and there's a lot of support for maintaining 20-acre zoning. (GP. Pg. 13)
xi. Heber currently enjoys highly visible open spaces. The North Fields provide a strong rural feel when coupled with the mountainside on the east side of US 40. (GP. Pg. 49)

b. In the Wasatch County General Plan
i. A major impact to the green belt area between Heber City and Midway will be the construction of the Heber City truck route which would allow trucks to bypass Heber City's Main Street. Care must be taken to see that this road is constructed as close to Heber City as possible. (GP. Ch. 4. Pg. 167)
ii. 9.1.1 POLICY: Establish the alignment of the Heber City bypass route and oppose proposals that encourage incompatible development within the corridor. (Ch.3, Pg. 6). The alignment was adopted and made part of the GP.
iii. GOAL: Protect the rural agricultural economy of the County by establishing agricultural operations as a priority use of the land, protect existing and future agricultural operations, and encourage farmers and ranchers to stay on the land.
iv. Both Heber City and Wasatch County have passed resolutions of support (2007-05 and 06-04 respectively) for the bypass and the bypass alignment shown on Maps 32 and 20A.
v. 1.1.1 POLICY: Preserve a greenbelt between Heber City and Midway to maintain the agricultural heritage of the area.
vi. The County should adopt a general sales tax and/or bonding as a way to fund the purchase of development rights or the fee title to land that has been identified as having a public benefit as open space. (Ch. 6 GP)
vii. The Central Planning Area (North Fields) is highly prized by many local residents of Heber Valley as open space. This area's scenic value contributes significantly to the real value of all land within the Heber Valley area. Therefore, the following strategies should assist the county in preserving some of this area as open space at the same time providing property owners with a reasonable value for the removal of development rights from their property. (GP. Ch. 4, Pg. 167)
viii. Land within the Central Planning Area has been identified as having a public benefit as open space. In this area while development may occur at the underlying zone of one unit per 20 acres if a suitable area can be identified, an increase in transferable density credit for
ix. he is area should be allowed. (GP. Ch. 4, Pg. 167)
x. The County should adopt a general sales tax and/or bonding as an additional ways to fund the purchase of development rights and/or fee title to land identified as having a public benefit as open space. (GP. Ch. 4, Pg. 167)

Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

xi.	The preservation of open space in the Central Planning Area will also provide for a desired green belt separation between Heber City and Midway. The Development code should ensure that any development along SR 113 is set well back from the road and the rural character along this road is maintained. (GP. Ch. 4, Pg. 167)
xii.	The Soil Survey of the Heber Valley Area further identifies that many of the soils shown on Map 24 have severe limitations for roads, foundations for dwellings and septic tank absorption field. These severe conditions are a result of the high ground water table and high potential for frost action. While these limitations may be overcome with proper engineering, the cost is considerably higher and should be considered when it comes to the maintenance and operation of a public infrastructure. (GP, Ch. 4, Pg. 153)
xiii.	The physical constraints of the Central Planning (North Fields) Area by themselves will likely ensure that the historical land use pattern for this planning area will largely be maintained. Therefore, as a matter of public policy, the Central Planning Area is to be maintained in its historical land use pattern of open meadows, and river and small stream riparian habitat. The use of this area for housing and other types of development is discouraged due to the physical constraints and the higher costs of providing governmental services. GP. Ch. 4, Pg. 167)
xiv.	Land within the Central Planning Area (North Fields) has been identified as having a public benefit as open space. In this area while development may occur at the underlying zone of one unit per 20 acres if a suitable area can be identified, an increase in transferable density credit for he is area should be allowed. (GP. Ch. 4. Pg. 167)

Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

Wasatch County, Utah

Our Vision

Wasatch County is recognized as a desirable destination to live, work and play. We are dedicated to honoring & protecting the heritage and rural character of our community, and are committed to creating a unique sense of place.

Our Purpose

In cooperation with the community and local governments, Wasatch County will address public needs, deliver quality services, and provide responsive decisions.

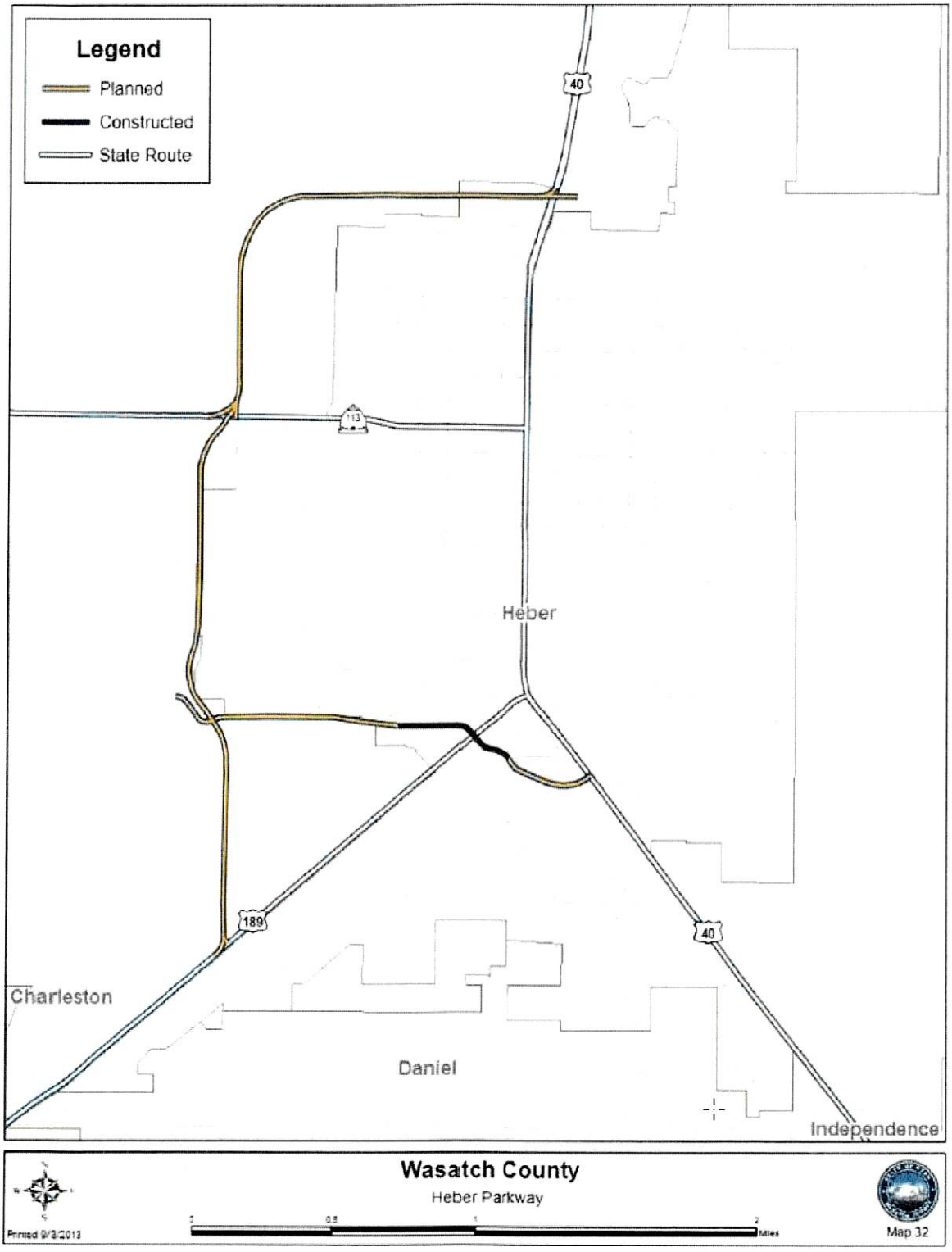
Through thoughtful planning and zoning that manages the impacts of growth, the County strives to balance the preservation of the area's highly valued rural and agricultural character with the promotion of clean and sustainable economic, residential, recreational, and tourism development opportunities.

Our Values

We manage and communicate our affairs in a fiscally sound and transparent manner while enforcing state and county ordinances consistently to promote a sense of trust between the county and its citizens. All county departments and employees are focused on good governance which includes professionalism, respect, ethics, integrity, transparency, and accountability to all of its citizens.

Wasatch County General Plan map 32

Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

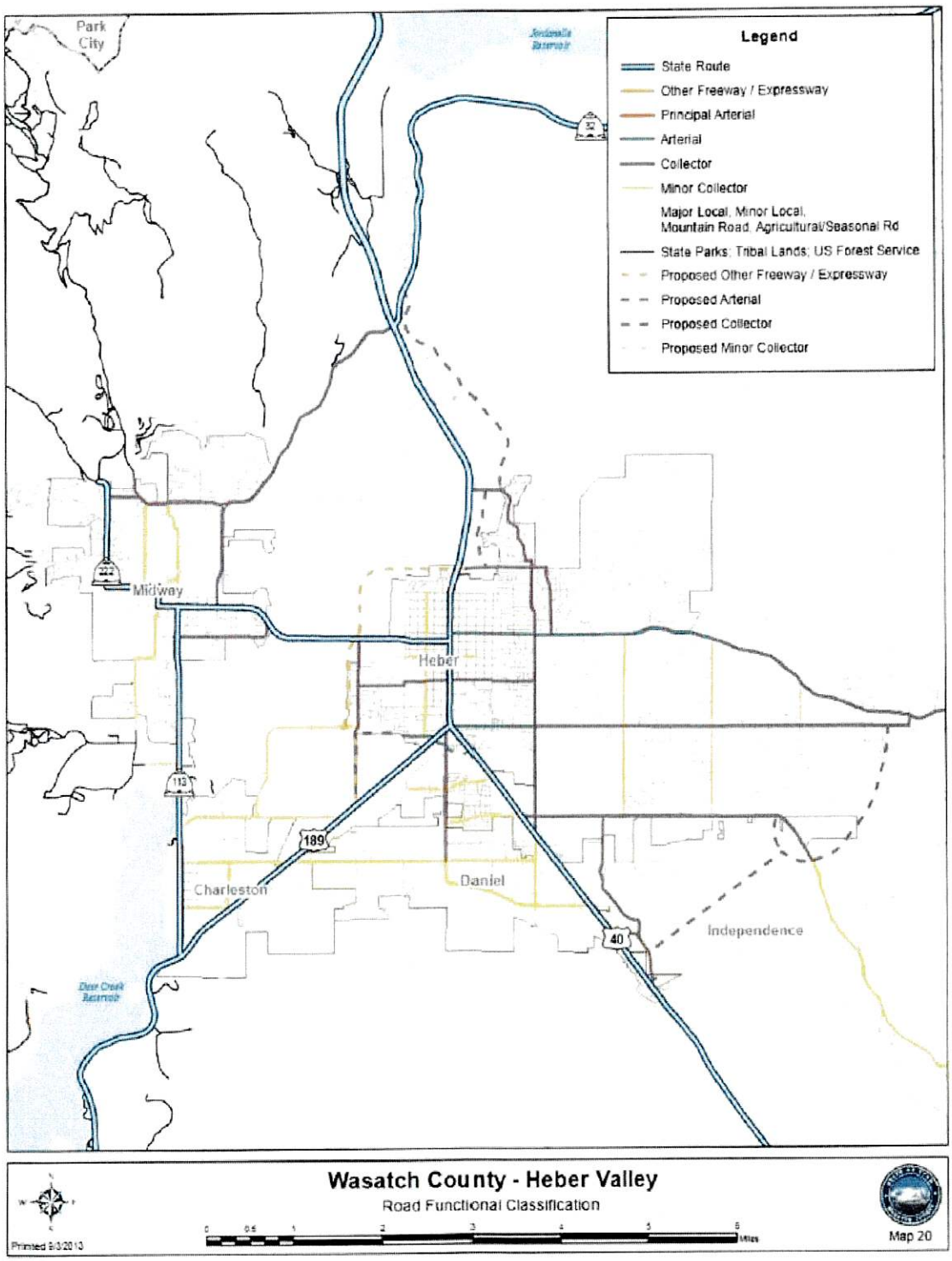


Wasatch County General Plan map 20

Midway

WASATCH COUNTY

Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022



Heber City General Plan presentation

Midway WASATCH COUNTY

Table 10: Resolution No. 24-03 supporting conservation of the North Fields – May 2024

WASATCH COUNTY
RESOLUTION NO. 24-03

A RESOLUTION SUPPORTING CONSERVATION IN THE NORTH FIELDS AND HEBER VALLEY EIS BYPASS SUPPORT

WHEREAS, the Wasatch County supports the design and construction of road improvements to reduce traffic congestion on U.S. 40 in Heber City; and,

WHEREAS, the Wasatch County Council desires to raise public awareness of options being studied by UDOT; and,

WHEREAS, the Wasatch County is aware that UDOT has not yet completed the Draft Environmental Impact Statement Phase of the multi-year process to choose the location and design of the road improvements; and,

WHEREAS, Wasatch County Council is united in its support of some of the Alternative Concepts that are included in the January 16, 2023 Final Alternatives Development and Screening Report; and,

WHEREAS, Wasatch County Council desires to protect the pristine nature of the North Fields and the agricultural character of this area, as demonstrated by the voter approval of open space bonds in 2018 and adoption of agricultural protection areas in 2022; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Wasatch County Council as follows:

The Wasatch County Council is actively pursuing means to responsibly preserve the rural character of our community through perpetual conservation easements and supports the improvement of transportation alternatives through the Heber Valley EIS process. Wasatch County believes that both priorities can be simultaneously achieved and is willing to continue to work with all parties to accomplish these outcomes.

APPROVED and **PASSED** this 15 day of May, 2024.

Attest:

Joey Granger
Wasatch County Clerk / Auditor

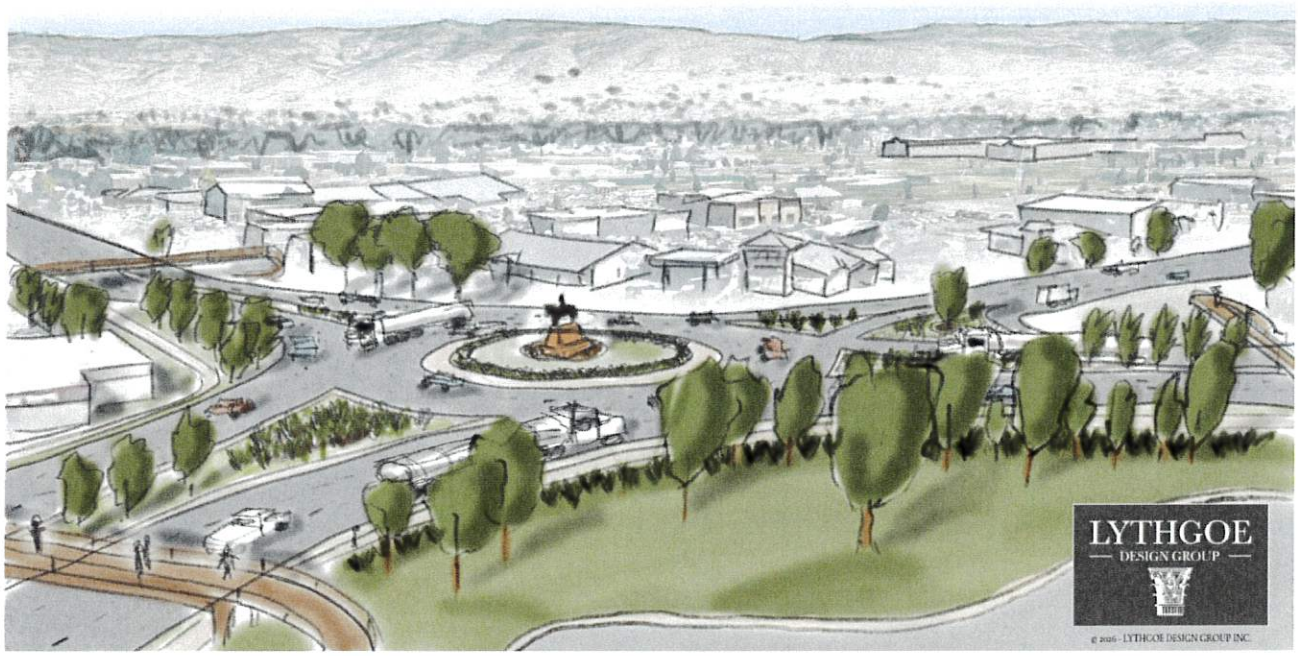
WASATCH COUNTY COUNCIL:

Spencer Park, Chair
Wasatch County Council

VOTE

Spencer Park , Chair	Y
Kendall Crittenden	Y
Steve Farrell	Y
Karl McMillan	Y
Erik Rowland	Y
Luke Searle	Y
Spencer Park	Y

Table 11: Proposed Traffic and Pedestrian Solutions



A concept for a roundabout at Main Street and 1200 S. Heber City, Credit: Lythgoe Design Group

A concept for an elevated pedestrian walkway at Main Street and 1200 S. Heber City, Credit: Lythgoe Design Group

ID 553

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. **Local costs and responsibilities**
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely, Eugene B Cook

Name Eugene B Cook

Address [redacted]

Phone Nu[redacted]

Email Add[redacted]

ID 327

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. ***Local costs and responsibilities***
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,

Name Gaylen Latimer

Address [redacted]

Phone Nu

Email Ad

What is more important to you- wetlands or driveways?
George Hansen, Midway

Having reviewed the UDOT Heber Valley Bypass Draft EIS, a very simple picture begins to emerge. Of course, comments will revolve around such subjects as wetlands (Section 404 of the Clean Water Act), historic structures (Section 4(f) of the U.S. Department of Transportation Act), agricultural and farmland protection, traffic patterns, Heber main street, noise, air quality, water quality, impacts to the Provo River, growth inducing impacts; among many others. Most of these are considered to some extent in the Draft EIS. For many of these considerations, the public support for a particular alternative might be strong, while for others it might be considered biased, weak, conflicting and debatable. The point of this letter is not to debate any of these points or to use such points to support a desired outcome either way. The message of this letter is to show how the DEIS fails to adequately analyze and address fundamental impacts and corresponding alternatives in a manner that sufficiently informs decisionmakers and stakeholders of the choices and challenges before us. ~~solve conflicting socioeconomic and statutory issues.~~ After detailed consideration of the most pertinent summary sections (particularly appendix Chapter 4), below I summarize some of the key weaknesses of the DEIS analysis. ~~it becomes crystal clear where the issues are.~~

This selection of the preferred alternative ~~decision~~ was purportedly rendered based ~~primarily on upon~~ the requirements ~~conflicts between~~ of Section 404 pertaining to wetlands ~~requirements vs~~ and Transportation Act Section 4(f) including historical preservation requirements. But the ~~, exacerbated by a failure of the~~ DEIS fails to adequately to consider cumulative effects and apply ~~; all of this under~~ the mandatory ~~concept of~~ LEDPA (Least Environmentally Damaging Practicable Alternative) standard under Clean Water Act 404(b)(1). ~~A detailed explanation is attached hereto, but here is a summary.~~

The draft wetlands study (that was performed "out of season") determined that 24 acres of ~~a~~Alternative A and 54 acres of ~~a~~Alternative B are ~~proposed~~ jurisdictional wetlands. The Clean Water Act mandates that under LEDPA, the least environmentally damaging alternative concerning water resources must be chosen (in this case, Alternative A, the US 40 alignment), unless the US 40 alternative has even greater "environmental damage".

Enter Section 4(~~F~~f). Under that section, it was found that there are three structures (mid 20th century residences on US 40) that qualify as "at risk"; though the State Historic Preservation Office has indicated that they are not of historical significance. ~~concern,~~ Notedly, there are no other 4(f)~~F~~ resources (parks, wildlife, historical, archeological , etc.) at issue.

The driveways of these three houses extend into the Alternative A planned frontage road, thus defining them as "at risk" under Section 4 ~~F~~(f). In order to preserve these driveways, the frontage road would need to be curved in and out to the point that it would no longer meet highway standards, thus in each case, ~~it is~~ the DEIS concludes ~~d~~ that each is "not considered feasible and prudent," ~~,~~ thus, ~~then defining~~ concluding that alternative A ~~a~~is impracticable. In essence, the DEIS concludes that Transportation Act 4(f) requires protecting three driveways which takes priority over CWA 404 that otherwise would be considered ~~these three houses are~~ more environmentally damaging ~~than the damage~~ to at least 54 acres of wetland (plus seasonal). ~~Thus, 4-F takes priority over 404.~~

For the remainder of the review, the DEIS concludes ~~it was found~~ that "both alternatives meet the purpose and need of the project,", ~~,~~ while "alternative A is substantially better in terms of effects on aquatic resources, and slightly better in terms of farmland and noise impacts." ~~.~~ Concerning the final parameter, ~~-~~cost, route A was the most advantageous to the taxpayer being $49 M less.

Yet the DEIS concludes, ~~-~~ **"Based on an assessment of all seven of the least overall harm factors, Alternative B is the least overall harm alternative.~~"~~"** (emphasis quoted). So it seems that UDOT is more concerned about preserving three driveways than they are the wetlands of the North Fields.

Now the final consideration is cumulative effects, particularly the induced growth. The DEIS states that it is anticipated that Heber City will annex to alternative B. Once such a ~~-~~road is built, the city and county governments will possess neither the political will nor economic resources to preserve. The area will soon rezone to highest and best use in terms tax base and growth.

The conclusion of the above observations should be both ~~explicitly and~~ intuitively ~~-~~and explicitly obvious to the reader. I strongly recommend that UDOT prepare a supplemental draft EIS which fully addresses the above shortcomings and applies Transportation 4(f) and CWA 404 in an evenhanded and accurate manner as the law requires.

George Hansen

George Hansen is a resident of Midway, Utah; where he is a practicing chemical engineer (BYU '79) He is the 1996 recipient of the Pfejfferhorn Award (Utah's highest environmental honor) and the 2018 recipient of the Governor's Medal for Science and Technology.

Formatted: Font: 10 pt, Italic

Formatted: Font: 10 pt, Italic

Heber Bypass Draft EIS Preliminary Analysis and Comments Jan 17, 2025
George Hansen

Having reviewed most (but not all) of the UDOT Heber Valley Bypass Draft EIS, a very simple picture begins to develop. Of course, comments will revolve around such subjects as:

- Section 404 of the Clean Water Act and associated Water of the United States
- Section 4-F of the United States Department of Transportation Act
- Agricultural and Farmland Protection issues
- Traffic flows and patterns
- Heber main street issues
- Air Quality
- Noise
- Water Quality
- Right of way width functional requirements- compared to other comparable highways
- The current and future political will and economic resources of Heber City and Wasatch County
- Cumulative effects
- And many others

Most of these are considered to some extent in the Draft EIS. For many of these, the support for either alternative might be strong, while for others It might be considered biased, weak, conflicting and debatable. The point of this letter is not to debate points or to use points to support a desired outcome either way. The point is to show how the EIS fails to solve conflicting socioeconomic and statutory issues.

After detailed consideration of the most pertinent summary sections (Sec 2-E, 2-F, 3A, 3-N, , 3.3.5, 4-7, 4-8 and table 4-7-4, along with their supporting sections), it becomes crystal clear where the principal issues are.
The decision is based primarily upon conflicts between Section 404 wetlands requirements vs Section 4F environmental damage requirements', exacerbated by a failure of the DEIS to evaluate recognized and stated cumulative effects; all of this under the concept of LEDPA (Least Environmentally Damaging Practicable Alternative) Here is a brief explanation.

Section 404 of the Clean Water Act controls discharge to the waters of the United States. The proposed deliniations for either alternative have not yet been submitted to the Army Corp of Engineers. The DEIS conclusion of the approximately 1500 page of technical field study determined that 24 acres of alternative A and 54 acres of alternative B are wetlands. One potential problem with the study is that it was performed "out of season" that being from July 8 to November 15, 2021. This timing allows for identification of hydrophilic plants and hydric soils, but does not allow for hydrological identification of "seasonal wetlands", which are also controlled. It is possible that the inventories are underestimated and likely that the Army Corp of Engineers will require an in season evaluation. Section 404 mandates that under LEDPA, the least environmentally damaging alternative concerning water resources must be chosen, unless that alternative has even greater "environmental damage".

Enter Section 4-F. Under that section, it was found that there are four structures (residences on US 40) that qualify as “at risk” One of these structures is in both alternatives, so three of them are exclusive to alterative A. There are no other 4-F resources (parks, historical, archeological , etc.)

The DEIS argues that the statutory environmental “severe damage” on these three houses is more environmentally damaging than the damage to at least 54 acres of wetland (plus seasonal). In essence 4-F takes priority over 404.

The logic used is that seven statutory evaluations of 4-F resources was conducted. Please refer to table 4-7-4 and section 4-8. Of these seven reviews, the first four concerned only the ”severe” environmental damage due to these three residences, though the State Historic Preservation Office does not share this concern, stating “SHPO, the OWJ, has not expressed any particular concern regarding any of the structures.” Furthermore, The DEIS reasons that because the frontage road would require a sinuous path around these three driveways, that would not meet standards, thus “the severe economic cost, this design modification is not considered feasible and prudent.” This is the primary imprudent basis for rejecting Alternative A, and is repeated for all three houses. The fifth review was meeting purpose and need (Sec. 4-7-8 states” Either action alternative would meet the purpose of the project”). The sixth was non 4-F and section 404 aquatic resources (Sec 4-7-8 “Alternative A is substantially better in terms of effects on aquatic resources, and slightly better in terms of farmland and noise impacts.”) The seventh was cost, route A being the most advantageous to the taxpayer by $49 M (Sec4-7-8 “Alternative A would perform slightly better for the cost factor.”)

Section 4-8 finally concludes “Alternative B performs better for five of the seven factors” (though actually both meet purpose and need). The first four factor involve three house only. They are not deemed impracticable, it is the frontage road diversion that is deem as such. The final statement is **“Based on an assessment of all seven of the least overall harm factors, Alternative B is the least overall harm alternative.”** (emphasis quoted)

So it seems that UDOT is more concerned about the alignment of a frontage road than they are the North Fields.

Now the final consideration is cumulative effects. Section 3A, Induced Growth , states that it is anticipated that Heber City will annex to alternative B. Though the DEIS conjectures that this 500 acres will be preserved by Heber City, Heber has neither the political nor economic resources to do so. It will soon rezone to highest and best use. These unanswered “cumulative effects” will affect nearly every section of every chapter of this DEIS.

The conclusion of the above observations should be both explicitly and intuitively obvious to the reader.

George Hansen
[redacted]
[redacted]

Heber Valley Bypass comments from 2024

These comments were submitted on May 1, 2024. I did not see them addressed in the DEIS (though they may have been?) so they are being resubmitted as a part of the record.

All

This is not directed at any particular entity or individual/ But at our last communication, I understood that we were waiting on the most updated data from Mountainlands traffic study, so that we would have the most updated data to perform a more accurate fluid flow model (all fluids follow the same basic engineering principals , including traffic). I understood to expect to hear back by about the end of the month.

Instead, what I have just heard (though not from their mouth), is that there is still being discussed with other highly interested and invested parties the possibility of a 250 foot corridor down the north fields. Whether this is true of not is not the issue. But it gives pause to reflect upon a few concepts.

Here are a few examples of widths of various regional highways. In many cases, they are geographically restricted , in others they are the used portion of much wider rights of way.

Provo canyon east of the dam- 87 feet

Provo canyon west of tunnel 109 feet

Provo Canyon – Bridle veil 110 feet

Mountain View corridor 220 feet minus 83 feet undisturbed median = 137 feet

Pioneer crossing 88 feet

Bangerter Hwy 153 feet

Legacy Highway 214 feet minus 54 foot undisturbed median= 160 feet.

The current US 40 ROW north of Heber measured at five locations is between 142 and 147 feet.

If widened to 200 feet, 50 feet to the west, it would affect 9 driveways, 3 houses and one business building .Even that business could relocate parking to yield an additional 30 feet of width.

Like a friend of mine who is a good traffic engineer said when I asked him “what can we build on 150 foot width? He smiled and wryly replied “About anything you want!”

So why are we still discussing a 250 feet up the North Fields? A highway up the North Fields would:

Require 18% wetlands (not the 6% on the Hwy 40 ROW)

Greatly upset these wetlands ability to clean water and sequester carbon and in fact a highway of any size through the Northfields would release a tremendous amount of carbon stores adding to air pollution and inversion issues already beginning in the valley.

A highway through the Northfields would in fact develop over 80 acres of land versus the development of 7 acres if the widening of 40 is sought. This increases the overall cost of the project because in addition to the 80 acres additional wetland mitigation acreage would have to be acquired.

Deliver highway runoff to the Provo River.

Require negotiations with the Provo River Commission, and a likely act of Congress (literally) to move a boundary. The Commission is not likely to entertain or set such a precedent.

A" divided highway/ separated grade intersections" alignment through the North Fields has already been rejected by UDOT once, why reconsider?

The unintended consequences of a bypass in the North Fields is to open that highly climate smart landscape up for development, increasing air pollution from traffic, dividing and then eliminating agriculture and interrupting a sub irrigated system that helps to fill the Great Salt Lake. If we truly understand these co-dependent concepts, then we should not need to keep bringing up a North Fields alignment. Alternatively, we may continue to debate this ad infinitum, and it will never happen any time soon, and we will eventually have to settle for a Logan 10th West type of no- solution.

What part of the Wasatch County Council's decision to invest in open space and lifestyle, and air /water quality solutions is hard to understand? We can have both, literally. We have before us at this a moment in time (and only this moment) a singular opportunity to solve this forever. CARPE DIEM, let us act on the most important opportunity that we will ever have.

As stated before, I stand ready to assist in any way possible..

Regards

George Hansen

ID 488

George Holmes
Heber Valley, Wasatch County, Utah
NFIC Shareholder and Member, Board of Directors

February 28, 2026

Heber Valley Corridor EIS Project Team
Utah Department of Transportation
Via email: hebervalleyeis@utah.gov

Re: Individual Landowner Comment on the Heber Valley Corridor Draft Environmental Impact Statement — Preferred Alternative B

Dear Project Team:

My name is George Holmes. I am a large-scale livestock operator and dairy producer with operations spanning the state of Utah. I own property in the North Fields of the Heber Valley, where I operate critical pastures that are integral to my dairy and livestock enterprise. My home and primary dairy facilities are located less than two miles from the North Fields. I also serve on the Board of Directors of the North Field Irrigation Company ("NFIC"). I submit this comment in my *individual capacity* as a directly impacted property owner whose North Field land will be partially condemned and whose entire operation will be permanently impaired by Preferred Alternative B. My operation employs many people whose families depend on this work for their livelihoods. The consequences of Alternative B extend far beyond my property line—they reach into the homes of every family that depends on this operation for a paycheck.

I urge UDOT to select Alternative A or, at minimum, realign Alternative B as far east toward US-40 as possible. As proposed, **Alternative B will not merely take a strip of my North Field land—it will sever my access to pastures that are essential to my dairy operation and that cannot be replaced by any other ground I operate anywhere in the state.**

The Bypass Will Destroy Far More Than the Land It Takes

I operate North Field pastures as part of an integrated livestock and dairy system. My dairy and home base are less than two miles away. I move cattle regularly between my home facilities and the North Field pastures for rotational grazing, feeding, and herd management. Alternative B would place a four-lane divided highway between my base of operations and my North Field ground—with no livestock crossings, no cattle underpasses, and no agricultural corridors anywhere in the DEIS design.

The result is not just the loss of the land under the highway. **It is the functional loss of every North Field pasture I can no longer move cattle to or from.** Pastures that are physically intact but cut off from my dairy facilities by an impassable highway are pastures I cannot use. The DEIS counts only the acres under the right-of-way as "impacted." It entirely ignores the far larger acreage that becomes operationally useless when a livestock operation loses the ability to access its own land.

This Land Cannot Be Replaced—I Know Because I've Looked

I operate across the state of Utah. I know what agricultural land looks like in every corner of this state. The North Field pastures are **irreplaceable**. The alluvial soils, sustained by NFIC's 165-year-old gravity-flow irrigation system, produce forage of a quality and nutritional density that I have not found on any other ground I operate. For a dairy operation, feed quality directly determines milk production, butterfat content, and animal health. Losing access to this feed—not because the land has been destroyed, but because UDOT designed a highway without a single cattle crossing—will force me to purchase replacement feed at substantial ongoing cost or reduce my herd. Either outcome fundamentally damages the economics of my dairy—and with it, the livelihoods of the many families who work this operation. When a dairy is forced to reduce its herd or absorb unsustainable feed costs, the people who lose their jobs are not abstractions on a spreadsheet. They are families in this valley whose lives will be upended by the loss of work. UDOT has conducted no analysis of these cascading agricultural and employment impacts.

The Valley's Water Is at Stake

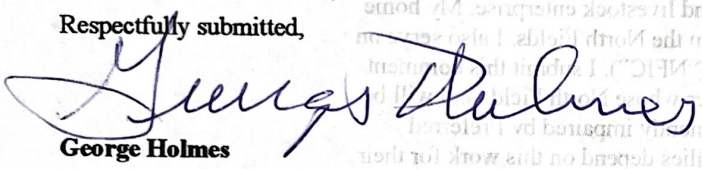
As an NFIC Board member, I have firsthand knowledge that NFIC warned UDOT repeatedly—beginning in June 2022—about the risks Alternative B poses to the Class IA pristine aquifer beneath the North Fields and to NFIC's senior water rights. UDOT's own stormwater model shows that deicing salt concentrations would exceed the legal limit for this aquifer. The DEIS proposes no treatment and no contingency plan. My operation depends on clean water. The community depends on clean drinking water. UDOT is asking us to gamble both.

What I Am Asking

I formally request that UDOT: (1) select Alternative A, which is less damaging and less costly in every measurable environmental category; (2) if Alternative B proceeds, realign it as close to US-40 as possible; (3) conduct the severance damage analysis, agricultural economic impact study, and livestock crossing assessment that the DEIS omits entirely; and (4) issue a Supplemental DEIS that addresses the 99 deficiencies identified by NFIC before any Record of Decision is issued.

This land is my livelihood, my family's future, and the economic foundation for the many families whose work depends on this operation. I operate across this state, and I can tell you without hesitation that there is no replacement for North Field ground. The DEIS proposes to cut me off from the most productive pastures in my entire operation—land I will be able to see from less than two miles away but can no longer use—all to save 70 seconds of travel time compared to Alternative A. I ask UDOT to consider not just the land on its maps but the people whose lives depend on what that land produces.

Respectfully submitted,



George Holmes
Landowner, Livestock Operator, and Dairy Producer
Member, Board of Directors, North Field Irrigation Company

ID 668

George Holmes
Heber Valley, Wasatch County, Utah
NFIC Shareholder and Member, Board of Directors

February 28, 2026

Heber Valley Corridor EIS Project Team
Utah Department of Transportation
Via email: hebervalleyeis@utah.gov

Re: Formal Comment of George Holmes on the Heber Valley Corridor Draft Environmental Impact Statement — Preferred Alternative B

Submitted in Individual Capacity as Directly Impacted Landowner, Livestock Operator, Dairy Producer, and Member of the Board of Directors of the North Field Irrigation Company

Dear Project Team:

I submit this formal comment as an individual landowner whose North Field property will be partially condemned and whose agricultural operations will be permanently destroyed by Preferred Alternative B. I am a large-scale livestock operator and dairy producer with operations spanning the state of Utah. I own and operate critical pastures in the North Fields that are integral to my dairy enterprise. My home and primary dairy facilities are located less than two miles from the North Fields, and I move cattle regularly between my home base and the North Field pastures as part of an integrated grazing and feeding operation. I also serve on the Board of Directors of the North Field Irrigation Company ("NFIC"), which holds the senior water rights and operates the irrigation infrastructure that sustains the North Fields.

This comment supplements and incorporates by reference the formal comment submitted by NFIC, which identifies **99 specific deficiencies** in the DEIS—**36 classified as FATAL** (each independently sufficient to invalidate the DEIS or constitute a violation of federal law) and **63 classified as MAJOR**. While the NFIC comment addresses system-wide impacts to the valley's water infrastructure, this comment focuses on the specific, concrete, and irreversible harm Alternative B will inflict on my property, my agricultural operations, and my family's economic future. My operation employs many people. Their families depend on this work for their livelihoods. The destruction of my operation is not a private loss confined to one landowner—it is an economic event that will upend the lives of every family that depends on this enterprise for employment.

The central fact UDOT has failed to confront is this: **Alternative B will not merely condemn a strip of my North Field land—it will sever my dairy and livestock operation from the most productive and irreplaceable pastures in my entire statewide enterprise.** I operate agricultural land across Utah. I know from decades of firsthand experience that no other ground I operate—anywhere in this state—can replace the feed quality, soil quality, and productive capacity of the North Fields. The DEIS contains no livestock crossings, no cattle underpasses, and no agricultural corridors. Without that infrastructure, a four-lane highway less than two miles from my dairy will permanently wall off the pastures my operation depends on—land that remains physically intact but becomes operationally useless because the DEIS design provides no means for livestock to cross the corridor.

I formally oppose Preferred Alternative B and demand that UDOT either select Alternative A or realign Alternative B as close to US-40 as practicable.

I. Property Condemnation, Severance, and Cascading Operational Destruction

Alternative B will condemn a portion of my North Field land for the highway right-of-way and place a four-lane divided highway between my home dairy facilities and the North Field pastures that are critical to my operation. This is not a hypothetical future impact—it is a direct taking of private property and a permanent severance of the operational link between my dairy and its primary feed source, located less than two miles apart.

The True Damage Footprint: Far Larger Than the Right-of-Way. The DEIS calculates

farmland "conversion" by counting only the acres physically consumed by the highway. It entirely ignores the far larger acreage that is functionally destroyed by the severance of livestock access. My operation depends on moving cattle between my home facilities and the North Field pastures—rotating herds for managed grazing, moving animals to and from dairy facilities, and accessing different portions of the North Fields for seasonal feeding and herd management. Alternative B eliminates that connectivity. The North Field parcels on the far side of the highway do not merely become inconvenient to reach—they become **operationally useless** for livestock and dairy purposes. Cattle cannot cross a four-lane highway. There are no at-grade crossings in the DEIS design. There are no underpasses. There are no livestock corridors of any kind.

Ground the Highway Never Touches Becomes Unusable. This is the design deficiency UDOT has refused to analyze. Pastures I cannot move cattle to are pastures I cannot graze. Fields I cannot rotate livestock through lose their value in a managed grazing system. North Field ground that remains physically intact on the far side of the highway has been stripped of its agricultural utility—not because the soil has failed or the water has dried up, but because UDOT designed a highway with zero provisions for the livestock operations that depend on this land. The true agricultural footprint of Alternative B is a multiple of the right-of-way acreage the DEIS reports.

No Livestock Crossing Infrastructure Anywhere in the DEIS. The DEIS does not include a single cattle underpass, livestock crossing, or agricultural corridor on my property or anywhere along the Alternative B alignment through the North Fields. UDOT has made verbal representations about "cattle underpasses" in public meetings, but no such structure appears on any design drawing, in any line item of the cost estimate, or in any mitigation commitment in the DEIS. A verbal promise from UDOT is not a NEPA commitment. If it is not in the DEIS, it does not exist for purposes of impact analysis—and its absence means the DEIS has designed a highway that will destroy agricultural operations it claims to merely "impact."

No Severance Damage Analysis. The DEIS cost model does not include severance damages. Under Utah law (Utah Code § 78B-6-511), a condemning authority must compensate not only for the land physically taken but for the damage to the remainder. When the "remainder" includes North Field pastures that have been rendered operationally useless by the highway's severance of livestock access from my dairy less than two miles away, the severance damages dwarf the value of the condemned strip. UDOT's own documents admit that land acquisition costs in the DEIS are "not based on an appraised value." The absence of any severance analysis —particularly one accounting for the cascading loss of agricultural utility on non-condemned land—means the true cost of Alternative B is materially understated.

Constitutional Implications. The selection of Alternative B over a less damaging, less costly alternative raises serious questions under the Fifth Amendment and Article I, Section 22 of the Utah Constitution. When a government agency chooses to condemn private property despite having a practicable alternative that avoids or minimizes the taking, the burden of justification is substantial. That burden is heavier still when the chosen design does not merely take a defined parcel but functionally destroys the value of surrounding property through operational severance. The DEIS does not meet that burden.

II. Irreplaceable Feed Quality and Destruction of a Dairy Operation

I operate a large dairy and livestock business with operations spanning the state of Utah. My enterprise depends on three resources that Alternative B would destroy: (1) the uniquely high-quality forage produced on North Field pastures; (2) clean, reliable irrigation water delivered by NFIC's gravity-flow system; and (3) unobstructed access between my dairy facilities and the North Field pastures less than two miles away.

The North Fields Are Irreplaceable—And I Speak from Statewide Experience. I do not make this claim lightly or in the abstract. I operate agricultural land across the state of Utah. I have managed livestock on ground from one end of this state to the other. The North Field pastures are **unique and irreplaceable**. The alluvial soils in the North Fields—deposited over millennia by the Provo River system and sustained by NFIC's 165-year-old gravity-flow irrigation network—produce forage of a quality and nutritional density that I have not found on any other ground in my statewide operation. No other parcel I own or lease, anywhere in Utah, can replicate the feed quality these pastures produce.

For a dairy operation, this is not an academic distinction. Feed quality directly determines milk production volume, butterfat content, animal health, and veterinary costs. The North Field pastures are the foundation of my dairy's productivity. The DEIS treats all farmland as interchangeable, assigning identical per-acre values regardless of soil quality, irrigation access, or productive capacity. This is a fundamental analytical failure. UDOT cannot mitigate the loss of these pastures by pointing to a theoretical acreage offset on inferior ground—ground that does not exist within the valley and that I can confirm from direct experience does not exist elsewhere in the state at comparable quality.

Severance Destroys More Pasture Than the Highway Takes. Even if my North Field pastures are not all physically consumed by the right-of-way, the bypass will sever my ability to move cattle between my dairy facilities and the North Field ground. Pastures I cannot move cattle to are pastures I cannot use. The productive capacity of every North Field acre that my herd can no longer reach is lost—not counted in the DEIS, not analyzed, not mitigated, but lost. The true feed loss to my dairy is not the acreage under the highway; it is every acre of North Field pasture that the highway's design deficiencies cut off from my operation.

Cascading Economic Consequences. The combined loss of condemned land, operationally stranded pastures, and severed livestock access will trigger a chain of economic destruction the DEIS has made no attempt to quantify:

- **Replacement feed costs:** Purchasing hay, silage, and supplemental feed to replace North Field forage—both from condemned land and from stranded pastures—will add substantial, permanent annual operating costs that recur every year for the life of the operation.
- **Herd reduction:** If replacement feed is economically prohibitive at the scale of loss created by the severance, the only alternative is to reduce herd size, directly reducing milk production, revenue, and dairy viability. A smaller operation requires fewer workers. The families who depend on this operation for employment—the people who work the dairy, manage the cattle, and maintain the equipment—will lose their jobs not because the business failed on its own terms, but because a state highway agency severed it from its feed source.
- **Infrastructure stranding:** My dairy infrastructure—milking facilities, feed storage, waste management—represents capital investments made in reliance on the productive capacity of the North Field pastures less than two miles away. Severing access to that feed source partially strands those facilities.
- **Irrigation system destruction:** NFIC's gravity-flow system feeds the North Field pastures. The DEIS proposes converting portions to pressurized siphons—infrastructure NFIC will not accept and cannot maintain. If irrigation fails, the pastures lose not only their livestock utility but their irrigated agricultural value entirely.

The DEIS contains **no agricultural economic impact analysis** for any individual operation. No study of feed replacement costs. No analysis of herd viability. No assessment of the cumulative acreage rendered non-functional by operational severance. No evaluation of the employment impacts on the many families whose livelihoods depend on the agricultural operations this highway will destroy. No recognition that a livestock operation cannot function when an impassable barrier separates its facilities from its pastures. This is a wholesale failure to take the "hard look" required by NEPA.

III. Water Supply, Aquifer Contamination, and Irrigation Infrastructure

As an NFIC Board member, I have direct knowledge of the warnings NFIC has delivered to UDOT since June 2022. I incorporate by reference the full NFIC comment on water issues and highlight the following:

Aquifer Contamination. The North Fields overlie the Class IA pristine aquifer that provides drinking water to Heber City, Midway, and Charleston. UDOT's own SELDM stormwater model shows deicing salt concentrations from Alternative B would exceed the legal Total Dissolved Solids limit—yet the DEIS proposes directing 100% of highway runoff into unlined detention basins discharging directly into the ground. No treatment. No lined basins. No contingency plan. My dairy requires clean water for my herd. The community requires clean drinking water. Aquifer contamination would compound the operational severance: North Field land already stranded by the loss of livestock access would also lose its water quality, ensuring that no future agricultural use could restore its productive value.

Destruction of Gravity-Flow Irrigation. NFIC's gravity-flow canal system has delivered water to the North Fields since 1860. Alternative B would sever multiple canals, requiring conversion to pressurized siphons and buried pipes. The DEIS contains no engineering design, no cost estimate for construction or maintenance, and no agreement with NFIC. NFIC has publicly stated it will not accept the conversion of its system into a mechanical dependency. As a shareholder and Board member, I affirm that position.

Unfunded Maintenance Mandates. UDOT's proposed siphon infrastructure would transfer a permanent, specialized maintenance burden to NFIC shareholders—including me. We are farmers and ranchers, not pipeline operators. We do not own the robotic inspection equipment or mechanical systems required to maintain underground siphons. The DEIS identifies no funding

source, no maintenance agreement, and no long-term financial commitment from UDOT. This is an unfunded mandate on private landowners to maintain state highway infrastructure in perpetuity.

IV. DEIS Analytical Failures Specific to Agricultural Operations

The NFIC formal comment identifies 99 deficiencies. The following are particularly egregious as they relate to my property and operations:

Acreage Counting Instead of Operational Analysis. The DEIS evaluates farmland conversion exclusively by counting acres under the highway footprint. It never asks whether remaining agricultural operations will be viable after the taking. A dairy whose facilities are less than two miles from its primary feed source—but separated by an impassable highway with no livestock crossings—is not viable. The DEIS does not distinguish between an acre physically condemned and an acre rendered operationally worthless by the severance of livestock access. Both are destroyed; only one is counted. And the DEIS never asks what happens to the people employed by the operations it destroys—the many families whose livelihoods depend on agricultural enterprises that will no longer be viable once the highway severs them from their land.

Farmland Treated as Fungible. The DEIS assigns standardized values to agricultural land without regard to soil quality, irrigation access, or productive capacity. As someone who operates across the state, I can state with certainty that the North Field alluvial soils are unique in Utah. No replacement land with equivalent soil composition, water access, and forage production exists in the valley or, to my knowledge, anywhere else in the state at comparable quality. The DEIS contains no soil analysis, no replacement parcel inventory, and no land availability study.

Agriculture Protection Area Violations. Alternative B would damage 38.4 acres of APA-designated land—225% more than Alternative A's 11.8 acres. The APA statute (Utah Code § 17-41-101 et seq.) exists specifically to protect agricultural land from non-agricultural encroachment. When operationally stranded acreage is included—land that remains nominally "agricultural" but can no longer function as such—the true APA impact is significantly larger than reported.

Access and Agricultural Corridor Destruction. Alternative B would funnel all access to approximately 2,800 acres of agricultural land through a single interchange, eliminating 600 West as a through-route for farm equipment, livestock movement, and agricultural commerce. For my operation, the loss of direct routes between my dairy facilities and the North Fields means that even if a livestock crossing were eventually built at one location, I would still lose the flexible network of access that allows responsive management of cattle across the North Fields.

Cost Model Omissions. The DEIS cost estimate of $760.5 million omits cattle underpasses, landowner access structures, groundwater collector systems, canal relocation engineering, and severance damages. When included—particularly severance damages accounting for the cascading loss of agricultural utility on operationally stranded land—the true cost likely exceeds $1 billion. The $48.6 million cost differential UDOT calls "fairly negligible" is, in reality, hundreds of millions of dollars.

V. Formal Demands

For the reasons set forth above and in the NFIC formal comment incorporated herein, I make the following demands:

- **Select Alternative A.** UDOT's own data shows it is less damaging in every category: 140% less wetland destruction, 24% less farmland conversion, 225% less APA impact, 56% less historic canal severed—and less costly. Alternative B cannot satisfy the LEDPA standard under Section 404(b)(1) of the Clean Water Act.

- **If Alternative B proceeds, realign the highway as close to US-40 as practicable.** An eastward shift would cross fewer canals, bisect fewer parcels, destroy fewer wetlands, and reduce the number of operations whose land is severed into non-functional fragments. UDOT dismissed this without study.

- **Conduct the omitted studies:** (a) severance damage analysis accounting for cascading loss of agricultural utility on operationally stranded land; (b) agricultural economic impact assessment including dairy and livestock viability; (c) livestock crossing and agricultural corridor plan with engineered designs and cost estimates for every operation the highway bisects; (d) hydrogeologic analysis of aquifer contamination; and (e) engineering designs for all irrigation infrastructure replacements.

- **Issue a Supplemental DEIS** addressing all 99 NFIC deficiencies and the agricultural

operation deficiencies identified herein before any Record of Decision.

VI. Conclusion

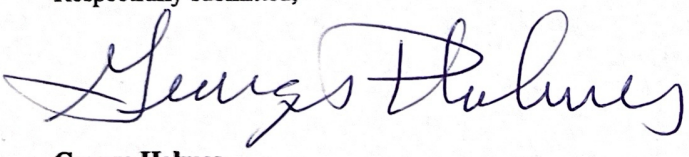
I have operated livestock and dairy across the state of Utah. I know agricultural land. I know what makes ground productive and what makes it irreplaceable. The North Fields are both. The alluvial soils, the gravity-flow irrigation, the forage quality—there is nothing like it anywhere else I operate. And my dairy, less than two miles away, depends on it.

The DEIS proposes to condemn a portion of that land and wall off the rest behind a four-lane highway with no cattle crossings—leaving me with pastures I can see but cannot use, feed I need but cannot reach, and an operation that has been gutted not by the acres physically taken but by the design deficiency of a highway that provides no means for a livestock operation to function across it. When this operation is diminished, it is not just my family that suffers. It is every family that works this enterprise—the people who depend on this operation for their mortgages, their children's needs, and their place in this community. The DEIS accounts for none of them. All of this to save 70 seconds of travel time compared to Alternative A.

UDOT has not earned the right to make that trade. The DEIS is incomplete, its cost estimates are materially false, its environmental analysis is built on unverified data, and its preferred alternative is worse than the available alternative in every measurable category. I urge UDOT to correct course before irreversible damage is done.

This comment is submitted under NEPA's public participation requirements and preserves all rights, claims, and objections for any subsequent administrative or judicial proceedings.

Respectfully submitted,



George Holmes
Landowner, Livestock Operator, and Dairy Producer
Member, Board of Directors, North Field Irrigation Company
Heber Valley, Wasatch County, Utah

cc: North Field Irrigation Company Board of Directors
Incorporation by Reference: NFIC Formal Comment and Deficiency Index (99 Deficiencies)

ID 154

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1/27/26

Name Glenda Gray

Phone [redacted]

Email [redacted]

Addre [redacted]

Would you like to receive email updates? (**Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

I listened to the reasoning behind the necessity of 1300 S. - I just don't think the projected benefits are worth the cost of building a whole new road instead of utilizing the existing Hwy 189.

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 206

February 3, 2026

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway, Suite 200
Cottonwood Heights, UT 84121

Subject: Heber City Comments on the Heber Valley Corridor Draft EIS

Dear Evaluation Team,

Heber City would like to express our appreciation for the work and effort your team has put into preparing the Draft Environmental Impact Statement (EIS) for the Heber Valley Corridor. We recognize the importance of this project to our community and thank you for your efforts to keep us informed throughout the process.

On behalf of our community, please consider the following comments relating to the final alternative(s):

Issue 1: 1300 South Elevated Roadway

Concern: Heber City would have preferred to see the South Highway 40 leg—planned to run along 1300 South—located further south through the undeveloped area to reduce impacts on residential and commercial properties along 1300 South.

Resolution Request: Consider alternate routes to the south of 1300 South running more through the open land used for the HVSSD Sewer Fields. Evaluate whether these routes could reduce impacts to property owners and if they could reduce the cost and expense associated with the long length of raised roadway and underpasses along 1300 South. If an acceptable alternate route can be identified, it may eliminate some of the additional concerns listed below.

Issue 2: Proposed Southfield Road Cul-de-sac

Concern: Current alternatives call for a dead-end cul-de-sac at the south end of Southfield Road. Southfield Road is designated as a Major Collector in Heber City's Transportation Master Plan and serves as an important link to major roads, including Highway 40, 650 South, and Midway Lane. It provides critical capacity and multiple ingress/egress routes for large events on the west side of town, including at the Wasatch County Events Center. UDOT has indicated that future alternatives were evaluated assuming a 1200 South connection from Southfield Road to Industrial Parkway.

Resolution Request: Provide a connection from the bypass near 1200 South to Southfield Road, or construct the future connecting road between Southfield Road and Industrial Parkway.

Issue 3: No Westbound Access to 1300 South from Hwy 189 & 1300 S Intersection

Concern: Traffic coming from south Heber (north on Daniel Road) cannot access the Valley Station commercial development (Walmart) or 300 West without going north through the Hub intersection and turning left off Main Street at 1000 South. This movement is already restricted and difficult during heavy traffic.

Resolution Request: Allow westbound traffic along 1300 South from the Hwy 189 & 1300 South intersection by creating an additional tunnel or opening under the bypass road to merge with westbound traffic on the north side of the bypass.

Issue 4: One-Way Access at Industrial Parkway

Concern: Traffic traveling along Industrial Parkway cannot pass under the bypass and continue on Industrial Parkway. Detours to the underpass at 300 West would add traffic to signals and intersections that are expected to experience capacity concerns.

Resolution Request: Consider adding another underpass at this location to provide more direct routes and better direct access to Hwy 189.

Issue 5: No Left Turns or Access to the Bypass from Southfield Rd at Midway Lane

Concern: Due to anticipated traffic and proximity of planned signals for the bypass interchange and the new high school at 1000 West, northbound traffic on Southfield Road will not be able to turn left to head to Midway or access the bypass.

Resolution Request: Allow full movement at this intersection and access to the bypass in both directions. One idea is to realign the Southfield Road intersection to line up with the

new signal at 1000 West, which is already being pursued by Heber City and Wasatch County. Can this solution be considered as part of the project?

Issue 6: Trail Access at Midway Lane Interchange

Concern: Proposed trail access requires pedestrians or cyclists to take a half-mile detour through the interchange. The concern is that many people may not be willing to do this, and may risk crossing with traffic (4 crossings), which could lead to increased accident risk.

Resolution Request: Evaluate other alternatives including an elevated or below-grade walkway for safe pedestrian crossing and potential bike lanes through the intersection.

Issue 7: No Direct Access to College Way from the Bypass

Concern: The alternatives identify College Way (3000 North) as the northernmost signalized intersection before the Hwy 32 interchange. This location will serve as the primary access to the North Village, including UVU and the future Arts District. As designed, traffic heading north on the bypass would need to get off the bypass at 900 north and travel along the existing north Hwy 40 route and then turn onto College Way at the future signal. Traffic leaving College way going south would need to turn left at the signal to travel back down the old Hwy 40 to 900 North where it could access the bypass. These options will rely heavily on the planned traffic signal(s) and may contribute to poor level of service during high traffic volumes.

Resolution Request: Consider options for more direct access to College Way, including:
1) A northbound exit ramp merging directly with College Way;
2) A free right lane from College Way to merge northbound without stopping; and
3) A merge lane or ramp on the west side of Hwy 40 to provide direct southbound access to the bypass.

Issue 8: Maintenance Responsibility of Frontage Roads & Trails

Concern: The City is also concerned about responsibility for maintenance and upkeep of frontage roads and trails to be built as part of the project.

Resolution Request: Our preference would be for UDOT to assume this responsibility and we request that UDOT provide clarification and/or negotiate with the City as needed.

Thank you for your consideration of these comments. Heber City looks forward to continued collaboration to ensure the best possible outcome for our community.

Sincerely,

The Heber City Council

Councilmember Yvonne M. Barney

Councilmember Aaron Cheatwood

Councilmember Mike Johnston

Councilmember Morgan Murdock

Councilmember Sid Ostergaard

Mayor Heidi Franco

HEBER CITY CORPORATE Seal WASATCH COUNTY, UTAH

ID 620

MAYORS OFFICE

HEART OF THE WASATCH BACK

HEBER CITY

EST 1889

March 9, 2026

To the Heber Valley Corridor DEIS Team,

As Mayor of Heber City and being recently re-elected on campaign promises to protect the North Fields, etc.; **I believe that Route B will cause irreparable and permanent harm to the North Fields, the South Fields, and the nationally historic agriculture that would qualify to be Section 4F properties in this area.**

I also believe that the vast majority of Heber citizens, as shown in the 'Envision Heber 2050' General Plan, the many public opinion polls taken formally and informally, etc., want to preserve the 'currently visible open space' in the North Fields, wetlands, scenic viewshed, and "surrounding community buffers" (see https://envisionheber.com/wp-content/uploads/2024/10/2023-General-Plan-Update-101224-SMALL.pdf). We live here because of the historical agriculture and surrounding open space which provides us with a unique and irreplaceable quality of life and water quality.

Related to the preservation of the North Fields is my tremendous concerns about water, water, water. Heber City cannot exist with water. Heber City Government must protect the quality and quantity of water for current and future citizens. The City cannot change geology, topography, or gravity.

City wells get water from the same unconfined aquifer that stretches from the North Fields to the South Fields, far to the east of Heber City then to Charleston, the Provo River, & to Deer Creek. All of that water flows to the Wasatch Front. **Given Heber Valley's Class 1A unconfined aquifer, there will be Cumulative Effects on water quality from Route B, as well as Clean Water Act standards that are missing in the DEIS**. Those Cumulative Effects will likely affect private wells in and close to the proposed Route B ROW, as well as eventually Heber City and other City wells. See the #1-#8 below in the 'Executive Summary.'

As Mayor I'm very concerned about and committed to our current and future Heber Citizens, their water needs, their current and future connectivity and safety needs. I've heard some think discussing this critical missing DEIS information now could delay this project. Yet the DEIS **hasn't** finished its required review; and **isn't** designed or funded yet.

Isn't it more important for a project of this magnitude to be done right than rushing to cause irreparable changes based on a DEIS that is missing critical studies & information? Both the public and UDOT need to know what is still missing in the DEIS.

I submit these comments to UDOT asking to collaborate in good faith to ensure and protect the City's water quality and quantity needs, fulfill the purpose of 'achieving Heber City's downtown vision' and provide local mobility and safety needs.

EXECUTIVE SUMMARY:

UDOT SHOULD PUBLICLY DISCLOSE THE POINTS DISCUSSED HERE AND ALLOW FURTHER PUBLIC COMMENT BEFORE MAKING A FINAL RECORD OF DECISION.

1. The DEIS shows many water-related issues where Route B may not meet the federal Clean Water Act § 404 requirements (CWA § 404). The EPA warned UDOT back in 2021 *and* 2022 that the North Fields Route options may not be the Least Environmentally Damaging Practical Alternative (LEDPA) required under CWA § 404. Federal law is supreme when deciding about this Bypass/Corridor project. None of us can escape the CWA § 404 LEDPA requirements.

Previously UDOT eliminated Route WA3 because of wetland/ CWA § 404 concerns, yet now the DEIS *prefers* Route B with the *same* amount of wetland impacts as in previous route WA3? How is this justified? Given that, the CWA § 404 concerns are indisputable with the DEIS' preferred Route B.

2. The DEIS seems biased toward Section 4f properties that are *not* historically significant ***over*** CWA § 404 protections in preferring Route B. Please let this sink in--the DEIS seemingly shows favor to **non**-significant Section 4F properties **over** CWA § 404 federal protection requirements to wetlands, water, and waterbody impacts. How is this justified?

Even more ironic and illogical is **that Route B will irreparably harm legally qualified conservation easement properties that *did meet* Section 4f requirements in federal laws; yet UDOT stopped those properties' NRCS funding and final Section 4f designation**. This is documented in the DEIS (see Chapter 3, Section 3.2.3.3., pg. 3-15, etc., https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03_Environmental.pdf & UDOT's letter to NRCS, May 2024).

I believe that Route *will irreparably harm* qualified Section 4f type properties that have national historical significance referring to the Gersch properties' proposed conservation easement and the Hicken Property's Agricultural Protection Area Parcel – which a land grant was made by President Ulysess S. Grant. Again, how is this justified?

Those Section 4f type agricultural properties should be protected for their prime soils, their wetlands, their high-water table and water quality, as well as their historical and cultural significance-- not permanently paved over.

3. The DEIS also states that preferred Route B will still be reviewed by the Army Corp of Engineers (ACOE) who must follow CWA § 404 to protect wetlands, water, and waterbodies first. That's how important our water is. It is my understanding that the **ACOE will only accept a LEDPA route which meets CWA § 404 standards** regardless of what the DEIS' favors. This does not bode well for Route B being LEDPA, especially since Route A has **less than half** the water-related impacts of Route B and costs less (see Chapter 4, Section

4(f) Evaluation, Table 4.7-4. Least Overall Harm Summary, pg. 4-4, https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_04_Section-4f.pdf).

4. Another CWA § 404 issue: the DEIS is missing a professional study as to the "Cumulative Effects" of stormwater run-off and petroleum products, road salts, etc., from Route B on Heber Valley's aquifer. This critical study should show ***when*** Route B's stormwater run-off will reach the Provo River, private wells in the area, and city wells.

The DEIS' SELDM Model in 'Appendix 3K' used sites <u>outside</u> of Utah for modeling 'stormwater runoff pollutant concentrations'(see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03K_Water_Quality_Technical_Report.pdf ; pg. 12, Section 2.2.3). I ask UDOT for an **accurate, <u>on-site</u> groundwater study to be completed and disclosed** to the public with more public comment allowed before UDOT makes any final record of decision. This is critical to gain the public's trust and protect the water quality of the Valley's aquifer.

5. The DEIS Route B's wetlands determination were made in July - November 2021, and July – October 2022 (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03N_Aquatic_Delineation_Report.pdf pg. 99-1785).

Is it UDOT's best practice or policy to do wetlands determinations in the late summer to fall instead of during the Spring run-off? Given the many years of the entire DEIS, I wonder why these wetlands determinations were made in consecutive years during late summer/fall?

I believe the wetlands determinations should be redone in the Spring for more accurate determinations, disclosed to the public and public comments allowed before a final record of decision is made. This could affect the total acreage of wetlands affected by Route B, as well as the amount of wetland mitigation required by the Army Corp of Engineers. This is critical to gain the public's trust and protect the water quality of the Valley's aquifer.

6. The DEIS used the National Wetlands Inventory (NWI) Map from **2021** as part of these wetlands determinations (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03N_Aquatic_Delineation_Report.pdf pg. 69-95).

Yet the National Wetlands Inventory (NWI) map was updated in **2022**; increasing the number of wetlands in the North Fields, especially along 600 West/Route B area (see https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/).

I ask that UDOT use the 2022 updated NWI map and complete a new wetlands determinations for Route B in the May-June time period instead of late summer/fall, disclose that to the public and allow more public comment before a final record of decision is made. This is critical to gain the public's trust and protect the water quality of the Valley's aquifer.

7. Another CWA § 404 issue is that **neither DEIS Route** shows **zero** infiltration stormwater basins with LID (Lower Impact Development) BMP's (Best Management Practices) for stormwater **treatment.** Instead the 'Appendix 3K. Water Quality Technical Report,' pg. 34, says "The BMPs (Best Management Practices) that UDOT

is proposing for the Heber Valley Corridor provide **100% infiltration** of stormwater include infiltration trenches (both lined with sand and unlined, depending on the location) and large, shallow basins that would allow both infiltration of stormwater and evaporation over time." I want both Routes' stormwater treatment to meet current Class 1A aquifer TDS (Total Dissolved Solids) and nutrient levels ***before* infiltrating** any stormwater into the aquifer.

I also believe Utah State regulation R317-6 requires UDOT to meet these Class 1A standards to protect our aquifer (see https://adminrules.utah.gov/public/rule/R317-6/Current%20Rules). Heber City adopted an MS4 Stormwater Management plan to ensure this on new streets.

The DEIS does not provide any stormwater LID treatment budget or costs for either Route for zero filtration retention and treatment. Zero infiltration stormwater basins with LID BMPs are especially needed with Route B's CWA § 404 impacts and the needed new on-site groundwater modeling study in #4 above.

Again, both Routes' stormwater basins should be redesigned to meet R317-6 Class 1A aquifer standards with LID BMP's before any stormwater filtration is allowed into the Valley's Class 1A aquifer. This redesign for **both Routes** should be completed and disclosed to the public with more public comment allowed before making a final record of decision. This is critical to gain the public's trust and protect the water quality of the Valley's aquifer.

8. Another CWA § 404 issue: the DEIS is missing a study on Route B's groundwater recharge effects in the North Fields or to private wells east of Route B or Heber City wells, etc. The North Fields Recharge Effects are detailed in many studies. Even though Route B isn't designed yet, I ask UDOT to provide and publicly disclose a groundwater recharge study based on similarly known road construction designs needed for Route B and allow more public comment before making a final record of decision. This is critical to gain the public's trust and protect the water quality of the Valley's aquifer.

9. Queue lengths and LOS (Level of Service) on North US-40 with Route B are also missing in the DEIS. We need to know what's happening to local mobility in Heber City. **Actual traffic modeling on North US-40 with Route B** needs to be done for queue lengths at all current and forthcoming signalized intersections north of 900 N Main; then disclosed to the public and allow more public comment before making a final Record of Decision. This relates to #10 next.

10. Route B doesn't fix Main Street Traffic. **Even with Route B, Main Street still has three 'failing' or 'near failing' intersections which need UDOT's help *now,* instead of never being fixed in the DEIS.**

Even with Route B and future growth, the queue lengths on Main Street/US-40 are not changed much from today's peak hour Level of Service (LOS) under Route B. Yes, the Main Street queue lengths are worse with Route A yet that shows the need even clearer to fix these 'failing and 'near failing' intersections in the heart of Heber's downtown (see Table 4.7-1, https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_04_Section-4f.pdf , pg. 4-38).

I plead with UDOT to redesign both Route alternatives before making a final record of decision so that Main Street does not have any 'failing' or 'near failing' intersections. This is a significant way to help achieve Heber City's downtown vision in the DEIS' Purpose and Need.

To see the differences between now and the future, the DEIS states in Appendix 2A if there is no Bypass built then in 2050:

> "…At **500 North**, a … **queue of over three miles long is expected during the weekday PM peak hour with an average vehicle queue greater than 9,400 feet**. …**At Center Street**, the **average southbound vehicle queue is anticipated to be 2,400 feet which would spill back to the 500 North intersection.** At the 100 South intersection, average vehicle queues are anticipated to spill into the Center Street intersection. Additionally, the eastbound queue is expected to be greater than 2,500 feet" (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_01A_Existing_and_No-build_Traffic_Report.pdf, pg. 24).

Today Heber City is already seeing long backups southbound through Main Street at peak travel times. We see southbound back-ups, queuing, & slowdowns starting north of 900 N Main all the way to 1200 South.

The DEIS explains further a projected 89% increase of traffic growth in '**Appendix 2C, Table 3'** showing Main Street's intersections level of service (LOS) in the future. The US-40/US 189 intersection will be a **LOS E (next closest to 'F' for 'failing')**. **Table 7 in that Appendix** shows that southbound **Peak** Travel Hours in the heart of town--**Center Street to 100 S Main--will be a LOS F (failing) and E (near failing)**. **Northbound peak travel will remain a LOS D** (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_02C_Action_Alts_Traffic_Memo.pdf, pgs. 9 & 12).

US-40 is a UDOT road. **I plead with UDOT to help Heber City find traffic solutions now for the heart of our downtown on Main Street instead of only a Bypass route. This will really fulfill the purpose and need of the DEIS for Heber's downtown vision. Please collaborate with us to solve the current queue lengths and future LOS F, E, & D intersections on Main Street.**

Table 6 of Appendix 2C shows ***why these Main Street intersections' LOS are failing***. Route B is estimated to keep a 700 foot Queue length southbound on Main Street at 500 N, plus a 1,900 foot queue length southbound at Center Street. At US-40 and 100 South (one block south) add another queue of 400 feet (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_02C_Action_Alts_Traffic_Memo.pdf, pg. 11).

Putting these Route B - Main Street queue lengths together: that's a 700 foot queue + 1,900 foot queue + 400 foot queue = a 3,000 foot queue on Main Street-- which is approximately 7+ Heber City blocks (Each block is approximately four acres square with approximately 417 feet per side).

With the increasing traffic specified in DEIS and the lack of traffic modeling done under #9 above, this queue length could start well before 900 N Main.

How can either Route really help Heber City achieve a 'more pedestrian or visitor friendly, less congested' downtown with these existing and increasing queue lengths? (See https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_02C_Action_Alts_Traffic_Memo.pdf).

11. One thing that can help is **Highway Project LRPT U02023033 widening North US-40 to 7 lanes. This project is *still needed for local mobility and safety*** whether Route B is built or not. Again, with the 89% increase in traffic and the increasing queue lengths shown above, UDOT must *complete this project anyway* for

Heber City's local mobility and safety needs *even with Route B*. Yet the DEIS doesn't project that this project will be built before 2050 (see Appendix 2A, Table 8: https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_01A_Existing_and_No-build_Traffic_Report.pdf , pg. 15).

Highway Project LPRT U02023033 is needed for local mobility, especially during peak travel hours from SR 32 to 900 N Main. Without the needed traffic modeling as stated in #9 above, at this point we can only think that North US-40 will become all slow-downs and queueing from College Way/Potter Lane to 1500 South Main. That does not help fulfill the DEIS' purpose with Route B. I believe Highway Project LRPT U01013033 is needed to achieve the Heber's General Plan for Main Street (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_01_Purpose_Need.pdf , Table 1.3-2.).

12. Additionally, **the DEIS states that diesels will remain on Main Street--more likely at off-peak hours--until Congress passes a law to let Heber City have jurisdiction over that road.** I doubt that Congress will transfer Main Street to Heber until ***after*** any Bypass Route is built. We also see that diesel deliveries will continue to be made to Main Street businesses. Seemingly at this point there doesn't seem to be a future where all diesels will be off Main Street—which to me was always the biggest reason for a Bypass (see more at https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_02C_Action_Alts_Traffic_Memo.pdf, pg. 13-14, 'Truck Travel Patterns').

13. The DEIS shows total costs for both Routes, yet **an actual breakdown of those line item costs, such as purchasing farmland with equivalent prime soils & water quality rights; wetlands mitigation and maintenance; existing highway access costs; mitigation costs to the North Fields Irrigation Company; the economic impacts to jobs and agriculture in the County economy; etc., must be disclosed to the public** and public comment allowed before any final Record of Decision is made. This is critical to gain the public's trust in the DEIS process.

14. I and many others are concerned about this missing in the DEIS: **what did the Utah State Commissioner of Agriculture and Food say to UDOT** about any recommendations to "modifications to the development project that would protect the integrity of the agriculture protection area(s)" in the North Fields? (See https://le.utah.gov/xcode/Title17/Chapter81/17-81-S307.html ; (2)(b).) Will UDOT publicly disclose the Commissioner's recommendations or modifications before making a final Record of Decision? This is critical to gain the public's trust in the DEIS process.

15. I and many others are concerned about the **high score of Route B on the DEIS 'Appendix 3B -Farmland Conversion Impact Rating for Corridor Type Projects.'** I ask for **complete public disclosure on how the numbers were assigned to Part VI, Criteria #1 - #10**; as well as allow public comment before a final Record of Decision is made (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03B_Farmland_Rating_Forms.pdf, pg. 3-4. This is critical to gain the public's trust in the DEIS process.

I also ask UDOT **what is the actual federal or state law or regulation that requires the 'no build' option to be *included* in the Farland Conversion Impact Area Map**. Please publicly disclosure this law reference.

16. Route B will induce growth in between Highway 40 and new route. Route B leaves approximately 500+ acres between existing Highway 40 and the new Route B alignment. This 500+ acres will be under tremendous growth pressure given ***existing*** Highway 40 private accesses and continuing annexation pressure to Heber City.

Wasatch County and Heber City currently do not have the tens of millions, even up to $100 million to protect this area in conservation easements or other open space options.

For decades there has been a 'gentleman's agreement' that Heber City would annex to the Bypass Road. All of these factors will induce growth in this area.

Again, it is **missing in the DEIS about funding to purchase existing highway accesses on North US-40 or on Route B; and what the wetlands mitigation plan is given the forthcoming ACOE review**.

I believe that **any wetlands mitigation should include a plan for continued grazing/agricultural use with weed mitigation in the North Fields.** This proposed wetlands management plan should keep the North Fields at existing grade level and not allow the mitigated wetlands to be torn up becoming unrecognizable and weedy, thus harder to maintain.

UDOT should publicly disclose Route B's budget breakdown of all projected costs to see how much is budgeted for wetlands mitigation, and what money is budgeted to buy any existing Highway 40 accesses to stop induced growth in the 500+ acres between Highway 40 and Route B; plus allow public comment before making a final Record of Decision.

17. As Mayor, I also urge UDOT to act on the previously submitted unanimous Heber City Council Comments to UDOT. **The entire Council asks UDOT to**:
-Move the 1300 south elevated highway further south to avoid serious neighborhood and business impacts. The current plan tears this neighborhood apart and takes away their existing connectivity and safety. Sound walls are not enough to address these impacts.
-Do not make Southfield Road a cul-de-sac on the south end. Instead allow continuing southern access to Highway 189 and northbound access onto the Bypass.
-Continue existing northbound access from 1300 S into the Walmart shopping area.
-Continue existing north-south access on Industrial Parkway at 1300 S.
-Rework the trail access on 100 South and the Bypass interchange without excessive detours.
-Allow access from the new College Way Road northbound onto the Bypass.
-Collaborate with Heber City on frontage road and trail maintenance within the City; (also collaborate with County for County areas).

Thank you for reading and responding. Thank you for helping Heber City achieve its downtown vision. Thank you for gaining the public's trust by publicly providing this missing DEIS information, allowing more public comment and protecting this Valley's Aquifer.
Sincerely,

Heidi Franco

Heidi Franco
Mayor of Heber City,

ID 681

WASATCH COUNTY

OPEN LANDS BOARD

March 9, 2026

To the Heber Valley Corridor DEIS Team,

The Wasatch County Open Lands Board (WOLB) was "created to preserve agricultural and open lands in Wasatch County for the enjoyment of present and future generations. Open land preservation will ensure the protection of rich farm and ranchlands, unique wildlife habitats, critical watershed, lakes & streams, historic areas, trail corridors, view sheds and our serene mountain settings" (WOLB Bylaws, Article I).

Another part of WOLB's purpose is to "identify and define the community vision for the future preservation of agricultural land and open space" (WOLB Bylaws, Article III).

With that mission, WOLB is submitting these Draft EIS comments on UDOT's DEIS for preferred Route B.

WOLB believes Route B will cause irreparable and permanent harm to the North Fields, the South Fields, and the historic and valuable agriculture in Wasatch County and the State of Utah – lands that are qualified to be Section 4F properties in this area.

Thank you for considering and responding to these concerns.

EXECUTIVE SUMMARY:

WOLB asks UDOT to publicly disclose the information requested below and to allow additional public comment before making a Final Record of Decision. Further information on each point is explained after the Executive Summary.

1. Do conservation easements that qualify for future NRCS funding, or agricultural protection area properties with national historical significance, still meet the standards for Section 4F properties? We believe these properties (the Gertsch and Hicken properties affected by Route B) *are* qualified to be treated as Section 4F-type properties. Even if NRCS funding is currently delayed, we believe these properties still met the legal standards to be a Section 4F property, and UDOT should treat them as such before a final record of decision is made.

2. All disruptions to existing agricultural operations (such as the Gertsch operation and similar operations) should be calculated for mitigation and disclosed to the public per U.C.A 17-81-

307(3)(b) before a final record of decision is made. Route B noise impacts must also be further studied before a final record of decision is made.

3. It is not clear on any UDOT map or in the DEIS whether 2400 N, 1800 N, or 1200 N in the North Fields will have access to 600 West via overpasses or underpasses on Route B. UDOT needs to disclose this officially, with designs and allow public comment before making a final record of decision.

4. What are the budgeted Route B costs of replacing Route B ROW farmland with similar-quality soils, water quality, and water rights? This is missing in the DEIS. All this needs to be calculated as part of the cost of the ROW and disclosed to the public before a final record of decision is made.

5. Given the high score of Route B on the DEIS Appendix 3B -'Farmland Conversion Impact Rating for Corridor Type Projects,' we ask for public disclosure (with more public comment) on how the numbers were assigned to Part VI, Criteria #1 - #10 before a final record of decision is made.

6. Economic losses of jobs, productivity, and income within Wasatch County were not found or calculated in the DEIS. A range of economic, job, and productivity losses - based on low-to-high wetlands mitigation acreage - should be calculated as part of Route B's impacts to Wasatch County and disclosed to the public before any final record of decision.

7. What did the State Commissioner of Agriculture and Food say (If anything) regarding recommendations on "modifications to the development project that would protect the integrity of the agriculture protection area(s)"? (See https://le.utah.gov/xcode/Title17/Chapter81/17-81-S307.html ; (2)(b).) We believe that UDOT should follow state law and obtain official recommendations or modifications from the State Commissioner and disclose that publicly before making any final record of decision. We also believe that UDOT should recognize and protect the Agricultural Protection Areas in the North Fields, since every state agency and local government entity must protect them.

8. We believe the DEIS wetlands determinations should be redone in the spring for more accurate determinations and before a final record of decision is made. This could affect the total acreage of wetlands affected by Route B, as well as the amount of wetland mitigation required by the Army Corp of Engineers.

9. We also ask that UDOT use the **updated 2022 NWI map** to complete new wetlands determinations for Route B in the May-June time period (instead of late summer/fall) before a final record of decision is made.

10. The DEIS does not contain a groundwater study along Route B showing *when* Route B's stormwater run-off will reach the Provo River, private wells in the Route B area, or even potentially city wells. We believe this kind of groundwater study must be disclosed before any final record of decision.

11. Do any of the SELDM Modeling out-of-state sites have the same unique North Fields soil depth, prime soil types, and the same amount of cobble rock above an unconfined aquifer? Where is UDOT's 'out-of-state' SELDM documentation showing these direct similarities to the North Field's geology and hydrology? These answers must be documented and disclosed to the public before any final record of decision, to gain the public's trust and protect the Valley's aquifer.

12. UDOT must protect the Valley's unconfined aquifer from petroleum products, road salts, and other road-based chemicals - likely using **zero**-infiltration stormwater basins in Route B, along with LID (Lower Impact Development) BMP's and stormwater treatment – so stormwater meets current Class 1A aquifer TDS and nutrient levels ***before*** being released into this aquifer. (See https://adminrules.utah.gov/public/rule/R317-6/Current%20Rules? .) We believe these studies and costs were not calculated in the current Route B cost. These items should be disclosed to the public, and additional public comment should be allowed, before a final record of decision.

13. The DEIS does not address groundwater recharge effects to the North Fields, private wells east of Route B, or Heber City wells. Before any final record of decision is made, we ask UDOT to study and disclose a groundwater recharge study based on known road construction designs for Route B.

14. We ask that UDOT study and publish a project-specific cumulative effects study on stormwater pollutants (or any other pollutants) affecting the North Fields unconfined aquifer before making a final record of decision.

15. A UDOT study on the effects and costs to the North Fields Irrigation Company delivery system must be disclosed to the public before any final record of decision is made.

16. The DEIS will induce growth in the 500+ acres between Route B and Highway 40. This conflicts with the Wasatch County General Plan and zoning, the Heber City Envision Heber 2050 General Plan, and related planning documents.

17. UDOT should publicly disclose Route B's budget breakdown of all projected costs, including: (a) how much is budgeted for wetlands mitigation; and (b) what funds are budgeted to buy any existing Highway 40 accesses to prevent induced growth in the 500+ acres between Highway 40 and Route B - before making a final record of decision.

Further information for the Executive Summary above:

#1 Information Above:

- Example of Gertsch Property

-Route B stopped the NRCS conservation easement funding on a county NOI applicant, Laren Gertsch—the largest private landowner in the North Fields. This applicant was federally funded by NRCS before UDOT intervened (See UDOT's Letter to NRCS, dated May 23, 2024; as well as at https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_05_Coordination.pdf , pg. 14).

- In UDOT's letter to NRCS in 2024, UDOT stated they would need anywhere from 8.85 acres to 22.86 acres of Gertsch property. Now, under Route B, UDOT is proposing to take **36.09** acres of the Gertsch property, affecting 9 of Gertsch's 15 parcels.

- Of the 15 Gertsch parcels, UDOT is taking 3 complete parcels at 100 South and cutting another parcel literally in half without direct access across the other side. UDOT is also taking parts of four other eastern parcels and part of another western parcel.

-These properties applied for a federally funded conservation easement through NRCS in 2019. The applicant qualified in every way to receive NRCS funds (and other matching funds) in 2024. **This means the application was qualified to become a Section 4F property with all the protections guaranteed in NEPA**. Yet at the same time, as UDOT discussed their EIS process with NRCS, NRCS withdrew the funding and did not complete the easement process that the Gertsch property had qualified for.

-Given all that: do conservation-easement properties who qualify for NRCS funding but have not received it still meet the legal requirements for Section 4F properties? We believe **these properties *are* technically qualified to become a Section 4F property. Whether or not the NRCS funding is (or was) delayed, we believe these properties still meet the legal qualifications to be a Section 4F property, and UDOT should treat them as such before a final record of decision is made.** Additionally, Mr. Gertsch's NRCS funding application began before the DEIS process.

-Eight of these 15 parcels affected by Route B are designated as Agricultural Protection Areas (see #7 above and below). Route B appears to lack "reasonable efforts to minimize or eliminate any detrimental impact(s) on agriculture that may results from the designation of a transportation corridor" in this specific example (see U.C.A 17-81-307(3)(b), https://le.utah.gov/xcode/Title17/Chapter81/17-81-S307.html).

- Example of the Hicken Property - Nationally Historic Agricultural Property

-Another North Fields state historical agricultural property taken in Route B's ROW is the Hicken Property, granted under President Ulysses S Grant ( ). This represents significant, irreplaceable history for the entire State of Utah, with this historical deed still in the possession of the property owners. This property received an Agricultural Protection Area designation from the Wasatch County Council. Taking this historical agricultural property also affects what is likely a qualified Section 4F property unrecognized by the DEIS. The DEIS should be more concerned with protecting property like this.

Remember the majority voters' support in Wasatch County for the 2018 Open Space Bond, which will purchase development rights and protect historical agriculture within Wasatch County. Also note the majority opinion written in Heber City's 'Envision Heber General Plan' published March 2020, where 77% of the public wanted to protect the North and South Fields around Heber City (see https://envisionheber.com/wp-content/uploads/2024/10/2023-General-Plan-Update-101224-SMALL.pdf, pg. 10 & 17, etc.).

- Route A allows future NRCS conservation easement funding in the North Fields. There are two other pending conservation easements in the North Fields for the last 3+ years. Wasatch County citizens and government want to move forward with NRCS funding for these proposed easements that could meet Section 4F qualifications.

#2 & #3 Information Above:

Current DEIS maps do not show how or where the Gertsch agricultural operations will be able to cross Route B from 100 South/Midway Lane to 2400 N. Therefore, we believe that the costs – using even this one example of an agricultural operation - are not calculated or mitigated in the DEIS. **All disruptions to existing agricultural operations like Gertsch's should be calculated with mitigation and disclosed to the public before a final record of decision is made**.

-We are also concerned Route B could cut off additional farmers' access to their existing farming/ranching operations and land. The DEIS says farm access "***might*** be provided," but it is not shown in Route B (https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03_Environmental.pdf , pg. 93).

- It is not clear on any UDOT map or in the DEIS whether 2400 N, 1800 N, or 1200 N in the North Fields will have access to 600 West via overpasses or underpasses on Route B. UDOT needs to disclose this officially, with designs, and allow public comment before making a final record of decision.

-The DEIS does not show designs for connectivity. Overpasses or underpasses that do not account for agricultural operations will not work for livestock movements. Route B harms agricultural operations in the North Fields.

-We believe that UDOT must maintain current connectivity for farming and ranching access on existing North Fields private roads.

-We also believe that UDOT should provide and protect farming **equipment** access ***into*** the North Fields **separate** from Highway 40 or Route B. This would allow farming equipment to access North Fields property without contending with diesel trucks or high-speed traffic on Route B or Highway 40.

- Route A maintains existing farming/ranching access on the North Fields private roads and needs frontage roads for farming equipment access.

- Route A maintains existing multiple emergency operation points (sheriff, fire, EMT's) for North Fields homeowners and provides multiple evacuation routes from the North Fields. Under Route B, will emergency personnel have longer response times with fewer routes in and out of the North Fields? This does not appear to be shown in the DEIS.

- The DEIS states there are much higher noise levels from Route B that will likely affect farming operations and homeowners at https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_02E_Preferred_Alt_Report.pdf , pg. 30.

-WOLB is concerned that Route B may introduce significant new highway noise into areas of the Valley that are currently characterized by low ambient noise levels, particularly within agricultural lands and rural residential areas. Federal highway noise regulations under **23 CFR Part 772** require evaluation of impacts to noise-sensitive receptors, including residences and agricultural properties, and require consideration of abatement where thresholds are approached or exceeded.

-Unlike Route A, which largely follows an existing transportation corridor, Route B would introduce a new limited-access highway into previously undisturbed rural environments. WLOB therefore requests additional clarification regarding modeled future noise levels, identification of affected receptors, and evaluation of potential mitigation measures to ensure compliance with federal noise impact standards and to protect the rural character of the Valley.

-Recommended Requests to UDOT:

1. How did the noise study account for the extremely low ambient noise levels typical of rural agricultural areas, and were baseline measurements taken in locations that are not currently influenced by highway traffic to accurately represent existing rural sound conditions?

a. Please provide the exact monitoring locations and demonstrate that they represent typical ambient noise conditions across the North Fields and agricultural areas?

2. While the analysis evaluates compliance with the FHWA Noise Abatement Criteria under 23 CFR Part 772, did the study analyze the magnitude of noise increase experienced by receptors that currently experience little to no highway noise, particularly where Route B introduces a new corridor into previously quiet areas?

    a. Please provide a table showing the increase in decibel levels at each receptor under both Route A and Route B?

3. How many residences, agricultural homes, or other noise-sensitive receptors would be newly exposed to highway noise under Route B compared to Route A, and does the EIS include a direct comparison of receptors that currently experience no highway noise but would under Route B?

    a. Please provide mapping showing areas where highway noise would be newly introduced under Route B but not under Route A?

4. Did the noise analysis evaluate potential impacts of sustained highway noise on livestock operations located along the Route B corridor, and were agricultural facilities such as barns, corrals, and grazing areas considered in identifying noise-sensitive receptors?

    a. If livestock facilities were not included in the receptor inventory, what methodology was used to determine that agricultural operations would not be affected by the introduction of continuous highway noise?

5. How were farm residences, seasonal housing, and agricultural dwellings identified and included as noise receptors in the analysis, particularly in areas where Route B would introduce highway noise into previously quiet agricultural zones?

6. Did the study evaluate whether the introduction of a new highway corridor under Route B could affect the long-term compatibility of adjacent agricultural land uses, particularly in areas where increased traffic noise may influence livestock management, farm operations, or future agricultural viability?

Noise does not just impact hearing. Noise on human cognition has been well established by numerous scientific studies. Noise exposure also negatively affects cognition by reducing mental workload and attention. Problem solving, creativity and attention are substantially decreased.

The EIS should also include a substantial review on the noise impact of the proposed incremental bypass A and B routes on humans of all ages residing in the Heber Valley.

- While the Noise Technical Report evaluates compliance with federal thresholds, WOLB remains concerned that Route B introduces sustained highway noise into rural agricultural areas that currently experience very low ambient noise levels. The relative increase in noise exposure, rather than absolute thresholds alone, should be considered when comparing alternatives.

#4 Information Above:

Most of the North Fields contain Prime Soils or Statewide Significant Soils according to ESRI, et. al., and Utah Open Lands designations (See the "Prime and Statewide Significant Soils, Nov 2022" in this letter's 'Appendix'). **The cost of replacing this farmland with similar-quality soils, water quality, and water rights does not appear to be calculated or considered in the DEIS. All this needs to be calculated in the cost of the ROW and disclosed to the public before a final record of decision is made.**

#5 Information Above:

***Given the high score of Route B on the DEIS Appendix 3B - 'Farmland Conversion Impact Rating for Corridor Type Projects,' **we ask for public disclosure on how the numbers were assigned to Part VI, Criteria #1 - #10 before a final record of decision is made** (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03B_Farmland_Rating_Forms.pdf).

- Which federal agency determined the Part VI criteria numbers?

- What documentation, specific formulas, and reasoning support the assigned discretionary criteria numbers?

- Must the 'Farmland Conversion Map' associated with this 'Impact Rating' form include the 'no build' option (see 'Figure 3.3-1., https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03_Environmental.pdf)?

- What is the legal reference (federal or state law or administrative code) for including the 'no build' option in the 'Farmland Conversion Map'?

These answers should be disclosed to citizens before a final record of decision is made.

#6 Information Above:

Route B will take **276 acres** of the North and South Fields for its 250' right of way, including all or part of up to **45 separate parcels in the North Fields and 13 parcels in the South Fields** (not including HVSSD farm land) (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03_Environmental.pdf , pg.19 and https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03D_Property_Maps.pdf , Appendix 3D, Property Maps, Appendix 2E, https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_02E_Preferred_Alt_Report.pdf pg. 30).

- Route B, according to the DEIS, will also need to mitigate at least **54 acres of wetlands**. The DEIS says this mitigation would take a **minimum ratio of 2:1, or "as high as 15:1** depending on the specific mitigation needs determined with the U.S. Army Corps of Engineers" (https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03_Environmental.pdf , pg.24). This mitigation amount is yet to be determined.

- **With the 276 acres taken by the ROW and up to 809 acres potentially required for wetlands mitigation by the Army Corp of Engineers, UDOT could be taking 1,000+ acres - potentially almost 1/3 of the entire 3,100+ acres in the North Fields - for Route B. This potential taking would be catastrophic to historic farming and ranching in the North Fields.**

#7 Information Above:

- **Economic losses of jobs, productivity, and income within Wasatch County were not found or calculated in the DEIS. A range of economic, job, and productivity losses - based on low-to-high wetlands mitigation acreage - should be calculated as part of the Route B impacts to Wasatch County and disclosed to the public before any final record of decision.** See Utah State Department of Workforce Services information on Wasatch County Agricultural Jobs at: https://jobs.utah.gov/wi/insights/county/wasatch.html#:~:text=Wasatch%20County%20grew%20employment%20by,92%20and%2027%20jobs%2C%20respectively.

Agricultural Protection Areas

- Route B also affects up to 149 acres in 10-14 separate parcels of County designated Agricultural Protection Area (see "Agricultural Protection Area Parcels in North Fields" in this letter's 'Appendix'). **UDOT says that 38.4 acres will be needed for Route B out of the total 149 acres.**

- Route B specifically affects the Hicken Property, which was designated by President Grant in the 1870's as their family's homestead and is an Agricultural Protection Area parcel.

- Route B will irreparably harm these affected Agricultural Protection Area parcels and the historical agricultural legacy of the North Fields and Wasatch County. Refer to 1.A above for the public's commitment to preserving the historical agricultural legacy of the North Fields.

- Utah state law is intended to protect the "integrity of the agricultural protection areas in state development projects" per **U.C.A. 17-81-307** (also discussed in 1.A above). Given this state law, **we ask UDOT: what did the State Commissioner of Agriculture and Food say about any recommendations on "modifications to the development project that would protect the integrity of the agriculture protection area(s)"?** (See https://le.utah.gov/xcode/Title17/Chapter81/17-81-S307.html ; (2)(b).)

- The DEIS, "Chapter 5, Public and Agency Consultation and Coordination" also never mentions UDOT collaborating or contacting the Utah State Department of Agriculture and Food per this state law (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_05_Coordination.pdf). **We believe that UDOT must follow state law and obtain official recommendations or modifications from the State Commissioner and disclose that publicly before making any final record of decision.**

-Route A could also affect 4-7 Agricultural Protection Area parcels, due to frontage roads on Highway 40 and the 100 South interchange.

#8 Information Above:

- Route B's wetlands determination were made in July, October, & November 2021, and July – October 2022 (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03N_Aquatic_Delineation_Report.pdf pg. 99-1785).

- **Is it UDOT's best practice or policy to do wetlands determinations in the late summer/fall instead of during spring runoff?** Given the years of delays throughout the DEIS, we question how these wetlands determinations were made in consecutive years during late summer/fall? **We believe the wetlands determinations should be redone in the spring for more accurate determinations and before a final record of decision is made. This could affect the total acreage of wetlands affected by Route B and the amount of wetland mitigation required by the Army Corp of Engineers.**

#9 Information Above:

The DEIS used the National Wetlands Inventory (NWI) map from **2021** as part of these wetlands determinations (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03N_Aquatic_Delineation_Report.pdf pg. 69-95). Yet the NWI map was updated in **2022** – showing additional wetlands in the North Fields, especially

along 600 West/Route B (see https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/).

- Given this, **we ask that UDOT use the 2022 updated NWI map and complete updated wetlands determinations for Route B in May-June (instead of late summer/fall) before a final record of decision is made.**

#10 Information Above:

- We are concerned that the DEIS is missing an on-site groundwater study for Route B showing ***when*** Route B's stormwater runoff will reach the Provo River, private wells in the Route B area, or potentially city wells. **We believe this kind of groundwater study must be disclosed before any final record of decision**.

-UDOT does discuss impacts to Provo River water quality in 'Appendix 3K. ("Water Quality Technical Report"), but does not report how long it will take stormwater runoff or pollutants to reach the Provo River (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03K_Water_Quality_Technical_Report.pdf throughout the report).

#11 Information Above:

In Appendix 3K ("Water Quality Technical Report"), the SELDM modeling database used for "Highway Stormwater Runoff Pollutant Concentrations" in the North Fields and to the Provo River is described as **not include any sites in Utah**; therefore, UDOT chose sites in other states that best represent the conditions of the Heber Valley Corridor. Those locations included "California, Oregon, Washington, and Nevada," and "North Carolina" (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03K_Water_Quality_Technical_Report.pdf ; pg. 12, Section 2.2.3).

- **Do any of these SELDM modeling sites have the same unique North Fields soil depth, prime soil types, as well as the same amount of cobble rock above an unconfined aquifer?**

- **Where is UDOT's out-of-state SELDM documentation showing direct similarities to the North Fields' geology and hydrology**?

These answers must be documented and disclosed to the public before any final record of decision.

#12 Information Above:

- Route B will use infiltration basins for water retention and treatment. Appendix 3K ("Water Quality Technical Report") describes proposed BMPs as providing **100% infiltration** of stormwater via infiltration trenches (lined or unlined, depending on the location) and large, shallow basins that allow both infiltration and evaporation over time (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03K_Water_Quality_Technical_Report.pdf, pg. 34).

- Given the lack of SELDM documentation showing out-of-state sites **are uniquely and specifically similar to the North Fields' geology and hydrology**, UDOT must protect the Valley's unconfined aquifer from petroleum products, road salts, and other road-based chemicals - likely by using **zero-**infiltration stormwater basins in Route B, along with LID (Lower Impact Development) BMPs and **stormwater treatment – so stormwater meets current Class 1A aquifer TDS and nutrient levels *before* release to this aquifer**. (See https://adminrules.utah.gov/public/rule/R317-6/Current%20Rules? .) **We believe higher-standard LID BMP costs were not calculated in the current Route B cost.** This is another reason to study and disclose groundwater travel-time movement in the North Fields, as described above, **before a final record of decision.**

#13 Information Above:

- Given the soil and high-water table in the North Fields, Route B could potentially create a hydrogeologic dam due to the wide ROW road base and compaction needed over wetlands and streams. Could this construction cut off groundwater recharge or vegetation growth on the east side of Route B, or potentially affect nearby private or city wells given our valley-wide unconfined aquifer?

- **The DEIS does not address groundwater recharge effects to the North Fields, private wells east of Route B, or Heber City wells. Before any final record of decision is made, we ask UDOT to study and disclose a groundwater recharge study based on known road construction designs for Route B.**

#14 Information Above:

The DEIS also does not address the cumulative effects of stormwater pollutants in Appendix 3K ("Water Quality Technical Report") or in Chapter 3 ("Affected Environment, Environmental Consequences, and Mitigation Measures"), among other sections. **We ask UDOT to study and publish a project-specific cumulative effects analysis of stormwater pollutants (or other pollutants) affecting the North Fields unconfined aquifer before making a final record of decision.**

#15 Information Above:

- Route B directly crosses Spring Creek three times and Rock Creek four times, including a long section in the 900 N – 1000 N area. These crossings (and other irrigation ditch crossings) will affect the North Fields Irrigation Company water-rights delivery system, which is integral to continuing farming and ranching.

- We ask UDOT: what are the North Fields Irrigation Company costs of rebuilding/redirecting or other potential effects to its existing irrigation system or water shares? The DEIS does not describe how the North Fields Irrigation Company will be affected by Route B. **A UDOT study of the effects and costs to the North Fields Irrigation Company delivery system must be disclosed to the public before any final record of decision is made.**

#16 Information Above:

-Route B leaves approximately 500+ acres between existing Highway 40 and the new Route B alignment. This 500+ acres will be under tremendous growth pressure due to existing Highway 40 private accesses and continuing annexation pressure to Heber City.

Wasatch County and Heber City do not currently have the tens of millions needed to protect this area through conservation easements or other open space options.

-Note the decades-long "gentleman's agreement" that Heber City would annex to the Bypass Road. Together, these factors will induce growth in the in-between area.

-The DEIS does not include information on funding to preserve this land in Route B costs. The DEIS also does not provide information on how much of Route B's total cost is budgeted for wetlands mitigation.

#17 Information Above:

-Any wetlands mitigation should include a plan for continued grazing and weed mitigation in the North Fields, with a management plan. This wetlands management plan should keep the North Fields level and should not allow the mitigated wetlands to be torn up or changed from natural grade, which would make them harder to maintain.

-UDOT should publicly disclose Route B's budget breakdown of all projected costs, including how much is budgeted for wetlands mitigation and what funds are budgeted to buy any existing Highway 40 accesses to prevent induced growth in the 500+ acres between Highway 40 and Route B, before making a final record of decision.

Again, given these many concerns WOLB believes that Route B will cause irreparable and permanent harm to the North Fields, the South Fields, and the historic and valuable agriculture that did and can qualify as Section 4F properties in this area.

Sincerely,

The Wasatch Open Lands Board

Heidi Franco

Heidi Franco, Mayor, Heber City, Chair of WOLB

Karl McMillan

Karl McMillan, County Council Member

Erik Rowland, County Council Member

Dr. Steve Stevens, Midway Open Space Advisory Committee

Tracy Taylor, Citizen Representative

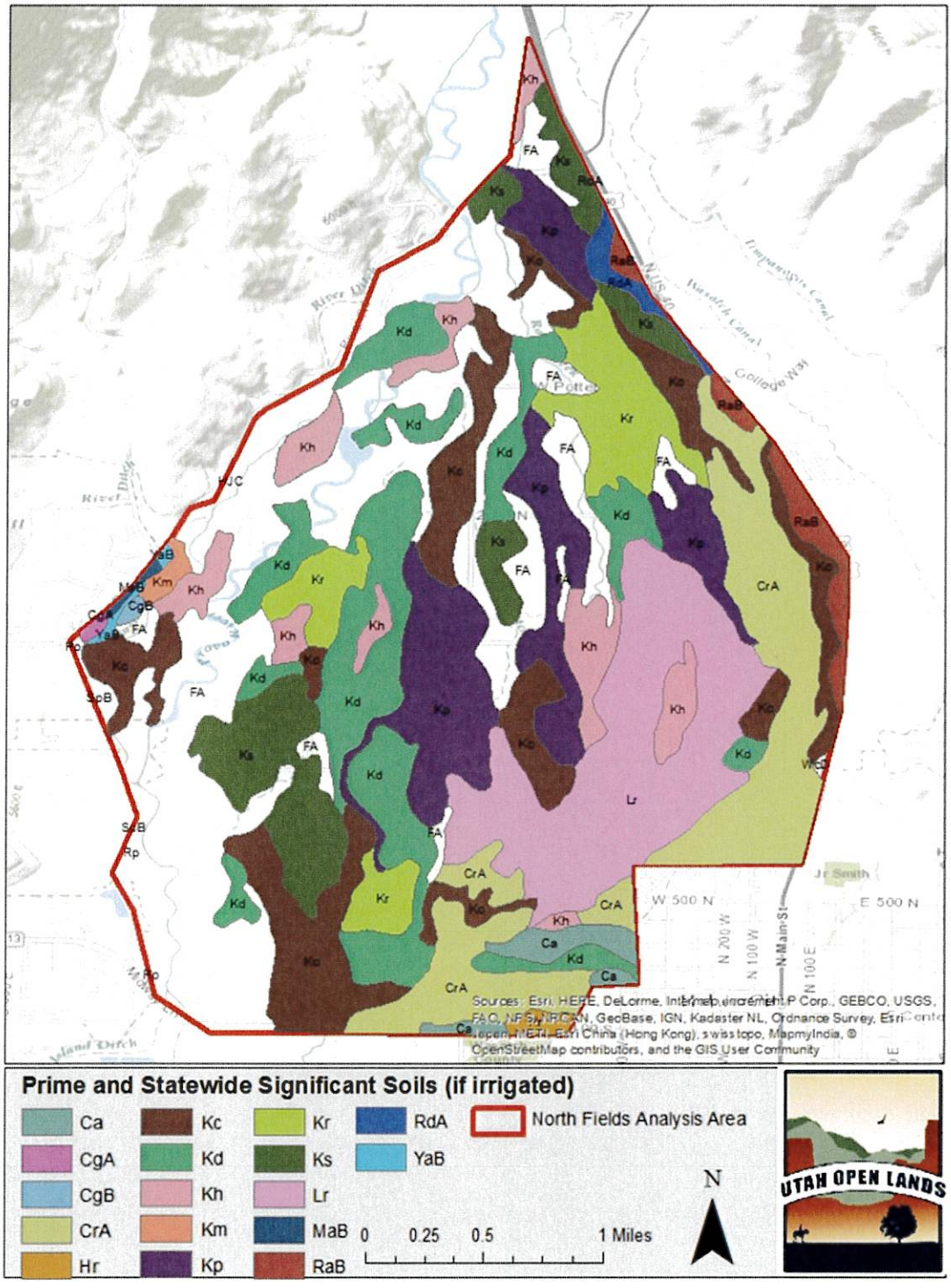
Justin J Keys, Citizen Representative - ABSENT

Dallin Koecher, HVTED Director

(See Appendix below for more references.)

Appendix

North Fields Area Baseline Analysis: Prime and State Significant Soils



AGRICULTURAL PROTECTION AREA PARCELS IN NORTH FIELDS

COMPARED TO UDOT MAPS OF HEBER VALLEY CORRIDOR FOR ALTERNATIVE ROUTES A & B

See UDOT Maps at: https://hebervalleyeis.udot.utah.gov/ , scroll down 1/3 of page to see Routes.

Sep 2025 – Wasatch County Planning Office & WOLB Chair prepared this list.

PARCEL #	Property Owner	Acreage	OVERLAPS with Alternative B thru North Fields	OVERLAPS with Alternative A on Highway 40
	L Gertsch	5.26	Yes	Yes
	L Gertsch	5.73	Yes	Yes
	L Gertsch	6.86	Yes	Yes
	L Gertsch	16.00	Yes	Yes
	L Gertsch	10.47	No	No
	L Gertsch	29.37	No	No
	L Gertsch	29.37	No	No
	L Gertsch	16.4	No	No
	L Gertsch	21.81	No	No
	John and Alice Hicken	23.41	Yes	No
	L Gertsch	2.14	Yes	No
	L Gertsch	13.22	Yes	No
	L Gertsch	31.2	Yes	No
	L Gertsch	10.26	No	No
	CVNF LLC	10.44	No	No
	CVNF LLC (C Fawson)	2.13	No	No
	CVNF LLC (C Fawson)	3.66	No	No
	CVNF LLC	7.03	No	No
	CVNF LLC	10.0	No	No
	GH Squared	10.0	No	No
	L Gertsch	17.71	Yes	No
	N Wright	28.19	Yes	No
	GH Squared	9.24	Possibly	No

	M Carlile	6.92	No	No
	M Carlile	3.85	No	No
	Two Girls Real Estate LLC	36.41	Yes, only if NB Highway 40/frontage road widened past UDOT ROW.	Yes, only if NB Highway 40/frontage road widened past UDOT ROW.
	Auburn Woods LLC	35.09	Yes, if NB Highway 40/frontage road widened past UDOT ROW.	Yes, only if NB Highway 40/frontage road widened past UDOT ROW.
	Densonock LLC	23.26	Yes, if NB Highway 40/frontage road widened past UDOT ROW.	Yes, if NB Highway 40/frontage road widened past UDOT ROW.
			Route B	Route A
	Total OWNERS affected by UDOT Routes: 6 - 7 Owners	ACREAGE Overlaps on Ag Protection Areas: Route B: 149.72 acres Route A: 33.85 acres	10-14 Parcels Overlap UDOT Alternative Route B thru North Fields	4-7 Parcels Overlap UDOT Alternative Route A on Highway 40.

ID 682

MAYORS OFFICE

HEART OF THE WASATCH BACK

HEBER CITY

EST 1889

March 9, 2026

To the Heber Valley Corridor DEIS Team,

As Mayor of Heber City and being recently re-elected on campaign promises to protect the North Fields, etc.; **I believe that Route B will cause irreparable and permanent harm to the North Fields, the South Fields, and the nationally historic agriculture that would qualify to be Section 4F properties in this area.**

I also believe that the vast majority of Heber citizens, as shown in the 'Envision Heber 2050' General Plan, the many public opinion polls taken formally and informally, etc., want to preserve the 'currently visible open space' in the North Fields, wetlands, scenic viewshed, and "surrounding community buffers" (see https://envisionheber.com/wp-content/uploads/2024/10/2023-General-Plan-Update-101224-SMALL.pdf). We live here because of the historical agriculture and surrounding open space which provides us with a unique and irreplaceable quality of life and water quality.

Related to the preservation of the North Fields is my tremendous concerns about water, water, water. Heber City cannot exist with water. Heber City Government must protect the quality and quantity of water for current and future citizens. The City cannot change geology, topography, or gravity.

City wells get water from the same unconfined aquifer that stretches from the North Fields to the South Fields, far to the east of Heber City then to Charleston, the Provo River, & to Deer Creek. All of that water flows to the Wasatch Front. **Given Heber Valley's Class 1A unconfined aquifer, there will be Cumulative Effects on water quality from Route B, as well as Clean Water Act standards that are missing in the DEIS**. Those Cumulative Effects will likely affect private wells in and close to the proposed Route B ROW, as well as eventually Heber City and other City wells. See the #1-#8 below in the 'Executive Summary.'

As Mayor I'm very concerned about and committed to our current and future Heber Citizens, their water needs, their current and future connectivity and safety needs. I've heard some think discussing this critical missing DEIS information now could delay this project. Yet the DEIS **hasn't** finished its required review; and **isn't** designed or funded yet.

Isn't it more important for a project of this magnitude to be done right than rushing to cause irreparable changes based on a DEIS that is missing critical studies & information? Both the public and UDOT need to know what is still missing in the DEIS.

I submit these comments to UDOT asking to collaborate in good faith to ensure and protect the City's water quality and quantity needs, fulfill the purpose of 'achieving Heber City's downtown vision' and provide local mobility and safety needs.

EXECUTIVE SUMMARY:

UDOT SHOULD PUBLICLY DISCLOSE THE POINTS DISCUSSED HERE AND ALLOW FURTHER PUBLIC COMMENT BEFORE MAKING A FINAL RECORD OF DECISION.

1. The DEIS shows many water-related issues where Route B may not meet the federal Clean Water Act § 404 requirements (CWA § 404). The EPA warned UDOT back in 2021 *and* 2022 that the North Fields Route options may not be the Least Environmentally Damaging Practical Alternative (LEDPA) required under CWA § 404. Federal law is supreme when deciding about this Bypass/Corridor project. None of us can escape the CWA § 404 LEDPA requirements.

Previously UDOT eliminated Route WA3 because of wetland/ CWA § 404 concerns, yet now the DEIS *prefers* Route B with the *same* amount of wetland impacts as in previous route WA3? How is this justified? Given that, the CWA § 404 concerns are indisputable with the DEIS' preferred Route B.

2. The DEIS seems biased toward Section 4f properties that are *not* historically significant ***over*** CWA § 404 protections in preferring Route B. Please let this sink in--the DEIS seemingly shows favor to **non**-significant Section 4F properties **over** CWA § 404 federal protection requirements to wetlands, water, and waterbody impacts. How is this justified?

Even more ironic and illogical is **that Route B will irreparably harm legally qualified conservation easement properties that *did meet* Section 4f requirements in federal laws; yet UDOT stopped those properties' NRCS funding and final Section 4f designation**. This is documented in the DEIS (see Chapter 3, Section 3.2.3.3., pg. 3-15, etc., https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03_Environmental.pdf & UDOT's letter to NRCS, May 2024).

I believe that Route *will irreparably harm* qualified Section 4f type properties that have national historical significance referring to the Gersch properties' proposed conservation easement and the Hicken Property's Agricultural Protection Area Parcel – which a land grant was made by President Ulysess S. Grant. Again, how is this justified?

Those Section 4f type agricultural properties should be protected for their prime soils, their wetlands, their high-water table and water quality, as well as their historical and cultural significance-- not permanently paved over.

3. The DEIS also states that preferred Route B will still be reviewed by the Army Corp of Engineers (ACOE) who must follow CWA § 404 to protect wetlands, water, and waterbodies first. That's how important our water is. It is my understanding that the **ACOE will only accept a LEDPA route which meets CWA § 404 standards** regardless of what the DEIS' favors. This does not bode well for Route B being LEDPA, especially since Route A has **less than half** the water-related impacts of Route B and costs less (see Chapter 4, Section

4(f) Evaluation, Table 4.7-4. Least Overall Harm Summary, pg. 4-4, https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_04_Section-4f.pdf).

4. Another CWA § 404 issue: the DEIS is missing a professional study as to the "Cumulative Effects" of stormwater run-off and petroleum products, road salts, etc., from Route B on Heber Valley's aquifer. This critical study should show ***when*** Route B's stormwater run-off will reach the Provo River, private wells in the area, and city wells.

The DEIS' SELDM Model in 'Appendix 3K' used sites <u>outside</u> of Utah for modeling 'stormwater runoff pollutant concentrations'(see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03K_Water_Quality_Technical_Report.pdf ; pg. 12, Section 2.2.3). I ask UDOT for an **accurate, <u>on-site</u> groundwater study to be completed and disclosed** to the public with more public comment allowed before UDOT makes any final record of decision. This is critical to gain the public's trust and protect the water quality of the Valley's aquifer.

5. The DEIS Route B's wetlands determination were made in July - November 2021, and July – October 2022 (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03N_Aquatic_Delineation_Report.pdf pg. 99-1785).

Is it UDOT's best practice or policy to do wetlands determinations in the late summer to fall instead of during the Spring run-off? Given the many years of the entire DEIS, I wonder why these wetlands determinations were made in consecutive years during late summer/fall?

I believe the wetlands determinations should be redone in the Spring for more accurate determinations, disclosed to the public and public comments allowed before a final record of decision is made. This could affect the total acreage of wetlands affected by Route B, as well as the amount of wetland mitigation required by the Army Corp of Engineers. This is critical to gain the public's trust and protect the water quality of the Valley's aquifer.

6. The DEIS used the National Wetlands Inventory (NWI) Map from **2021** as part of these wetlands determinations (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03N_Aquatic_Delineation_Report.pdf pg. 69-95).

Yet the National Wetlands Inventory (NWI) map was updated in **2022**; increasing the number of wetlands in the North Fields, especially along 600 West/Route B area (see https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/).

I ask that UDOT use the 2022 updated NWI map and complete a new wetlands determinations for Route B in the May-June time period instead of late summer/fall, disclose that to the public and allow more public comment before a final record of decision is made. This is critical to gain the public's trust and protect the water quality of the Valley's aquifer.

7. Another CWA § 404 issue is that **neither DEIS Route** shows **zero** infiltration stormwater basins with LID (Lower Impact Development) BMP's (Best Management Practices) for stormwater **treatment.** Instead the 'Appendix 3K. Water Quality Technical Report,' pg. 34, says "The BMPs (Best Management Practices) that UDOT

is proposing for the Heber Valley Corridor provide **100% infiltration** of stormwater include infiltration trenches (both lined with sand and unlined, depending on the location) and large, shallow basins that would allow both infiltration of stormwater and evaporation over time." I want both Routes' stormwater treatment to meet current Class 1A aquifer TDS (Total Dissolved Solids) and nutrient levels ***before* infiltrating** any stormwater into the aquifer.

I also believe Utah State regulation R317-6 requires UDOT to meet these Class 1A standards to protect our aquifer (see https://adminrules.utah.gov/public/rule/R317-6/Current%20Rules). Heber City adopted an MS4 Stormwater Management plan to ensure this on new streets.

The DEIS does not provide any stormwater LID treatment budget or costs for either Route for zero filtration retention and treatment. Zero infiltration stormwater basins with LID BMPs are especially needed with Route B's CWA § 404 impacts and the needed new on-site groundwater modeling study in #4 above.

Again, both Routes' stormwater basins should be redesigned to meet R317-6 Class 1A aquifer standards with LID BMP's before any stormwater filtration is allowed into the Valley's Class 1A aquifer. This redesign for **both Routes** should be completed and disclosed to the public with more public comment allowed before making a final record of decision. This is critical to gain the public's trust and protect the water quality of the Valley's aquifer.

8. Another CWA § 404 issue: the DEIS is missing a study on Route B's groundwater recharge effects in the North Fields or to private wells east of Route B or Heber City wells, etc. The North Fields Recharge Effects are detailed in many studies. Even though Route B isn't designed yet, I ask UDOT to provide and publicly disclose a groundwater recharge study based on similarly known road construction designs needed for Route B and allow more public comment before making a final record of decision. This is critical to gain the public's trust and protect the water quality of the Valley's aquifer.

9. Queue lengths and LOS (Level of Service) on North US-40 with Route B are also missing in the DEIS. We need to know what's happening to local mobility in Heber City. **Actual traffic modeling on North US-40 with Route B** needs to be done for queue lengths at all current and forthcoming signalized intersections north of 900 N Main; then disclosed to the public and allow more public comment before making a final Record of Decision. This relates to #10 next.

10. Route B doesn't fix Main Street Traffic. **Even with Route B, Main Street still has three 'failing' or 'near failing' intersections which need UDOT's help *now,* instead of never being fixed in the DEIS.**

Even with Route B and future growth, the queue lengths on Main Street/US-40 are not changed much from today's peak hour Level of Service (LOS) under Route B. Yes, the Main Street queue lengths are worse with Route A yet that shows the need even clearer to fix these 'failing and 'near failing' intersections in the heart of Heber's downtown (see Table 4.7-1, https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_04_Section-4f.pdf , pg. 4-38).

I plead with UDOT to redesign both Route alternatives before making a final record of decision so that Main Street does not have any 'failing' or 'near failing' intersections. This is a significant way to help achieve Heber City's downtown vision in the DEIS' Purpose and Need.

To see the differences between now and the future, the DEIS states in Appendix 2A if there is no Bypass built then in 2050:

> "…At **500 North**, a … **queue of over three miles long is expected during the weekday PM peak hour with an average vehicle queue greater than 9,400 feet**. …**At Center Street**, the **average southbound vehicle queue is anticipated to be 2,400 feet which would spill back to the 500 North intersection.** At the 100 South intersection, average vehicle queues are anticipated to spill into the Center Street intersection. Additionally, the eastbound queue is expected to be greater than 2,500 feet" (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_01A_Existing_and_No-build_Traffic_Report.pdf, pg. 24).

Today Heber City is already seeing long backups southbound through Main Street at peak travel times. We see southbound back-ups, queuing, & slowdowns starting north of 900 N Main all the way to 1200 South.

The DEIS explains further a projected 89% increase of traffic growth in '**Appendix 2C, Table 3'** showing Main Street's intersections level of service (LOS) in the future. The US-40/US 189 intersection will be a **LOS E (next closest to 'F' for 'failing')**. **Table 7 in that Appendix** shows that southbound **Peak** Travel Hours in the heart of town--**Center Street to 100 S Main--will be a LOS F (failing) and E (near failing)**. **Northbound peak travel will remain a LOS D** (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_02C_Action_Alts_Traffic_Memo.pdf, pgs. 9 & 12).

US-40 is a UDOT road. **I plead with UDOT to help Heber City find traffic solutions now for the heart of our downtown on Main Street instead of only a Bypass route. This will really fulfill the purpose and need of the DEIS for Heber's downtown vision. Please collaborate with us to solve the current queue lengths and future LOS F, E, & D intersections on Main Street.**

Table 6 of Appendix 2C shows ***why these Main Street intersections' LOS are failing***. Route B is estimated to keep a 700 foot Queue length southbound on Main Street at 500 N, plus a 1,900 foot queue length southbound at Center Street. At US-40 and 100 South (one block south) add another queue of 400 feet (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_02C_Action_Alts_Traffic_Memo.pdf, pg. 11).

Putting these Route B - Main Street queue lengths together: that's a 700 foot queue + 1,900 foot queue + 400 foot queue = a 3,000 foot queue on Main Street-- which is approximately 7+ Heber City blocks (Each block is approximately four acres square with approximately 417 feet per side).

With the increasing traffic specified in DEIS and the lack of traffic modeling done under #9 above, this queue length could start well before 900 N Main.

How can either Route really help Heber City achieve a 'more pedestrian or visitor friendly, less congested' downtown with these existing and increasing queue lengths? (See https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_02C_Action_Alts_Traffic_Memo.pdf).

11. One thing that can help is **Highway Project LRPT U02023033 widening North US-40 to 7 lanes. This project is *still needed for local mobility and safety*** whether Route B is built or not. Again, with the 89% increase in traffic and the increasing queue lengths shown above, UDOT must *complete this project anyway* for

Heber City's local mobility and safety needs *even with Route B*. Yet the DEIS doesn't project that this project will be built before 2050 (see Appendix 2A, Table 8: https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_01A_Existing_and_No-build_Traffic_Report.pdf , pg. 15).

Highway Project LPRT U02023033 is needed for local mobility, especially during peak travel hours from SR 32 to 900 N Main. Without the needed traffic modeling as stated in #9 above, at this point we can only think that North US-40 will become all slow-downs and queueing from College Way/Potter Lane to 1500 South Main. That does not help fulfill the DEIS' purpose with Route B. I believe Highway Project LRPT U01013033 is needed to achieve the Heber's General Plan for Main Street (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_01_Purpose_Need.pdf , Table 1.3-2.).

12. Additionally, **the DEIS states that diesels will remain on Main Street--more likely at off-peak hours--until Congress passes a law to let Heber City have jurisdiction over that road.** I doubt that Congress will transfer Main Street to Heber until ***after*** any Bypass Route is built. We also see that diesel deliveries will continue to be made to Main Street businesses. Seemingly at this point there doesn't seem to be a future where all diesels will be off Main Street—which to me was always the biggest reason for a Bypass (see more at https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_02C_Action_Alts_Traffic_Memo.pdf, pg. 13-14, 'Truck Travel Patterns').

13. The DEIS shows total costs for both Routes, yet **an actual breakdown of those line item costs, such as purchasing farmland with equivalent prime soils & water quality rights; wetlands mitigation and maintenance; existing highway access costs; mitigation costs to the North Fields Irrigation Company; the economic impacts to jobs and agriculture in the County economy; etc., must be disclosed to the public** and public comment allowed before any final Record of Decision is made. This is critical to gain the public's trust in the DEIS process.

14. I and many others are concerned about this missing in the DEIS: **what did the Utah State Commissioner of Agriculture and Food say to UDOT** about any recommendations to "modifications to the development project that would protect the integrity of the agriculture protection area(s)" in the North Fields? (See https://le.utah.gov/xcode/Title17/Chapter81/17-81-S307.html ; (2)(b).) Will UDOT publicly disclose the Commissioner's recommendations or modifications before making a final Record of Decision? This is critical to gain the public's trust in the DEIS process.

15. I and many others are concerned about the **high score of Route B on the DEIS 'Appendix 3B -Farmland Conversion Impact Rating for Corridor Type Projects.'** I ask for **complete public disclosure on how the numbers were assigned to Part VI, Criteria #1 - #10**; as well as allow public comment before a final Record of Decision is made (see https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_03B_Farmland_Rating_Forms.pdf, pg. 3-4. This is critical to gain the public's trust in the DEIS process.

I also ask UDOT **what is the actual federal or state law or regulation that requires the 'no build' option to be *included* in the Farland Conversion Impact Area Map**. Please publicly disclosure this law reference.

16. Route B will induce growth in between Highway 40 and new route. Route B leaves approximately 500+ acres between existing Highway 40 and the new Route B alignment. This 500+ acres will be under tremendous growth pressure given ***existing*** Highway 40 private accesses and continuing annexation pressure to Heber City.

Wasatch County and Heber City currently do not have the tens of millions, even up to $100 million to protect this area in conservation easements or other open space options.

For decades there has been a 'gentleman's agreement' that Heber City would annex to the Bypass Road. All of these factors will induce growth in this area.

Again, it is **missing in the DEIS about funding to purchase existing highway accesses on North US-40 or on Route B; and what the wetlands mitigation plan is given the forthcoming ACOE review**.

I believe that **any wetlands mitigation should include a plan for continued grazing/agricultural use with weed mitigation in the North Fields.** This proposed wetlands management plan should keep the North Fields at existing grade level and not allow the mitigated wetlands to be torn up becoming unrecognizable and weedy, thus harder to maintain.

UDOT should publicly disclose Route B's budget breakdown of all projected costs to see how much is budgeted for wetlands mitigation, and what money is budgeted to buy any existing Highway 40 accesses to stop induced growth in the 500+ acres between Highway 40 and Route B; plus allow public comment before making a final Record of Decision.

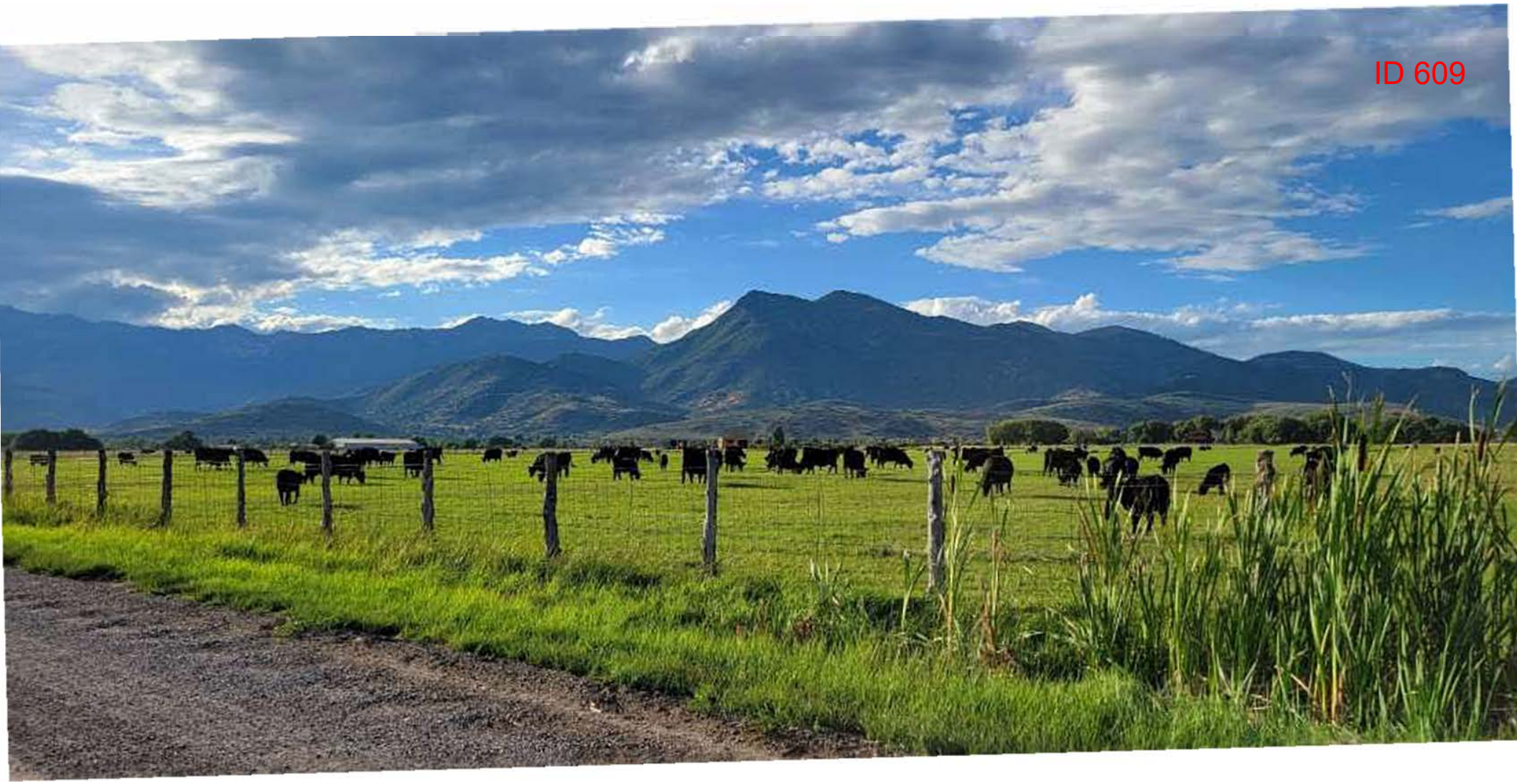
17. As Mayor, I also urge UDOT to act on the previously submitted unanimous Heber City Council Comments to UDOT. **The entire Council asks UDOT to**:
-Move the 1300 south elevated highway further south to avoid serious neighborhood and business impacts. The current plan tears this neighborhood apart and takes away their existing connectivity and safety. Sound walls are not enough to address these impacts.
-Do not make Southfield Road a cul-de-sac on the south end. Instead allow continuing southern access to Highway 189 and northbound access onto the Bypass.
-Continue existing northbound access from 1300 S into the Walmart shopping area.
-Continue existing north-south access on Industrial Parkway at 1300 S.
-Rework the trail access on 100 South and the Bypass interchange without excessive detours.
-Allow access from the new College Way Road northbound onto the Bypass.
-Collaborate with Heber City on frontage road and trail maintenance within the City; (also collaborate with County for County areas).

Thank you for reading and responding. Thank you for helping Heber City achieve its downtown vision. Thank you for gaining the public's trust by publicly providing this missing DEIS information, allowing more public comment and protecting this Valley's Aquifer.
Sincerely,

Heidi Franco

Heidi Franco
Mayor of Heber City,

ID 609
© Willie Holdman


ID 609

ID 609

ID 411

The Holmes Family
Children of George Holmes
Heber Valley, Wasatch County, Utah

February 28, 2026

Heber Valley Corridor EIS Project Team
Utah Department of Transportation
Via email: hebervalleyeis@utah.gov

Re: Comment of the Holmes Family on the Heber Valley Corridor Draft Environmental Impact Statement — Preferred Alternative B

Dear Project Team:

We are the children of George Holmes and part-owners of land in the North Fields. We are writing this comment together because the land UDOT proposes to destroy is not just our father's property—it is where we grew up, where we learned to work, and where some of us still earn our living. For several of us, our income depends directly on the productivity of the North Field operation. And it is not just our family. Our father's operation employs many people whose families depend on this work to pay their mortgages, feed their children, and build their lives in this valley. This is not only our family's legacy. It is our livelihood—and theirs.

We were raised on our father's dairy and livestock operation. From the time we were old enough to sit on a horse or ride in the back of a truck, we were out in the North Fields—moving cattle between pastures, helping with irrigating, checking fences, and doing the work that keeps a livestock operation running. We did not grow up watching this land from a distance. We grew up *on* it, with mud on our boots and hay in our hair, learning from our father that the ground under your feet is only as good as the care you put into it.

Our father operates across the state of Utah. We have worked alongside him on ground from one end of this state to the other. We can tell you from our own experience that there is nothing like the North Fields. The soil is different. The feed it produces is different. The cattle know it—you can see the difference in the herd when they are grazing North Field pasture versus anything else we run. Our father has said publicly that the North Fields are irreplaceable, and we are writing to tell you that he is right. We have seen the comparison firsthand, across years and across the state. There is no substitute for this land.

UDOT's proposed Alternative B would put a four-lane highway between our father's dairy and the North Field pastures we grew up working. His home and dairy facilities are less than two miles from the North Fields. We moved cattle back and forth across that ground our entire lives. Alternative B would end that. The DEIS does not include a single cattle underpass, livestock crossing, or agricultural corridor anywhere along the highway through the North Fields. That

means the pastures we helped build and maintain—pastures that are still physically there, still producing the best feed in the valley—would become land our family can no longer use. Not because the soil failed. Not because the water dried up. Because UDOT designed a highway without any way for a cattle operation to function across it.

We want to be clear about what that means in real terms. This is not about losing a strip of land under a road. **It is about losing access to every North Field pasture on the other side of that road.** Cattle cannot cross a four-lane highway. When you sever a livestock operation from its pastures, you do not just impact it—you destroy it. The DEIS does not study this. It does not acknowledge it. It counts the acres under the highway footprint and calls the rest "mitigable." We grew up on this operation. There is nothing mitigable about watching your best ground go unused because a state agency could not be bothered to design a cattle crossing.

Our father built this operation over a lifetime. He taught us what this land can do and what it takes to keep it productive. Some of us work this operation today—our income depends on the cattle that graze North Field pasture and the dairy production that North Field feed supports. Others of us hoped to return to carry the operation forward as the next generation. But the harm extends well beyond our family. The Holmes operation supports many families in this community—people who work the dairy, manage the cattle, maintain the equipment, and keep the operation running day to day. When you destroy an operation's access to its primary feed source, you do not just hurt the owner. You upend the lives of every family that depends on that operation for work. Alternative B would take all of those futures away. You cannot sustain a family's income—or the incomes of the families who work alongside them—on an operation that has been cut off from its feed source. You cannot pass down a dairy whose best pastures sit empty on the other side of a highway. And you cannot tell the families who depend on this work that their jobs are "mitigable" when the DEIS does not contain a single word about the employment and economic ripple effects of destroying a major agricultural operation in this valley.

We also share the community's concern about water. We grew up drinking the water that comes from beneath the North Fields. Our father's cattle drink from the same source. UDOT's own data shows the highway would push deicing salt concentrations above the legal limit for the aquifer—and the DEIS proposes dumping all runoff straight into the ground with no treatment. That is not a technical concern to us. It is personal. It is the water we grew up on.

We support our father's formal comment and the North Field Irrigation Company's comment identifying 99 deficiencies in the DEIS. We ask UDOT to select Alternative A, which is less damaging and less costly by every measure. If Alternative B must proceed, we ask that it be moved as close to US-40 as possible and that UDOT design actual livestock crossings so that the operations this highway bisects can survive.

We are not engineers or lawyers. We are the people who grew up doing the work on the ground that UDOT proposes to destroy—and some of us are the people whose paychecks still depend on it. So are the many families who work alongside us and whose livelihoods will be upended if this operation is destroyed. We know what this land is worth because we have spent our lives on it. We are asking you not to take it away—not from our father, not from our family, not from the families who depend on this operation for work, and not from this valley—for 70 seconds of saved travel time.

Respectfully submitted,

Hilary Holmes Richards

Child of George Holmes
Owner of North Field land
Heber Valley, Wasatch County, Utah

ID 659

Holly Bodily

[redacted]

Midway, Utah

Dear Officials at the Utah Department of Transportation,

I am a resident of the Heber Valley and a member of a local nonprofit organization dedicated to preserving this community and its natural resources. For many years I have attended numerous meetings and discussions regarding transportation planning in our valley. Based on that long involvement, I am writing to **formally oppose Bypass Alternative B.**

In recent months, I have been contacted by many residents who are deeply concerned about what is being proposed. While most people acknowledge that some level of traffic relief is necessary, it has become increasingly clear that something much larger is driving this proposal. Residents are now asking for transparency about who is influencing this alignment—whether it is local officials, state legislators, the Governor's Office and its push for accelerated growth, or major development interests such as the Slopes & Mayflower project. These questions are not speculative; they arise because this process has lacked transparency and because Alternative B contradicts decades of planning, environmental science, and community input.

For more than thirty years, this corridor has consistently been identified as the one location that should remain off limits due to its environmental sensitivity, agricultural importance, and direct connection to the valley's aquifer and tourism identity, to name only a few. Yet it is now being advanced as the preferred route. That reversal alone demands a level of transparency and justification that is not present in the current environmental review.

It is also difficult to ignore that many of the traffic challenges we face today could have been mitigated years ago had UDOT intervened and helped protect previous bypass alternatives. Adjustments to Main Street and improvements to internal circulation were discussed repeatedly but never fully implemented. In October 2024, UDOT publicly acknowledged that previous plans had failed this community and committed to developing a better solution. Unfortunately, the current proposal appears to fail even more dramatically. There is nothing better about it.

Carlos Braceras even said any bypass will "probably not" fix the congestion. Yet here we are with an alternative that from locals' perspectives, those who drive this area, know this west-side bypass will NOT help us with the Main Street traffic, It may simply shift some congestion briefly until ongoing east side construction catches up and we will be in the same, if not far worse, situation as now

Alternative B is not simply a bypass. A 65-mph design speed is irresponsible in a valley defined by agriculture, wildlife, and rural character. That speed classifies this as a class 3 high-speed freeway, not a community bypass, and it dramatically expands the roadway footprint, noise, spill-risk, and wildlife mortality. No one can reasonably claim this is a "local solution" when the design speed alone transforms it into a regional highway carved straight through the most sensitive land in the valley. Designing a freeway-level corridor here shows a disregard for the people who live here and for the landscape that sustains them. The consequences are severe: permanent loss of productive farmland, fragmentation of critical wildlife habitat, destruction of wetlands, and

potential degradation of groundwater and surface water that sustain the valley. These impacts are not hypothetical—they affect watersheds supplying millions of residents along the Wasatch Front. Because mitigation, land ownership, and long-term jurisdiction remain undefined, advancing this route without full disclosure and meaningful public participation would be both environmentally and legally indefensible.

The valley also supports important wildlife habitat, including species such as the Bald Eagle, Sandhill Crane, Osprey, and other sensitive or endangered species that rely on the wetlands and open landscapes this route would fragment. North Fields is not empty land—it is a functioning ecosystem with hydrologic connectivity, migratory pathways, and federally and state-protected species. These impacts must be disclosed under NEPA and the Endangered Species Act. They have not been.

Water protection should be the highest priority in a rapidly growing, already water-stressd state as dry as Utah. The watershed connected to Deer Creek & Jordanelle Reservoirs supplies drinking water to a large portion of the Wasatch Front. Under the Safe Drinking Water Act, broad and transparent notice to affected populations is a legal obligation, not an optional courtesy. Many residents who rely on this water supply were unaware that a project of this magnitude could affect the watershed that serves them. Federal environmental review under NEPA requires that impacts to major public resources be clearly disclosed and that affected populations be given a meaningful opportunity to comment. That standard has not been met.

The project area is directly connected to the watershed of the Provo River, one of Utah's most valued blue-ribbon trout fisheries. While "blue ribbon" is not a federal designation, these fisheries overlap with Clean Water Act protections, fisheries habitat requirements, and federal/state management responsibilities. Sediment runoff, bridge construction, and watershed disturbance can directly impact spawning habitat. These impacts must be disclosed and evaluated.

Equally concerning is the lack of clarity surrounding mitigation. The Environmental Impact Statement repeatedly references mitigation but provides almost no information about where mitigation would occur, who would ultimately own or control those lands, or whether those areas would remain under local jurisdiction. If wetlands or farmland are converted into mitigation areas, will those lands be transferred to state or federal oversight through mitigation banking? Once land is removed from local control, our community may permanently lose influence over how it is managed or accessed. These are long-term consequences that should not remain vague while a preferred route is being advanced.

Advancing a preferred route while critical environmental impacts and mitigation obligations remain unclear raises serious concerns about whether the environmental review has fully disclosed the consequences of this decision. NEPA requires agencies to fully disclose impacts, evaluate reasonable alternatives, and respond meaningfully to public comments. If significant environmental impacts, mitigation requirements, or reasonable alternatives remain unresolved, advancing a preferred alternative at this stage risks rendering the environmental review process arbitrary and legally vulnerable.

Federal environmental law also requires agencies to fully evaluate reasonable alternatives before selecting a preferred option. Because this project involves wetlands and waters connected to a major watershed, federal permitting under the Clean Water Act may require selection of the least environmentally damaging practicable alternative (LEDPA). The continued advancement of Alternative B raises serious questions about whether that standard can be met. Any responsible environmental review must also evaluate the cumulative impacts of this

project in combination with ongoing regional development pressures and transportation expansion throughout the valley.

There are also broader concerns that deserve serious attention. The scale and cost of this project—likely exceeding one billion dollars once land acquisition and mitigation are considered—raise legitimate questions about fiscal responsibility. The permanent loss of generational agricultural land would alter both the character and economic foundation of this valley. At the same time, increasing pressure for regional development and resort access creates the perception that interests outside this community may be influencing transportation decisions that will permanently affect those who live here. The EIS lacks impact induced long-term studies. It does not address eminent domain and compensation for the landowners, many who will lose the ability to farm bisected land and will lose their livelihood. Costs for bridges/underpasses were also omitted.

It is also important to note that Park City told UDOT "no" when UDOT proposed widening their main collector road—and UDOT respected that decision Heber City, Midway City, and Wasatch County have all signed a joint letter asking UDOT to reconsider the alignment of Alternative B. That reflects the will of the people. If UDOT respected Park City's request, then Heber Valley deserves the same precedent and respect.

At UDOT's public meeting, a UDOT representative told a concerned citizen that in response to the massive opposition of alt B, UDOT needed to "educate" residents better. That statement illustrates a troubling disconnect. The people who live here understand their valley. Most residents did not ask for this bypass, and many would gladly tolerate a few minutes of traffic rather than accept irreversible damage to farmland, wetlands, wildlife habitat, and critical water resources.

UDOT is not above the law. Bypassing codes, ignoring environmental protections, and advancing a legally vulnerable route is an irresponsible use of taxpayer money. If news agencies investigate—and they will—the lack of transparency, the procedural shortcuts, and the appearance of outside influence will not reflect well on the agency. Legal challenges are inevitable if Alternative B is advanced. Those challenges will slow the project, increase costs, and expose the procedural and environmental deficiencies that should have been addressed from the beginning. It would be far more responsible to pursue a route that does not carry such obvious legal vulnerabilities.

I urge UDOT to reconsider Alternative B and work collaboratively with local leaders, organizations such as NFIC, and residents to pursue transportation solutions that address real traffic needs without sacrificing the environmental and agricultural resources that make this valley unique.

Because the issues raised in this letter involve environmental impacts, mitigation, and alternatives analysis, I respectfully request that UDOT provide a written response to these concerns in the Final Environmental Impact Statement, as required under federal environmental review procedures. I also reserve the right to supplement these comments should additional information about the project become available.

Please include this letter in the official project administrative record.

Respectfully,

Holly Bodily

ID 699

Heber Valley Special Service District
1000 East Main Street
P.O. Box 427
Midway, Utah
84049-0427
Phone: 435-654-2248
www.hebervalleyssd.gov

March 9, 2026

VIA EMAIL to:
hebervalleyeis@utah.gov
(Read Receipt Requested)

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

Re: Heber Valley Special Services District's Comments on Utah Department of Transportation's Draft Environmental Impact Statement for Heber Valley Corridor in Wasatch County, Utah (the "Draft EIS")

UDOT Project No. S-R399(310) (the "Project")

To Whom it May Concern:

Heber Valley Special Service District, ("HVSSD" or the "District") appreciates the opportunity to provide the District's comments on the Draft EIS prepared by the Utah Department of Transportation ("UDOT") for the Heber Valley Corridor in Wasatch County, Utah Project. The District's Clarification and Comments are being submitted as part of the public comment period which closes on March 9, 2026. *See* Draft EIS, Sec. S.16 (p. S-34).

The District has reviewed the Draft EIS and provides the following clarifications and comments.

CLARIFICATION

1. Section 3.4.3.6 Utilities, page 3-59. Replace the last sentence of this section with the following:
   'In 2025 HVSSD irrigates about 500 acres of land on the farm and has considerable surrounding acreage for buffers and in property corners that are not irrigated.'

REITERATION OF PAST COMMENTS

The District would like to reference its previous comments on the Project made in a February 23, 2023, letter to Heber City Mayor Heidi Franco and submitted to UDOT on behalf of the District.

COMMENTS ON THE 2026 DRAFT EIS

Chapter S: Summary

Section S.8: The District notes UDOT's acknowledgement that both Action Alternatives (Alternative A and Alternative B) will have an impact on 64.2 acres of the District's "sewer farm," i.e., the farm that the District uses for land application of treated wastewater and the cultivation of alfalfa. *See* Section S.8; Table S-3 (p. S-21).

Preferred Alternatives Technical Report: Appendix 2E:

The District notes UDOT's acknowledgement that both Action Alternatives (Alternative A and Alternative B) will have an impact on 64.2 acres of the District's "sewer farm," i.e., the farm that the District uses for land application of treated wastewater and the cultivation of alfalfa. *See* Preferred Alternatives Technical Report, Section 2.4.2, Table 11 (p. 24). Notwithstanding UDOT's identification of these impacts in the Preferred Alternatives Technical Report, no mitigation is identified in the Technical Report for these impacts – instead, the mitigation discussed in the Technical Report concerns only mitigation for the identified impacts to jurisdictional wetlands. *See* Section 2.4.3.

Draft EIS, Chapter 3: Affected Environment, Environmental Consequences, and Mitigation Measures.

Section 3.2.3.1 Current Land Use. The District notes UDOT's acknowledgement of the fact that, under current land use, 3,668 acres (33.4% of the evaluation area) is devoted to agricultural use, and that UDOT has specifically included the District's sewer fields as part of the agricultural usage evaluated. *See* Table 3.2-1 n.a (p. 3-13); Table 3.2-4: Impact to Current Land Use in the Land Use Evaluation Area. Table 3.2-4 n.a (p. 3-19).

"With both action alternatives, the land us that would predominantly be converted to roadway right-of-way would be agricultural." (p. 3-20). Table 3.2-5 shows that, under Alternative B (UDOT's preferred alternative) 204 acres of agricultural land – land that was previously defined to include the District's sewer fields – would be converted to roadway right-of-way.

Notwithstanding the facts confirmed in Section 3.2.3.1 and Table 3.2-4, "No mitigation for impacts to land use is required or proposed." Section 3.2.4.4 (p. 24). The District presumes that UDOT has not offered any mitigation for the impacts to current land use, including the District's sewer fields, based on UDOT's plan to acquire those lands outright and to pay fair market value for those lands as well as acquire substitute land where the District can continue its current land use. However, Section 3.2.4.4 does not include those measures as part of the mitigation for the impacts to current land use. To the contrary, as noted above, UDOT believes the "[n]o mitigation for impacts to land use is required or proposed."

Chapter 3.3.3.3 Action Alternatives. In Section 3.3.3, UDOT acknowledges that "indirect effects on farmland can occur if a parcel is divided by an alternative and the remaining land is too small to farm economically, or if farming equipment could no longer access the remaining land." (p. 3-34). This indirect impact would affect the District's sewer farm, as UDOT acknowledges: "Both action alternatives would indirectly affect 4.7 acres of farmland … located on Heber Valley Special Service District [sic] sewer farm and would be indirectly affected because land remaining would be too small to use for disposing wastewater or because access would be cut off.

The District specifically notes that the proposed Western Corridor segment alignment bisects the 'sewer farm' on Southfield Road (see EIS Figure 3.4-5) and the proposed widening of the Southfield Road corridor will impact irrigation and farming practices on both sides of the road. The impacted areas indicate that relocation and/or modifications to at least four existing center pivots may be required.

Chapter 3.3.3.2 – Indirect Impacts to Farmland. As it did in Chapter 3.3.3.3, UDOT acknowledges that "indirect effects on farmland can occur if a parcel is divided by an alternative and the remaining land is too small to farm economically, or if farming equipment could no longer access the remaining land." (p. 3.35). Table 3.3-4 notes that, under Alternative B (UDOT's preferred alternative) there are 223 acres of direct impacts and 4 acres of indirect impacts. Those 4 acres which are indirectly impacted are the District's sewer farm.

Chapter 3.3.3.4 – Mitigation Measures. UDOT has committed to "work with each farm owner on a case-by-case basis to determine the farm's eligibility for benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies of 1970. … Generally, UDOT will provide compensation for the expense of re-establishing farm enterprises and for the fair market value of the buildings and land." (p. 3-42).

In response to this commitment, the District proposes an alternative to either minimize or potentially avoid the identified impacts: HVSSD requests that UDOT shifts the corridor alignment to the east in order to reduce the acknowledged indirect impacts to this infrastructure. If the corridor alignment were shifted east, the indirect impacts to the two western pivots could be minimized and perhaps eliminated, therefore requiring changes to only two pivots rather than four.

Chapter 3.4.3.6 – Utilities. The Draft EIS acknowledges the District as a recognized utility providing wastewater treatment. *See* Table 3.4-4, specifically identifying the District and its sewer farm as a utility that will be impacted by the Project. (p. 3-56). In Section 3.4.3.6, UDOT acknowledges that "HVSSD does not have a permit to discharge water to the Provo River and must instead dispose of the wastewater on land." (p. 3-58). "The sewer fam, located northwest of the Heber Valley Airport, is the land owned and managed by HVSSD where treated wastewater is disposed of by farming alfalfa during the irrigation season." *Id*.

Chapter 3.4.4 – Environmental Consequences and Mitigation Measures. With respect to the impacts on Utilities, which specifically include the District, UDOT acknowledges:

> Both action alternatives would require acquisition of about 59.5 acres of land from the sewer farm for right-of-way and the potential acquisition of an additional 4.7 acres because the land remaining would be too small to use for

disposing wastewater and because access would be cut off. This would result in a total of about 64.2 acres impacted, as shown in Table 3.23-1 and Figure 3.4-5.

UDOT would need to provide suitable land with the same number if irrigable acres as replacement. The freeway would be located on Southfield Road, which would divide the sewer fam with a high-speed, limited-access facility. Access across the freeway would be provided for HVSSD by an underpass under the freeway.

Section 3.4.4.2 – Action Alternatives (p. 3-62); Table 3.4.-5: Sewer Farm Impacts; Fig. 3.4.5: Sewer Field Impacts from Alternative A (p. 3-63).

The District notes that UDOT's commitment to acquire the necessary acreage for the Project by eminent domain and pay fair market value for that acreage, as well as identify and provide sufficient replacement acreage are consistent with the requirements of U.A.C. R930-7-13, which provides for utility accommodations in connection with UDOT projects.

Specifically with respect the identified impacts from the Alternatives considered in the Draft EIS, the District provides the following comments:

1. Shift Alignment East. The proposed Western Corridor segment alignment bisects the 'sewer farm' on Southfield Road (see EIS Figure 3.4-5) and the proposed widening of the Southfield Road corridor will impact irrigation and farming practices on both sides of the road. The impacted areas indicate that relocation and/or modifications to at least four existing center pivots may be required.
   HVSSD suggests shifting the corridor alignment to the east to reduce impacts to this infrastructure. When shifted east, impacts to the two western pivots could be minimized and perhaps eliminated, therefore requiring changes to only two pivots rather than four.

2. 1300 South Segment. The 1300 South Segment crosses the northern portions of the eastern farm and has significant direct impacts, taking away roughly a quarter of the Districts largest pivot's irrigated area. The resulting property boundary is not uniform, making it difficult to irrigate and farm. The pivot serving this area will require major changes and may need to be reconfigured entirely to effectively irrigate the new area. The impacted areas on the north also take away a handful of unirrigated field corners that are used to stage and store baled hay. The lack of storage and reduced access may require the baled hay to be moved to the west side of the freeway requiring additional handling, effort, and perhaps underpass clearance.

3. Eastern Corner of Hwy 189.The half-pivot on the eastern corner of HWY189 and Southfield Road will also need to be modified to accommodate the wider roadway.

4. Eastern Farm Acquisition. The Western Corridor segment aligned on Southfield Road will effectively bisect the sewer farm. Currently, Southfield Road, which has a 35 MPH speed limit and light traffic, can be safely crossed for farming operations. The shoulder of the road has also served as a convenient central staging area for heavy equipment when fertilizing or conducting major farm maintenance/repairs. The proposed corridor, a high-speed (65 MPH)

limited-access facility, would preclude crossing access or staging as currently practiced. UDOT has proposed a freeway underpass to provide HVSSD access to the eastern fields (EIS Section 3.4.4.2.1, Common Impacts/Utilities, pg. 3-62) however the location and accessibility have not been determined. The underpass will require ample clearance to accommodate the necessary farming equipment.

Given the significance of these changes and the challenges they present to efficiently farming this area, the District's position is that that all District farm property east of Southfield Road is impacted – either directly or indirectly. Accordingly, this property should be acquired by UDOT in its entirety as part of the Project. As noted above, in the event the alignment of the Project follows the potential east shift, then the identified impacts would be even more pronounced, as the eastern property would shrink further.

5. District's Opposition to Eastern Farm Acquisition. In the event that UDOT cannot identify and acquire sufficient replacement land – as it has committed to do in Sec. 3.4.4, then the District strongly opposes the eastern farm acquisition option, since reduction of farm disposal capacity would require the District to rely on other disposal methods which are more costly.

6. Irrigation Piping: The existing underground irrigation piping that currently crosses Southfield Road and is not encased. Implementation of the Project would therefore require that this pipe segment be encased. Design considerations for differential settlement caused by the new freeway should also be considered for any impacted pipelines. Another existing pipeline (feed to Pivot #2) parallels Southfield Road and appears to be within the newly proposed freeway. This pipe segment, as well as the entire pivot, may need to be relocated with the current freeway alignment. (The District notes that these actions may be avoided if the freeway alignment is shifted east, as previously noted.)

7. Monitoring Wells: Two groundwater monitoring wells are located on the District's property east of Southfield Road and appear to be directly impacted by the freeway. It is expected the wells will need to be abandoned and replaced.

8. Construction Impacts: The District is interested in understanding what impacts to the farm should be expected during construction of the freeway. Will construction encroach into other portions of the farm not that are not permanently impacted? If so, to what extent and magnitude?

HVSSD appreciates the opportunity to offer these comments and feedback on the Project. Please contact me at [redacted] with any questions or comments on this matter.

Sincerely,
Heber Valley Special Service District

X James Goodley

Digitally signed by James Goodley
DN: C=US, E=j.goodley@hebervalleyssd.gov, O=HVSSD, OU=HVSSD, CN=James Goodley
Date: 2026.03.09 22:47:50-06'00'

James Goodley
General Manager

James Goodley, P.E.
General Manager

Cc: H. Franco - HVSSD, ACB Chair

ID 356

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway # 200
Cottonwood Heights, UT 84121

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—our wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. "Best for the community"
   What does "best for the community" mean, and who is included in "the community"? Please provide the side-by-side scoring/weighting used to choose B over A, including how you weighed travel time against wetlands, farmland, noise, drinking water risk, and rural character.
2. Truck diversion claims
   UDOT has repeatedly claimed Route B will pull more trucks off Main Street. Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs Route A vs Route B (opening year and 2050), the assumptions behind truck route choice, and a "no diversion" sensitivity test. If trucks continue using Main Street, what is the justification for Route B at all?
3. Main Street "less busy" vs growth reality
   UDOT has cited percentages showing through-traffic drops under Route B. Percentages do not prove Main Street will be less busy as the valley adds thousands of new residents and trips. Please provide the total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B, and explain how Main Street becomes meaningfully less congested when local trips (school, errands, work) grow with development.
4. "No-access" is not the same as protection
   UDOT says the North Fields segment will be limited access and that "no-access" reduces induced development. What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields? Who can change that later?

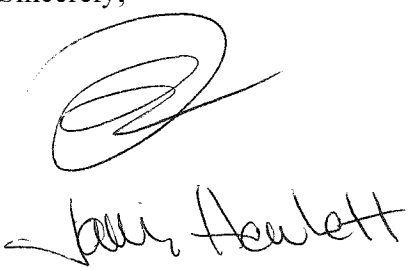
If Route B adds capacity for future growth, how does UDOT reconcile that with claims of reduced development pressure?

5. "Mitigation in perpetuity" needs specifics now
   UDOT has said it will prioritize wetland mitigation in the North Fields and that mitigation is protected forever. Please provide the number of acres to be protected, the map distinguishing (a) highway right-of-way/setbacks from (b) actual permanently protected mitigation land, the funding plan for acquisition and perpetual management, and the process and timeline for securing willing sellers. If parcels are not identified, UDOT should not claim "protection" as a justification for Route B.
6. Stormwater and drinking water/aquifer protection
   UDOT has stated stormwater will be retained in the right-of-way to infiltrate/evaporate with no discharge to streams. How does infiltrating roadway runoff protect the valley's groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated—who pays and how quickly?
7. Construction "easier" is not a community benefit
   UDOT has said construction is less complex under Route B because traffic can use US-40 while the North Fields segment is built. Construction convenience for UDOT is not a justification for destroying wetlands and farmland. Please provide a clear A vs B construction impact comparison: years of construction, closures, detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. Historic resources and inconsistent weighting
   UDOT cites fewer 4(f) impacts for Route B, but historic resources include more than downtown buildings. Please provide the full list of historic resources counted and exactly how each alternative affects them. If impacts to historic irrigation/canal resources in the North Fields are being discounted, explain why and show the "least overall harm" worksheet.
9. Local plans and long-term burden on residents
   UDOT has indicated local governments are typically responsible for trail maintenance, and landscaping "betterments" often fall to local municipalities. Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for Route A vs Route B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,



ID 155

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1/28/26

Name Jan Phillips

Phone _____ - _____ - _____

Email [redacted]

Address [redacted]

Would you like to receive email updates? **Yes** or (No)

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

My preference is no action. The bypass options chosen do not solve the stated problem of less traffic on Main Street through town, and destroy acres of wetlands and open space.

If a bypass is built, I prefer Option A

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

7:27 81

If you receive an error when trying to submit a comment, please refresh your browser. We discovered an issue with our website comment form, where if you tried to submit a comment with an attachment between Jan. 9 and Jan. 26, it did not go through. Please resubmit your comment. The issue has been resolved as of Jan. 26.

Please provide your name and email to submit a comment. After clicking 'Comment', please email hebervalleyeis@utah.gov to confirm receipt.

Submit Comment

Please provide your name and email to submit a comment.

As currently planned , I think the UDOT plan for US40 is too harmful for open space and wetlands.

Your name (optional)

Jean Tabin

Add Files

Comment

For more information on the

ID 156

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1-28-26

Name JIM GAGAN

Phone [redacted]

Email [redacted]

Addre [redacted]

Would you like to receive email updates? (Yes) or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

10 YEARS AND 3 QUARTERS of A Billion Dollars to SAVE 90 SECONDS? IT MAKE No SENSE.

I SUGGEST HIRING A TRAFFIC LIGHT COMPANY to DO A STUDY ON TRAFFIC LIGHT TIMING AND TURN ~~LANES~~ LANE SIGNALS.

FIX the TRAFFIC LIGHT TIMING AND 40% of the CLOGS GO AWAY!

USE AI AND TRAFFIC CAMS to RUN the LIGHTS.

I HAVE LIVED IN CHICAGO AND CALIFORNIA the TRAFFIC LIGHTS ARE BETTER AND the TECH IS AVAILABLE TODAY!

I VOTE FOR NO BY PASS!

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 278

Feb 24, 2026

Hello,
I have been following the Heber bypass development for years now. From my experience nothing will change for the better until the high-speed traffic moving through the valley is separated from the local everyday traffic. Plan B will fix this problem, Plan A will not. If traffic is left combined on the old highway everything will just get worse. Heber City is growing so fast the city has approved thousands of new homes that are being proposed by developers. The roads need to keep ahead of it all. I have followed along and studied the EIS. It looks very complete and I agree with your findings. Plan B is the best choice.

Thank you
Jon Fudge

ID 401

Jon Woodard
[redacted]

Re: Heber Valley Corridor EIS, Opposition to Alternative B

March 4, 2026

Dear UDOT,

I write to oppose Alternative B. My purpose is not to prevent the Bypass, or to slow it. Traffic is a major problem, and the growth in our valley necessitates roads unless we can find an alternative to cars as our primary means of travelling. Both alternatives in the Current EIS have terrible impacts on the North Fields. Alternative B has much more of an environmental impact, especially on the North Fields, and it is not an acceptable path forward.

I have lived in Heber since 2013. Our community has taken a significant interest in preserving our groundwater quality. The Wasatch County Health Department has had several water study's prepared to advance the long term preservation of our local groundwater quality. The 2020 Water Study is available here: https://www.wasatchcountyhd.org/Portals/0/Files%20(non%20image)/Water%20Quality/Wasatch%20County%20Ground%20Water%20Study%20(2020).pdf.

The draft EIS is flawed in recommending Alternative B over Alternative A. The EIS did not properly consider many factors raised in the 2020 Water Study which guide against placing the Bypass in the North Fields, and this flaw is further exacerbated in Alternative B due to its significantly larger impact on the North Fields.

The EIS shows that Alternative B would directly convert 147 acres of farmland compared to the 99 acres directly converted by Alternative A. EIS 3.3.3.3.2.

The 2020 Water Study points out that the North Fields are highly sensitive to groundwater contamination. 2020 Water Study Section 3.6, and its associated Table 9. Shallow groundwater in the North Fields resulted in the North Fields being flagged as a key area of Wasatch County most susceptible to groundwater contamination from human activities. 2020 Water Study Section 2.3, and its associated Figure 2. Further, this area is not protected by clay layers, resulting in soils that allow surface pollutants to readily reach groundwater. 2020 Water Study Section 2.1, Table 1; 2020 Water Study Section 3.6.

The draft EIS fails to consider in detail soils and geology. EIS 3.1. ("[S]oils and geology... are not analyzed in detail in this environmental impact statement.") Alternative B is not an acceptable alternative when soils and the related water contamination are given due consideration.

One of the major sources of groundwater pollution is salt that is applied to roads, such as will be the case with the Bypass. 2020 Water Study Section 4.4; 2020 Water Study Section 8.1. Other

pollutants, such as oils, gas, and other pollutants from vehicles will also pollute the groundwater as a result of the Bypass. 2020 Water Study Section 8.1. This salt water, and other highway contaminants will go directly into the groundwater, and into the Provo River in the North Fields, where it some of it will flow into Deer Creek reservoir. 2020 Water Study Section 4.4.

The EIS show some of the impacts of the Bypass on groundwater quality if either alternative is used. The EIS shows the impacts of Alternative A are smaller. Appendix 3K, Section 2.3. The EIS should put greater weight into those lesser impacts, and UDOT should not choose Alternative B.

Additionally, the North Fields play a significant role in recharging our aquifer. Roughly 16% of the recharge of the aquifer comes from agriculture return. 2020 Water Study Section 3.8. The practice of flood irrigation, which is practiced in the North Fields, recharges the aquifer. 2020 Water Study Section 5.1.3. The North Fields is the largest agricultural area in the county, and the flood irrigation practiced there impacts the aquifer. Id. Option B will negatively impact the aquifer by reducing the permeable area through which the aquifer can be recharged, reduce the area that is irrigated by flood irrigation, and by making it so more of the surface water that goes into aquifer is contaminated from salts, oils, gas, and other automotive contaminants.

The EIS acknowledges that Alternative B has more than double the direct impact on aquatic resources. EIS Table 3.12-5. While mitigation can attempt to help, why should UDOT mitigate when following something closer to Alternative A has far less impact in the first place, and preserves more of the land that is so essential to our aquifer? We would be happy to see UDOT contribute to the long term preservation of the North Fields as undevelopable land, but not at the expense of destroying much more of this resource in some of the most scenic and visual locations in the valley.

The EIS acknowledges the disproportionate negative impacts Alternative B has over Alternative A. EIS 3.20.2. However, it considers this acceptable due to the “positive economic impact” and the “mitigation required under the Clean Water Act.” Id. The EIS determination that Alternative B is preferred does not properly consider the importance of the North Fields in preserving and maintaining both the quality and the quantity of the water in the aquifer.

The North Fields are the jewel of Wasatch County. The Wasatch County General Plan, the Heber City General Plan (Envision Heber 2050), and the Midway City General Plan all emphasize the importance of preserving the North Fields. Alternative A has significantly reduced impact on the North Fields. The EIS is flawed in recommending Alternative B over Alternative A. The need to preserve groundwater closely aligns with the General Plans’ intent to preserve the North Fields.

I appreciated the consideration of the EIS of the public comment on the importance of the North Fields. I do not know of route that does not cut through limited parts of the North Fields that generally that will not involve tearing down hundreds of homes, or will have more of an environmental impact than the alternatives proposed. However, either alternative does terrible damage to our North Fields, and the environmental impacts, including the impacts to our water are significant.

My hope is that instead of trying to mitigate wetlands as proposed in Alternative B, that UDOT will choose something more like Alternative A, considering issues that will be raised by affected property owners. Not choosing Alternative B will help mitigate the water contamination and recharge issues raised in this letter. It will also have less of an impact on our agriculture and farmers. However, while Alternative B seems to be presented with the 'carrot' of helping preserve open space long term by conserving wetlands, something like Alternative A could also include that 'carrot.' The impacts of something like Alternative A could be somewhat mitigated by purchasing conservation easements that help ensure that the impacts on the North Fields are not further destroyed from causes directly or indirectly related to this new road. It could incentivize continued farming, associated flood irrigation that contribute so much to our excellent water in Wasatch County.

Please do not choose Alternative B.

Kindest Regards,

Jon Woodard

ID 464

January 10, 2023

Utah Department of Transportation
Heber Valley Corridor EIS
c/o HDR
2825 E. Cottonwood Parkway #200
Cottonwood Heights, UT 84121

Re: Environmental and Public Health Concerns to Consider for the Five Heber Valley Corridor Alternatives

Dear Heber Valley Corridor EIS Team and Stakeholder Working Group,

The Wasatch County Health Department and the Wasatch County Local Board of Health have reviewed the 5 bypass alternatives that passed through the Level 1 and Level 2 screening process. We also recognize the next step is to further develop these alternatives with refined engineering and update the Draft EIS with a more detailed analysis. As that next step is taken, and pursuant to our statutory power and duty to "establish and maintain… environmental… services considered necessary or proper for the protection of public health," (Title 26A-1-114 (1)(c)), and consistent with the Environmental Service Delivery Plan agreement with the Utah Division of Environmental Quality to "Identify and manage all pollution sources to insure continued beneficial uses of water and public health protection", the Wasatch County Board of Health urges you to consider the following as items of concern to the environment and public health.

1. In the mid-1990s the groundwater aquifer in the Heber Valley was the first in the State of Utah to receive the classification of Class IA – Pristine. Over the years, extensive efforts have been made to protect this valuable resource. Based on scientific studies (SWCA, 2020. Characterization of Groundwater Quality in Wasatch County, Utah, and Hansen, Allen, & Luce, 1994. Hydrogeologic/Water Quality Study Wasatch County, Utah), the North Fields area has been identified as having natural conditions that indicate high sensitivity to the transport of pollutants in groundwater, either delivered at the ground surface or subsurface.

   We request that these natural conditions are analyzed and considered as the engineering is refined and the Draft EIS is updated for the alternatives, specifically regarding the direct and indirect impacts of potential pollution sources generated from the bypass alternatives. If copies of these studies would be helpful to UDOT, we would be happy to provide copies.

2. Information used in the Level 2 Screening and Draft EIS seems to only address disturbance to surface water courses and some wetlands contained within the proposed right-of-ways of the alternatives. Surface water quality and groundwater quality impacts within the right-of-ways or in the surrounding areas have not been addressed. Because the proposed alternatives, especially those going through the North Fields are up-gradient of several important and complex receptors (Provo River, Deer Creek, public and private drinking water wells, etc.), we recommend that the Draft EIS include the direct, indirect, and cumulative impacts on surface

and groundwater quality, not only within the right-of-ways but throughout the surrounding areas.

Specific consideration should be given to the following potential sources of contamination;

a. Stormwater management,
b. Land drains and other construction/engineering points that open conduits to shallow groundwater,
c. Road maintenance activities – salts, vehicle wastes, snow removal, etc.,
d. Interruptions to and destruction of natural systems including surface and subsurface water flow, plant and animal life,
e. Increased growth and anthropogenic activities,
f. Spills and accident management.

3. The Groundwater Monitoring Plan for the Heber Valley and Round Valley (2022), identifies 3 transects of concern for groundwater quality; all 3 of which are intersected by the proposed bypass alternatives. The transects, based on groundwater flow direction, are 1) North Fields Transect #1 starting at River Road and following the flow path to Charleston, 2) North Fields Transect #2 starting above Wasatch Commons and following the flow path to Charleston, and 3) Below the East of Heber Transect starting East of Heber City going through Heber City and following the flow path to Charleston.

   Existing and new monitoring wells will be used to sample groundwater quality at different depths along these transects; 3-4 new wells should be constructed in 2023. We recommend that data from this project be taken into account in the Draft EIS.

We request that protecting and preserving the pristine groundwater of the Heber Valley aquifer be formally addressed in the Draft EIS. It appears that the direct and indirect impacts on both surface and groundwater quality has been given little consideration through the screening process. The protection of these critical resources for both the environmental and public health of the Heber Valley residences and downstream users must become a priority as the Draft EIS is updated. We appreciate the opportunity to provide comments on this process.

Sincerely,

Neal Burton
Chairman, Wasatch County Board of Health

Cc: Wasatch County Council
Dustin Grabau, Wasatch County Manager
Doug Smith, Wasatch County Planner
John Mackey, Utah Division of Water Quality Director
Heber City Council
Heidi Franco, Heber City Mayor

ID 286

February 26, 2026

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway, Suite 200
Cottonwood Heights, UT 84121
Email: hebervalleyeis@utah.gov

RE: Public Comment on the Heber Valley Corridor Draft Environmental Impact Statement — Alternative B (Preferred Alternative)

Dear UDOT Project Team and HDR Study Team,

Thank you for the opportunity to comment on the Heber Valley Corridor Draft EIS. I appreciate the extensive analysis undertaken and recognize the genuine transportation challenges facing the Heber Valley as growth continues. My comments below are offered in the spirit of constructive improvement, referencing specific EIS sections, and are intended to ensure the final project honors both the mobility needs and the irreplaceable character of this community. Additionally, this comment identifies specific deficiencies in the Draft EIS alternatives analysis and noise methodology that require substantive response under 40 CFR §1503.4(a).

1. Noise Impact Methodology Requires a More Protective Threshold

Reference: Draft EIS Chapter 3, Noise Analysis; Utah Administrative Code Rule R930-3; 23 CFR Part 772; FHWA Analysis and Abatement Guidance

UDOT's current noise policy (Utah Administrative Code Rule R930-3) defines a "substantial increase" as a design noise level that exceeds the existing noise level by 10 dBA or more. I respectfully submit that this threshold is inadequate for the unique acoustic environment of the Heber Valley and urge UDOT to adopt a more protective standard for this project.

The Federal Highway Administration's guidance on 23 CFR Part 772 permits state highway agencies to define "substantial increase" anywhere within a range of 5 to 15 dBA (23 CFR §772.5, definition of "Substantial noise increase"). FHWA's own Analysis

and Abatement Guidance states that "a 10 dBA increase in noise levels is a doubling of the perceived loudness" (FHWA Polguide, Section 772.5 discussion). By setting Utah's threshold at 10 dBA, UDOT does not consider a receptor to be impacted until residents perceive the noise as twice as loud as their current environment. The Heber Valley's existing ambient noise environment is remarkably quiet compared to the urban and suburban corridors where this threshold was calibrated. In a quiet rural setting, increases well below 10 dBA are clearly perceptible and disruptive.

I urge UDOT to apply a lower substantial-increase threshold for this project, a reasonable alternative not yet evaluated, consistent with the flexibility provided by the federal regulation. At minimum, the Final EIS should disclose and analyze impacts at the 5 dBA level so the public can understand the full scope of noise effects, even if abatement decisions are ultimately evaluated at the current 10 dBA standard. This transparency is important because the Draft EIS noise analysis, as currently structured, may undercount the number of affected receptors in a valley where baseline ambient levels are low.

Deer Creek High School: A High-Sensitivity Receptor Requiring Analysis

Deer Creek High School is currently under construction on Midway Lane (SR-113), with building permits issued and a scheduled opening of August 2026. This $169 million facility is Wasatch County's first new high school in over a century and will serve an anticipated student body of over 1,500 students. Immediately adjacent to the high school, the Mountainland Technical College (MTECH) Heber Valley Campus is also under construction with a similar opening timeline. Together, these facilities will serve a substantial daily population of students and staff.

The closest portion of the proposed corridor under Alternative B will pass less than 600 feet from the Deer Creek High School campus. Under 23 CFR Part 772, Table 1, schools are classified as Activity Category C land uses, with a Noise Abatement Criterion of 67 dBA Leq(h). When predicted noise levels approach or exceed this criterion, UDOT is required to consider abatement measures. The school's campus includes outdoor athletic facilities, tennis courts, and exterior gathering areas—all qualifying as exterior areas of frequent human use under the regulation.

I request that the Final EIS confirm that Deer Creek High School and the adjacent MTECH campus are included as noise receptors in the traffic noise analysis. Because the school has an issued building permit and will be open before the anticipated Record of Decision, it should qualify for noise abatement consideration under 23 CFR §772.11. Given the proximity of the corridor, the projected traffic volumes, and the 65 mph design speed, the study team should verify whether predicted noise levels at the school's exterior activity areas approach or exceed the 67 dBA Activity Category C criterion. If so, the Final EIS should evaluate feasible and reasonable abatement measures for this receptor, including the depressed-profile and barrier options discussed in Sections 2 and 3 of this comment.

The presence of a major school campus this close to the corridor underscores the broader concern about the 10 dBA substantial-increase threshold. Even if the predicted noise level at the school falls below the 67 dBA absolute criterion, a significant increase over the current quiet conditions along SR-113 would meaningfully affect the learning environment. A 2022 longitudinal study published in *PLoS Medicine* followed 2,680 children aged 7 to 10 across 38 schools in Barcelona over 12 months, measuring working memory, complex working memory, and attention at four intervals (Foraster et al., "Exposure to Road Traffic Noise and Cognitive Development in Schoolchildren," *PLoS Medicine*, 2022). The study found that a 5 dB increase in outdoor traffic noise at schools was associated with 11.4% slower development of working memory and 23.5% slower development of complex working memory over the study period. Attention development was 4.8% slower for each additional 5 dB of exposure. These findings suggest that even moderate increases in traffic noise at school sites can impair cognitive development in measurable ways—effects that are particularly relevant here, where the FHWA's Noise Abatement Criteria are themselves premised on speech interference in educational settings.

2. Depressed Roadway Design at the Western Interchange Complex

Reference: Draft EIS Chapter 2, Alternatives; Chapter 3, Visual Resources, Noise, Water Resources, and Utilities

I request that UDOT evaluate range of reasonable alternatives in the form of a depressed (below-grade) roadway profile at the western interchange complex where the corridor connects to 1300 South and US-189, rather than relying on multi-level elevated structures. A depressed alignment offers two critical advantages: preservation of the valley's iconic viewshed toward Mount Timpanogos, and meaningful reduction in traffic noise propagation toward Deer Creek High School and the surrounding community.

Viewshed Preservation. Mount Timpanogos is the defining visual landmark of the Heber Valley, and its unobstructed sightlines from within the community are integral to the valley's identity. Multi-level interchange structures in this area would introduce elevated infrastructure into a currently open landscape. A depressed profile—where the main corridor passes beneath cross streets on low-profile bridges—would preserve the visual continuity that residents and visitors experience today.

Noise Reduction. A depressed roadway naturally contains traffic noise below the surrounding grade. This is particularly relevant given Deer Creek High School's proximity: rather than elevating a high-speed roadway above the landscape where noise radiates outward and downward over a wide area, a depressed profile keeps the noise source below the line of sight to surrounding receptors.

Height Limitation. Specifically, I ask UDOT to evaluate a design that limits the interchange to no more than two levels: a depressed mainline corridor with grade-level cross streets passing over on short bridges. This would avoid the three-level stacked interchange configurations that produce the tallest structures and the greatest visual and acoustic impacts. A two-level profile—depressed underpass below, grade-level roadway with short overpasses above—achieves the necessary grade separation while minimizing the structure's footprint on the landscape.

Proven Utah Precedent. UDOT has recent, successful experience with depressed-highway interchange designs within the Wasatch Front:

- **Bangerter Highway (SR-154):** Over the past decade, UDOT has converted signalized intersections along Bangerter Highway into grade-separated interchanges where the highway passes under the cross streets. Projects at 4700 South, 9800 South, 11400 South, 12600 South, and 13400 South demonstrate that depressed highway profiles are constructible and operationally effective in

Utah's Wasatch Front environment. The Bangerter projects also required engineering around significant subsurface infrastructure, including the Jordan Valley Aqueduct.

- **US-89 Reconstruction (Davis County):** The US-89 widening project between Farmington and I-84 was designed with the highway running under six grade-separated bridges. The project included excavations reaching 28 feet at some locations, as well as noise walls ranging from 12 to 22 feet in height.
- **Mountain View Corridor (SR-85, Utah County):** The Mountain View Corridor in Saratoga Springs and Lehi incorporated trail underpasses at Redwood Road and 2100 North as part of its grade-separation design.

Addressing Site Constraints: Groundwater and Subsurface Infrastructure

I recognize that the corridor area presents subsurface challenges. The Heber Valley has a shallow water table in portions of the study area—as evidenced by the extensive wetlands in the North Fields and the Provo River system. Additionally, UDOT's own alternatives screening noted that certain alignments were eliminated in part due to impacts to existing wastewater and utility infrastructure. These constraints are real and I do not dismiss them. However, they do not necessarily foreclose a depressed profile—they inform the engineering approach.

I ask UDOT to evaluate a **mixed-profile approach** that applies the most appropriate vertical alignment to each segment based on site-specific conditions:

1. **Partial depression with landscaped berms where subsurface conditions allow.** Even a modest depression of the roadway combined with earthen berms on each side can create an effective visual and acoustic screen without requiring a deep excavation. This approach stays near the upper boundary of the water table while still achieving meaningful noise reduction and viewshed preservation.
2. **Sealed concrete trough sections where a deeper depression is warranted.** Where interchange geometry requires a deeper cut, waterproof concrete structures with engineered drainage are a well-established solution for areas with high water tables. The Bangerter Highway projects demonstrate that

UDOT has managed complex subsurface utility and water conflicts in grade-separated designs.

3. **Above-grade structures in segments where subsurface conditions make excavation impractical.** Where a depressed profile is not feasible due to groundwater, utilities, or other subsurface constraints, above-grade structures should be designed to prioritize sound isolation at the source. The barrier and height-limitation principles described in Section 3 of this comment would apply to these segments.

A mixed-profile design is responsive to actual site conditions rather than applying a uniform approach across the entire corridor. I request that the Final EIS include a segment-by-segment evaluation of vertical alignment options, with a comparative analysis of noise reduction, visual impact, groundwater interaction, and cost for each major segment.

3. Sound Barrier Design on Elevated Structures

Reference: Draft EIS Chapter 2, Alternatives; Chapter 3, Noise and Visual Resources; FHWA Highway Noise Barrier Design Handbook

Where elevated structures are part of the final design, I urge UDOT to incorporate noise barriers directly on those structures rather than relying solely on ground-level barriers set back from the roadway. The FHWA Highway Noise Barrier Design Handbook notes that barriers are generally most effective when placed close to the noise source. On elevated structures, standard-height jersey barriers (32 to 42 inches) provide vehicle safety but do not meaningfully attenuate traffic noise. When vehicles travel on an elevated roadway, noise propagates outward and downward with a clear line of sight to receptors over a wide area—a condition that is worse than at-grade conditions from an acoustic standpoint.

I request that UDOT evaluate the installation of tall barrier walls (on the order of 8 feet) on elevated and flyover structures, incorporating absorptive materials where appropriate. Tall barriers on elevated structures redirect sound energy upward rather than allowing it to propagate laterally across the valley floor. Given the Heber Valley's open topography—where sound carries over flat agricultural land with minimal natural

attenuation—source-level noise isolation on elevated structures would be significantly more effective than ground-level barriers alone.

Any flyover or elevated interchange elements should also be located as far to the southwest as feasible within the design envelope, maximizing distance from residential areas and from the Deer Creek High School campus to the north.

4. Protecting the Character That Defines the Heber Valley

Reference: Draft EIS Chapter 1, Purpose and Need; Chapter 3, Social and Community Resources; Chapter 3, Visual Resources

At the January 28, 2026 in-person public hearing at Wasatch High School, a fellow community member offered a statement that captures the stakes of this decision:

> *"People travel here because it represents an ideal that doesn't exist where they came from."*

This observation reflects an economic and social reality. The Heber Valley's tourism economy, its property values, and its quality of life rest on the character of a mountain community defined by open fields, quiet conditions, and views of the Wasatch Range and Mount Timpanogos. The corridor, depending on how it is designed, could introduce highway noise, visual clutter, and suburban-scale infrastructure into a landscape that currently lacks these features. The Draft EIS socioeconomic analysis should quantify the relationship between the valley's rural character and its tourism-dependent economy, as required under 40 CFR §1502.16(a).

Transportation improvements are necessary. But the design choices embedded in those improvements will shape whether the Heber Valley retains its identity or becomes defined by the road that runs through it. I urge UDOT to treat design sensitivity—depressed profiles where feasible, robust noise mitigation, height limitations, and viewshed preservation—not as optional enhancements, but as integral project requirements on par with mobility and safety.

5. Summary of Requested Actions

I respectfully request that UDOT address the following in the Final EIS:

4. **Substantive Comment: Disclose and analyze noise impacts at the 5 dBA level** so the public can understand the full scope of acoustic effects in this quiet valley, even if abatement decisions continue to use the current 10 dBA threshold.
5. **Substantive Comment: Deer Creek High School and the adjacent MTECH campus are included as noise receptors** in the traffic noise analysis, and evaluate whether predicted levels approach or exceed the 67 dBA Activity Category C criterion at the school's exterior activity areas. The impact of even a 5dBA increase in the learning environment was not analyzed in the Draft EIS.
6. **Substantive Comment: Evaluate a mixed-profile vertical alignment for the western interchange complex,** including a depressed mainline with grade-level cross streets (limiting the interchange to two levels rather than three), with a segment-by-segment comparative analysis of noise, visual impact, groundwater constraints, and cost.
7. **Substantive Comment: Evaluate tall noise barriers (on the order of 8 feet) directly on all elevated and flyover structures,** incorporating absorptive materials to isolate noise at the source rather than relying solely on ground-level barriers.
8. **Substantive Comment: Quantify the relationship between the valley's rural character and its tourism-dependent economy,** and mitigate the impacts via consideration of alternative designs.

Thank you for your consideration of these comments. I look forward to reviewing the responses in the Final EIS and remain available for any follow-up discussion.

Respectfully submitted,

Joshua Hogge
[redacted]
Heber City, UT 84032

[redacted]

ID 587

State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

Department of Natural Resources

JOEL FERRY
Executive Director

Division of Wildlife Resources

RILEY PECK
Division Director

March 4, 2026

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway # 200
Cottonwood Heights, UT 84121

To Whom It May Concern,

The Utah Division of Wildlife Resources (DWR) is a participating agency for the Heber Valley Corridor Environmental Impact Statement (EIS) and offers the following comments.

The preferred alternative has the potential to impact wildlife habitat due to its proximity to the Provo River, its associated tributaries, and adjacent wetlands. In recent years, over $30 million was invested to acquire and restore a river corridor in this area known as the Provo River Restoration Project (PRRP). The PRRP supports many species and recreational opportunities, including Blue Ribbon fishing opportunities.

Among the species benefited by the PRRP is the Columbia spotted frog, a Species of Greatest Conservation Need in the Utah Wildlife Action Plan, for which the state employs significant resources to manage the species and prevent its listing as a federally protected species. In areas where habitat disturbance cannot be avoided, we recommend mitigating habitat loss at a 4:1 ratio.

Additionally, a resident mule deer population also occupies the proposed project area. We recommend installation of exclusion fencing or other mitigation measures to reduce wildlife-vehicle collisions, especially in the North Fields area.

The DWR appreciates continued coordination on this project. If you have questions, please contact Josee Seamons, Impact Analysis Biologist in our Springville office, at [redacted]

Sincerely,

Michael Canning
Michael Canning (Mar 4, 2026 14:04:49 MST)

Michael F. Canning
Deputy Director

MFC/js

State of Utah

SPENCER J. COX
Governor

DEIDRE M. HENDERSON
Lieutenant Governor

Department of Natural Resources

JOEL FERRY
Executive Director

Division of Wildlife Resources

RILEY PECK
Division Director

ID 587 (2)
Revised

March 20, 2026

Heber Valley Corridor EIS
c/o Naomi Kisen
2825 E Cottonwood Parkway # 200
Cottonwood Heights, UT 84121

Dear Ms. Kisen,

The Utah Division of Wildlife Resources (DWR) is a participating agency for the Heber Valley Corridor Environmental Impact Statement (EIS). We previously provided comments on March 4, 2026. Since that time, we have learned more about the proposed alignments for the project alternatives. Below are our revised recommendations based on the alignments that are currently being proposed.

In recent years, over $30 million was invested to acquire and restore a river corridor in this area known as the Provo River Restoration Project (PRRP). The PRRP supports many species and recreational opportunities, including Blue Ribbon fishing opportunities.

Among the species benefited by the PRRP is the Columbia spotted frog, a Species of Greatest Conservation Need in the Utah Wildlife Action Plan, for which the state expends significant resources to manage the species and prevent its listing as a federally protected species. We recommend minimizing impacts to Columbia spotted frog habitat where possible and considering opportunities for mitigating habitat impacts.

Additionally, a resident mule deer population also occupies the proposed project area. We recommend installation of exclusion fencing or other mitigation measures to reduce wildlife-vehicle collisions, especially in the North Fields area.

The DWR appreciates continued coordination on this project. If you have questions, please contact Josee Seamons, Impact Analysis Biologist in our Springville office, at 385-421-1277 or jseamons@utah.gov.

Sincerely,

Michael Canning
Michael Canning (Mar 20, 2026 08:36:41 MDT)
Michael F. Canning
Deputy Director

MFC/js

ID 394

Contact UDOT

Responses occur within business hours. For life-threatening situations such as: fires, flat tires, and road debris please contact 911. For Location based requests like traffic signal issues, potholes please submit a request via Click 'N Fix. Thank you for taking time to reach out to us today.

Name

Juli Schultz

Phone

[redacted]

Email

[redacted]

Subject

Heber Bypass

Question / Comment

Please do not ruin our wonderful town and beautiful fields!!!!! Option B is a big NO!!!! We love our town. Please do not destroy it!!

This form was created inside of State of Utah.

ID 554

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. **Local costs and responsibilities**
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,

Karen Bassett

Name KAREN BASSETT

Address [redacted]

Phone Nu

Email Ad

ID 233

February 12, 2026

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway, suite 200
Cottonwood Heights, UT 84121

Karin Jentzsch
[redacted]
Heber City, Utah 84032
[redacted]

Re: Comments on the Heber Valley Corridor Draft EIS regarding 1300 SOUTH

ISSUE: 1300 South Elevated Roadway

CONCERN:

The proposed elevated roadway along 1300 South would significantly affect the residential properties adjacent to this new leg. Every home on 1250 South—as well as the broader neighborhood—would experience negative impacts. Many of us purchased these lots at a premium specifically for the unobstructed views of our beautiful Mount Timpanogos. An elevated roadway would introduce increased noise, air pollution, diesel fumes from semi-trucks, (can and will trigger allergic reactions) I see no safety in an elevated road so close to our young children's schools, homes and a general decline in the quality of life for our families. It would also diminish property values and make the area less desirable for current and future residents.

We recognize the need for improved transportation routes, but we strongly encourage consideration of an alternative solution.

ALTERNATE SOLUTION:

We ask that you consider alternative routes located south of 1300 South, utilizing open land, undeveloped land, meadows, and pastureland that are not close or located near residential housing that would avoid impacts to established residential neighborhoods. A potential option would be to follow Highway 189 and then route the roadway through the HVSSD sewer fields.

We would also support a smaller, ground-level frontage road (two lanes, not elevated) along the canal to accommodate local traffic rather than constructing a raised highway. Additional smaller local roads around the Walmart Valley Station area would serve community needs more effectively and with far less disruption.

We appreciate the ongoing efforts to address traffic concerns and respectfully request that an alternative alignment be considered in place of the currently proposed elevated 1300 South bypass.

Respectfully,
Karin Jentzsch

Heber City, Utah 84032

ID 157

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1/28/26

Name Keira Wilson

Phone [redacted]

Email [redacted]

Addre[redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

I am born & raised in heber Utah, I live directly next to north fields right next to the proposed bypass. asking the question what is the preferred alterative is a rhetorical question because the answer is absolutely neither. Both options will deteriorate the wild life, wet lands, historical properties, and agricultural land. traffic is a normal aspect of having automobiles, and we need to learn to deal with it. adding the bypass will make it so semis are unable to stop for gas & food so some will choose to ignore the bypass making it useless to a portion of those it supposedly caters to. this bypass is byfar the stupidest idea to be brought forth, if you dont want traffic walk or bike, if you want to drive over a bypass so badly go through parleys or provo avoiding heber all together. Do Not Destroy Heber because you Lack Patience!!!

PS. this was written by a 19 yr old girl if I can understand and see how negatively this affects our community you at your grown age should be able to comprehend this!!

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

hebervalleyeis.udot.utah.gov
hebervalleyeis@utah.gov
801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 328

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. **Local costs and responsibilities**
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,

Ken McConnell

Name [redacted]

Address

Phone Number

Email Address

ID 158

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1-28-26

Name Kristin Case

Phone [redacted]

Email [redacted]

Addres [redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

please do not direct more traffic down 1300 South. My back yard faces 1300 South. Having a major road and elevated road "in" my back yard will reduce the value of my home and will cause more noise, pollution, etc. Please connect the bypass to US-189 -> use industrial land to expand the highway. Please, please, please keep the bypass away from existing homes + neighborhoods. → USE highway 189!

Beautiful swallows come to our neighborhood each summer. They are attracted to our neighborhood because there is a water source near by - the canal. The canal will be partially covered based on the current plan. This will not be good for these birds. We also love seeing the sandhill cranes - an endangered species - come to our valley each summer. The bypass will go through areas where they enhabit each summer. The bypass will be bad for these magestic birds.

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

Laren Gertsch

Heber Valley, Wasatch County, Utah

NFIC Shareholder | Former Vice-President, North Field Irrigation Company | North Fields Landowner, Fifth Generations

March 9, 2026

Heber Valley Corridor EIS Project Team

Utah Department of Transportation

Via email: hebervalleyeis@utah.gov

Re: Individual Comment of Laren Gertsch — Heber Valley Corridor Draft Environmental Impact Statement, Preferred Alternative B

Submitted in Individual Capacity as Directly Impacted Landowner, Livestock and Hay Operator, Fifth-Generation North Fields Farmer, and Former Vice-President of the North Field Irrigation Company

Dear Project Team:

I. Introduction and Standing

My name is Laren Gertsch. My family has farmed in the Heber Valley for five generations. I am among the largest individual landowners within the North Field Irrigation Company's ("NFIC") service area and a substantial NFIC shareholder. I served as Vice-President of the NFIC Board of Directors. Before retiring to full-time farming, I worked for one of the largest CPA firms for ten years. Also, I served as a senior financial executive of a large pipeline company for over thirty years, where in one of my roles, I was responsible for approval of new capital projects before the Federal Energy Regulatory Commission (because the pipeline company crossed state lines) and the prudency of both operating and capital costs to be charged to our customers primarily local distribution companies (i.e. Enbridge fka Questar). Expenditures were in the range of the projected Alternative A and B project costs.

I bring both perspectives to this comment: the perspective of a fifth-generation farmer whose land, water, and livelihood are directly threatened by Alternative B — and the perspective of a financial executive who has reviewed UDOT's cost estimates and found them to be materially incomplete and analytically indefensible.

I formally incorporate by reference:

- **The formal comment of the North Field Irrigation Company (NFIC)**, which identifies 99 specific deficiencies in the DEIS — 36 classified as FATAL and 63 as MAJOR.
- **The formal comment of the Friends of Heber Valley to UDOT dated March 9, 2026.** I am a landowner participant in the formal comments of the Friends of Heber Valley.
- **All other landowner formal comments** that are affected by Alternative B and seek an alternative route or Alternative A.
- **The formal comments of Wasatch County Council.**

I urge UDOT to select Alternative A, or to realign Alternative B as close to US-40 as possible, before any Record of Decision is issued.

II. Personal and Property Impacts

Alternative B will directly destroy my family's fifth-generation operation in the following ways:

- **Condemnation of nearly 50 acres family land** farmed. No equivalent replacement land exists in the valley: the DEIS contains no soil analysis, no replacement parcel inventory, and no study of forage production equivalence. The North Fields alluvial soils almost certainly qualify as prime farmland under USDA classification, triggering mandatory evaluation and minimization requirements before project approval. *(See Farmland Protection Policy Act, 7 U.S.C. § 4201 et seq.; USDA Form AD-1006.)*
- **Permanent severance of remaining property** on both sides of a four-lane divided highway. Livestock cannot safely cross. Equipment cannot move freely between fields. Parcels that function today as an integrated operation will be permanently affected.
- **Destruction of livestock and irrigated hay operations** dependent on the high-quality alluvial soils and gravity-flow water delivery of the North Fields. The DEIS does not evaluate post-taking operational viability — it counts acres and ignores enterprises.
- **Severance of gravity-flow irrigation access**. As a major NFIC shareholder, I formally affirm NFIC's position: conversion of the 165-year-old gravity-flow canal system to a mechanical siphon network — with no engineering design, no cost estimate, and no funded maintenance plan — is not acceptable. The canal infrastructure and surrounding agricultural landscape may qualify as historic properties requiring consultation prior to any Record of Decision. I have not been included as a consulting party in that process. *(See National Historic Preservation Act, 54 U.S.C. § 306108; Section 106 consultation requirements.)*
- **Water rights as separate property interests.** The appurtenant water rights associated with my NFIC shares and any water rights attached to my land parcels

constitute separate property interests under Utah law. Any taking, impairment, or interference with those rights requires independent identification, valuation, and compensation. This is not addressed anywhere in the DEIS. *(See Utah Code § 73-1-1 et seq.; water rights to be identified upon request.)*

III. Traffic Model Results Are Mathematically Indefensible

The Core Discrepancy

- UDOT Commissioner Carlos Barcenas stated to the Wasatch County Council in October 2024 that **75 percent of corridor traffic is local.**
- DEIS baseline: travel time on Main Street = **21.5 minutes** (do-nothing scenario).
- DEIS projection with Alternative B: travel time drops to **6.55 minutes** — a reduction of approximately 15 minutes — when only 25 percent (non-local) traffic uses the bypass.
- **This is arithmetically impossible.** Removing 25 percent of vehicles from a roadway does not produce a 70 percent reduction in travel time for the remaining 75 percent of traffic. No credible traffic engineering model produces this result. UDOT has not explained it. Commissioner Barcenas also confirmed that **neither Alternative A nor Alternative B solves Main Street traffic** — a material admission absent from the DEIS alternatives analysis.

Formal Requests

- Provide full technical documentation of the traffic model methodology producing this result.
- Correct the DEIS travel-time projections to reflect mathematically defensible outputs.
- Model and disclose the projected travel-time savings under the scenario in which only non-local traffic (25 percent) uses Alternative B, consistent with Commissioner Barcenas' own public statements.
- Incorporate Commissioner Barcenas' admission that Main Street traffic is not resolved by either alternative.

IV. Bypass Road Location — Shift Route East

A. Southern Segment Near SR-113

- **Request that the bypass crossing SR-113 be shifted east to Parcel No. 00-0008-0163**, which UDOT already owns. UDOT needs to justify why they are not honoring their commitment with Wasatch County and Heber City that there would be no on and off ramps on Midway Lane. A flyover Southfield Road has always been the planned bypass with Wasatch County and UDOT. This would allow Southfield Road to continue to have the ability to turn left on Midway Lane. UDOT needs to

justify why the map shown in Exhibit A would not work if this commitment were honored. There is no justification for condemning private land when the state owns an adjacent parcel in the appropriate alignment corridor.

- In the unlikely event that on and off ramps are included in the Final Record of Decision, we request that UDOT seek a variance on the distance from the stoplight where SR113 has an entrance to the high school so that a signaled intersection can be built on Midway Lane that can service our access to properties that are not acquired for the bypass road at UDOT's expense. UDOT seems to be using a bias for a wider road at a higher speed to justify its preference for Alternative B. UDOT needs to justify why its mandating a 65 mile-an-hour road in this area where it merges into a 55 mile-an-hour zone near River Road.
- Wasatch County acquired **Parcel No. 00-008-08-4298** (south side of SR-113) specifically for this road alignment, with the agreed route running diagonally from the southwest to the northeast corner, crossing SR-113. This alignment should be honored.
- Wasatch County also acquired **Parcel No. 00-0008-0114** directly north of the UDOT-owned parcel for the same purpose, confirming the eastern alignment as the agreed corridor among UDOT, Wasatch County, and Heber City.
- Benefits: avoids Agricultural Protection Area condemnations; creates proper entrance from South Field Road; honors prior governmental agreements. See Exhibit A.

B. Northern Segment: 900 North to US-40

- **Request that the bypass route be shifted east of 600 West, as close to US-40 as practicable.** See Exhibit A
- I support Wasatch County's proposed Alternate Route. A westward shift of approximately 200-300 yards from US-40 homes would preserve this alignment while protecting those residences. See Exhibit A.

An eastern bluff alignment produces the following measurable improvements:

- **Aquifer protection:** Higher bluff elevation reduces highway infrastructure interference with the 12–18 inch water table beneath the North Fields and the municipal aquifer it recharges.
- **Gravity-flow preservation:** Road elevation allows water delivery through culverts by gravity, eliminating the need for a siphon system and its perpetual unfunded maintenance burden.
- **APA compliance:** Eastern alignment avoids Agricultural Protection Area parcels condemned by the current Alternative B.

- **Overpass elimination:** Eliminates the need for the promised livestock/agricultural overpasses at 1800 North and 2400 North, saving an estimated $50–$100 million per structure.
- **600 West preserved:** Maintains the primary access road for North Fields landowners.
- **Significant wetland avoidance:** Wetland concentrations are heaviest in the western North Fields; eastern alignment avoids them, reducing mitigation costs substantially.
- **Shorter road length:** Northern terminus modification reduces total bypass length, eliminating two homesite removals at Potter Lane/US-40 and removing walking path/livestock conflicts at 1200 North.

V. Project Cost Analysis — Alternative B Is Materially Understated

UDOT claims a cost differential of approximately $50 million between alternatives. As a former senior financial executive who has reviewed capital project budgets of this scale, I can state clearly: **that figure is not credible.** The following cost categories have been omitted from Alternative B's estimate:

Omitted Cost Categories

- **Wetland mitigation:** Alternative B destroys 140% more wetlands than Alternative A (53.92 vs. 22.52 acres). Mitigation costs run 2x to 15x the per-acre land value. No mitigation cost range appears in the DEIS. Land and water acquisition for mitigation banking alone renders the current cost estimate unreliable.
- **Promised overpasses at 1200 North, 1800 North, and 2400 North in the North Fields:** UDOT verbally committed these structures to NFIC. None appear in the cost estimate. At $50–$100 million per overpass, two omitted structures represent a $100–$200 million understatement. Moving the bypass road to the east would eliminate all these overpasses.
- **Fragmented land and severance costs:** UDOT's estimate covers only the highway footprint. It excludes: (a) severance damages for properties bisected and rendered non-viable; (b) acquisition of landlocked or access-denied parcels; and (c) relocation costs for displaced operations. Utah law specifically requires compensation for diminution in value of the remainder parcel after a partial taking. *(See Utah Code § 78B-6-511; Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. § 4651 et seq.)*
- **Rock Ditch rerouting:** UDOT must design, build, and fund new ditch infrastructure on both sides of Alternative B where the Rock Ditch is severed. No cost estimate for this work appears in the DEIS.

- **Land acquisition not based on appraisals:** UDOT's own documents acknowledge that land acquisition costs are "not based on an appraised value." A cost comparison built on non-appraised land values is not a legitimate basis for a billion-dollar public expenditure decision.
- **Federal appraisal requirement not met:** Federal law requires individual appraisals at current fair market value for each affected parcel before acquisition under the Uniform Relocation Assistance and Real Property Acquisition Policies Act. UDOT's recent land transactions in the North Fields area have produced per-acre values substantially above historical averages. Using historical unit-price averages rather than individual parcel appraisals understates true acquisition costs and does not comply with federal law.

Formal Cost Requests

- Prepare a complete, independently verified cost comparison including all categories above.
- Provide a wetland mitigation cost range reflecting current mitigation banking market rates.
- Include the two promised overpasses in Alternative B's cost estimate at current construction costs.
- Base all land acquisition costs on independent appraisals before any Record of Decision.
- Calculate and disclose severance and access-denial costs for all bisected properties.
- Provide Rock Ditch rerouting cost estimates on both sides of the highway.

VI. Main Street Traffic — A Missing Alternative

UDOT has changed its justification for the bypass multiple times: first, removing Uintah Basin oil field semis from Main Street (UDOT's own scoping analysis found semis represent 1 percent of Main Street traffic); then, facilitating Utah County-to-Summit County through traffic (US-40 is already congested at the Park City entrance). Commissioner Barcenas confirmed that neither bypass alternative resolves Main Street traffic.

UDOT has conducted no studies of lower-cost Main Street operational improvements. The Final EIS must include, in coordination with Heber City, a formal analysis of the following alternatives:

- Restrict parking on Main Street during peak hours to create a three-lane configuration (comparable to 7th East, Salt Lake City — requires only removal of planter boxes between 200 South and 300 North).
- Install overpass crossing for students at 790 South.
- Install pedestrian overpass at park crossing near 250 South.

- Convert 100 West to one-way flow.
- Convert 100 East to one-way flow.
- Install multiple lanes which can switch direction depending on the time of day – similar to West Valley.
- Optimize traffic signal sequencing on the Main Street corridor.

These measures represent a small fraction of the cost of either bypass alternative and have not been studied. Their omission is a NEPA deficiency.

VII. Aquifer and Hydrogeologic Impacts — UDOT Has No Plan B

The Hydrogeologic Dam Problem

- The water table beneath the North Fields sits **12 to 18 inches below the surface**. This shallow table recharges the aquifer supplying drinking water to Heber City, Daniels, and Charleston.
- **Dr. Robert Simons submitted a study** during the alternatives selection comment process demonstrating that a road placed through the middle of the North Fields would function as a **hydrogeologic dam**: wetter on one side, drier on the other — permanently disrupting surface irrigation flow and aquifer recharge patterns.
- This study was formally provided to UDOT during the selection process comments and again presented directly in a 2025 NFIC-UDOT meeting.
- **UDOT has provided no analysis, no study, and no response refuting Dr. Simons' findings.** The dam-effect analysis stands unrebutted in the record. An agency's failure to respond to a submitted technical study constitutes a failure to take the "hard look" at environmental consequences required under NEPA. *(See Kleppe v. Sierra Club, 427 U.S. 390 (1976); 40 C.F.R. § 1502.1.)*
- In the 2022 NFIC-UDOT meeting, **UDOT project representative Craig Hancock was asked directly: what is UDOT's contingency plan if the road dries up the municipal wells in Heber City and surrounding communities?** His answer: **"UDOT does not have a Plan B."** That statement is in the record as it was submitted by me as part of my comments during the selection process comment period. It cannot be permitted to stand as UDOT's final answer on municipal water supply.

Formal Aquifer Requests

- Commission and publish an independent hydrogeologic study specifically addressing the dam effect identified by Dr. Simons, and make it available for public comment before any Record of Decision.
- Develop and disclose a contingency plan for municipal drinking water supply if the aquifer is disrupted or contaminated by Alternative B.

- Explain how unlined detention basins discharging 100 percent of highway runoff — including deicing chemicals — into the aquifer recharge zone comply with Utah drinking water standards. State water quality certification must confirm compliance before any federal permit may issue. *(See Clean Water Act § 401, 33 U.S.C. § 1341; Utah Admin. Code R317.)*
- Recalibrate the SELDM stormwater model using Utah-specific data before any design approvals.

XIII. Reasonable Efforts Required to Minimize or Eliminate Any Detrimental Impact on Agriculture

- DEIS properly acknowledges Utah Code § 17-41-406(3) (DEIS cites code incorrectly, should be § 17-81-307(3), see page 3-27) that as a State Agency, they are required to make reasonable efforts to minimize or eliminate any detrimental impact on agriculture that may result from the designation of a transportation corridor in an Agriculture Protection Area (APA). However, the DEIS is silent regarding UDOT's compliance with this statute and fails to clearly articulate what reasonable efforts were used to minimize or eliminate any detrimental impact on agriculture resulting from this transportation corridor affecting APA land.
- UDOT acknowledges Alternative B has greater impacts to APAs, affecting 38.5 acres versus the 11.76 acres required in Alternative A. However, no explanation is provided for how this decision complies with § 17-81-307(3) in minimizing or eliminating any detrimental impact on agriculture resulting from the transportation corridor. UDOT needs to clearly articulate how it complies with this statute regarding its decision of choosing Alternative B where reasonable alternatives are available that truly minimize or eliminate any detrimental impact. DEIS p. 3-41.
- DEIS attempts to justify Alternative B has the "best option for the community" because "Alternative B minimizes property disruption, requiring significantly fewer relocations, affecting only 8 properties (2 businesses and 6 homes) compared to 27 under Alternative A. However, this analysis is silent to any specific detrimental impact on agricultural businesses located on APA land in Alternative B. DEIS attempts to address impacts to any agriculture businesses via "Impacts to Agricultural Economics" under 3.5.4.2.3 which then directs you to 3.3 to review "Farmland" where it is also silent to specific agricultural businesses being affected. This analysis is attempting to lump all impacts to agriculture into an "agriculture economics" group but fails to individualize the specific businesses that will be affected as DEIS did when evaluating brick and mortar and commercial businesses. This omission misrepresents Alternative B as affecting fewer businesses than Alternative A. DEIS pp.3-75 to 77. Further, there are very few homes and businesses north of 1200 north affected under Alternative A. UDOT needs to properly represent the number of homes and businesses north of 1200 North.

- **Agricultural Protection Area and A-20 zoning override.** The North Fields carry Agricultural Protection Area designation and A-20 zoning protections established specifically to keep working farms and ranches in production. UDOT's cost estimate contains no accounting for what it costs the county, the tax base, or future generations when a highway permanently overrides these protections. That analysis is required before any Record of Decision is issued. *(See Utah Code § 17-41-401 et seq.)*

Summary of Requested Actions

- UDOT must issue a Supplemental DEIS with a complete explanation for why their analysis excludes agricultural businesses located in the affected APA land, and redo its study to include these businesses to account for their incomplete conclusions of only 2 businesses needing to be relocated under Alternative B.
- UDOT must issue a Supplemental DEIS addressing why Alternative B is the preferred alternative given the comments in this APA Section VIII.
- UDOT must clearly articulate their legal justification in the Supplemental DEIS for choosing Alternate B versus Alternative A or a different route altogether that affects less APA land where they have a clear statutory mandate to minimize or eliminate detrimental impact on agriculture resulting from the transportation corridor when reasonable alternatives exist to minimize that detrimental impact as required under § 17-81-307(3).

IX. Summary of Formal Requests

I formally request that UDOT:

- Select **Alternative A**, or realign Alternative B as far east toward US-40 as practicable, consistent with NFIC's formal request since 2022.
- **Shift the cross at SR-113** to UDOT-owned Parcel No. 00-0008-0163 and align through Wasatch County's acquired parcels, consistent with prior governmental agreements.
- **Correct the traffic model** to produce mathematically defensible travel-time projections and respond to Commissioner Barcenas' public admission.
- **Prepare a complete, independently verified cost comparison** including wetland mitigation, promised overpasses, severance costs, fragmented land acquisition, and Rock Ditch rerouting — with all land values based on independent appraisals.
- **Commission an independent hydrogeologic study** responding directly to Dr. Simons' dam-effect analysis, and publish it for public comment.

- **Develop a contingency plan** for municipal drinking water if Alternative B disrupts the aquifer.
- **Analyze Main Street operational improvements** as required alternatives in the Final EIS.
- **Issue a Supplemental DEIS** addressing all 99 deficiencies identified in NFIC's formal comment before any Record of Decision is issued.
- **Address the issues in the Supplemental DEIS** raised by the Friends of Heber Valley in their formal comment dated March 9, 2026.

The North Fields have sustained farming families in this valley for more than 160 years. My family has been part of that story for five generations. UDOT has received the warnings, the studies, and the data. The DEIS as written does not justify ending what five generations have built. I urge the agency to do better.

Joint Submission of Comments. Joshua and Clint Gertsch are co-owners of the parcels with me. They participate in the farming and ranching operations on our properties. They are similarly qualified to attest to the validity of the costs and impact of the Alternatives presented by UDOT. The comments herein are being submitted jointly among Laren Gertsch, Joshua Gertsch, and Clint Gertsch.

Reservation of Rights. Laren Gertsch, Joshua Gertsch, and Clint Gertsch reserve all rights. Nothing in this comment constitutes a waiver of any legal remedy available under federal or state law. The Gertsches expressly preserves all rights under NEPA, the Fifth Amendment to the United States Constitution, the Uniform Relocation Assistance and Real Property Acquisition Policies Act, the Farmland Protection Policy Act, the National Historic Preservation Act, the Clean Water Act, and applicable Utah and federal law — including the right to just compensation for all property taken or damaged, the right to independent appraisal of each affected parcel at current fair market value, the right to just compensation for all appurtenant water rights taken or impaired, the right to challenge any Record of Decision, and the right to pursue all available legal remedies if this process fails to correct the deficiencies placed on the record here. The Gertsches further preserves all rights of judicial review of agency action under the Administrative Procedure Act. *(See 5 U.S.C. § 706.)*

Respectfully submitted,

Laren Gertsch

Heber Valley, Wasatch County, Utah

NFIC Shareholder | Former Vice-President, NFIC

March 9, 2026

ID 292

Plan B disrupts native species. The State of UTAH and UDOT cannot defend this eco system
No Plan B!! No Amount of Money-State or Federal can repair this Ecosystem once it is disturbed! Heavy traffic and Higher speeds require stable Roadbase
NO B
No Route B is able to defend the North Fields without herbicides sprays, to loa invasive weeds. Hwy 191 is proof.
No Plan achieves desired objectives of Route B Hwy Standards
Bisecting the North Fields... No Beauty B Nothing gained
No Better Safety

No Bisecting the wetlands
No Plan B... Too costly... Unsafe@any speed

d-class sk allure
rdic li ate 60-acre
e ki-in-ski-out estate
dences adjacent to the new
Valle Village. Connect with family, align
ure and evolve your ski experience through

P.S. Every day we are given stones.
But what do we build?
Is it a bridge or is it a wall?

Dear UDOT,

I love you,

Linda Middleton and Nature ask that you consider aligning Southfield Road with the access rd to the M campus installing a traffic light there and leaving Northfields undisturbed.

P.S. I love this quote by Albert Schweitzer:

"Happiness is nothing more than
health and a poor memory."

I love you,

Mom

Heber Valley Resident Pleads: Rare, Flat Fertile Farmland is Fine

Rescue Resilient River from Roadwork

Less Speed = Safer School Zones

ID 357

Dear UDOT, How much has it cost to lift 3 semi trucks out of Deer Creek Reservoir? Higher Speeds are not needed Here.

Subject: Deficiencies in DEIS Related to Aquifer Protection, Design Speed, Alternatives Analysis, and Growth Inducement

Dear UDOT Project Team,

I am a local resident submitting this comment to identify specific deficiencies in the Draft Environmental Impact Statement (DEIS) for the proposed bypass project. These concerns relate directly to compliance with **NEPA**, the **Clean Water Act**, and implementing regulations.

Aquifer and Groundwater Protection

The DEIS does not demonstrate that impacts to aquifer recharge areas and hydrologically connected wetlands have been adequately avoided or minimized, as required under the **Clean Water Act (33 U.S.C. § 1251 et seq.)** and **NEPA (42 U.S.C. § 4332)**. The analysis lacks sufficient site-specific hydrogeologic data addressing long-term risks from roadway runoff, spills, and maintenance activities. Given the reliance of this community on groundwater, this omission is significant and must be corrected.

Design Speed and Wildlife Impacts

The proposed **65 mph design speed** exceeds that of all connecting and nearby roadways and is the highest speed in the surrounding region. The DEIS does not adequately analyze the relationship between design speed and wildlife mortality, nor does it evaluate lower-speed alternatives consistent with the rural and environmental context. Failure to consider reduced design speeds violates NEPA's requirement to rigorously explore reasonable alternatives (**40 CFR § 1502.14**).

Failure to Analyze Existing Infrastructure Alternatives

The DEIS does not provide a meaningful evaluation of alternatives that improve or optimize existing transportation infrastructure, such as targeted roadway improvements, intersection upgrades, or traffic management strategies. NEPA requires consideration of reasonable alternatives, including those that utilize existing facilities (**40 CFR § 1502.14(c)**). The cursory treatment of these options is insufficient.

Growth-Inducing Impacts and Roadway Classification

The project is proposed as a **Class III facility**, which allows for future access points at approximately half-mile intervals. This classification is inherently growth-inducing. Despite this, the DEIS asserts that the project will not induce growth, without providing analysis to support that conclusion.

NEPA requires disclosure and analysis of indirect and induced growth impacts. Designing a roadway with freeway-level access potential while disclaiming growth effects is internally inconsistent and fails to meet NEPA standards. This inconsistency may also render the DEIS arbitrary and capricious under the **Administrative Procedure Act (5 U.S.C. § 706)**.

Requested Action

Before advancing the project, the DEIS must:
1. Provide a rigorous analysis of aquifer and groundwater impacts and demonstrate avoidance and minimization
2. Evaluate reduced design speeds consistent with surrounding roadways
3. Fully analyze alternatives utilizing existing infrastructure
4. Disclose and analyze growth-inducing impacts consistent with roadway classification
5. Reconsider roadway classification to align with the stated non-growth purpose of the project

Thank you for considering these comments. I request that these deficiencies be addressed in a revised or supplemental EIS.

Respectfully,

Dear UDOT,

How will semi Trucks deliver cars and new Vehicles to existing Businesses on Main St Heber unless Option (Route A) grants them access from existing roads crossing Main St.

Plan (Route B) Bisects Provo River Valley but doesn't explain how transportation to local Economy and ecology will be Protected from years of road construction and disruption.

Please consider designating HWY 40 and 189 as Scenic Byways, lowering speeds around residential neighborhoods and school Zones when you chose Route A Sincerely, Linda

ID 446

Subject: Deficiencies in DEIS Related to Aquifer Protection, Design Speed, Alternatives Analysis, and Growth Inducement

Dear UDOT Project Team,

I am a local resident submitting this comment to identify specific deficiencies in the Draft Environmental Impact Statement (DEIS) for the proposed bypass project. These concerns relate directly to compliance with **NEPA**, the **Clean Water Act**, and implementing regulations.

Aquifer and Groundwater Protection

The DEIS does not demonstrate that impacts to aquifer recharge areas and hydrologically connected wetlands have been adequately avoided or minimized, as required under the **Clean Water Act (33 U.S.C. § 1251 et seq.)** and **NEPA (42 U.S.C. § 4332)**. The analysis lacks sufficient site-specific hydrogeologic data addressing long-term risks from roadway runoff, spills, and maintenance activities. Given the reliance of this community on groundwater, this omission is significant and must be corrected.

Design Speed and Wildlife Impacts

The proposed **65 mph design speed** exceeds that of all connecting and nearby roadways and is the highest speed in the surrounding region. The DEIS does not adequately analyze the relationship between design speed and wildlife mortality, nor does it evaluate lower-speed alternatives consistent with the rural and environmental context. Failure to consider reduced design speeds violates NEPA's requirement to rigorously explore reasonable alternatives (**40 CFR § 1502.14**).

Failure to Analyze Existing Infrastructure Alternatives

The DEIS does not provide a meaningful evaluation of alternatives that improve or optimize existing transportation infrastructure, such as targeted roadway improvements, intersection upgrades, or traffic management strategies. NEPA requires consideration of reasonable alternatives, including those that utilize existing facilities (**40 CFR § 1502.14(c)**). The cursory treatment of these options is insufficient.

Growth-Inducing Impacts and Roadway Classification

The project is proposed as a **Class III facility**, which allows for future access points at approximately half-mile intervals. This classification is inherently growth-inducing. Despite this, the DEIS asserts that the project will not induce growth, without providing analysis to support that conclusion.

NEPA requires disclosure and analysis of indirect and induced growth impacts. Designing a roadway with freeway-level access potential while disclaiming growth effects is internally inconsistent and fails to meet NEPA standards. This inconsistency may also render the DEIS arbitrary and capricious under the **Administrative Procedure Act (5 U.S.C. § 706)**.

Requested Action

Before advancing the project, the DEIS must:

1. Provide a rigorous analysis of aquifer and groundwater impacts and demonstrate avoidance and minimization
2. Evaluate reduced design speeds consistent with surrounding roadways
3. Fully analyze alternatives utilizing existing infrastructure
4. Disclose and analyze growth-inducing impacts consistent with roadway classification
5. Reconsider roadway classification to align with the stated non-growth purpose of the project

Thank you for considering these comments. I request that these deficiencies be addressed in a revised or supplemental EIS.

Respectfully,

Linda L Middleton

[redacted]

Heber, UT 84032

You may want your reply to:

[redacted]

Small Pasture Management Guide for Utah published by Utah State University Extension can provide current Data and guidance Productive agricultural land management wildlife, Clear Streams, Native Plants, Healthy Livestock

CEDARVIEW
DAIRY FARM

Why did UDOT disregard the value that citizens of Heber Valley repeatedly stressed about preserving Scenic North Fields iconic Agriculture and Aquifer?

UDOT: When you open the **Wasatch County GIS Portal** and turn on the layers that matter for environmental review, a very clear picture emerges: **Option B sits directly on top of the highest-value, highest-sensitivity, and most heavily regulated land in the entire Heber Valley.**

This isn't a matter of interpretation — it's what the maps show.

1. Groundwater Depth: The Map Turns Dark Blue Under Option B

When the **Groundwater Depth** layer is activated, the North Fields immediately light up in **0–5 ft** and **5–10 ft** polygons.
Option B runs straight through these shallow-water zones.

This means:

- There is almost no soil buffer
- Contaminants from a highway would reach groundwater quickly
- Stormwater infiltration basins are not feasible

From a visual standpoint, the alignment sits on the **shallowest groundwater in the county**.

2. Aquifer Recharge: The Corridor Overlaps the Primary Recharge Zone

Turning on the **Recharge Zones** layer shows the North Fields as a continuous block of:

- **Primary Recharge Area**
- **High Recharge Potential**
- **High-conductivity alluvium**

Option B overlays these polygons almost perfectly.

On the map, it looks like the alignment was drawn directly on top of the recharge zone — *because it was.*

3. Wetlands & Hydric Soils: The Map Fills With Blue and Green

When you activate: **Wetlands (NWI) & Hydric Soils**

the corridor becomes a patchwork of:

- PEM wetlands
- PSS shrub wetlands
- PUB ponded areas
- Hydric soil complexes

These layers visually confirm:

- The ground is seasonally saturated
- Wetland indicators are widespread
- A Clean Water Act §404 permit would be unavoidable

The map shows **wetland clusters exactly where Option B is proposed**.

4. Irrigation Ditches & Drainage: The Alignment Cuts Through Every Conveyance

Turning on **Streams & Ditches** reveals a dense network of:

- Irrigation laterals
- Private ditches
- Historic conveyance routes
- Seasonal drainage paths

Option B crosses these features repeatedly.

On the map, the alignment looks like a blade slicing through the valley's irrigation circulatory system.

5. Agricultural Preservation: The Corridor Bisects Protected Areas

The **Land Use → Preservation Areas** layer shows:

reveals:

- Zone A floodplains
- Seasonal inundation areas
- Shallow flooding polygons

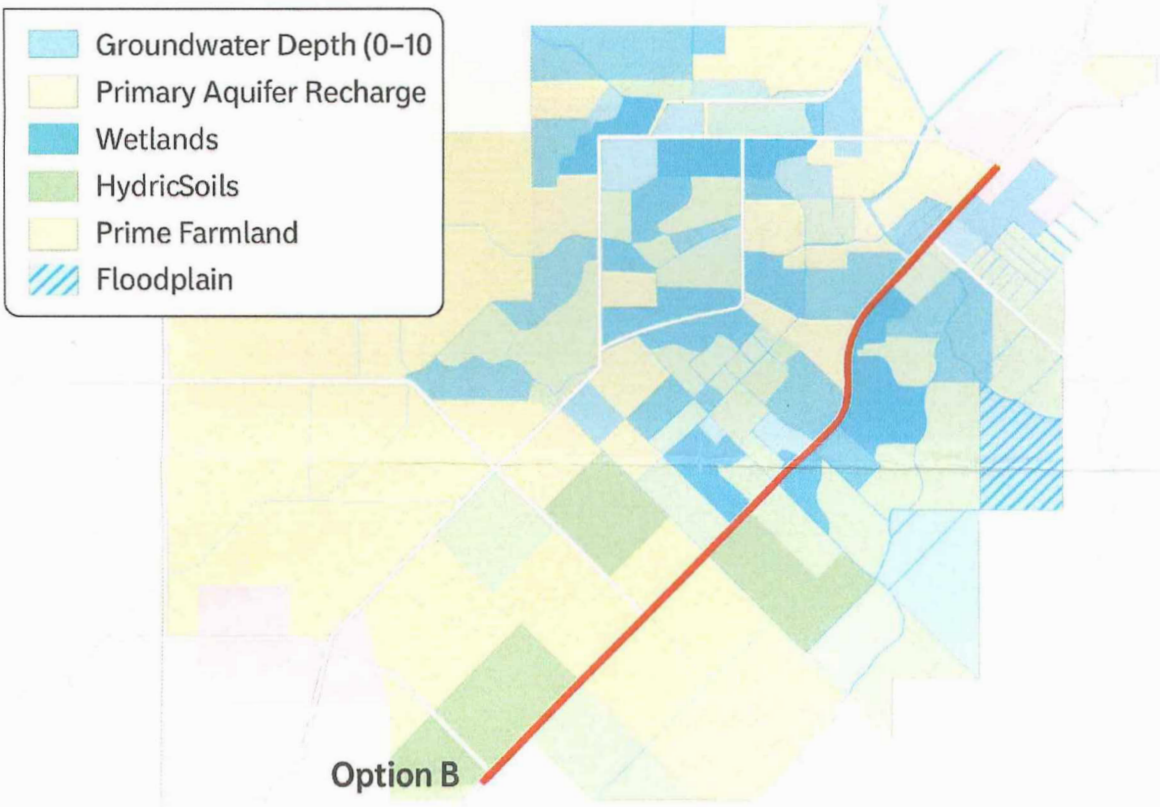
Option B crosses these hazard zones multiple times.

On the map, the corridor sits in the **lowest, wettest, most flood-prone part of the valley!**

What is the true motive behind all of this? It's obviously not to build a bypass, unless you are trying to build the most expensive, damaging option there is.

I demand you remove alternative B from the running as it violates every code and protection at both state and federal levels.

Sincerely, The Middleton Family



the many developements on the East Side of Heber have changed local traffic patterns. A scenic Byway above Red Ledges should Reroute traffic to Frances Kamas and connect HWY 40 to route trucking EAST to our landfills.

These layers visually confirm:

- The ground is seasonally saturated
- Wetland indicators are widespread
- A Clean Water Act §404 permit would be unavoidable

The map shows **wetland clusters exactly where Option B is proposed**.

4. Irrigation Ditches & Drainage: The Alignment Cuts Through Every Conveyance

Turning on **Streams & Ditches** reveals a dense network of:

- Irrigation laterals
- Private ditches
- Historic conveyance routes
- Seasonal drainage paths

Option B crosses these features repeatedly.

On the map, the alignment looks like a blade slicing through the valley's irrigation circulatory system.

5. Agricultural Preservation: The Corridor Bisects Protected Areas

The **Land Use → Preservation Areas** layer shows:

- Agricultural Preservation Areas
- Open Space Priority Zones
- Rural Preservation Corridors

Option B cuts directly through these mapped preservation polygons.

Visually, the alignment contradicts every adopted land-use map.

6. Prime Farmland: The Entire Corridor Sits on High-Value Soils

When you turn on **Prime Farmland (NRCS SSURGO)**:

- Nearly the entire corridor is shaded as **Prime Farmland**
- Remaining areas are **Farmland of Statewide Importance**

The map shows no low-value soils along Option B.

7. Floodplain & Local Hazard: The Alignment Occupies Flood-Prone Ground

Activating:

- **FEMA Flood Zones**
- **Local Flood Hazard**

ID 555

Subject: Deficiencies in DEIS Related to Aquifer Protection, Design Speed, Alternatives Analysis, and Growth Inducement

Dear UDOT Project Team,

I am a local resident submitting this comment to identify specific deficiencies in the Draft Environmental Impact Statement (DEIS) for the proposed bypass project. These concerns relate directly to compliance with **NEPA**, the **Clean Water Act**, and implementing regulations.

Aquifer and Groundwater Protection

The DEIS does not demonstrate that impacts to aquifer recharge areas and hydrologically connected wetlands have been adequately avoided or minimized, as required under the **Clean Water Act (33 U.S.C. § 1251 et seq.)** and **NEPA (42 U.S.C. § 4332)**. The analysis lacks sufficient site-specific hydrogeologic data addressing long-term risks from roadway runoff, spills, and maintenance activities. Given the reliance of this community on groundwater, this omission is significant and must be corrected.

Design Speed and Wildlife Impacts

The proposed **65 mph design speed** exceeds that of all connecting and nearby roadways and is the highest speed in the surrounding region. The DEIS does not adequately analyze the relationship between design speed and wildlife mortality, nor does it evaluate lower-speed alternatives consistent with the rural and environmental context. Failure to consider reduced design speeds violates NEPA's requirement to rigorously explore reasonable alternatives (**40 CFR § 1502.14**).

Failure to Analyze Existing Infrastructure Alternatives

The DEIS does not provide a meaningful evaluation of alternatives that improve or optimize existing transportation infrastructure, such as targeted roadway improvements, intersection upgrades, or traffic management strategies. NEPA requires consideration of reasonable alternatives, including those that utilize existing facilities (**40 CFR § 1502.14(c)**). The cursory treatment of these options is insufficient.

Growth-Inducing Impacts and Roadway Classification

The project is proposed as a **Class III facility**, which allows for future access points at approximately half-mile intervals. This classification is inherently growth-inducing. Despite this, the DEIS asserts that the project will not induce growth, without providing analysis to support that conclusion.

NEPA requires disclosure and analysis of indirect and induced growth impacts. Designing a roadway with freeway-level access potential while disclaiming growth effects is internally inconsistent and fails to meet NEPA standards. This inconsistency may also render the DEIS arbitrary and capricious under the **Administrative Procedure Act (5 U.S.C. § 706)**.

Requested Action

Before advancing the project, the DEIS must:

1. Provide a rigorous analysis of aquifer and groundwater impacts and demonstrate avoidance and minimization
2. Evaluate reduced design speeds consistent with surrounding roadways
3. Fully analyze alternatives utilizing existing infrastructure
4. Disclose and analyze growth-inducing impacts consistent with roadway classification
5. Reconsider roadway classification to align with the stated non-growth purpose of the project

Thank you for considering these comments. I request that these deficiencies be addressed in a revised or supplemental EIS.

Respectfully,

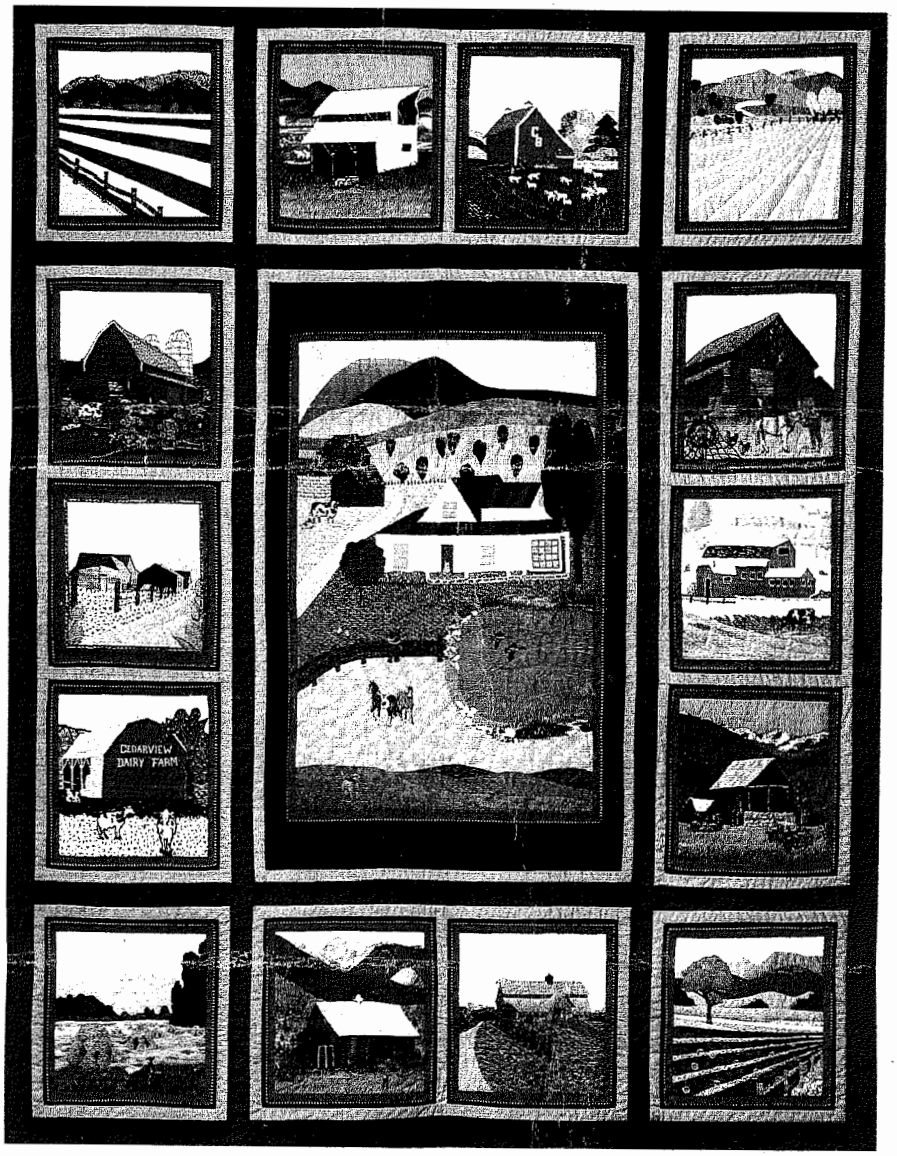
Linda and Mark Middleton
[redacted]
Heber, UTAH
84032
[redacted]

River **ROADKILL**

"The land is the only thing in the world worth working for, worth fighting for, worth dying for, because it's the only thing that lasts."

Gone With The Wind
Margaret Mitchell

Local government is charged with looking after our health and safety as well as providing our most basic public services. We've got too much to do to waste time fighting with one another. At the end of the day, we're neighbors and have more shared values and interests than not.



Route B is opposite of what citizens were expecting to keep Production Viable in open space.

You have two choices:
Take it or leave it.

Route B PLANS Resource Management or Traffic Dept

TO TAKE IT.//

Planned Route B as explained in the DEIS does not satisfy the community connectivity of East West Traffic in Heber Valley. Pedestrian, Business, Agricultural, School and Residential Zones are not served, but are disrupted. Ecosystems cannot survive management of Non Native invasive weeds and higher speeds.

Option B, as outlined in the DEIS, does not improve East-West traffic flow or reduce truck traffic and deliveries to existing Business in Heber Valley on HWY 40. Zones requiring compliance with lower speed are overlooked. Protection against noise & light Pollution and ground water contamination are inadequate or unsustainable without high costs on going into the future. The DEIS does not allow for these costs. Substantial efforts are being made to clean areas around the Jordan River today because environmental damage was not considered in the Salt Lake Valley before. Over looked design flaws were passed on to future generations

→ Scenic Byways in Utah traditionally are built above cities have fewer exits, lower speeds and allow wildlife access to water and forage. DEIS B doesn't achieve HV goals.

- *It is not a fiscally responsible choice* – **most expensive** and **least effective** option. MANY cost analyses were NOT included in the EIS, nor long term impact studies, Including High ROW acquisition costs, Complex hydrology mitigation, Irrigation system reconstruction, Wetland permitting and mitigation (UDOT has already had several **failed** attempts w/mitigation), long-term stormwater treatment infrastructure. These costs are disproportionate to the limited traffic benefits.
- Taxpayers pay twice – for the road itself & then infrastructure, services, etc. that follow development
- Pressure to get workers to Mayflower developments were not analyzed to include shuttle routes, etc.
- Failure to Analyze Downstream Impacts (40 C.F.R. § 1502.16) The DEIS does not evaluate how construction, fill, dewatering, or contamination risks in Heber Valley could affect: Jordanelle Reservoir operations, Deer Creek Reservoir water quality, Lower Provo River flows and flood risk, Utah Lake nutrient loading, Jordan River water quality standards, Salt Lake County drinking-water reliability, Great Salt Lake inflows

This omission is a clear violation of NEPA's requirement to analyze **reasonably foreseeable effects**, including those occurring **outside the immediate project area**.

- Heber Valley's aquifer and river system are part of the Wasatch Front's critical drinking-water infrastructure
- Any contamination, diversion, or hydrologic disruption affects hundreds of thousands of downstream residents
- The Great Salt Lake crisis makes upstream water protection even more urgent

The following are some of the codes and Acts that UDOT should be following in their EIS. (Many discrepencies and ommissions have been identified by community members.) Please look them over in comparison to the EIS and comment accordingly.

Farmland Protection Policy Act (FPPA)

- *"Federal programs shall, to the extent practicable, be carried out in a manner that will minimize the conversion of farmland to nonagricultural uses."*

Safe Drinking Water Act (SDWA)

"The Administrator shall publish maximum contaminant level goals which...are protective of the health of persons." **NEPA (National Environmental Policy Act)**

- *"To the fullest extent possible...the policies, regulations, and laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act."*
- *"Agencies shall...insure the professional integrity, including scientific integrity, of the discussions and analyses in environmental impact statements."*
- *"Agencies shall rigorously explore and objectively evaluate all reasonable alternatives."*

Utah Code §19-5 — Water Quality Act

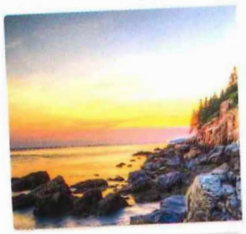
- *"It is the public policy of this state to conserve the waters of the state and to protect, maintain, and improve the quality thereof."*

Utah Code §17-41 — Agricultural Protection Areas Act

- *"It is the policy of this state to conserve, protect, and encourage the development and improvement of its agricultural land."*
- *"Agricultural protection areas are established to protect and preserve agricultural lands and operations from incompatible land uses."*

Utah Constitution

- *"All waters in this State are hereby declared to be the property of the State."*
  — Utah Constitution, Article XVIII



Leave Heber Valley better than Utah found it...
a thing of Be(Utah)ful. (of life)

ID 556

Why Heber Valley Must Say NO to Bypass *Option B*

Traffic is a real problem — but Bypass Option B is the **wrong solution**. It sacrifices our drinking water aquifers, farmland, and community identity **without fixing Main Street traffic & with a billion-dollar price tag.**

1. It Doesn't Fix Main Street Traffic

- UDOT's data shows only a 25% reduction on Main St.
- 75% of traffic is *local*, doing business & carpools in Heber, and won't use the bypass.
- Time savings are only 90 seconds during peak travel times. But that's at 65MPH!!!! Reckless speed for this area, on a built-up dike, with wildlife. (only way they can justify time savings is to increase the speed)
- Trucks can't be forced to use the bypass
- EIS did NOT account for indirect & growth-inducing impacts nor traffic forecasting.
- EIS did not analyze impact of taking measures to improve existing Main/40 with

2. It Threatens Critical Drinking-Water Aquifers

- The North Fields replenish Class 1 pristine aquifers serving Heber. They are our ONLY drinking water source & should be protected at all costs! www.say-no-to-option-b.com has details.
- Building a highway over wetlands risks contamination from oil, gas, salt, PFAS, and runoff. Ditches are proposed which will drain into the Provo River.
- The EIS does not comply with Utah state code requiring protection of aquifers & the Clean Water Act 404 (b)(1) **requiring** the least environmentally damaging option be chosen. Emails from UDOT indicate they are above the law.

3. It Destroys the North & South Fields

- These fields filter our air quality, support tourism, agriculture, wildlife, blue ribbon fishing, and our rural identity. They are the heart & lungs of our valley.
- Both Heber City's and Wasatch County's Visions are being violated – "honoring and protecting rural character…"
- No long-term environmental footprint analysis and cost
- Mitigation is VERY vague in the EIS and defers decisions to the Army Corps of Engineering, which can lead to a land grab to fulfill their mitigation debts. The North Fields are the ONLY source of surface water rights left in the State of Utah that meets the criteria they need. This would lead to Heber losing our water and recharge that supports our aquifers. No water = no livestock, to farming, no life! This is critical to force UDOT to acknowledge and be transparent on how this process will take place BEFORE advancing this route. It is imperative to understand how severe this loss can be.

4. UDOT's EIS Contains Inaccuracies & Lacks Transparency

- In October 2024, UDOT's director attended Wasatch County Council & admitted they had failed the EIS process & could not satisfy their purpose & need and had to start over. Option B (then D) was one of those failed routes. Heber paid a consultant who concluded Main St. is never going to be walkable, contradicting UDOTs plan to allow Heber's vision.
- Missing compliance with aquifer and wetland protections in Utah code.
- Renderings omit true overpass heights of 30' & don't include detailed visual and environmental impacts. (See Mayor Franco's suggested route changes at www.vote4mayorfranco.com) Original plans were at grade. We don't need Wasatch Front solutions in the Wasatch Back. Park City said NO to UDOT to widen 224, and won. Set the precedent.

- The EIS ignored the Agricultural Protection Area (APA) **Utah Code §17-41 — Agricultural Protection Areas Act** *"It is the policy of this state to conserve, protect, and encourage the development and improvement of its agricultural land."*
- *"Agricultural protection areas are established to protect and preserve agricultural lands and operations from incompatible land uses."*

5. It Harms Farmers & Generational Landowners

- Generational families face losing everything from government **eminent domain.** Fragmented land will ultimately lead to loss of livelihoods, which are not analyzed in the EIS.
- Farmers & Wasatch Co taxpayers already lost over ***$25 million*** in preservation grants because this route was proposed. UDOT **knowingly** undermined voter-approved 2018 open space efforts & bond funds and the community's intent to protect the agricultural use of the North Fields. UDOT **REFUSED** to modify the proposed route when asked to by the NRCS so they could fund a conservation easement!!
- The EIS does not adequately analyze the cumulative impacts

6. It Accelerates High-Density Development & Raises Taxes

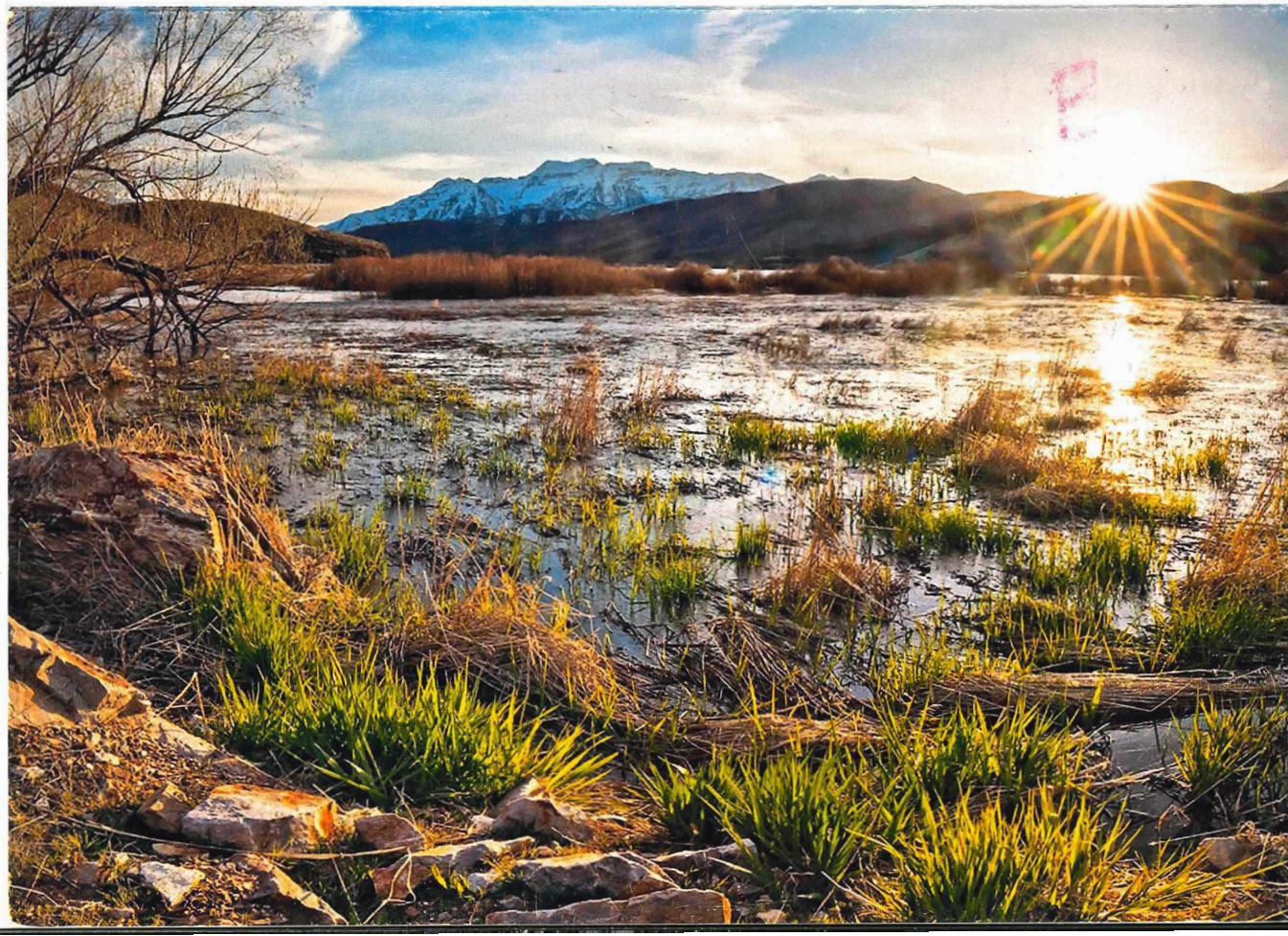
- Despite UDOT's claim that development won't happen, they do not have the power to determine that -there are no guarantees- and any preservation has not been clarified.
- Historically, bypasses invite development along their entire corridor and sprawl will raise OUR taxes.
- EIS refers to using North Village Road Network, which does NOT EVEN EXIST and can easily be modified (Heber's recent annexation at River Road & 40)

North Fields Farm

© ALL RIGHTS RESERVED TO

ALAN DAY PHOTOGRAPHY
HEBER CITY, UTAH
435-503-0337
WWW.ALANDAYPHOTOGRAPHY.COM

1 81244 00099 2



TAKE The High ground,

Please consider a scenic Byway to the East of Heber Valley away from School Zones and East-West existing corridors and proposed Residential Developments. Thank you for widening and making safety improvements to exisiting Highways in Utah.

A scenic Byway protects water, Farmland tourism, local schools and Residential infrastructure without disrupting water, Air Quality, existing, traffic Patterns, Railroad Crossing, future redesigns to repair ecosystems and endless legal challenges over land and water rights.

Sincerely Scenic,

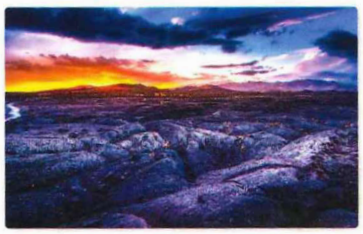
Linda L. Middleton needs a Scenic Heber Valley

[redacted]

Heber, Utah

84032

[redacted]



P.S. A Legacy of Beauty, Design and Harmony with Nature and Sustainable Production Depends on U DOT Design ♡ Make it Legendary (in a Scenic Way)

Epic Sunset

© ALL RIGHTS RESERVED TO

ALAN DAY PHOTOGRAPHY
HEBER CITY, UTAH
435-503-0337
WWW.ALANDAYPHOTOGRAPHY.COM

Now, instead of wild beasts and unpredictable elements we have a predictable patterns of twelve tanker trucks, and speeding traffic rushing through our residential hometown every hour.

I attended the Wasatch Council meeting and read the Wave report summery of that public meeting where the Executive Director of UDOT spoke about his role in torpedoing grant funds for North Fields' agriculture so that a bisecting speedway, (that UDOT doesn't have the money to build) must PAINFULLY be routed between the new high school complex and the environmentally sensitive Provo River.

Heber City has endured years of road construction and paid for infrastructure upgrades to route massive development onto HWY 40. Now UDOT's only option to save Main Street from commuter traffic delays are "painful" not only for Heber City residents and North Field agricultural futures, but un-addressed environmental concerns as well.
The environment, and its ability to cope with UDOT's unfunded plan has no input in human plans and no voice in our councils.

Historically, the environment does have its own way to inflict painful consequences.
There are other small valley communities that are forever scarred by fires, floods, storms and toxins released by earthquakes.
No wonder UDOT's route (requesting federal funds) include years of of decimation in the North Fields, robbes funds from Valley residents and muddies the Provo River Waters.
Having another constant construction speed zone defines human patterns of disturbance of tranquil landscapes.
That is the spirit of competition of industries that continues to harden Heber Citizens' pain tolerance.

There is no forecast for when and where Natural Elements (or Federal Budgets) will exact payment from Heber citizens of the future. "PAINFUL" is in our current news so much that it hardly registers until our month lasts longer than our money. Current Heber humans just pay the inflated interest rate till the burden crushes our ability to endure.

B1111

ID 100

January 28, 2026

Dear UDOT,

I recognize the need for a bypass, but I am writing to oppose Option B in favor of Option A. To show we are not alone in this view, we started a change.org petition one week ago, which has already received 474 signatures as of January 28 at 4:00 p.m. Many of the comments there echo the concerns I'll summarize below:

1. **North Fields preservation** The people of Heber Valley do not want the pristine North Fields disturbed. The stunning views, rugged beauty, and open space are a major reason we moved our family here `and plan to stay long-term to raise our three young children. Many families share this story. UDOT will move on to other projects, but residents will live with this decision permanently.
2. **Wetlands and water quality** The North Fields include valuable wetlands that help filter water flowing into the Provo River, which is an important water source for communities downstream in Utah and Wasatch counties. Routing a highway through this area risks degrading those natural functions.
3. **Minimal travel-time benefit** According to your own analysis, Option B saves trucks only about one minute of travel time compared to Option A. That marginal benefit does not justify the significant environmental and community impacts to the North Fields.
4. **Higher cost to taxpayers** Your analysis shows Option B is more expensive than Option A by roughly $48 million. Spending substantially more taxpayer money for a route with greater environmental impact and minimal time savings is hard to justify.
5. **Precedent for over-development** Building a new elevated highway through the North Fields sets a precedent that encourages further development pressure in an area the community has repeatedly tried to protect. We have already seen rapid growth in this valley over the last decade; this project risks accelerating a domino effect of development east of the highway and further loss of open space.
6. **Undermining long-standing preservation efforts**
    - Local and statewide groups have spent years working to protect the North Fields through conservation tools, including proposed conservation easements. Uncertainty around the bypass alignment has already complicated efforts to secure significant outside funding, including potential federal dollars, because funders are reluctant to invest where land may later be taken for a highway.

- Heber City has been allocating impact fees (~$1500 for every new home built)to help preserve the North Fields, reflecting broad public support for keeping this landscape open and undeveloped.

7. **Pattern of decisions favoring development interests** Our valley has already experienced decisions that felt rushed or made without sufficient public consideration, such as the siting of the new high school. Many residents are frustrated by a pattern in which landowners and developers benefit financially while long-term community impacts—like school size, traffic, and loss of open space—are borne by local families.

Given these concerns, I urge UDOT to revisit its analysis, which appears to weigh development interests too heavily, and to select an option that preserves the North Fields. Option A meets the transportation need with less cost and far less damage to one of the valley's most important landscapes.

Sincerely,

Lindsay Ashby Devonas

Link to change.org petition: Petition · Stop Option B. Choose a Smarter Bypass for Heber Valley - Heber City, United States · Change.org

Jan. 28, 2026

Including all of the comments on the change.org petition here to make sure they're officially filed on public record:

Petition link: https://www.change.org/p/stop-option-b-choose-a-smarter-bypass-for-heber-valley/feed

Stop Option B. Choose a Smarter Bypass for Heber Valley

No, to option B. Let's keep something to beautiful for many future generations.

Wayne

Stop building track homes in this valley on the east side and stop destroying this beautiful landscape. It's not needed, it's not wanted.

Brian

Scrap the north fields!!. Let's drill a tunnel from May flower to Provo !! Leave Heber and Midway l/charleston alone !

Cameron

Option B cuts way to deep into the North Fields and saves a mere 1 minute of commuter time.

Chris

This is the LAST area left that developers hasn't messed up.

Cat

I strongly oppose Option B for the Heber Valley bypass. The North Fields represent the heart of our valley's identity, and according to UDOT's own analysis, paving over this irreplaceable landscape would only save a single minute of travel time. This is an unacceptable trade-off. By choosing this route, we aren't just losing scenic farmland; we are permanently damaging vital wildlife habitats and the Provo River watershed, which has direct consequences for everyone downstream in Utah Valley. It is fiscally and environmentally irresponsible to sacrifice our most productive agricultural lands and water quality for such a negligible gain in traffic efficiency. We need a smarter bypass that respects our natural resources and protects the legacy of the North Fields. Once this land is paved, it is gone forever. I urge UDOT to listen to the community and choose a route that prioritizes our environment and our future over a few seconds of convenience.

Matt

This overdevelopment and destruction of our beautiful state is an ongoing and concerning situation especially in the passed 20 years. We must protect Utah and it's wild life from these land grabbing developers.

Javin

Stay strong Midway/Heber!! Your land is precious. The valley between SLC and Springville is uglier than the strip in Vegas due to over-development. People who have never been outside of Utah don't realize that most states have conservation land. Conserve conserve conserve!! Think of what Midway could look like in 100 years for better or worse. The valley in 100 years is dystopian unless things are torn down and green space is built. The only non-dystopian future is one that has NATURE.

Read full comment

Elissa

Option B will enable developers to gradually apply the "divide and conquer" strategy to the North Fields by breaking it into smaller pieces. They will target the parcel between I-40 and the bypass for development first because it is smaller and contiguous with existing Heber development, making it harder for opponents to resist development approval.

Read full comment

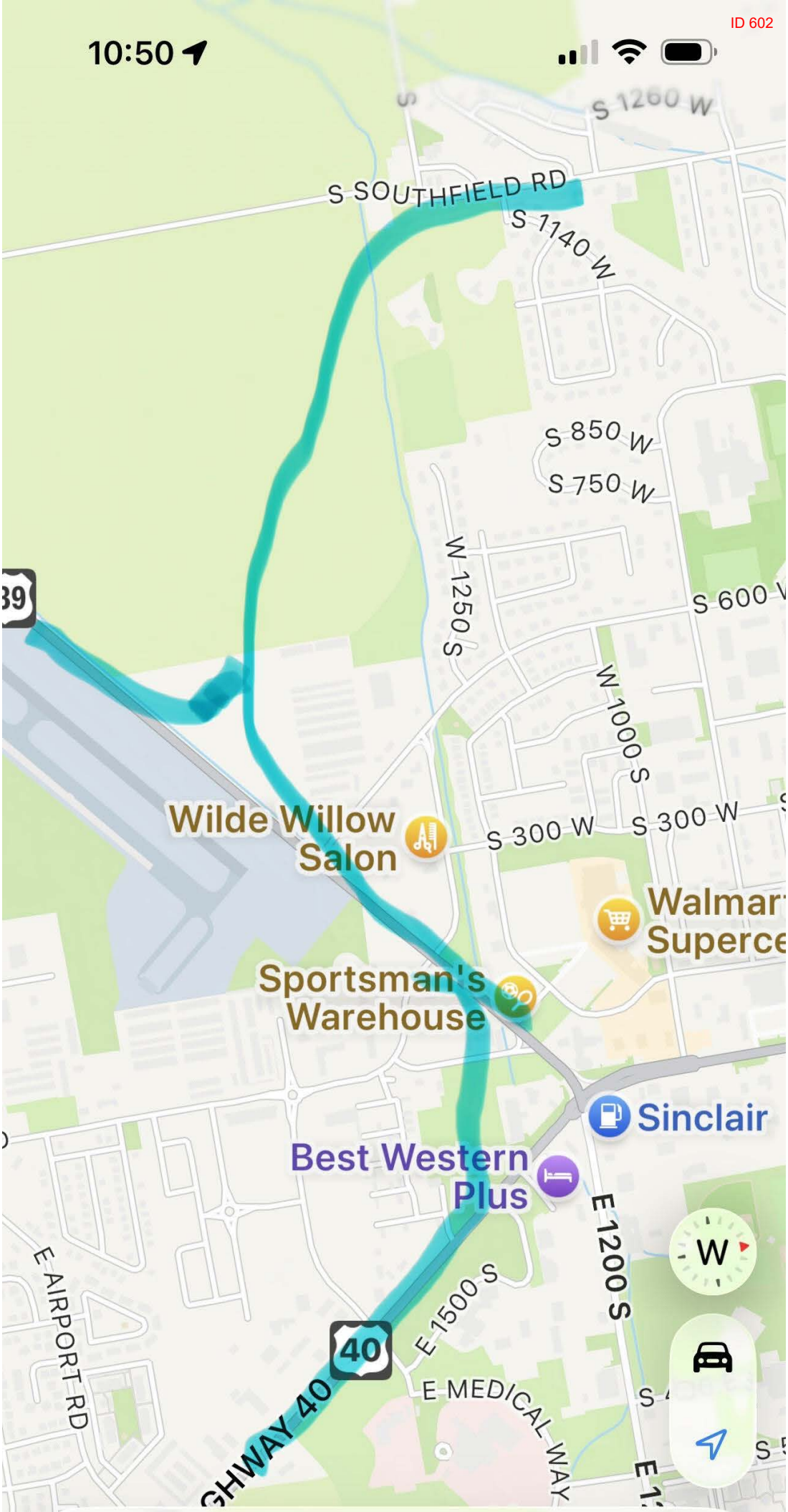
Robert

This is the Heart of Heber Valley once it's gone there will be no going back wildlife will be DEEPLY impacted along with the heart of Heber

Heather

The biggest issue is that bypass option B does NOT solve the traffic issues on Main. Development on the east side will be pouring more traffic onto Main. This route is fiscally and environmentally irresponsible. Please also email UDOT. Show up in Mass on Wednesday!

Holly


ID 602
10:50
S 1260 W
S SOUTHFIELD RD
S 1140 W
S 850 W
S 750 W
W 1250 S
S 600 W
W 1000 S
Wilde Willow Salon
S 300 W
S 300 W
Walmart Supercenter
Sportsman's Warehouse
Sinclair
Best Western Plus
E 1200 S
E 1500 S
E AIRPORT RD
40
E MEDICAL WAY
W

ID 690

Keeping Utah Moving

UDOT

HEBER CITY

400 S

600 S

1200 S

40

DANIEL

600 S

1300 S

13

Southfield Rd

40

40

1200 S

2400 S

ID 343

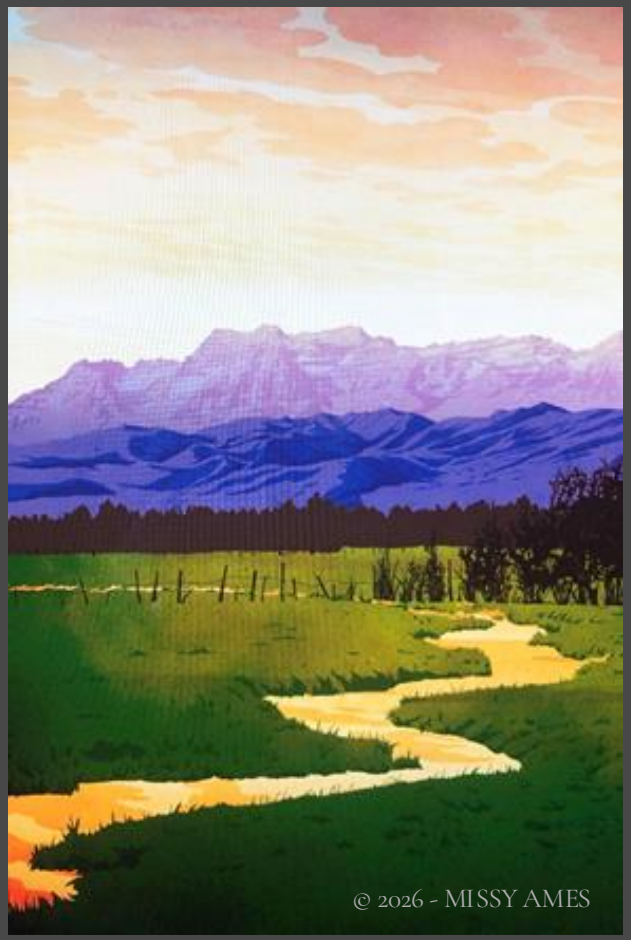
HEBER CITY BYPASS

ROUNDABOUT CONCEPT

Design Meeting (2026.2.24)

LYTHGOE
DESIGN GROUP

HEBER VALLEY: - THE STAKEHOLDERS:



HEART OF THE WASATCH BACK
HEBER CITY
EST 1889

Midway

Charleston, Utah
A Beautiful Corner of the Heber Valley!

THE Heber Valley UTAH

WASATCH
COUNTY
BETTER BY NATURE

WASATCH COUNTY SCHOOL DISTRICT

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

HEBER VALLEY: “A BEAUTIFUL PLACE”

What makes our Valley special?

Why are people drawn to our Valley?

How are we going to grow into our future?

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

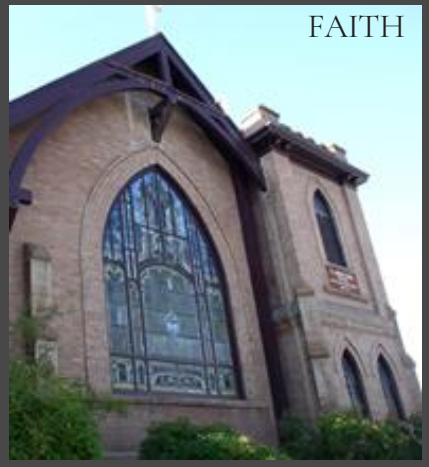
HEBER VALLEY: "OUR HERITAGE"

AGRICULTURAL ROOTS

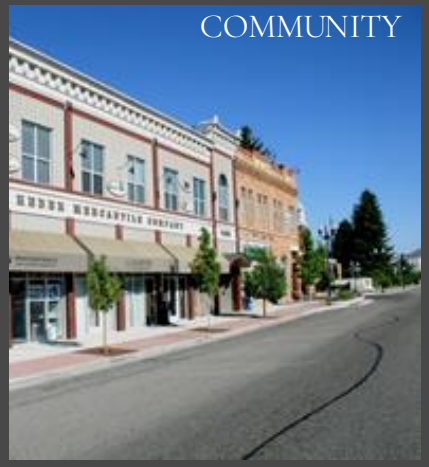
UNIQUE HISTORY

PIONEER HERITAGE

FAITH



COMMUNITY



-PIONEER SPIRIT

-AGRICULTURAL ROOTS

-A SENSE OF BELONGING

LYTHGOE DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

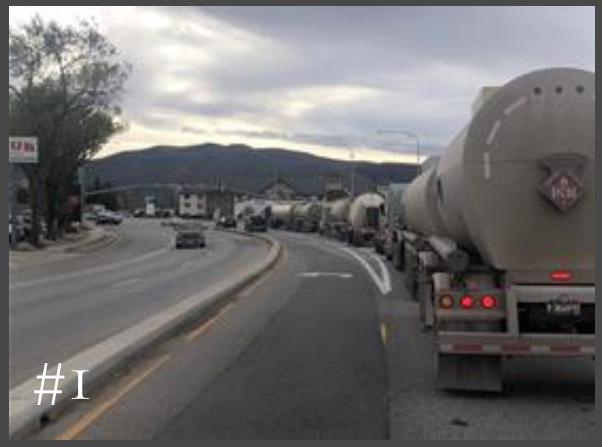
UDOT / LOCAL BYPASS GOALS:

ENVISION HEBER CITY 2050

1-Improve regional & local mobility

2-Opportunities for non-motorized transportation

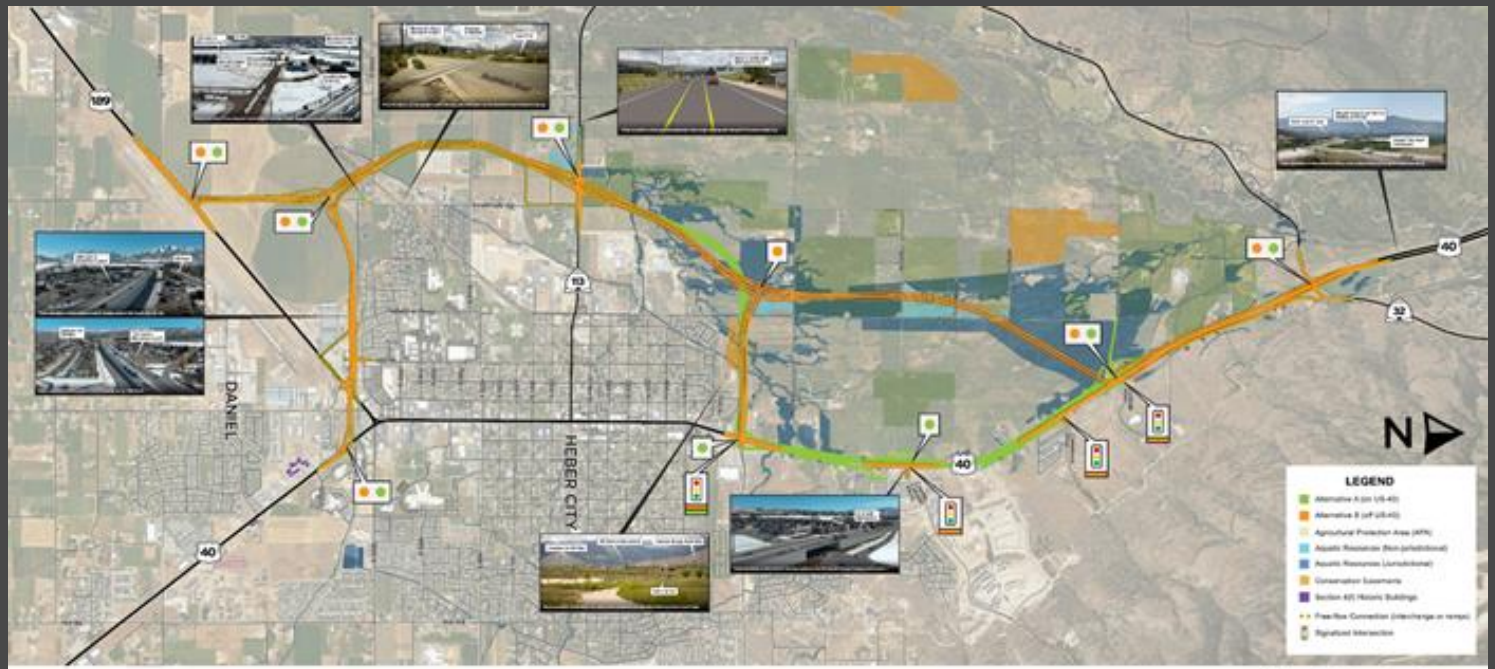
3-Facilitating Heber City to meet their Main Street vision



LYTHGOE DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

UDOT'S PROPOSED OPTIONS



CREDIT: UDOT

LYTHGOE DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

UDOT'S PROPOSED SOLUTIONS AND IMPACTS

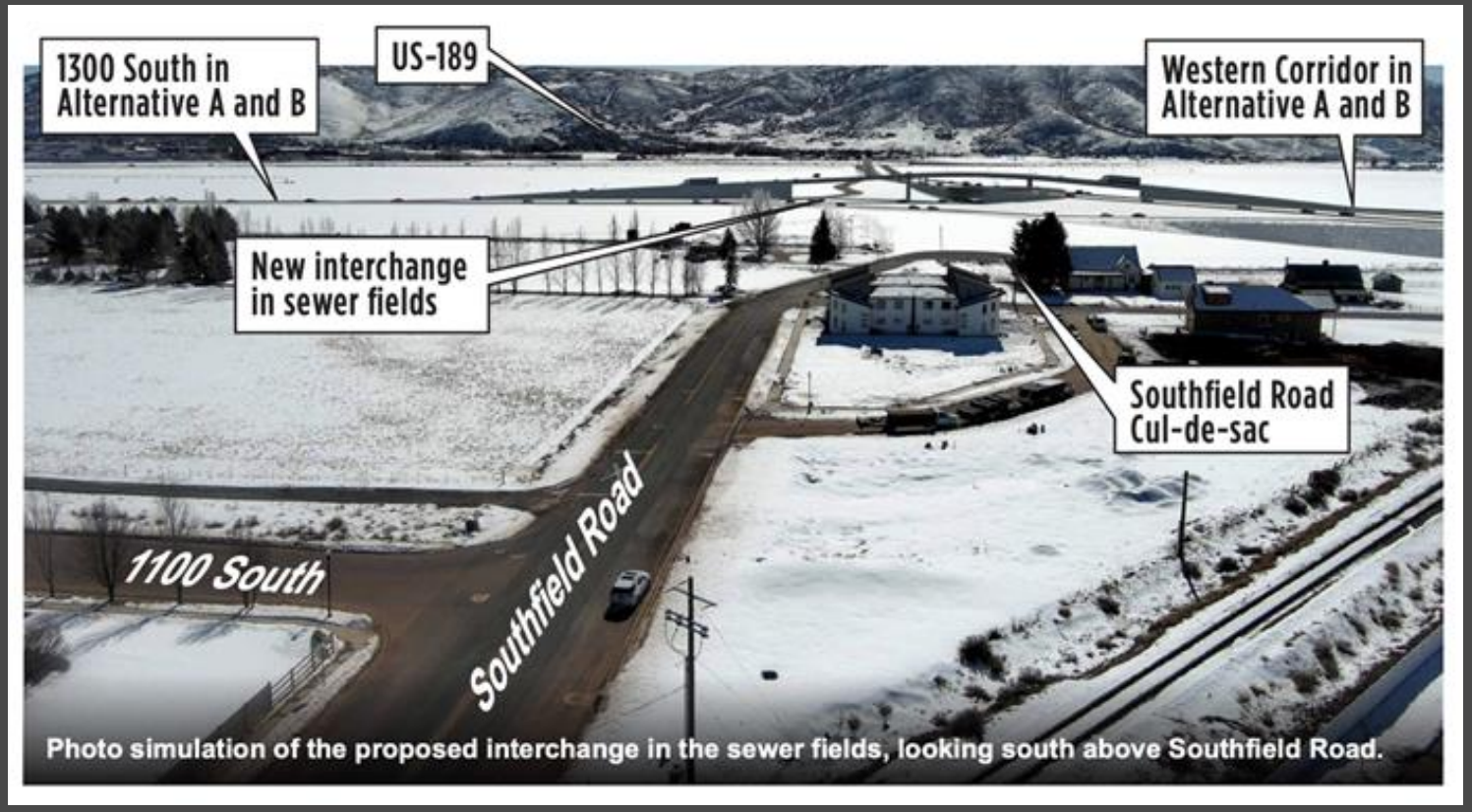
Photo simulation of Alternative A, looking southeast near the Coyote Canyon Parkway intersection.

CREDIT: UDOT

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

UDOT'S PROPOSED SOLUTION AND IMPACTS



CREDIT: UDOT

LYTHGOE DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

UDOT'S PROPOSED SOLUTION AND IMPACTS

Photo simulation showing grade-separated interchange, looking east along SR-113 toward Heber City.

CREDIT: UDOT

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

UDOT'S PROPOSED SOLUTION AND IMPACTS

CREDIT: UDOT

LYTHGOE DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

UDOT'S PROPOSED SOLUTION AND IMPACTS

UDOT spokesman Geoff DuPaix said public input is critical for the process to succeed. Heber City's Main Street business district is bisected by U.S. Highway 40, which serves a large volume of individual and commercial traffic.

DuPaix said UDOT uses the same process when considering similar communities throughout the state.

"This is actually fairly common when you're looking at any type of transportation improvement along a main street that is also either a state or federal route," he said. "That's why we follow this same type of vigorous process and make sure that decisions are feasible and reasonable. **At the same time, they take into consideration the community needs. Cause it's all about the quality of life. These transportation solutions need to provide choices that help support community needs. Otherwise, it can be detrimental to how a community grows and develops."**

UDOT Taking Public Input On Heber Bypass Project Through June 14 | KPCW | By Carolyn Murray | April 28, 2021

LYTHGOE DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

How will these

UDOT SOLUTIONS

impact the

COMMUNITY NEEDS
QUALITY OF LIFE
GROWTH & DEVELOPMENT

of the Valley?

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

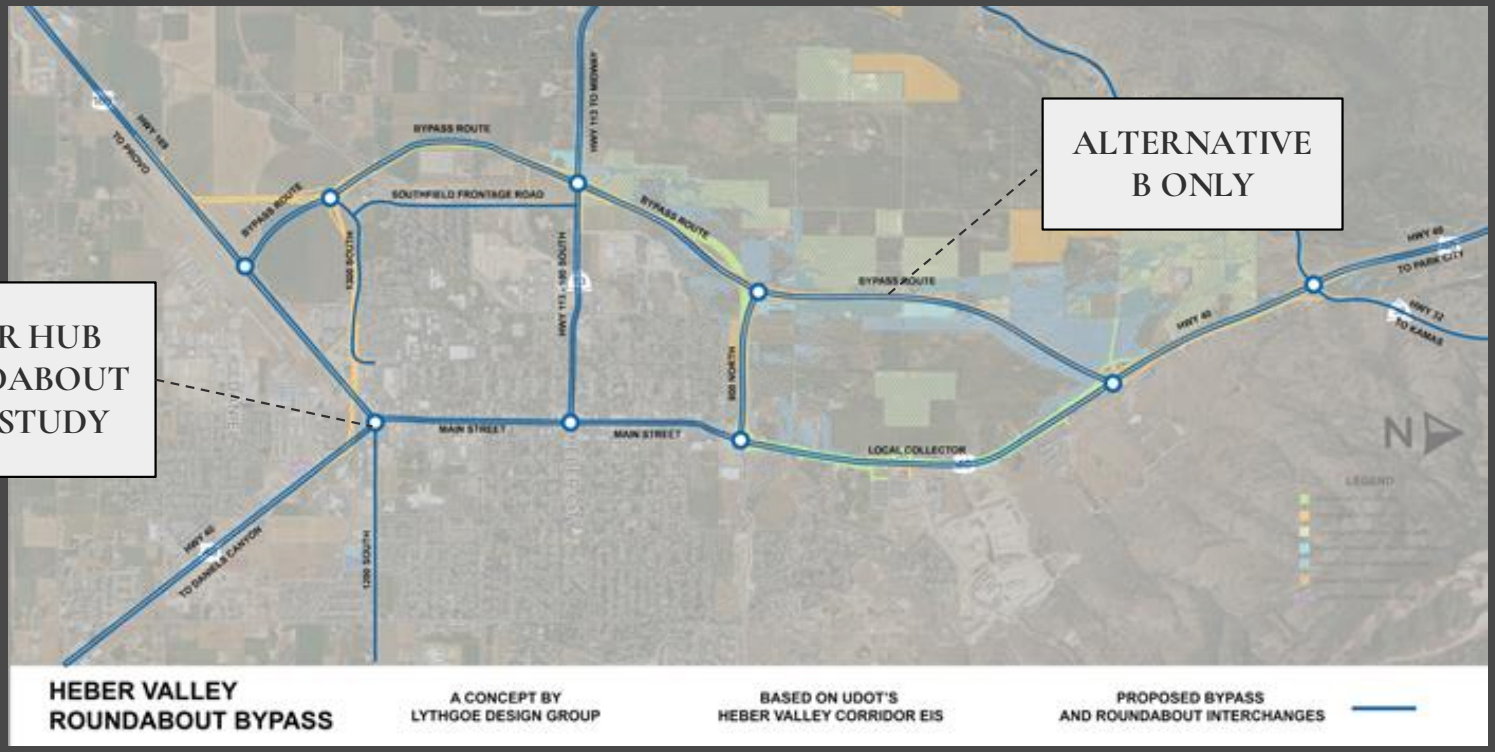
ROUNDABOUTS

AN ALTERNATIVE

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

HEBER VALLEY BYPASS: WITH ROUNDABOUT INTERCHANGES



LYTHGOE DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

“THE LORD OF THE RINGS”

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

RECAP

- In Carmel, each roundabout saved about **20,000 gallons** of fuel per year
- All Carmel roundabouts saved an estimated **28,000 tons of CO_2** per year
- Less stopping = less acceleration = less emissions
- Replacing a traffic light intersection with a roundabout reduced emissions of **four major pollutants** by up to **45%**
  - **CO - carbon monoxide (15%-45%) /** colorless, odorless, "invisible killer", burning fuel
  - **N_2O - nitrous oxide (21%-44%) /** colorless, anesthesia, potent long lived greenhouse gas
  - **CO_2 - carbon dioxide (23%-34%) /** colorless, odorless, greenhouse gases
  - **H&C - Hydrocarbons (0%-40%) /** organic compounds of hydrogen & carbon (fossil fuels)

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

CASE STUDY: CARMEL, INDIANA

- City 30 minutes north of Indianapolis
- Adoption of roundabouts began in late 1990's

- Area: 50 square miles
- Population: 103,606 (2024)
- Roundabouts: 150+

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

CASE STUDY: WICKENBURG, ARIZONA

CREDIT: GOOGLE EARTH

CREDIT: GOOGLE EARTH

- On route between Las Vegas and Phoenix
- Area: 27 square miles
- Population: 8,301 (2024)
- Roundabouts: 7
- Roundabouts began to be incorporated into highway starting in 2000's, and the last one was completed in 2024

LYTHGOE DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

CASE STUDY: WICKENBURG, ARIZONA

CREDIT: GOOGLE EARTH

CREDIT: GOOGLE EARTH

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

HEBER VALLEY: EXISTING ROUNDABOUTS

CREDIT: GOOGLE EARTH

- Area: ~50 square miles
- Wasatch County Population: est. 38,413 (2025)
- Current roundabouts: 19

LYTHGOE DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

LOCAL CASE STUDY:

THE HUB

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

MAIN STREET AND 1200 S INTERSECTION

CREDIT: GOOGLE EARTH

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

THE HUB ROUNDABOUT - CONCEPT

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

THE HUB ROUNDABOUT - CONCEPT

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

Q & A / DISCUSSION

© 2026 - LYTHGOE DESIGN GROUP INC.

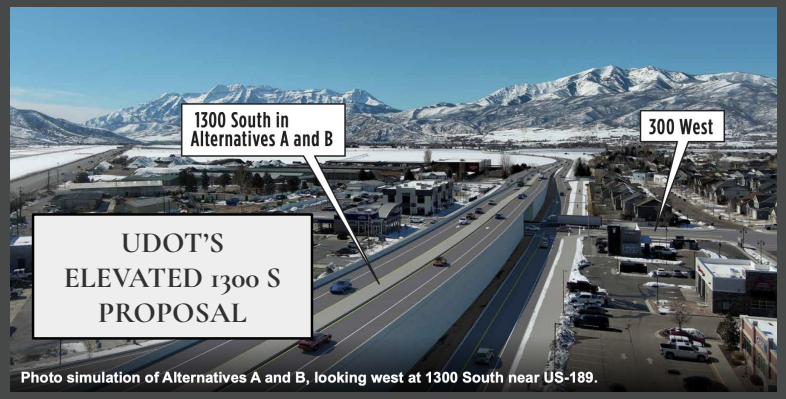
THANK YOU for your TIME!

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

WHICH WOULD YOU RATHER HAVE AS A PART OF THE

THE HEBER VALLEY CORRIDOR BYPASS?



CREDIT: UDOT

← THIS
OR
THIS →

Some of the solutions that UDOT has proposed are **not contextually appropriate** for the Heber Valley.

The proposed overpasses and interchanges would be **detrimental to the Valley** in a few ways:

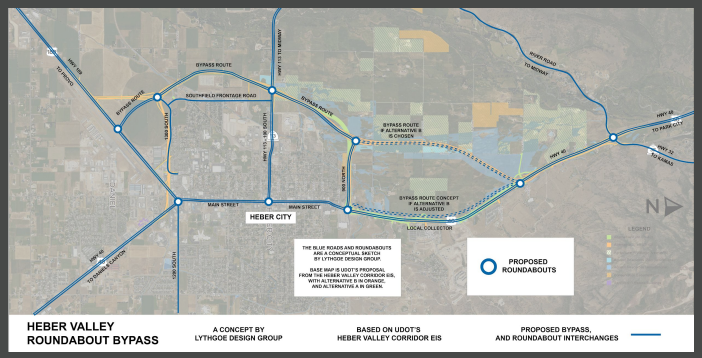
- **Visually disruptive** to the natural beauty of the Valley
- **Decreasing local connections** between residential and commercial areas
- **Large footprints** are required for the proposed interchanges

LET'S THINK

OUTSIDE THE BOX

Roundabouts are classified as a "Proven Safety Countermeasure" by the U.S. Department of Transportation's Federal Highway Administration, and come with a variety of benefits:

- They provide for a **smooth flow of traffic** and are an effective **traffic calming** measure.
- They are safer than a traditional intersection because they statistically **decrease the number and severity of serious crashes.**
- They help in the **reduction of emissions** by reducing the amount of stopping that people would do in a typical intersection.
- They can be designed to **accommodate semi trucks**, including those with over-size and over-weight loads.
- They can be **tastefully and beautifully designed**, incorporating **art that represents the community** and **indigenous landscaping**.



Left: A concept for the alteration of UDOT's proposed solutions, including the incorporation of roundabouts into the bypass.

Share your thoughts with your **local elected leaders** and **submit your comments** to https://hebervalleyeis.udot.utah.gov/#comments by **March 9, 2026**.

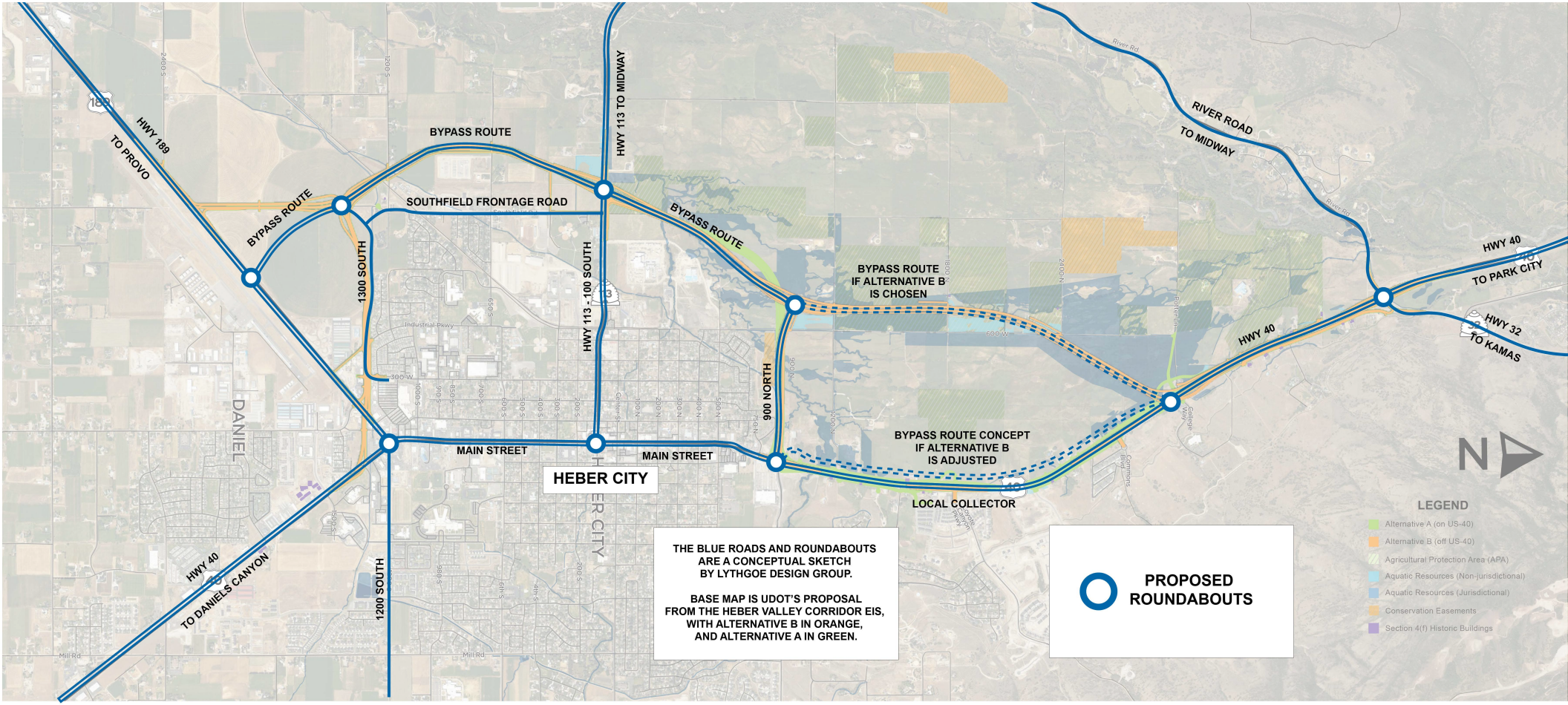
For more information, check out our website:

https://www.lythgoedesign.com/post/roundabouts-in-the-heber-valley-corridor-bypass-project

LYTHGOE
DESIGN GROUP

© 2026 - LYTHGOE DESIGN GROUP INC.

© 2026 - LYTHGOE DESIGN GROUP INC.



HEBER VALLEY ROUNDABOUT BYPASS

A CONCEPT BY
LYTHGOE DESIGN GROUP

BASED ON UDOT'S
HEBER VALLEY CORRIDOR EIS

PROPOSED BYPASS,
AND ROUNDABOUT INTERCHANGES

LYTHGOE

DESIGN GROUP

ID 358

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. **Local costs and responsibilities**
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,

M Kirby

Name M KIRBY

Address [redacted]

Phone Numbe

Email Addres

ID 454

The Holmes Family
Children of George Holmes
Heber Valley, Wasatch County, Utah

February 28, 2026

Heber Valley Corridor EIS Project Team
Utah Department of Transportation
Via email: hebervalleyeis@utah.gov

Re: Comment of the Holmes Family on the Heber Valley Corridor Draft Environmental Impact Statement — Preferred Alternative B

Dear Project Team:

We are the children of George Holmes and part-owners of land in the North Fields. We are writing this comment together because the land UDOT proposes to destroy is not just our father's property—it is where we grew up, where we learned to work, and where some of us still earn our living. For several of us, our income depends directly on the productivity of the North Field operation. And it is not just our family. Our father's operation employs many people whose families depend on this work to pay their mortgages, feed their children, and build their lives in this valley. This is not only our family's legacy. It is our livelihood—and theirs.

We were raised on our father's dairy and livestock operation. From the time we were old enough to sit on a horse or ride in the back of a truck, we were out in the North Fields—moving cattle between pastures, helping with irrigating, checking fences, and doing the work that keeps a livestock operation running. We did not grow up watching this land from a distance. We grew up *on* it, with mud on our boots and hay in our hair, learning from our father that the ground under your feet is only as good as the care you put into it.

Our father operates across the state of Utah. We have worked alongside him on ground from one end of this state to the other. We can tell you from our own experience that there is nothing like the North Fields. The soil is different. The feed it produces is different. The cattle know it—you can see the difference in the herd when they are grazing North Field pasture versus anything else we run. Our father has said publicly that the North Fields are irreplaceable, and we are writing to tell you that he is right. We have seen the comparison firsthand, across years and across the state. There is no substitute for this land.

UDOT's proposed Alternative B would put a four-lane highway between our father's dairy and the North Field pastures we grew up working. His home and dairy facilities are less than two miles from the North Fields. We moved cattle back and forth across that ground our entire lives. Alternative B would end that. The DEIS does not include a single cattle underpass, livestock crossing, or agricultural corridor anywhere along the highway through the North Fields. That

means the pastures we helped build and maintain—pastures that are still physically there, still producing the best feed in the valley—would become land our family can no longer use. Not because the soil failed. Not because the water dried up. Because UDOT designed a highway without any way for a cattle operation to function across it.

We want to be clear about what that means in real terms. This is not about losing a strip of land under a road. **It is about losing access to every North Field pasture on the other side of that road.** Cattle cannot cross a four-lane highway. When you sever a livestock operation from its pastures, you do not just impact it—you destroy it. The DEIS does not study this. It does not acknowledge it. It counts the acres under the highway footprint and calls the rest "mitigable." We grew up on this operation. There is nothing mitigable about watching your best ground go unused because a state agency could not be bothered to design a cattle crossing.

Our father built this operation over a lifetime. He taught us what this land can do and what it takes to keep it productive. Some of us work this operation today—our income depends on the cattle that graze North Field pasture and the dairy production that North Field feed supports. Others of us hoped to return to carry the operation forward as the next generation. But the harm extends well beyond our family. The Holmes operation supports many families in this community—people who work the dairy, manage the cattle, maintain the equipment, and keep the operation running day to day. When you destroy an operation's access to its primary feed source, you do not just hurt the owner. You upend the lives of every family that depends on that operation for work. Alternative B would take all of those futures away. You cannot sustain a family's income—or the incomes of the families who work alongside them—on an operation that has been cut off from its feed source. You cannot pass down a dairy whose best pastures sit empty on the other side of a highway. And you cannot tell the families who depend on this work that their jobs are "mitigable" when the DEIS does not contain a single word about the employment and economic ripple effects of destroying a major agricultural operation in this valley.

We also share the community's concern about water. We grew up drinking the water that comes from beneath the North Fields. Our father's cattle drink from the same source. UDOT's own data shows the highway would push deicing salt concentrations above the legal limit for the aquifer—and the DEIS proposes dumping all runoff straight into the ground with no treatment. That is not a technical concern to us. It is personal. It is the water we grew up on.

We support our father's formal comment and the North Field Irrigation Company's comment identifying 99 deficiencies in the DEIS. We ask UDOT to select Alternative A, which is less damaging and less costly by every measure. If Alternative B must proceed, we ask that it be moved as close to US-40 as possible and that UDOT design actual livestock crossings so that the operations this highway bisects can survive.

We are not engineers or lawyers. We are the people who grew up doing the work on the ground that UDOT proposes to destroy—and some of us are the people whose paychecks still depend on it. So are the many families who work alongside us and whose livelihoods will be upended if this operation is destroyed. We know what this land is worth because we have spent our lives on it. We are asking you not to take it away—not from our father, not from our family, not from the families who depend on this operation for work, and not from this valley—for 70 seconds of saved travel time.

Respectfully submitted,

Malia Young
Child of George Holmes
Owner of North Field land
Heber Valley, Wasatch County, Utah

ID 416

PARR BROWN GEE & LOVELESS
ATTORNEYS AT LAW

March 4, 2026

Submitted via the website portal: https://hebervalleyeis.udot.utah.gov/#comments

Submitted and submission confirmed via email: hebervalleyeis@utah.gov

Naomi Kisen
Environmental Program Manager
Utah Department of Transportation
4501 South 2700 West, P.O. Box 141265
Salt Lake City, UT 84114-1265

Re: **Comments on Heber Valley Corridor in Wasatch County, Utah, Draft Environmental Impact Statement and Sections 4(f)/6(f) Evaluation; UDOT Project No. S-R399(310) PIN 17523 (January 2026)**

Dear Ms. Kisen:

This firm represents Levi Henrie, a citizen affected by the above project, in connection with the Heber Valley Corridor in Wasatch County, Utah, Draft Environmental Impact Statement and Sections 4(f)/6(f) Evaluation, UDOT Project No. S-R399(310) PIN 17523 (Draft EIS), and submits these comments on his behalf. We appreciate the opportunity to comment on the Draft EIS. Under the Department of Transportation Act, Section 4(f),[1] UDOT performed a least-overall-harm assessment of seven regulatory factors in 23 C.F.R. § 774.3(c) and found that Alternative B causes the least overall harm. UDOT reasoned that it would demolish only one eligible historic structure, unlike four under Alternative A, offer improved transportation with faster travel times and enhanced local mobility, and better align with Heber City's vision for its historic town center.[2]

But this analysis gives disproportionate weight to transportation performance metrics (only 70 seconds difference)[3] while minimizing the significant environmental impacts of Alternative B. Alternative B would impact substantially more aquatic resources (53.92 acres vs. 22.52 acres), more

[1] 49 U.S.C. § 303, 23 U.S.C. § 138.
[2] Draft EIS, Ch. 2, Subchapter 2.4.4.8.3 at 2-44, 2-46.
[3] *Id.*, Ch. 2, Subchapter 2.4.4.1 at 2-32.

farmland (223 acres vs. 179 acres of federally regulated farmland), and more Agriculture Protection Areas (38.4 acres vs. 11.8 acres).[4] These substantial environmental impacts should be given greater consideration in the overall harm calculation, especially since the transportation performance differences between Alternatives A and B are almost nonexistent.[5]

Moreover, both Alternative A and Alternative B are fundamentally unacceptable. Each would cause significant, avoidable, and permanent harm to aquatic resources, agricultural lands, groundwater quality, historic properties, and community character. The Draft EIS chooses between two flawed options, neither of which satisfies federal environmental requirements. UDOT must therefore return to the alternatives development process, identify a less harmful and legally compliant alternative, or—if no such alternative exists—abandon the project altogether. Draft EIS suffers from numerous deficiencies and fails to comply with the Clean Water Act (CWA), water quality regulations, and the Department of Transportation Act. The comment letter addresses these deficiencies in more detail below.

I. Draft EIS Fails to Comply with the Clean Water Act § 404(b)(1) and Implementing Regulations in 40 C.F.R. § 230.10 in Evaluating Impacts on Aquatic Resources

The Guidelines in 40 C.F.R. § 230.10 prohibit discharging dredged or fill material into CWA Section 404-regulated waters if a practicable alternative with less adverse impact on the aquatic ecosystem exists and does not create other significant environmental consequences.[6] This is the "least environmentally damaging practicable alternative" (LEDPA) standard.[7] Because this is a non–water-dependent project,[8] the regulations presume that such alternatives exist unless the proponent clearly demonstrates otherwise.[9] To select Alternative B, UDOT must rebut that presumption by showing, based on cost, technology, logistics, and project purpose, that less-damaging alternatives are impracticable—yet it does not meet this burden.[10]

UDOT eliminated all alternatives that would avoid aquatic sites—such as alignments through downtown Heber or east of US-40—largely because they did not sufficiently divert traffic from Main Street or align with the city's "vision" for its town center. However, UDOT does not provide quantitative analysis or technical and financial data showing why these lower-impact options are impracticable "in light of the overall project purposes." The screening relies heavily on qualitative assessments rather than the rigorous, narrowly tailored evaluation the Guidelines require. There is

[4] *Id.* Ch. 2, Subchapter 2.4.4.6 at 2-39, 2-40.
[5] *Id.*, Ch. 2. Subchapter 2.4.4.1 at 2-32.
[6] 40 C.F.R. § 230.10(a).
[7] Draft EIS, App. 2F at 2.
[8] *Id.*, App. 2F, Subsection 2.1 (Basic Project Purpose) at 3.
[9] 40 C.F.R. § 230.10(a)(3).
[10] *Id.* § 230.10(a)(2).

also no robust discussion of modifications that could reduce aquatic impacts while still meeting the core project purpose.

UDOT ultimately advanced only Alternatives A and B, both of which affect wetlands, but Alternative B would fill far more acreage (53.92 acres vs. 22.52 acres).[11] UDOT nonetheless selected Alternative B without clearly demonstrating that Alternative A is impracticable, even though Alternative A would cause substantially fewer wetland, farmland, and noise impacts.[12] UDOT rejects Alternative A primarily due to higher costs, more relocations, and greater Section 4(f) impacts, but does not show why these concerns make it "clearly impracticable," particularly when the environmental harm from Alternative B—affecting irreplaceable wetlands and agricultural lands—is permanent, whereas the impacts from Alternative A are temporary or compensable.

Wetlands are critical for water quality, flood mitigation, bank stabilization, and groundwater recharge.[13] Once converted to freeway infrastructure, these resources cannot be restored, while many of the costs under Alternative A can be reimbursed or mitigated. UDOT provides no balancing analysis or threshold justification showing that the additional aquatic resource loss under Alternative B is warranted. The Guidelines require a clear demonstration specific to aquatic impacts—not a general "least overall harm" finding under Section 4(f). UDOT fails to show how its Section 4(f) reasoning satisfies the independent LEDPA requirement under the CWA.

In sum, the Draft EIS does not overcome the presumption against impacting special aquatic sites for a non–water-dependent project. UDOT dismisses less-damaging alternatives based on qualitative or overly broad project objectives rather than the rigorous, quantitative analysis required by 40 C.F.R. § 230.10. As a result, its LEDPA determination improperly prioritizes non-aquatic considerations and does not justify the substantial aquatic harm of Alternative B. UDOT must reevaluate its LEDPA analysis to comply with CWA Section 404(b)(1) and include other alternatives in the more detailed proposal since Alternative A is also highly impactful on the special aquatic sites.

II. Selected Best Management Practices (BMPs) for Mitigating Water Quality Impacts for Stormwater under UDOT's MS4 Permit are Legally Insufficient for Both Alternatives

UDOT prepared a water quality technical report to analyze the impacts of the highway stormwater runoff under Alternatives A and B.[14] The analysis of total dissolved solids (TDS) limits, dissolved chromium, and dissolved lead for a Class IA – Pristine aquifer through the Stochastic Empirical

[11] Draft EIS, Ch. 2, Subchapter 2.4 at 2-21.
[12] *Id*., Ch. 2, Subchapter 2.4.4.6 at 2-39, 2-40.
[13] *See* U.S. EPA, How do Wetlands Function and Why are they Valuable? (April 25, 2025), https://www.epa.gov/wetlands/how-do-wetlands-function-and-why-are-they-valuable; Agency of Natural Resources, Department of Environmental Conservation, Wetlands Functions and Values: Surface and Ground Water Protection (visited March 2, 2026), https://dec.vermont.gov/watershed/wetlands/functions/water-quality.
[14] *See generally,* Draft EIS, App. 3K.

Loading and Dilution Model (SELDM) shows that they will be exceeded for this project.[15] The average modeled TDS concentration in snowmelt runoff from de-icing for both alternatives is significantly higher than the 500 mg/L limit—1,380 mg/L for Alternative A and 1,410 mg/L for Alternative B —with ranges of 408 to 4,527 mg/L.[16] Thus, the proposed best management practices (BPMs) to regulate these discharges will be "designed to infiltrate stormwater to the aquifer instead of detaining and releasing stormwater to surface waters" at 100 percent.[17] The report explains that these BMPs will be "permitted by rule" under Utah Administrative Code R317-6-6.2(A)(5) and (7) and will not require a groundwater discharge permit "as long as the groundwater discharge does not cause groundwater to exceed the groundwater quality standards or TDS limits for the applicable class of aquifer."[18]

Thus, to be properly permitted by rule, the selected BMPs must ensure no exceedances of the groundwater quality standards, which, by the report's own admission, they may not. The de-icing runoff component, which is projected to cause the most significant exceedances, is not effectively managed by the selected traditional BMP. The report admits that "traditional BMPs are not highly effective in removing TDS" due to the nature of de-icing runoff.[19] Nevertheless, UDOT did not include additional BMPs in this project because they are not "typically included by UDOT on its projects, and they are not included in UDOT's *Stormwater Quality Design Manual*."[20] UDOT only makes a promise that it "will consider" using salt-specific BMPs and "alternative de-icing products that contain less salt."[21] But the law requires assurance that the water quality limits would not be exceeded. Without an effective reduction in TDS, the selected BMPs would frequently result in exceedances of the limits. Thus, the water quality report conclusions are contrary to the implementing regulations and should be reconsidered by UDOT. Both Alternatives fail for this reason.

III. The Draft EIS Fails to Comply with the Department of Transportation Act of 1966, Section 4(f) in Evaluating Impacts on Historic Properties and Archeological Sites

UDOT's application of section 4(f) of the Department of Transportation Act of 1966 to review impacts on historic properties and archeological sites from different alternatives is also flawed in several ways: (1) UDOT does not exhaust all feasible and prudent alternatives; (2) it attempts to

[15] *Id.* at 23 (one in ten storms would roughly be affected by the TDS exceedances for both alternatives with smaller numbers of storms (0.15% - for Alternative A and 0.07% - for Alternative B) for dissolved chromium 100 mg/L standard and (0.22% - for Alternative A and 0.29% - for Alternative B) for dissolved lead 15 mg/L standard).
[16] *Id.* at 27.
[17] *Id.* at 23.
[18] *Id.*
[19] *Id.* at 28.
[20] *Id.*
[21] *Id.*

minimize the importance of historic properties without adequate support; and (3) overlooks substantial differences in impact between alternatives on the canal archeological sites.

A. UDOT's Section 4(f) Determinations Do Not Meet the Required Standard for Exhausting All Feasible and Prudent Alternatives

UDOT argues that no feasible and prudent avoidance alternatives exist for Section 4(f) properties due to the abundance of eligible historic canals, railroad tracks, and architectural resources throughout the project area.[22] It claims that no alternative alignment can avoid all Section 4(f) properties.[23] But UDOT has not sufficiently demonstrated that it exhausted all possible alignment options. The linear nature of canals and railroad tracks does not automatically make avoidance impossible—it requires creative engineering solutions such as tunneling, elevated structures, or more significant route deviations. The Draft EIS should provide evidence of attempts to identify corridors with fewer Section 4(f) impacts rather than simply declaring avoidance impossible.[24]

UDOT claims that specific design modifications to avoid impacts to four historic properties[25] are not feasible and prudent due to engineering constraints, safety concerns, and costs of "extraordinary magnitude"[26] (approximately $1.8-4 million per property). However, the cited cost does not rise to the level of "extraordinary magnitude" in the context of a major transportation infrastructure project. The additional costs for several avoidance options represent less than 0.3% of the total project cost (estimated at $711-760 million), which hardly qualifies as "extraordinary magnitude." Courts have generally required costs to be multiples of the base project cost to qualify as extraordinary.[27] Additionally, UDOT's design modifications appear limited in scope and creativity, focusing primarily on minor alignment shifts rather than exploring more substantial redesigns that could preserve these historic properties.

B. UDOT's Attempt to Minimize the Importance of Eligible Historic Properties Lacks Legal and Analytical Support

UDOT claims that the historic structures that would be demolished under either alternative are not particularly unique or significant. The Draft EIS states, "Although all [architectural resources/residential dwellings] were determined eligible for the NRHP [National Registry of Historic Places], none are the 'last of their kind' or particularly unique resources," and that Utah

---

[22] Draft EIS, Ch. 4, Subchapter 4.6.2, at 4-28.
[23] *Id.*
[24] *See e.g.*, *Jones v. Peters*, 2007 WL 2783387 (D. UT 2007) (Agencies cannot simply rely on preliminary screening of alternatives to avoid analyzing all prudent and feasible alternatives under the more rigorous Section 4(f) standards, which prefer preservation of protected resources over other considerations.); *Prairie Band Pottawatomie Nation v. Federal Highway Admin*., 684 F.3d 1002 (10th Cir. 2012) (Even in the presence of agency discretion in conducting Section 4(f), the agency must still demonstrate that problems with the alternative are truly unusual or reach extraordinary magnitude to justify using protected resources.)
[25] The properties are located at 3570 N. Hwy. 40, 2300 N. Hwy. 40, 1543 N. Hwy. 40, and 1340 N. Hwy. 40.
[26] Draft EIS, Ch. 4, Subchapter 4.6 at 4-28.
[27] *See Prairie Band Pottawatomie Nation*, 684 F.3d at 1002.

State Historic Preservation Office (SHPO) has not expressed particular concern about any of these structures.[28]

UDOT improperly diminishes the significance of these historic properties without a detailed analysis showing the structures' specific historical or architectural significance, cultural importance, or contributions to the historic fabric of Heber Valley. The fact that these structures have been determined eligible for the NRHP alone establishes that there is at least some historical significance. Section 4(f) does not require properties to be the "last of their kind" or to have SHPO express particular concern about them. UDOT cannot minimize the significance of these properties simply because they represent common architectural styles. Without a detailed assessment of historic value, the conclusion about relative significance is unsupported.

Additionally, UDOT oversimplifies the comparison by focusing primarily on the number of historic structures impacted rather than considering the relative significance of each Section 4(f) property. The Draft EIS states that "[n]one of the eligible resources are particularly unique or of greater significance than another,"[29] yet fails to provide evidence that a thorough assessment of relative significance was conducted in consultation with the SHPO or other stakeholders.

C. UDOT Overlooks Substantial Differences in Impact Scale When Declaring De Minimis Effects on Canal Archaeological Sites

UDOT has made de minimis impact determinations for the four canal system archaeological sites for both Alternative A and Alternative B. The Draft EIS explains that neither alternative would adversely affect any archaeological sites, as confirmed by SHPO's concurrence with the no-adverse-effect findings. But these determinations appear to overlook the cumulative impact of altering significant portions of these historic resources. While individual segments may experience "no adverse effect," the combined impact of culverting, relocating, and filling in portions of these canal systems could fundamentally alter their historic character and function. The document notes that Alternative B would use significantly more linear feet of the Rock Creek/Rock Ditch Irrigation System than Alternative A (5,684 lf vs. 563 lf),[30] yet still concludes both alternatives would have de minimis impacts without adequately explaining this substantial difference in impact scale.

IV. Conclusion

In conclusion, Draft EIS contains substantial shortcomings and fails to meet federal environmental requirements. The Clean Water Act § 404(b)(1) Guidelines are not satisfied because UDOT has not demonstrated that Alternative B is the least environmentally damaging practicable alternative. Lower-impact options were dismissed without the quantitative, technical, and financial analyses necessary to overcome the regulatory presumption that practicable, less-damaging alternatives exist

[28] Draft EIS, Ch. 4, Subchapter 4.7.3 at 4-36.
[29] *Id.*, Ch. 4, Subchapter 4.7.8 at 4-40.
[30] *Id.*, Ch. 4, Subchapter 4.5.1.2 at 4-22.

for a non–water–dependent project. Additionally, the Section 4(f) analysis does not fully evaluate feasible and prudent avoidance alternatives, minimizes the significance of eligible historic properties without adequate justification, and does not account for the substantial differences in archaeological resource impacts between Alternatives A and B.

Draft EIS further fails to provide a legally sufficient analysis of stormwater and groundwater impacts. The selected BMPs—including reliance on infiltration systems to manage de-icing-related runoff—are unlikely to prevent exceedances of groundwater quality standards. Despite the clear evidence that traditional BMPs are ineffective at reducing TDS from de-icing salts, the Draft EIS declines to incorporate salt-specific BMPs or alternative de-icing materials, instead indicating only that UDOT "will consider" them. This approach does not meet the requirements for rule-authorized discharges under Utah Administrative Code R317-6-6.2, which demand assurance that groundwater quality standards will not be exceeded.

Neither Alternative A nor Alternative B is legally or environmentally acceptable. Both alternatives violate the Clean Water Act, fail to comply with Section 4(f) of the Department of Transportation Act, and rely on inadequate stormwater and groundwater mitigation. They also impose unjustified and irreversible impacts on wetlands, farmland, groundwater resources, and historic properties. The Draft EIS provides no lawful basis for selecting either alternative. Because both build alternatives are unacceptable, UDOT must either: (1) develop a new alternative that satisfies federal requirements and substantially reduces environmental harm, or (2) abandon the project entirely if no such alternative is practicable. Proceeding with either Alternative A or B would constitute an unlawful approval under multiple federal statutes.

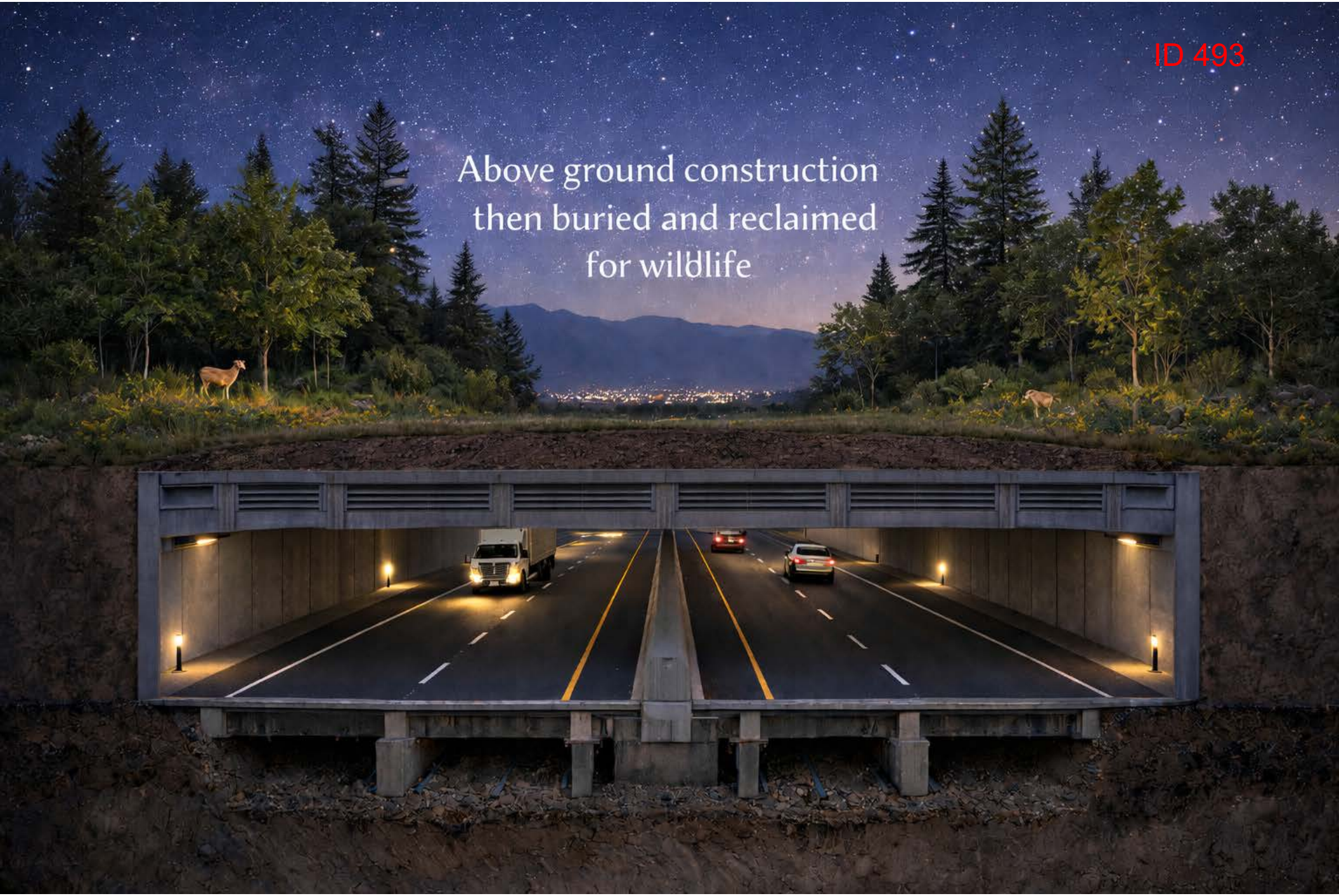
We appreciate UDOT's work in preparing the Draft EIS and thank the agency for considering these comments. We look forward to UDOT's continued efforts to ensure the Heber Valley Corridor project complies with federal law and protects the region's environmental, cultural, and community resources.

Sincerely,

Parr Brown Gee & Loveless

Marina Thomas
Digitally signed by Marina Thomas
Date: 2026.03.04 19:33:07 -07'00'

Marina V. Thomas
Counsel for Levi Henrie


ID 493
Above ground construction
then buried and reclaimed
for wildlife

ID 160

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1-28-2026

Name Mark SprunT

Phone [redacted]

Email [redacted]

Address [redacted]

Would you like to receive email updates? (Yes) or **No**

PUBLIC COMMENT PERIOD: Jan. 9 – March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

This project should have been done 20 yrs ago and now we are left with two unattractive choices. That being said I believe I prefer choice B. The route laid out is more acceptable than choice A but I vehemently hate the simulations shown. The overpasses & and interchanges are not how our community of Heber should look. They do not portray the image of our mountain community and show a lack of design.

In place of interchanges & overpasses I would much rather see you us round-abouts to navigate through Heber. They would be cheaper to build, faster to finish and more esthetically pleasing and probably have a lower ecological impact. Seems like a win-win to me, I don't know why you haven't considered it.

I would appreciate a reply indicating you have considered round-abouts and why you would move ahead with overpasses and interchanges anyway.

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

hebervalleyeis.udot.utah.gov
hebervalleyeis@utah.gov
801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 604

My name is Mark Wilson and I'm speaking for the North Field Irrigation Company. My family has been working in the North Field since 1860. My father—who led this company long before me—taught me that you don't build anything here unless you understand the water. If you get the water wrong, you lose the farm. And if you lose the farm, you lose the soul of what keeps this valley green in one of the driest states in America.

I'm here because UDOT has gotten the water wrong, and they have gotten the land wrong.

First, the water. We are sitting on a Class 1A pristine aquifer—the sole source of drinking water for Heber, Midway, and Charleston. UDOT treats our irrigation system like a collection of simple ditches, but these are living, natural channels watering fields with deep percolation that perform a critical job: they recharge the groundwater that fills our wells. We are the last concentrated place in our valley that recharges our drinking wells.

Every year, the North Field Irrigation Company intentionally floods the North Field with millions of gallons — a managed aquifer recharge practice that replenishes the groundwater supply Heber Valley residents depend on and don't pay a cent for.

By turning hundreds of acres of farmland into 'wetlands'—with no plan on how to keep the aquifer recharged—they will effectively turn this valley into a drier place. The cost to pump and clean our water will skyrocket as we chase dropping water levels and concentrated TDS below ground. They haven't studied this, even after four years of warnings.

Second, this leads to the federalization of our private property. UDOT is proposing to take hundreds of acres for 'wetland mitigation'. They want to take flood-irrigated farmland, leave it fallow, and call it 'wetlands' on paper—managed by the federal government. They are creating a land grab that puts those acres under federal regulation. If they sever our channels or link them to the Provo River with drainage infrastructure, they are handing the federal government a 'hook' to exercise jurisdiction over our private, farmer-maintained ditches. Once they plant that federal flag, we'll be trapped in red tape just to use water we've held rights to for 165 years.

They are inviting the federal government to run our valley.

That isn't a hypothetical fear. We know exactly what 'federal red tape' looks like because we live it every day on the Provo River corridor. Ever since the federal government condemned and took over that land, they have fought the NFIC over how we maintain our historic ditches that go through their property. They won't even let us use the heavy machinery we need to keep those channels clear, which has already caused real flood risks to homes in the North Fields. We are forced to wait for the CUP to come in and blow up beaver dams just to keep the water moving. That issue has plagued us for years. If this road happens, they'll have that same 'hook' to exercise jurisdiction over our private, farmer-maintained ditches, and we will be trapped in that exact same bureaucratic fight just to move water we've held rights to for 165 years.

Third, the infrastructure is a safety failure. They claim they'll accommodate our farms, but it's a fantasy. They've talked about agricultural crossings at 1200 North, 1800 North, and South Field Road, but those designs simply do not exist. There is not a single drawing, not a single

clearance height, and not a single structural specification for a livestock-compatible crossing anywhere in their document.

The DEIS explicitly states that they will route a public multi-use trail across 600 West at-grade, while the elevated freeway runs overhead. This creates a **triple conflict zone**: you have highway traffic 24 feet overhead, recreational cyclists and dogs at grade, and active cattle drives and farm equipment using the same road beneath the structure.

UDOT's own documents acknowledge that cattle and farm equipment use this road. Yet, they have designed this intersection with no separation, no operational protocol, and no analysis of how a rancher is supposed to move a herd of cattle through a gauntlet of cyclists and highway traffic.

They haven't designed a highway; they've designed a wall that cuts our farms into non-viable fragments while ignoring the safety of the public and the lifeblood of our livestock operations.

Council members, the decision before you isn't just about asphalt; it's about what kind of place this valley will be for our grandchildren.

You have the authority to hold the state to a higher standard, and you have the duty to protect the people who live here. We are asking you to be the firewall that protects our water, our property rights, and our way of life. Do not accept a project that fails to look at the real-world consequences of cutting off our groundwater recharge or that ignores the safety of our community and our livestock.

Our review has cataloged 101 significant flaws in this DEIS; 38 of these are fatal, meaning they can legally disqualify the entire report from being used to make a decision.

We know that we need traffic solutions. We want road designs that aren't reckless. Don't let them trade our 165-year legacy for a 70-second commute that Alternative B provides over Alternative A. We need you to join us in demanding they go back to the table with all of us. Let's do this right, or let's not do it at all.

You have the power to tell the state to go back to the table and design a route that actually respects this community. I urge you to use it.

The NFIC wants UDOT to either pick Alternative A or design a new route as close to US Highway 40 as possible. We are willing to talk to them anytime. We want to be at the table for any discussions related to the design since it is our shareholders, our water rights, and our property rights that are going to affected.

ID 161

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1-28-26

Name MICHAEL DIXON

Phone [redacted]

Email [redacted]

Addre [redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

THE PRIVATE ROAD THAT I OWE IN FRONT OF MY HOUSE SHOULD STAY PRIVATE. WHEN THE NORTH VILLIAGE ANNEXATION WAS APPOVED BY THE CITY COUNCIL THE ACCESS TO RIVER RD WAS GOING BEHIND MY HOUSE ~~NO~~ WITHIN THE NEW DEVELOPEMENT NOT IN FRONT OF MY HOUSE. THE DEVELOPERS SHOULD FUND THE ROAD NOT UDOT AND STICK TO THE ORIGINAL ROAD. ALSO I HAVE A DRAIN FIELD AND SEPTIC TANK IN MY FRONT YARD WHICH WILL BE IMPACTED, WE DON'T NEED CONSTANT TRAFFIC ON MY ROAD, OR BIKE TRAIL IN FRONT OF MY HOUSE ALL THIS WILL DO IS HELP THE DEVELOPERS WHICH IS WHY WE HAVE THE TRAFFIC PROBLEMS NOW. I DON'T WANT FINCH CREEK HAVING ACCESS IN FRONT OF MY HOUSE. MY PROPERTY AND MY NEIGHBORS IS RURAL, WE NEED TO KEEP IT THAT WAY

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

NORTH FIELD IRRIGATION COMPANY

Serving the Heber Valley Since 1860

March 9, 2026

VIA EMAIL (hebervalleyeis@utah.gov)

Heber Valley Corridor EIS c/o HDR, Inc.

RE: Formal Comments on the Heber Valley Corridor DEIS — Notice of Technical, Legal, Constitutional, and Socioeconomic Deficiencies

To the Project Team:

The North Field Irrigation Company ("NFIC") formally submits these comments to the Heber Valley Corridor Draft Environmental Impact Statement ("DEIS"). This letter is accompanied by Exhibit A: NFIC DEIS Deficiency Index, a technical document cataloging 111 specific deficiencies in the DEIS—of which 42 are classified as FATAL (each independently sufficient to invalidate the DEIS conclusions or constitute a violation of federal and state law) and 69 are classified as MAJOR (significant omissions that materially misrepresent impacts or costs). Based on this record, a Record of Decision cannot lawfully issue.[1]

The North Field Irrigation Company formally rejects Alternative B.

NFIC demands either (a) the selection of **Alternative A** as the preferred option, or (b) a **strategic realignment of Alternative B as close to US Highway 40 as possible**, preserving NFIC's water delivery infrastructure, maintaining farm access, and protecting the aquifer.

NFIC further demands that UDOT prepare a Supplemental DEIS that addresses all 111 deficiencies (42 FATAL, 69 MAJOR) identified in Exhibit A before any Record of Decision is issued.

NFIC asserts that the selection of Preferred Alternative B constitutes a **regulatory taking and inverse condemnation** of established water rights and private property under the Fifth Amendment of the U.S. Constitution and Article I, Section 22 of the Utah Constitution.[2] This creates a permanent and irreparable injury to the functional and economic viability of the North Fields and to the water system providing drinking water to the Heber Valley.

The reasons given for the selection of Preferred Alternative B in the DEIS are fundamentally flawed due to its incomplete financial model that omits copious unquantified costs which would otherwise render Alternative B impracticable.[3] Specifically, the DEIS fails to account for a vast spectrum of unrecognized liabilities, including—but in no way limited to:

A) The specialized robotic/mechanical infrastructure required to maintain subterranean siphons that will move water under the roadway;[4]

B) The multi-million dollar severance damages owed for destroying the utility of remaining lots of record;[5]

C) The catastrophic liability of replacing municipal drinking water for the Heber Valley should the aquifer be compromised;[6]

[1] Heber Valley Corridor DEIS, published by UDOT, December 2025.

[2] Utah Code § 73-1-7; Utah Const. Art. I, Sec. 22; U.S. Const. Amend. V.

[3] DEIS Ch. 5, Socioeconomic Impacts, pp. 5-12 to 5-18; DEIS Ch. 2, pp. 2-45 to 2-51.

[4] NFIC Meeting Minutes with UDOT, 2022 & 2025.

[5] DEIS Ch. 5, pp. 5-144 to 5-168.

[6] DEIS Ch. 3, pp. 3-140 to 3-148 (admitting hydrological link between aquifer and municipal wells).

D) Mitigation of concentrated pollution sources created by unlined detention ponds in a shallow aquifer system, nearby ditches, Spring Creek, and the Provo River;[7]

E) Preventing the discharge of sun-heated road water that can kill livestock and promote algae blooms in adjacent water systems;[8]

F) Replacing the natural water pressure required to move water through the valley and replicating subsurface seepage;[9]

G) The massive public safety liability of creating a single-point-of-failure access model for over 2,800 acres;[10] and

H) The cost of acquiring or extinguishing 160-year-old senior water rights, prescriptive easements, and canal alignments—none of which appear in the DEIS budget;[11]

I) The acquisition and perpetual management of between 108 and 809 acres of wetland mitigation land—a secondary land grab that could consume up to one-third of the entire North Fields—for which UDOT has disclosed no budget, identified no parcels, and secured no willing sellers. The wetland acreage driving this obligation was never validated by an Army Corps Jurisdictional Determination, was surveyed in the wrong season using an outdated inventory map, left 84 acres physically unexamined, and rests on a misclassification of NFIC's natural channels as man-made ditches—a distinction that, if corrected, would dramatically expand Alternative B's jurisdictional wetland footprint and collapse UDOT's entire LEDPA justification for selecting it;[12]

J) The construction costs for agricultural-compatible crossings at 1200 North, 1800 North, Northfield Road, and 2400 North (the latter verbally promised by UDOT but absent from the DEIS entirely), cattle-drive underpasses with livestock-appropriate design features, and a groundwater collector system—all of which UDOT has verbally committed to building but which appear on no design drawing, in no engineering specification, and in no line item of the DEIS cost estimate. The DEIS contains zero references to ‘cattle crossing,’ ‘livestock overpass,’ or any structure specifically designed for livestock movement anywhere in the document;[13]

K) Right-of-way acquisition costs estimated using ‘unit prices for previously completed, similar projects’[14] — a generalized unit-pricing methodology that substitutes historical averages for individual property appraisals, and therefore bears no relationship to the actual current market value of North Fields agricultural land that UDOT itself has inflated to three to four times its historical price through its own recent acquisitions near the new high school on Midway Lane, as documented in publicly available records.

Furthermore, the DEIS is flawed in its analysis for the following additional reasons. By relying on unverified wetland data, violating A-20 agricultural zoning, contradicting the community's Envision 2050 General Plan (which found 77% of respondents wanted to protect the North Fields), and failing to account for the massive unrecognized costs of mitigating 160-year-old senior irrigation infrastructure, historical livestock corridors, and future unquantified liabilities for the State of Utah,

[7] DEIS Ch. 3, pp. 3-198 to 3-206.

[8] DEIS Ch. 3, pp. 3-188 to 3-196.

[9] DEIS Ch. 2, pp. 2-155 to 2-162; Utah Code § 73-3-11.

[10] DEIS Ch. 3, pp. 3-93 to 3-94; Wasatch County Emergency Vehicle Access Guidelines.

[11] DEIS Ch. 5, pp. 5-160 to 5-168; DEIS Ch. 3, pp. 3-244 to 3-252.

[12] DEIS App. 2F; DEIS App. 3N; USACE Wetland Mitigation Guidelines; DEIS Ch. 3, p. 3-175 (no AJD).

[13] NFIC Meeting Minutes 2025; DEIS Section 3.7, pp. 3-91, 3-93; Section 3.5.3.4; Section 3.19.3.1; Section 3.9, p. 3-109; WOLB Feb 11, 2026 Update; DEIS Ch. 2, pp. 2-288 to 2-296 (absent from design and budget).

[14] DEIS App. 2E (Preferred Alternative Technical Report), Table 13 (Preliminary Cost Estimates for the Action Alternatives), p. 30: “The construction cost estimates include engineering design, right-of-way, construction, utility relocations, drainage, and environmental mitigation. These construction cost estimates are based on unit prices for previously completed, similar projects.”

this DEIS fails to meet the "hard look" requirement of NEPA and represents a fatal undervaluation of the North Fields' socioeconomic and hydrologic reality.

The cost estimate for Alternative B is not credible. UDOT presents a $760.5 million price tag and calls the $48.6 million premium over Alternative A "fairly negligible." This is materially misleading. That $760.5 million excludes the groundwater collector system, the landowner overpasses, the severance damages, the water rights acquisition, the wetland mitigation land, the siphon maintenance equipment, and every other mandatory cost item identified in this letter. When these omissions are accounted for, the true cost of Alternative B likely exceeds $1 billion—and the gap between the two alternatives is not $48.6 million but hundreds of millions of dollars. UDOT has manufactured a false equivalence between the alternatives by hiding Alternative B's real price tag behind deferred designs and unbudgeted mandates.

Ultimately, Preferred Alternative B represents a reckless and procedurally negligent exchange. This choice asks the taxpayers of Utah to spend over $1 billion in public funds—while accepting catastrophic risk to the valley's drinking water, destroying 165 years of senior water infrastructure, violating multiple federal and state laws, and overriding the expressed will of the community—to **save a mere 70 seconds** of travel time compared to Alternative A. UDOT reached this conclusion by ignoring four years of formal warnings from the senior water rights holder, relying on wetland surveys conducted in the wrong season, using a summer traffic model its own records label "Not Calibrated,"[15] and deferring the design of every piece of critical infrastructure to after the decision is made.

To state it plainly: Alternative B is worse than Alternative A in every measurable environmental category. It destroys 140% more wetlands. It converts 24% more regulated farmland. It damages 225% more Agriculture Protection Area acreage. It severs 56% more historic canal. It costs significantly more. And it does all of this to save one minute and ten seconds. The DEIS does not explain how this outcome satisfies the Least Environmentally Damaging Practicable Alternative standard, because it cannot.

I. PROCEDURAL DEFICIENCIES AND FAILURE TO INCORPORATE STAKEHOLDER WARNINGS

The NFIC formally notes that the DEIS is technically and procedurally deficient because it fails to incorporate specific warnings and mitigation requirements provided to UDOT during formal coordination over a four-year period (2022–2025).[16] UDOT did not study the impacts of these stakeholder-driven requirements in the DEIS.

UDOT received repeated, specific, written warnings from NFIC over a four-year period (2022–2025) identifying critical risks to the valley's water supply, irrigation infrastructure, and agricultural operations. The DEIS fails to study, address, or even acknowledge the substance of these warnings—resulting in a document that is procedurally deficient under NEPA's public participation and "hard look" requirements.

NFIC specifically explained to UDOT that an alignment closer to US-40 would cross fewer ditches, destroy fewer wetlands, bisect fewer farms, and reduce the overall mitigation burden — making Alternative B cheaper, less damaging, and easier to permit. UDOT never responded with a technical explanation for why this shift was impracticable.[17]

---

[15] DEIS App. 5A (UDOT & MAG Travel Demand Model Meetings), Meeting Summary dated December 11, 2023, pp. 2–3, including sensitivity analysis presentation slides (labeled “DRAFT 10/19/23” and “DRAFT 12/12/23”) which state: “Spring season – Calibrated”; “Summer season – Not calibrated”; and “Season: Summer season used for HVC EIS.” The document is labeled “DRAFT FOR INTERNAL USE ONLY” but is published in the official DEIS record as Appendix 5A.

[16] NFIC Meeting Minutes with UDOT, June 2022 and June 2025.

[17] NFIC Meeting Minutes 2022 & 2025.

A. Disregard of the "Hydrogeologic Dam" Warning (June 2022)

The NFIC explicitly warned UDOT that a bypass road would "act like a dam" to groundwater.[18] UDOT was notified that simple cross-culverts would be insufficient and that a complex "collector system" would be mandatory to prevent the North Fields from becoming a swamp on the upstream (eastern) side and a desert on the downstream side. The DEIS lacks a technical design or budget for this specific system, effectively ignoring a known hydrological risk identified by the senior water rights holder 44 months ago.[19] This is a gross misstatement of the cost estimate for Preferred Alternative B.

B. Omission of Municipal Drinking Water Protection (June 2022)

The NFIC formally questioned UDOT on its "Plan B" should construction or the roadway's presence dry up or contaminate the Class 1A pristine aquifer that recharges municipal wells in the Heber Valley.[20] Despite this early notice, the DEIS contains no contingency plan for municipal water failure.[21] UDOT did not study the impacts of aquifer disruption on regional culinary wells in the DEIS.

C. Rejection of Strategic Alignment Efficiencies (June 2022)

NFIC recommended an alignment of Alternative B east of 600 West to clear the Rock Creek irrigation infrastructure and minimize the bisection of agricultural parcels.[22] UDOT dismissed these stakeholder-driven refinements in favor of routes that maximize impacts to irrigation without providing a technical "practicability" rebuttal based on actual NFIC operational data. NFIC board members and officers present at both the June 2022 and June 2025 coordination meetings attest that NFIC presented UDOT with aerial maps of the North Fields—displayed on large-screen digital maps and on printed aerial maps—identifying a specific eastward alignment running east of 600 West and as close to parallel with US Highway 40 as the terrain permits, and demonstrating that this corridor would cross fewer irrigation canals, bisect fewer farms, and destroy fewer wetlands than the alignment UDOT ultimately selected. UDOT provided no written technical response to this proposal and conducted no alignment study of the eastward corridor in the DEIS.[23]

D. Failure to Account for "Replaceable Land" Scarcity (June 2022)

The NFIC put UDOT on notice that "mitigation cannot be only money" because agricultural land in the North Fields is a finite resource with no equivalent availability.[24] NFIC demanded that mitigation include replaceable land, yet the DEIS focuses instead on wetland mitigation that permanently removes acreage from production.[25]

E. Intentional Omission of Historical Design Requests (June 2025)

NFIC provided specific technical requirements to maintain operational integrity, including elevated clear-span bridges and cattle-drive underpasses. The DEIS contains no reference to 'cattle crossing,' 'livestock underpass,' 'livestock overpass,' or any structure designed for livestock movement. The only livestock-related construction commitment is a temporary fencing requirement

[18] NFIC Meeting Minutes, June 2022.

[19] DEIS Ch. 3, pp. 3-104 to 3-122 (no hydrogeologic dam study); DEIS Ch. 2, pp. 2-45 to 2-51 (no collector system budget).

[20] NFIC Meeting Minutes, June 2022.

[21] DEIS Ch. 3, pp. 3-88 to 3-94 (no contingency plan identified).

[22] NFIC Meeting Minutes, June 2022.

[23] DEIS Ch. 2, pp. 2-8 to 2-14.

[24] NFIC Meeting Minutes, June 2022.

[25] DEIS Ch. 3, pp. 3-155 to 3-162.

during construction (Section 3.19.3.1). UDOT's verbal representations about these features are legally unenforceable because the Record of Decision will be based on the document.[2627]

F. NEPA Hard-Look Violations and Deferred Design

UDOT deferred the design of critical infrastructure—including the complex collector system for groundwater, irrigation ditch realignments, landowner accesses, and agricultural-compatible grade-separated crossings—to after the Record of Decision. In fact, the situation is worse than simple deferral: no livestock-compatible crossing design exists anywhere in the DEIS, deferred or otherwise. The 600 West underpass is described only as a vehicular road crossing with no dimensions, no clearance specifications, and no analysis of agricultural compatibility—despite UDOT's own acknowledgment that this road is used for cattle drives and farm equipment (Section 3.5.3.4). NEPA requires that the impacts of designs be studied before the decision is made, not after. Without a 30% or 60% engineering design as required by NEPA of these proposed features, NFIC cannot verify whether the road is even physically compatible with our senior water rights.[282930]

G. Conflict of Interest Under NEPA Assignment

Under 23 U.S.C. § 327, UDOT has assumed FHWA's NEPA responsibilities for this project.[31] This means UDOT is simultaneously the project proponent, the NEPA reviewer, and the decision-maker—a structural conflict of interest that requires heightened scrutiny. The 111 deficiencies cataloged in Exhibit A demonstrate that UDOT has not met the standard of care this delegated authority demands.

H. Agency Coordination Failures

UDOT never contacted the Utah State Commissioner of Agriculture and Food regarding modifications to protect Agriculture Protection Areas, as required by U.C.A. § 17-41-307.[32] No evidence of Section 408 consultation with the Bureau of Reclamation regarding interference with the Provo River federal water project appears in the DEIS.[33]

I. Predetermination of Outcome

UDOT blocked NRCS conservation easement funding for the largest North Fields landowner (Gertsch) via letter dated May 23, 2024, while the DEIS was still pending.[34] This action prejudiced the alternatives analysis by removing a land-protection option that could have reduced Alternative B's impacts—and it did so before the public had any opportunity to comment. This constitutes a due process violation and evidence of predetermined outcome.[35]

J. Developer Interests as a Stated Selection Factor

UDOT's predetermination is further confirmed by its own DEIS. Appendix 2E, page 29 states that "Alternative B is more consistent with Heber City's North Village Master Plan than Alternative A." The North Village Master Plan includes a large private resort development—The Slope. No federal

---

[26] NFIC Meeting Minutes, June 2025; DEIS Section 3.19.3.1 (temporary fencing only); DEIS Section 3.7, pp. 3-91, 3-93 (no livestock crossing design).

[27] DEIS Ch. 5, pp. 5-2 to 5-7 (cost summary excludes these items).

[28] DEIS Ch. 4, pp. 4-710 to 4-722 (deferring design to post-ROD).

[29] 40 C.F.R. § 1502.16 (Environmental Consequences must be studied before decision).

[30] DEIS Ch. 5, pp. 5-210 to 5-218 (no engineering design provided).

[31] 23 U.S.C. § 327 (NEPA Assignment); DEIS Ch. 4, p. 4-1.

[32] U.C.A. § 17-41-307 (formerly § 17-81-307); DEIS Ch. 5, Coordination section (absent).

[33] 33 U.S.C. § 408 (Section 408 review); DEIS Ch. 4, pp. 4-610 to 4-622.

[34] DEIS Ch. 5, p. 14; WOLB Comments (documenting UDOT intervention letter).

[35] 40 C.F.R. § 1502.2(g) (prohibiting commitment of resources prejudging outcome); U.S. Const. Amend. XIV.

environmental statute authorizes a transportation agency to select a more environmentally damaging alternative because it better serves a private developer's land use vision. This admission, combined with UDOT's intervention to block NRCS conservation easement funding and the 74% citizen referendum vote rejecting the rezoning of North Fields parcels from 20-acre to 10-acre minimum lots—a direct democratic test of community sentiment toward North Fields development intensity—and UDOT's failure to study the specific US-40-parallel corridor that NFIC presented on aerial maps at both the June 2022 and June 2025 coordination meetings, as attested by NFIC board members and officers present at those meetings, establishes a four-part pattern of predetermination that is disqualifying under 40 C.F.R. § 1502.2(g).

K. Federal Agency Warnings Ignored

UDOT's four-year disregard of NFIC's formal warnings is compounded by its disregard of warnings from the U.S. Environmental Protection Agency. On November 3, 2021, EPA formally notified UDOT that the western alternatives "could result in greater wetland impacts and may not be the LEDPA under CWA 404" and urged commitment to delineate wetlands to "better inform alternatives selection." On July 21, 2022, EPA again warned that "sole focus on the western alternatives could result in an EIS that is inadequate for 404 permitting purposes." UDOT proceeded with western alternatives and issued a DEIS that EPA's own warnings predicted would be legally inadequate. The presence of these warnings in the administrative record—unaddressed and unincorporated—significantly strengthens the basis for judicial review under 5 U.S.C. § 706.

II. LEDPA ANALYSIS AND CLEAN WATER ACT DEFICIENCIES

The DEIS concludes that Alternative B—which destroys 140% more aquatic resources than Alternative A—is the "Least Environmentally Damaging Practicable Alternative." This conclusion rests on UDOT-created loophole: UDOT uses a Section 4(f) historic preservation finding to override the Clean Water Act's environmental mandate, then declares the more damaging alternative "least damaging" by definitional fiat. The underlying wetland data is unreliable, unverified by the Army Corps, conducted out of season, and built on a misclassification of NFIC's natural channels as ordinary man-made ditches.

A. Circular LEDPA Reasoning to Create Loophole for Alternative B

Section 404(b)(1) of the Clean Water Act requires the selection of the Least Environmentally Damaging Practicable Alternative ("LEDPA"). UDOT claims Alternative B is LEDPA despite impacting **53.92 acres of aquatic resources versus 22.52 acres for Alternative A—a 140% increase**—by invoking Section 4(f) to make Alternative A "not practicable."[36] UDOT's use of a questionable historic preservation finding to override the Clean Water Act's environmental mandate lacks analytical support and serves only to justify a pre-determined selection of Alternative B.

B. The Section 4(f) Constraint Reduces to a Solvable Problem

The Section 4(f) constraint that disqualifies Alternative A reduces to three residential driveway alignments on a frontage road that does not meet AASHTO design standards—a solvable engineering problem, not a fundamental impracticability.[37]

C. Failure to Study an Eastward-Shifted Alternative B

NFIC has repeatedly told UDOT — in formal coordination meetings in 2022 and again in 2025 — that if Alternative B must be built, aligning the highway as close to US-40 as possible would dramatically reduce every category of impact that drives the alternatives comparison. An eastward shift would cross fewer irrigation ditches and canals, bisect fewer agricultural parcels, destroy fewer wetlands, sever fewer livestock corridors, reduce the length of historic canal impacted, and minimize interference with NFIC's gravity-flow water delivery system. There are also more willing sellers in the areas closer to the US Highway 40.

In other words, NFIC identified a practicable design modification that would move Alternative B's environmental impact profile closer to Alternative A's — potentially eliminating the very disparity that makes the LEDPA analysis so problematic. An eastward-shifted Alternative B would still avoid the Section 4(f) properties that UDOT claims disqualify Alternative A, while substantially reducing the 140% wetland penalty, the 24% farmland penalty, and the 225% Agriculture Protection Area "penalty" that Alternative B currently carries.

UDOT dismissed this recommendation without technical analysis. No alignment study was conducted. No wetland comparison was performed. No cost estimate was prepared. The DEIS does not explain why an eastward shift was rejected or demonstrate that it would be impracticable. Under the 404(b)(1) Guidelines, UDOT has the burden of demonstrating that no practicable alternative exists with less adverse impact on the aquatic ecosystem. By refusing to study the eastward-shifted alignment that NFIC specifically requested, UDOT has failed to carry that burden. The eastward corridor NFIC proposed is not abstract. NFIC board members and officers present at the June 2022 and June 2025 coordination meetings attest that NFIC presented UDOT with aerial maps—displayed digitally on a large screen and on printed maps of the North Fields—identifying a specific practicable alignment running east of 600 West and parallel to US Highway 40, and explaining on those maps that this corridor would cross fewer irrigation canals, bisect fewer farms, and destroy fewer wetlands.

[36] DEIS App. 2F, pp. 13-14 (404(b)(1) analysis); CWA § 404(b)(1) Guidelines, 40 C.F.R. Part 230.

[37] DEIS Ch. 4, App. 4-D (Section 4(f) evaluation).

This was a specific, visualized, practicable alternative formally presented to UDOT by the senior water rights holder at two separate coordination meetings spanning three years. It does not appear anywhere in the DEIS. UDOT's failure to study it is not an oversight—it is a failure to carry the burden the 404(b)(1) guidelines impose.[38]

UDOT did not study the impacts of shifting Alternative B eastward toward US-40 to reduce farmland, wetland, canal, and agricultural corridor impacts in the DEIS.

D. UDOT's Self-Contradicting WA3 Elimination

UDOT's LEDPA conclusion is also arbitrary and capricious on its face because UDOT previously screened out Alternative WA3 specifically because it would impact 53.7 acres of presumed waters of the United States—treating that impact level as disqualifying. DEIS App. 2A, Final Screening Report, Table 3-12 (Jan. 16, 2023). Preferred Alternative B impacts 53.92 acres—a number materially indistinguishable from WA3's disqualifying figure. UDOT cannot eliminate one alternative for impacting 53.7 acres of WOTUS and simultaneously certify another alternative impacting 53.92 acres as LEDPA-compliant without providing a rational explanation for the distinction. The DEIS provides none. This is the definition of arbitrary and capricious agency action. See 5 U.S.C. § 706(2)(A).

E. UDOT Cannot Satisfy the Non-Water-Dependent Burden

Because this project is non-water-dependent, the CWA § 404(b)(1) guidelines impose a heightened burden on UDOT: it must "clearly demonstrate" that a practicable alternative is not available, and rebut the presumption that less damaging alternatives are practicable "with detailed, clear, and convincing information proving that an alternative with less adverse impact is impracticable." City Club of New York v. Army Corps, 246 F.Supp.3d 860, 866 (S.D.N.Y. 2017). UDOT's own DEIS admits that Alternative A is available, capable of being done, satisfies the overall project purposes, and costs less than Alternative B. DEIS at 2-32. These are the elements of practicability under 40 C.F.R. § 230.10(a)(2). UDOT has not demonstrated—with detailed, clear, and convincing information—that Alternative A is impracticable. The DEIS relies instead on building demolitions and travel time comparisons that are irrelevant to the statutory standard.

F. Binding Tenth Circuit Precedent—Legacy Parkway

The Tenth Circuit has already ruled that UDOT violated CWA § 404(b)(1) by failing to study a narrower right-of-way as a less damaging practicable alternative. Utahns for Better Transportation v. Dep't of Transportation, 305 F.3d 1152, 1188-89 (10th Cir. 2002). The court held that the CWA test is not whether a proposal would make a more desirable project, and that UDOT was obligated to identify and select the least environmentally damaging alternative capable of serving the basic project purpose. UDOT was the losing party in that case. Alternative B's proposed 250-foot right-of-way—three times the width the community was told to expect and never justified against narrower configurations—triggers the same legal failure. Under binding Tenth Circuit authority it has already litigated and lost, this omission is fatal to the LEDPA conclusion.

G. Even Conservation Cannot Resolve the CWA Conflict

Even if UDOT were to purchase and conserve the entire North Fields as wetland mitigation, this would not resolve the CWA § 404 LEDPA conflict, because Alternative B's wetland impact (53.92 acres) would still far exceed Alternative A's (22.52 acres).[39]

H. Wetland Survey Timing Deficiency

[38] DEIS Ch. 2, pp. 2-8 to 2-14; DEIS App. 2F, pp. 13-14; NFIC Meeting Minutes 2022 & 2025.

[39] DEIS App. 2F, 404(b)(1) Memo (impact acreage comparison).

Wetland determinations were conducted July–November 2021 and June–November 2022 (late summer/fall), not during spring runoff when wetland boundaries are at their maximum seasonal extent.[40] This systematically undercounts wetlands in both corridors but particularly along Alternative B, where irrigation-sustained wetlands are largest during the April–June irrigation season.

I. Undelineated Acreage

84 acres of the evaluation area have **not been formally delineated**. UDOT used refined National Wetland Inventory ("NWI") desktop data instead of field delineation for these areas.[41]

J. No Approved Jurisdictional Determination

The U.S. Army Corps of Engineers has not issued an Approved Jurisdictional Determination (AJD) as of December 2025. The entire LEDPA analysis is based on UDOT's self-assessment of jurisdictional status.[42]

K. Outdated National Wetlands Inventory

UDOT used the 2021 National Wetlands Inventory (NWI) map, but NWI was updated in 2022 with significantly more wetlands identified in the North Fields, especially along 600 West/Alternative B.[43]

L. Natural Channels Misclassification

The DEIS treats NFIC's water delivery system as ordinary man-made ditches, but they are in fact **natural channels with man-made improvements**—streams and drainages that existed before settlement and were subsequently widened, deepened, or redirected for irrigation.[44] This distinction is critical because natural channels are far more likely to qualify as "waters of the United States" under the Clean Water Act.

M. Pending WOTUS Rulemaking

The definition of "waters of the United States" ("WOTUS") is actively being revised under a November 17, 2025 proposed rule. The DEIS acknowledges this could change jurisdictional wetland acreages yet proceeds without waiting for resolution.[45]

N. Indirect Wetland Destruction

NFIC's natural channels sustain adjacent wetlands through historic "subbing" (subsurface irrigation). By severing these channels, Alternative B will destroy the very wetlands UDOT claims to protect.[46]

O. Wetland Mitigation "Land Grab"

UDOT's proposal to "prioritize" the North Fields for wetland mitigation is a secondary land grab requiring up to an 809-acre take.[47]

P. CWA § 401 Water Quality Certification

---

[40] DEIS App. 3N, pp. 99–1785 (survey dates).

[41] DEIS Ch. 3, p. 3-176 (identifying 84 undelineated acres).

[42] DEIS Ch. 3, p. 3-175; DEIS App. 2E, p. 27.

[43] DEIS App. 3N; WOLB Comments; USFWS NWI Mapper (2022 update).

[44] DEIS Ch. 3, pp. 3-175 to 3-176; CWA § 404; Sackett v. EPA, 598 U.S. 651 (2023).

[45] DEIS Ch. 3, p. 3-175 (acknowledging pending rulemaking).

[46] DEIS Ch. 3, pp. 3-460 to 3-468.

[47] USACE Wetland Mitigation Guidelines; DEIS Ch. 3, pp. 3-488 to 3-496; DEIS App. 2F; DEIS App. 3N.

Alternative B faces significant risk of failing to obtain a Clean Water Act § 401 Water Quality Certification from the State of Utah because the DEIS's own modeling shows pollutant discharge exceeding applicable water quality standards for the Class IA aquifer.[48]

Q. Executive Order 11990 (Wetlands Protection)

Executive Order 11990 requires federal agencies to avoid wetland destruction where practicable alternatives exist. Alternative A is practicable and destroys far fewer wetlands (22.52 acres vs. 53.92 acres), which UDOT has ignored.[49] By selecting Alternative B, UDOT has violated this executive order.

[48] 33 U.S.C. § 1341; DEIS Ch. 3, p. 3-169.

[49] EO 11990; DEIS App. 2F (acknowledging EO 11990 applicability).

III. HYDROLOGY AND WATER RESOURCES DEFICIENCIES

The North Fields sit atop a Class IA pristine aquifer that provides drinking water to Heber City, Midway, and Charleston. UDOT's own stormwater model shows deicing salt concentrations exceeding the legal standard for this aquifer—yet the DEIS proposes to direct 100% of highway runoff into the ground with no treatment, no lined basins, and no contingency plan. Meanwhile, the most fundamental hydrologic impact of the project—the embankment's underground damming of natural groundwater flow—has never been studied, despite NFIC raising the issue in writing since June 2022.

A. No Hydrogeologic Dam Effect Study

The road embankment will cause groundwater mounding upstream and dewatering downstream—damaging grazing vegetation and altering aquifer flow. UDOT has conducted no study of this effect despite 44 months of formal NFIC warnings.[50]

B. Municipal Culinary Water Risk

The DEIS admits a direct hydrological link between the North Fields shallow aquifer and Heber/Midway/Charleston drinking water wells, yet UDOT conducted no pump-test modeling to determine whether construction or operation of the highway would affect municipal culinary water supplies.[51]

C. TDS Exceedance Admission

UDOT's own Stochastic Empirical Loading and Dilution Model ("SELDM") stormwater model shows deicing salt runoff would produce Total Dissolved Solids ("TDS") concentrations **exceeding the 500 mg/L standard** for this pristine Class IA aquifer. Rather than treating this as a disqualifying finding, the DEIS dismisses it as "conservative."[52]

D. SELDM Model Uses Zero Utah Data

The stormwater model used only proxy sites from California, Oregon, and other states. No Utah-specific precipitation, temperature, or runoff data was used.[53] The shallow aquifer of the North Fields is unique and not comparable to places in other states.

E. 100% Infiltration Is Incompatible with Aquifer Protection

The DEIS proposes "100% infiltration" stormwater management—directing every drop of highway runoff straight into the ground above the aquifer. No lined basins are proposed which will contaminate the aquifer, impact the nearby Blue-Ribbon fishery of the Provo River, perpetuate growth of algae blooms, and affect water quality of downstream users.[54]

F. No EPA-Recommended BMPs Committed

The DEIS identifies EPA-recommended Best Management Practices for highway stormwater but does not commit to implementing any of them. Without binding BMP commitments, the aquifer has

[50] DEIS Ch. 3, pp. 3-104 to 3-122; NFIC Meeting Minutes 2022.

[51] DEIS Ch. 3, pp. 3-140 to 3-148.

[52] DEIS Ch. 3, pp. 3-198 to 3-206; DEIS App. 3K, p. 12, Sec. 2.2.3 (SELDM results).

[53] DEIS App. 3K, p. 12, Sec. 2.2.3 (listing non-Utah proxy sites).

[54] DEIS App. 3K, p. 34; DEIS Ch. 3, pp. 3-166 to 3-169.

no enforceable protection.[55] The costs of the BMPs are not reflected in UDOT's current cost estimate for Alternative B.

G. Lost Aquifer Recharge

No study was conducted of lost aquifer recharge from the conversion of 241 acres of cropland and agricultural land — including the flood-irrigated fields that have historically recharged the Class IA aquifer within the Deer Creek Reservoir watershed.[56] Beyond the loss of passive recharge from flood-irrigated fields, Alternative B creates a specific problem with no solution in the DEIS: water currently delivered through NFIC's gravity-flow system to irrigated North Fields acreage will lose its designated place of beneficial use once the highway severs that delivery infrastructure. Under Utah water law, water rights require continuous beneficial use. NFIC has proposed to UDOT a groundwater recharge program—managed by NFIC, drawing on its 165 years of institutional knowledge of this aquifer system—that would direct displaced water into controlled recharge to sustain aquifer health and preserve the beneficial use designation of affected water rights. UDOT has not studied this proposal, not responded to it, and not included any recharge program in the DEIS mitigation framework. The cost of establishing and operating such a program is absent from the Alternative B budget.

H. Hydraulic Head and Gravity-Flow Pressure

NFIC gravity-fed systems rely on specific elevation gradients to maintain hydraulic head pressure. The DEIS provides no Hydraulic Pressure Gradient Study.[57]

I. Thermal Shock Effect on Livestock and Fishery

On high-temperature days, highway pavement exceeds 140°F. Flash storm runoff is superheated; when discharged into NFIC ditches, it causes thermal shock fatal to livestock and triggers algae blooms threatening the Provo River Blue-Ribbon fishery and downstream users.[58]

J. Highway Pollutant Impacts on Adjacent Agricultural Lands

The DEIS fails to study the impact of highway-generated chemical pollutants—including herbicides, petroleum residue, tire particulates (PFAS), and anti-icing chemicals—on adjacent agricultural lands, livestock forage, and soil health.[59]

K. Infiltration of Concentrated Toxins via Unlined Detention Ponds

The DEIS proposes unlined detention ponds situated in a shallow aquifer environment. UDOT has failed to model the rate at which concentrated highway pollutants will migrate from the highway runoff ponds on the side of the highway into the Class 1A pristine aquifer, the NFIC water system, the nearby Provo River, and downstream users.[60]

L. Siphon Operational Failure

[55] DEIS Ch. 3, pp. 3-169 to 3-171; EPA BMP guidance.

[56] DEIS App. 2E (Preferred Alternative Technical Report), Section 2.4.5 (Property Impacts), p. 29: "Alternative B includes a North Fields Extension segment and therefore would have greater impacts to privately owned undeveloped agricultural land. Alternative A would convert 201 acres of cropland and farmland to transportation; Alternative B would convert 241 acres (about 20% more)."

[57] DEIS Ch. 2, pp. 2-155 to 2-162; NFIC Meeting Minutes 2022.

[58] DEIS Ch. 3, pp. 3-188 to 3-196; WOLB Comments.

[59] DEIS Ch. 3 (absent); NFIC Comments.

[60] DEIS Ch. 3, pp. 3-198 to 3-206.

The DEIS relies on inverted siphons but fails to provide a plan for the specialized equipment required to maintain them.[61] It is unclear who will maintain these structures, who will pay to maintain these structures, and the effect of these structures on the NFIC water system.

M. No Cumulative Effects Analysis for Groundwater

No cumulative effects analysis was conducted for the combined impact of all Alternative B pollution sources on the shallow aquifer over the 50+ year operational life of the highway.[62] This gap is compounded by UDOT's failure to engage with NFIC's proposal for a managed groundwater recharge program that could partially offset the aquifer depletion caused by Alternative B. NFIC—as the entity operating the water delivery infrastructure that has sustained this aquifer for 165 years—is uniquely positioned to manage a recharge program using water displaced by the highway. UDOT has not studied this proposal anywhere in the DEIS.

N. Deer Creek Reservoir Downstream Impacts

The DEIS contains no analysis of downstream impacts to Deer Creek Reservoir from highway contamination, aquifer disruption, and reduced recharge flowing through the North Fields system. The Provo River Restoration Project Environmental Impact Statement—a publicly available federal environmental document—identified the North Fields as a critical groundwater recharge zone supplying Deer Creek Reservoir, which provides drinking water to communities throughout the Wasatch Front. Provo River Restoration Project FEIS, at 3-11 to 3-14 (Apr. 2015). A 50-year highway operation introducing deicing salts, petroleum residue, and thermal loading into the recharge zone for a regional reservoir serving hundreds of thousands of downstream users is not a localized impact. NEPA's cumulative effects analysis must address it. The DEIS does not.

[61] DEIS Ch. 3, pp. 3-210 to 3-218; NFIC Meeting Minutes 2022.

[62] DEIS App. 3K (absent); DEIS Ch. 3 (absent).

IV. WATER RIGHTS AND CONSTITUTIONAL PROTECTIONS

NFIC holds water rights dating to 1860 that predate Utah statehood. These rights are delivered by gravity flow through natural channels with man-made improvements—a system that has operated continuously for 165 years. Alternative B would force the conversion of these gravity-flow rights to mechanical siphons and pumps, capture historical seepage that neighboring properties depend on, and subject private agricultural operations to potential federal regulatory recapture—all without the constitutional due process protections required for interference with vested property rights.

A. Regulatory Taking and Inverse Condemnation

Alternative B constitutes a regulatory taking and inverse condemnation of established water rights under the Fifth Amendment and Article I, Section 22 of the Utah Constitution.[63]

B. Interference with Vested Gravity-Flow Rights

Under Utah Water Law, a state agency cannot force a senior right holder to accept a mechanical delivery method that impairs the original nature of the gravity right.[64]

C. Return Flow and Seepage Rights

UDOT's intent to line or pipe infrastructure constitutes an illegal capture of seepage which neighboring properties rely on for moisture.[65]

D. WOTUS and Federal Recapture Risk

If UDOT builds a highway that permanently severs and/or connects NFIC ditches to the Provo River via drainage infrastructure, the federal government could recapture jurisdiction, trapping farmers in federal regulations.[66] Under UDOT's Alternative B plan, if federal recapture occurs, the farmers are saddled with astronomical new costs and bureaucratic red tape.

E. Section 106 Historic Preservation Failure

NFIC—the owner and operator of the 165-year-old canal system—was never invited as a consulting party for Section 106 review with the Utah State Historic Preservation Office.[67] Failure to include the NFIC as a consulting party is a violation of Section 106.

F. Section 4(f) "Least Overall Harm" Deficiency

Alternative B's impact on historic canals is 56% greater than Alternative A's (15,971 vs. 10,206 linear feet). The DEIS assigns "de minimis" to Alternative B's canal impacts while using canal impacts to reject Alternative A—a logically inconsistent weighting.[68]

G. De Minimis Finding Is Legally Defective

A project that severs 15,971 linear feet of a 165-year-old canal system cannot be considered to have a "de minimis" impact on that resource.[69]

---

[63] Utah Code § 73-1-7; Utah Const. Art. I, Sec. 22; U.S. Const. Amend. V.

[64] Stubbs v. Ercanbrack, 368 P.2d 461 (Utah 1962); DEIS Ch. 3, pp. 3-244 to 3-252.

[65] Utah Code § 73-3-11; DEIS Ch. 3, pp. 3-260 to 3-268.

[66] Sackett v. EPA, 598 U.S. 651 (2023); CWA § 404.

[67] 36 C.F.R. § 800.2(c)(3) (consulting party requirements); DEIS Ch. 4, Sec. 4.9.1.

[68] DEIS Ch. 4, Table 4.5-3; 23 C.F.R. § 774.3; DEIS Ch. 3, Table 3.12-6.

[69] 23 C.F.R. § 774.3(c); DEIS Ch. 4, Sec. 4.7.

H. Rock Creek Impact Disparity

Alternative B impacts 910% more Rock Creek canal infrastructure than Alternative A. This disparity is mentioned but never factored in the alternatives comparison.[70]

I. Conditional Impairment of Access Rights

Limiting NFIC access to their water structures and only providing "access keys" to service senior water infrastructure constitutes a conditional impairment of a vested property right.[71] UDOT has no proposed agreement with the NFIC on how any water structures that end up under the highway will be maintained.

J. Section 408 and Bureau of Reclamation

Interference with the Provo River Project requires a mandatory Section 408 review.[72]

K. Agriculture Protection Areas

Alternative B impacts **225% more APA acreage** than Alternative A (38.4 vs. 11.8 acres).[73]

L. Utah Constitutional Water Protection

Article XI, Section 6 of the Utah Constitution prohibits the state from disposing of or impairing the use of water rights. Alternative B's conversion of gravity-flow rights to mechanical systems compromises NFIC's constitutional protection on their water rights.[74]

M. Relocation Act and Uniform Act Compliance

UDOT's relocation cost estimate is "not based on an appraised value" by its own admission.[75] UDOT's 2025 acquisitions in the North Field area have inflated land values to three to four times higher than the cost estimates they have included in Alternative B, as documented in publicly available records.

N. Farmland Protection Policy Act

Alternative B impacts 223 acres of regulated farmland versus 179 for Alternative A. The DEIS does not disclose the NRCS Farmland Rating Form (AD-1006) score.[76]

O. Eminent Domain Protections

Utah's eminent domain statutes require that UDOT demonstrate that the taking serves a genuine public purpose and that the condemnor has negotiated in good faith.[77]

P. Incomplete Endangered Species Act Compliance

The DEIS identifies Ute ladies'-tresses (Spiranthes diluvialis), a federally threatened orchid, as potentially present in the evaluation area (Section 3.14, Table 3.14-2). The species has been documented within two miles of the project corridor (UDWR 2025a; last observed 1996). Its

---

[70] DEIS Ch. 3, Table 3.12-4.

[71] DEIS Ch. 5, pp. 5-45 to 5-52.

[72] 33 U.S.C. § 408; DEIS Ch. 4, pp. 4-610 to 4-622.

[73] U.C.A. § 17-41; DEIS Ch. 4, Table 4.7-2.

[74] Utah Const. Art. XI, § 6.

[75] 42 U.S.C. § 4601 (Uniform Relocation Act); DEIS App. 2F, p. 13, fn. 1.

[76] 7 U.S.C. § 4201 (FPPA); DEIS App. 3B.

[77] Utah Code § 78B-6-501 et seq.

preferred habitat includes irrigated meadows, canal corridors, sub-irrigated stream channels, and seasonally flooded terraces—a near-exact description of the North Fields landscape that NFIC's gravity-flow irrigation system has sustained for 165 years. USFWS's own species guidance notes that Ute ladies'-tresses populations have been observed along 'irrigation canals, berms, levees, irrigated meadows, excavated gravel pits, roadside barrow pits, reservoirs, and other human-modified wetlands' (Table 3.14-2, citing Fertig and others 2005).

Despite this, the DEIS admits that 84 acres of the evaluation area have not been surveyed for potentially suitable habitat and defers those surveys to the 2025 field season (Section 3.22.2.2). The DEIS was published in January 2026 before survey results were incorporated into the environmental analysis and before any Section 7 consultation was initiated or completed. No formal Section 7 consultation with the U.S. Fish and Wildlife Service has been initiated or completed. UDOT has selected a preferred alternative before completing the mandatory ESA process.

This creates an additional, independent deficiency: Alternative B would sever the very irrigation infrastructure that creates the wet meadow and sub-irrigated conditions constituting Ute ladies'-tresses habitat. By destroying the water delivery system that sustains potentially suitable habitat, Alternative B may cause indirect habitat destruction that has not been studied, surveyed, or consulted upon. Under the ESA, a federal agency may not commit to an action that is likely to jeopardize a listed species or destroy critical habitat without completing consultation (16 U.S.C. § 1536(a)(2)). UDOT cannot defer ESA compliance to after the Record of Decision any more than it can defer NEPA compliance. This is particularly significant because ESA Section 7 consultation requires coordination with USFWS—an independent federal agency whose authority UDOT cannot self-assign under the 23 U.S.C. § 327 NEPA delegation. The ESA creates an independent federal checkpoint that UDOT must clear before any Record of Decision can issue.

V. COST AND FINANCIAL DEFICIENCIES

UDOT's $760.5 million cost estimate for Alternative B is fundamentally incomplete. By deferring the design of mandatory infrastructure to after the Record of Decision, UDOT has excluded from the budget every major cost item that makes Alternative B more expensive than it appears: no groundwater collector system, no farm overpasses, no severance damages, no water rights acquisition, no wetland mitigation land purchase, and no siphon maintenance equipment. When these omitted items are included, the true cost of Alternative B likely exceeds $1 billion—transforming UDOT's "fairly negligible" $48.6 million premium into a financial gap of hundreds of millions of dollars.

UDOT's Alternative B budget is also fundamentally flawed as it accounts only for the physical footprint of the roadway.[78] The true cost, when omissions are included, **likely exceeds $1 billion**. Some, but not all costs, are detailed below and described more in the Deficiency Index attached to this comment.

A. Groundwater Collector System

No design and no cost estimate for the mandatory groundwater collector system.[79]

B. Landowner Access & Cattle-Drive and Equipment Underpasses

The DEIS identifies grade-separated crossings at 1200 North, 1800 North, and Northfield Road (600 West), but describes them only as road crossings—not as structures designed for livestock or farm equipment. No cattle-specific crossing appears anywhere in the DEIS. UDOT represented at the February 11, 2026 County meeting that farm overpasses—including at 2400 North—would be constructed, yet 2400 North is not identified as a crossing location in the DEIS, and no crossing in the document includes agricultural design specifications (clearance, width, livestock fencing, noise mitigation). These are mandatory cost items that UDOT has verbally committed to but excluded from the $760.5 million estimate. This is not an oversight—it is a systematic understatement of Alternative B's true cost. Additionally, the DEIS places a public multi-use trail crossing at 600 West at grade (Section 3.9, p. 3-109)—the same location where cattle and farm equipment currently travel. This creates an unstudied triple conflict zone of freeway traffic overhead, recreational trail users at grade, and livestock/farm operations on the same road.[80]

C. Severance Damages

UDOT has omitted severance damages to farms bisected by the highway.[81]

D. Water Rights and Canal Easement Acquisition

No budget line for acquiring 160-year-old senior water rights and canal easements.[82]

E. Wetland Mitigation Land

108 to 809 acres of mitigation land may be required with no disclosed budget.[83]

F. Agricultural Relocation Costs

[78] DEIS Ch. 5, pp. 5-110 to 5-118 (project cost methodology).

[79] DEIS Ch. 2, pp. 2-45 to 2-51 (absent from budget).

[80] DEIS Section 3.7, p. 3-93; Section 3.5.3.4; Section 3.9, p. 3-109; Visual Technical Report, p. 50; WOLB Feb. 11, 2026 Update; DEIS Ch. 2, pp. 2-288 to 2-296.

[81] DEIS Ch. 5, pp. 5-144 to 5-168.

[82] DEIS Ch. 5, pp. 5-160 to 5-168; DEIS Ch. 3, pp. 3-244 to 3-252.

[83] DEIS App. 2F; DEIS App. 3N; DEIS Ch. 3, p. 24 per WOLB Comments.

UDOT's relocation estimate is "not based on an appraised value."[84] **No Replacement Land Exists at Any Price.** Even if UDOT were willing to pay full market value for displaced agricultural operations, there is no equivalent farmland available for purchase in Wasatch County with the same soil type, water table depth, and gravity-flow irrigation access. The DEIS contains no inventory of replacement parcels and no analysis of land availability. This means the agricultural losses caused by Alternative B are not merely expensive to mitigate — they are permanent and irreversible. The cost of destroying irreplaceable farmland is infinite, and the DEIS assigns it a value of zero.

G. Siphon Maintenance Infrastructure

No budget for specialized maintenance equipment that shareholders will be forced to acquire.[85]

H. True Cost Summary

The following estimates illustrate the approximate magnitude of costs that the DEIS excludes from the Alternative B budget. NFIC acknowledges that these estimates are approximate because UDOT has not produced the engineering designs necessary to generate precise figures—which is itself a deficiency. However, even conservative estimates demonstrate that Alternative B's true cost far exceeds the $760.5 million disclosed:

DEIS Base Cost (Alternative B): $760.5 million (DEIS App. 2E, p. 30). Groundwater Collector System: $40–80 million (comparable deep-drainage infrastructure). Farm Overpasses and Cattle Crossings (4+ structures): $20–40 million (per-structure costs for grade-separated rural crossings). Severance Damages to bisected parcels: $30–60 million (Utah eminent domain precedent; 40+ parcels affected). Water Rights and Canal Easement Acquisition: $25–50 million (160-year senior rights; 15,971 linear feet of NRHP-eligible canal). Wetland Mitigation Land (108–809 acres): $20–80 million (current North Fields land values). Agricultural Business Buy-Outs: $15–30 million (going-concern value of displaced operations). Siphon Maintenance Equipment (perpetual): $5–10 million (specialized robotic/vacuum systems). Relocation Cost Correction to appraised value: $10–25 million (UDOT admits current estimates 'not based on appraisal').

The estimated true cost of Alternative B ranges from $925 million to $1.135 billion. The true cost premium over Alternative A is therefore $213 million to $423 million—four to nine times the $48.6 million differential that UDOT characterizes as 'fairly negligible.' This is not a rounding error. It is a systematic understatement of the financial commitment the State of Utah would be making.

I. UDOT's "Fairly Negligible" Characterization

A minimum $48.6 million premium is not negligible by any standard.[86]

J. Artificial Land Appreciation

UDOT has inflated land values to 3–4 times historical values based on recent acquisitions, as documented in publicly available records.[87]

K. Farmland Rating Undisclosed

The NRCS Farmland Rating Form (AD-1006) score is not disclosed in the DEIS.[88]

L. Physiological Stress and Livestock Loss

[84] DEIS App. 2F, p. 13, fn. 1.

[85] DEIS Ch. 3, pp. 3-344 to 3-352.

[86] DEIS Ch. 4, Sec. 4.7.7; DEIS App. 2E, p. 30.

[87] DEIS Ch. 3, pp. 3-604 to 3-612; Utah Code § 72-5-1. See UDOT's recent purchase agreements near Midway Lane in 2025.

[88] DEIS App. 3B (Farmland Forms).

No budget for construction-induced livestock stress leading to shrinkage and miscarriage.[89] UDOT has no plan on how to mitigate this loss to the neighboring agricultural businesses.

M. Agricultural Business Buy-Out Costs

Alternative B will render some agricultural operations completely non-viable by bisecting parcels into fragments too small for commercial haying or grazing. The DEIS contains no cost estimate for total economic buy-outs of agricultural businesses that cannot continue operating after the highway is built. This is a mandatory cost item: when a condemnor's action destroys a business, the full going-concern value of that enterprise is a compensable taking. By omitting this line item, UDOT understates the true cost of Alternative B.[90]

[89] AVMA: Environmental Noise and Animal Welfare, Vol. 32, pp. 44-58; DEIS Ch. 3 (absent).

[90] DEIS Ch. 5, pp. 5-144 to 5-168 (absent — no total economic buy-out cost analysis for defunct agricultural operations).

VI. TRAFFIC MODELING AND ALTERNATIVES DEFICIENCIES

The DEIS claims that removing 25% of traffic from Main Street will produce a 73.6% reduction in travel time—a mathematical impossibility in any real-world traffic environment where 75% of vehicles are local and signal cycles, pedestrian crossings, and slow-moving traffic persist. The entire minimum $48.6 million+ cost premium of Alternative B over Alternative A purchases just 70 additional seconds of travel time, and even that marginal benefit is calculated using a summer traffic model that UDOT's own records label "Not Calibrated."[91]

A. Mathematical Impossibility in Travel Time Claims

The DEIS claims that diverting just 25% of traffic onto the bypass produces a 73.6% travel time reduction — asserting that 2050 regional travel time from SR-32 to US-189 falls from 23 minutes and 40 seconds under the No-action Alternative to just 6 minutes and 15 seconds with Alternative B. This is a mathematical impossibility. UDOT's own data categorizes 75% of current traffic as local traffic that will remain on Main Street regardless. If 75% of vehicles remain on Main Street, then all signal cycles, pedestrian crossings, turning movements, and intersection geometry remain unchanged. In transportation engineering, a 25% volume reduction on a signalized urban arterial typically yields a travel time improvement of 10–15%, not 75%. UDOT has not disclosed the methodology that produces a 75% improvement from a 25% reduction—because no standard traffic model produces that result. The DEIS travel time claim is not conservative, not optimistic—it is arithmetically indefensible.[92]

B. The 70-Second Marginal Utility Problem

Alternative B spends a **minimum of $48.6 million more** to save only **70 seconds** compared to Alternative A.[93]

C. Uncalibrated Summer Traffic Model

The summer traffic model is labeled "Not Calibrated."[94]

D. Induced Demand and Sprawl

The traffic model is fundamentally flawed because it fails to account for induced demand. While UDOT acknowledges the project will facilitate urban sprawl, their projections ignore the significant volume of new traffic that this sprawl will generate in their model.[95]

E. Failure to Study the One-Way Couplet

---

[91] DEIS App. 5A (UDOT & MAG Travel Demand Model Meetings), Meeting Summary dated December 11, 2023, pp. 2–3, including sensitivity analysis presentation slides (labeled "DRAFT 10/19/23" and "DRAFT 12/12/23") which state: "Spring season – Calibrated"; "Summer season – Not calibrated"; and "Season: Summer season used for HVC EIS." The document is labeled "DRAFT FOR INTERNAL USE ONLY" but is published in the official DEIS record as Appendix 5A.

[92] DEIS App. 2E (Preferred Alternative Technical Report), Table 2 (Southbound PM Peak-hour Regional Travel Time from River Road/SR-32 to US-189 and US-40), p. 3 (No-action: 23:40; Alternative B: 6:15; reduction: 73.6% faster than No-action). Confirmed in DEIS App. 2C (Action Alternatives Traffic Memo, Parametrix, September 17, 2025), Table 4 (PM Peak Hour Regional Travel Times Comparison by Route).

[93] DEIS Ch. 5, pp. 5-11 to 5-15.

[94] DEIS App. 5A (UDOT & MAG Travel Demand Model Meetings), Meeting Summary dated December 11, 2023, pp. 2–3, including sensitivity analysis presentation slides (labeled "DRAFT 10/19/23" and "DRAFT 12/12/23") which state: "Spring season – Calibrated"; "Summer season – Not calibrated"; and "Season: Summer season used for HVC EIS." The document is labeled "DRAFT FOR INTERNAL USE ONLY" but is published in the official DEIS record as Appendix 5A.

[95] DEIS Ch. 3, pp. 3-210 to 3-220; DEIS Ch. 3, pp. 3-18 to 3-22.

The DEIS failed to perform a rigorous analysis of the 100 East/100 West One-Way Couplet despite Heber City's formal support.[96]

F. Traffic Model Version Discrepancy

As outlined by the UDOT traffic modeling, the v1 and v2 traffic models show discrepancies in projected volumes.[97] This raises the question about the validity of the traffic models themselves.

G. Do-Nothing Baseline Methodology

UDOT measured city-grid optimization alternatives against a "do-nothing" baseline rather than a "smart-build" baseline that includes signal timing optimization, intersection improvements, and access management. This methodology artificially inflates the comparative benefit of the bypass alternatives by measuring them against the worst possible scenario for the existing road network. A fair comparison would measure bypass benefits against a baseline that includes the low-cost improvements the city would make regardless of the bypass decision.[98]

H. UDOT Cannot Legally Achieve Its Truck Traffic Purpose

A core justification for Alternative B over Alternative A is relief of Heber City's Main Street from regional truck traffic. Yet UDOT acknowledges in the DEIS that it has "limited authority to restrict trucks on US-40" and can only "encourage"—not compel—truck traffic to use the bypass. DEIS at 1-33. Without a legal mechanism to redirect commercial vehicles, the truck traffic reduction rationale is speculative and cannot constitute a legitimate project purpose under NEPA. If UDOT cannot legally achieve this stated objective, the cost-benefit comparison between alternatives—which weights the $48.6 million premium for Alternative B against a suite of mobility benefits including truck diversion—is built on a false premise. The public has not been informed that one of the primary justifications for spending over $760 million cannot legally be achieved.

[96] DEIS Ch. 2, pp. 2-244 to 2-252; Heber City Council Resolution 2023-14; DEIS Ch. 2, pp. 2-33 to 2-62.

[97] DEIS App. 5A, TDM Meetings (documenting version differences).

[98] DEIS Ch. 2, pp. 2-244 to 2-252; Heber City Council Resolution 2023-14.

VII. PROPERTY, AGRICULTURE, AND LAND USE DEFICIENCIES

Alternative B would sever the North Fields—bisecting farms into non-viable fragments, cutting 600 West and funneling all access to 2,800+ acres through a single interchange, and converting protected agricultural land to highway use in direct contradiction of the community's Envision 2050 General Plan, A-20 agricultural zoning, and the 2018 Open Space Bond that voters approved specifically to protect this landscape. UDOT's own analysis admits Alternative B will create "tremendous growth pressure" and serve as the future boundary for urban expansion—effectively weaponizing the highway as a catalyst for the very sprawl the community voted to prevent. Compounding these failures, UDOT proposes a 250-foot right-of-way—three times the width the community was told to expect—contradicts decades of local planning that envisioned a bypass along the US-40 corridor, and introduces a public recreation trail through an active livestock operation without studying the resulting conflicts.

A. Alignment Refinement

NFIC reiterates its demand that any new roadway be moved as far east of 600 West as close to US Highway 40 as possible. The logic is straightforward: wetlands, irrigation infrastructure, and agricultural parcels are concentrated in the western half of the North Fields, closer to the Provo River. The closer the alignment sits to US-40 on the eastern edge, the fewer of these resources it crosses. Every foot of westward shift increases the project's environmental footprint, mitigation cost, and legal exposure. NFIC has communicated this principle to UDOT repeatedly, and the DEIS contains no analysis demonstrating otherwise. An eastward-shifted alignment would also reduce the number and scale of grade-separated crossings required, because fewer east-west county roads and canal crossings would be intersected. This further reduces the cost premium and the agricultural disruption, and it eliminates the need for the constrained underpass configurations at 1200 North, 1800 North, and Northfield Road that the DEIS proposes but has not designed.[99]

B. Operational Continuity and Cattle Corridors

Shifting the alignment east preserves 600 West as the main cattle-drive run and equipment corridor. The DEIS acknowledges that North Fields ranchers currently use 600 West and other county roads to move livestock and farm equipment (Section 3.5.3.4), yet proposes to replace 600 West's unrestricted at-grade road with a constrained underpass beneath a freeway—without any analysis of whether cattle will use it, whether farm equipment will fit through it, or whether NFIC maintenance vehicles can access canal infrastructure on both sides.[100]

C. 600 West Severance and Access

Alternative B replaces 600 West's unrestricted at-grade access with a constrained underpass beneath the freeway. UDOT's own DEIS describes this as 'preserving (though altering) existing access'—language that is itself an admission that access is impaired, not preserved. The underpass is designed for vehicular traffic; the DEIS contains no analysis of whether it accommodates cattle drives, oversize farm equipment, or irrigation maintenance operations. The DEIS confirms the design: 'The trail would cross 600 West at grade (the corridor would go over 600 West)' (Section 3.9, p. 3-109). 600 West will pass beneath an elevated freeway with no disclosed dimensions—no clearance height, no roadway width beneath the structure, no shoulder dimensions. The Visual Technical Report photo simulations (Figures 3-5 and 3-19) show the underpass but reveal no features designed for livestock or agricultural equipment. Combined with the elimination of direct at-grade crossings elsewhere in the North Fields, Alternative B funnels all access to 2,800+ acres

[99] NFIC Meeting Minutes 2022; DEIS Ch. 2, pp. 2-102 to 2-110.

[100] DEIS Section 3.5.3.4; Section 3.7, pp. 3-91, 3-93; DEIS Ch. 3, pp. 3-62 to 3-68; NFIC Comments.

through a limited number of grade-separated crossings and the SR-113 interchange, fundamentally transforming the character of agricultural access without studying the consequences.[101]

D. Emergency Access Hazard

Single-point-of-failure access for 2,800+ acres violates Wasatch County EVA Guidelines.[102]

E. Farm Bisection as Displacement & Irreplaceable Soil Type and Agricultural Land Scarcity

Agricultural enterprises cannot be “relocated” like retail stores.[103]

The North Fields contain a unique combination of high-quality agricultural soils, shallow groundwater access, and gravity-fed irrigation infrastructure that has sustained continuous agricultural production for over 160 years. The specific soil types present in the North Fields — alluvial soils deposited by the Provo River system with high organic content and natural moisture retention — are not replicated elsewhere in the Heber Valley or in Wasatch County. There is no equivalent land available to which displaced agricultural operations could relocate.

The DEIS treats farmland as a fungible commodity that can be offset through monetary compensation or replaced with equivalent acreage elsewhere. This assumption is false. The agricultural productivity of the North Fields is a function of the specific intersection of soil composition, elevation, water table depth, gravity-flow irrigation access, and 160 years of continuous improvement through flood irrigation that has built organic matter and maintained soil structure. These conditions cannot be replicated on adjacent hillsides, bench lands, or parcels outside the floodplain.

NFIC formally placed UDOT on notice in June 2022 that "mitigation cannot be only money" because this land is irreplaceable. The DEIS ignores this warning entirely. No soil analysis comparing the North Fields to potential replacement parcels appears in the DEIS. No inventory of available equivalent agricultural land in Wasatch County was conducted. The Farmland Protection Policy Act requires consideration of whether equivalent farmland exists — yet the DEIS does not even disclose the NRCS Farmland Rating Form (AD-1006) score, which would quantify the quality and scarcity of the soils being destroyed.

UDOT did not study the availability of replacement farmland with equivalent soil type, water access, and agricultural productivity in the DEIS.[104]

Furthermore, no parcel fragmentation analysis was conducted. Modern haying and grazing operations require contiguous tracts of sufficient size to be economically viable. The DEIS does not study how many parcels will be bisected into sub-viable fragments, does not calculate the resulting loss of agricultural productivity, and does not account for the economic consequences of rendering working farms too small to operate.[105]

F. Violation of Envision 2050 and Community Will

This alignment contradicts the Envision 2050 General Plan. **77% of respondents** wanted to protect the North Fields and their open space.[106]

---

[101] DEIS Section 3.7, pp. 3-93 to 3-94; Section 3.5.3.4; Section 3.9, p. 3-109; Visual Technical Report, Figs. 3-5 and 3-19; DEIS Ch. 2, pp. 2-30 to 2-31.

[102] DEIS Ch. 3, pp. 3-644 to 3-652; Wasatch County Code Sec. 16.02.08.

[103] DEIS Ch. 5, pp. 5-34 to 5-40; DEIS Ch. 3, pp. 3-90 to 3-98.

[104] DEIS Ch. 3 (absent — no soil analysis); DEIS App. 3B; NFIC Meeting Minutes 2022.

[105] DEIS Ch. 3 (absent — no parcel fragmentation analysis); DEIS Ch. 5, pp. 5-144 to 5-168.

[106] Envision Heber 2050 General Plan, pp. 10, 17, 59; DEIS Ch. 3, pp. 3-7 to 3-8.

G. Violation of A-20 Agricultural Zoning

UDOT admits Alternative B will serve as the future boundary for Heber City's westward expansion.[107]

H. Absence from Local Master Plans

The proposed bypass does not exist on any current Wasatch County Zoning Map.[108]

I. 2018 Open Space Bond Undermined

Alternative B undermines the 2018 Open Space Bond that voters approved to protect this type of land.[109]

J. WOLB Impact and ROW Discrepancy

The Wasatch Open Lands Board identified 149.72 acres of direct impact to Agricultural Protection Area-designated lands under Alternative B, compared to only 33.85 acres under Alternative A — a 4.4:1 disparity that UDOT failed to analyze under U.C.A. 17-41-406(3)'s requirement to 'make reasonable efforts to minimize or eliminate any detrimental impact on agriculture.'[110]

K. Conservation Easement Blocking

UDOT intervened to block NRCS conservation easement funding in May 2024.[111]

In addition, three other WOLB conservation easement Notices of Intent in the North Fields have been frozen for more than three years due to DEIS uncertainty. Alternative A would allow all of these easements to proceed, permanently protecting farmland and open space. Alternative B makes them impossible. UDOT's selection of the alternative that destroys the very land these easements were designed to protect—while simultaneously blocking federal funding for those protections—demonstrates a pattern of predetermination.[112]

L. USDA Census Data Ignored

The DEIS does not incorporate the readily available United States Department of Agriculture ("USDA") Census of Agriculture (2022) data for the Heber Valley.[113]

M. Right-of-Way Width Discrepancy

The DEIS proposes a right-of-way width of 250 feet for Alternative B—three times the 84-foot width assumed in Heber City and Wasatch County preservation corridor plans. UDOT never disclosed this discrepancy to the public or to local planners. A 250-foot right-of-way consumes substantially more farmland, wetland, and open space than the community was led to expect, and the DEIS contains no analysis of whether a narrower cross-section could achieve the project's transportation objectives with less environmental impact.[114]

---

[107] Wasatch County Code Ch. 16.06 (A-20); DEIS Ch. 3, pp. 3-444 to 3-452.

[108] Wasatch County General Plan & Zoning Maps; DEIS Ch. 3, pp. 3-412 to 3-418.

[109] DEIS Ch. 3, pp. 3-7 to 3-9; Heber City Resolution 2007-05; WOLB Comments.

[110] Wasatch Open Lands Board (WOLB), Comments to Wasatch County Council Regarding the Heber Valley Corridor DEIS, February 10, 2026, p. 12 (Agricultural Protection Area Parcels in North Fields, analysis prepared September 2025 by Wasatch County Planning Office and WOLB Chair, identifying Alternative B acreage overlap of 149.72 acres across 10–14 parcels, compared to 33.85 acres for Alternative A across 4–7 parcels).

[111] DEIS Ch. 5, p. 14; WOLB Comments.

[112] WOLB Comments; DEIS Ch. 5, p. 14; NRCS records.

[113] DEIS Ch. 3 (absent); USDA Census of Agriculture 2022.

[114] DEIS Ch. 2, pp. 2-30 to 2-31; Wasatch County General Plan; Heber City Preservation Corridor Plans.

N. Contradiction of US-40 Corridor Planning

Alternative B contradicts decades of local transportation planning that envisioned any future bypass running along the existing US-40 corridor. By swinging the alignment westward into the heart of the North Fields—away from US-40 and into protected agricultural land—UDOT departed from the community's long-term planning consensus without explanation. The DEIS does not acknowledge this planning history or explain why the US-40 corridor was abandoned in favor of a route that maximizes impacts to farmland, wetlands, and irrigation infrastructure.[115]

O. Trail and Agricultural Operations Conflict

Both action alternatives include a multi-use public trail running through the North Fields alongside the highway corridor. The DEIS does not study, acknowledge, or propose mitigation for the inevitable conflicts between recreational trail users and active agricultural operations. The North Fields are a working landscape where cattle are moved on foot between pastures, heavy agricultural equipment operates on shared roads, irrigation infrastructure requires regular ditch maintenance with excavation equipment, and electric fencing and livestock containment systems run adjacent to access routes. Introducing a public trail through an active grazing and haying operation creates serious liability and safety concerns that the DEIS entirely ignores. No operational protocol for trail access during cattle drives, irrigation maintenance, spraying, or haying operations, no fencing plan, no seasonal closure protocol, no liability framework, and no consultation with NFIC or North Fields ranchers appears anywhere in the DEIS. The conflict is most acute at 600 West, where the DEIS places the multi-use trail crossing at grade on the same road that UDOT acknowledges is used for cattle drives and farm equipment movement (Section 3.5.3.4; Section 3.9, p. 3-109). This crossing occurs directly beneath the elevated freeway corridor, creating a compressed zone where recreational users, livestock, farm equipment, and the visual and noise impacts of an elevated highway all converge—with no separation, no operational protocol, and no analysis.[116]

P. Bypass May Destroy the Downtown Economy It Claims to Revitalize

UDOT has not studied whether Alternative B's bypass would harm the very downtown economy it claims to revitalize. Highway bypasses have a documented history of reducing traffic to downtown businesses (see, e.g., FHWA, "The Effects of Highway Bypasses on Rural Communities and Small Urban Areas," FHWA-PD-94-023 (1994))—particularly restaurants, retail establishments, and service businesses—that depend on through traffic for economic viability. UDOT does not analyze whether diverting through traffic onto a bypass reduces the customer base for Main Street businesses, nor does it study examples of similarly situated rural communities where bypass construction produced the opposite of the intended economic effect. UDOT also cannot reduce Main Street to a quiet two-lane street as its vision implies—recent annexations and existing traffic volumes require maintaining the four-lane configuration regardless of whether a bypass is built. DEIS at 1-33. The DEIS contains no economic analysis of bypass impacts on existing downtown businesses and no modeling of post-bypass Main Street commercial viability.

VIII. HISTORIC AND CULTURAL RESOURCE DEFICIENCIES

NFIC's canal system is among the oldest continuously operating irrigation systems in the Intermountain West, with infrastructure dating to 1860 that is eligible for the National Register of Historic Places. Despite this, NFIC was never invited as a consulting party under Section 106, the DEIS assigns a legally defective "de minimis" finding to Alternative B's impact on 15,971 linear feet of historic canal, and the Section 4(f) evaluation uses canal impacts to penalize Alternative A while

[115] Wasatch County General Plan & Transportation Element; DEIS Ch. 2, pp. 2-8 to 2-14.

[116] DEIS Ch. 2 (trail design); DEIS Ch. 3 (absent — no trail/agricultural conflict analysis).

excusing Alternative B's larger impacts—a logically inconsistent weighting that biases the entire Least Overall Harm determination.

A. Section 106 Consulting Party Failure

NFIC was never invited as a consulting party for Section 106 review.[117]

B. De Minimis Finding Is Legally Defective

A project severing 15,971 linear feet of a 165-year-old canal system cannot be considered de minimis or classified as insignificant.[118]

C. Asymmetric Treatment in Least Overall Harm

The Section 4(f) evaluation penalizes Alternative A for canal impacts while assigning de minimis to Alternative B's larger impacts.[119]

D. Rock Creek Canal Disparity

Alternative B impacts 910% more Rock Creek canal infrastructure. UDOT has not budgeted for or provided any plan on how to pay to re-route ditches and change the water system in a way that keeps the gravity-flow system of the NFIC intact for their shareholders. Under Alternative B, the Rock Creek/Rock Ditch system is crossed numerous times in the North Fields Extension segment. The grade-separated crossings at 1200 North, 1800 North, and Northfield Road—structures at least 24 feet tall with massive concrete abutments and foundations—will be constructed directly through or adjacent to these canal alignments. No design showing how the canal system will be maintained under, around, or through these structures exists in the DEIS.[120]

E. Rural Historic Landscape

The North Fields and the NFIC water system constitutes a Rural Historic Landscape eligible for the National Register.[121]

IX. UNFUNDED MANDATES AND MAINTENANCE LIABILITY

UDOT's proposed siphon-and-pipe infrastructure would transfer a permanent, specialized maintenance burden to NFIC shareholders who do not own—and cannot afford—the robotic, vacuum, and mechanical equipment required to keep underground siphons operational. NFIC will not accept the conversion of a 165-year-old gravity-flow system into a mechanical dependency, nor will it accept perpetual financial responsibility for maintaining state-installed highway infrastructure.

A. Burden of Siphon Infrastructure

NFIC does not own the specialized equipment required to maintain UDOT's proposed subterranean siphons.[122]

B. Unfunded Perpetual Liability

[117] 36 C.F.R. § 800.2(c)(3); DEIS Ch. 4, Sec. 4.9.1.
[118] 23 C.F.R. § 774.3(c); DEIS Ch. 4, Sec. 4.7.
[119] DEIS Ch. 4, Table 4.5-3; DEIS Ch. 3, Table 3.12-6.
[120] DEIS Ch. 3, Table 3.12-4.
[121] NHPA Section 106; 36 C.F.R. Part 800; DEIS Ch. 3, pp. 3-288 to 3-296.
[122] DEIS Ch. 3, pp. 3-344 to 3-352; NFIC Meeting Minutes 2022.

NFIC will not accept the transfer of state infrastructure maintenance costs. UDOT must bear perpetual responsibility for any infrastructure it installs that affects NFIC's water delivery system.[123]

[123] NFIC Meeting Minutes 2022 & 2025.

X. FORMAL DEMAND FOR SUPPLEMENTAL DEIS

UDOT needs to perform all necessary studies and procedures identified in this formal comment before a final route is selected so that the public and affected landowners and entities can properly evaluate the damage and effects of Alternative B. The current DEIS is grossly understated and underbudgeted; its conclusions are misstated and incomplete.

The deficiencies identified in this letter and in the accompanying Exhibit A are not minor technical quibbles—they are fundamental failures of analysis, legal compliance, and public process that individually and collectively render the DEIS inadequate as a basis for a Record of Decision.

For all of the reasons set forth in this letter and in the accompanying Exhibit A: NFIC DEIS Deficiency Index (which catalogs 111 specific deficiencies, of which 42 are FATAL and 69 are MAJOR), the NFIC formally demands the following:

1. Selection of **Alternative A** as the preferred option—which impacts fewer wetlands (22.52 vs. 53.92 acres), less regulated farmland (179 vs. 223 acres), fewer Agriculture Protection Areas (11.8 vs. 38.4 acres), fewer historic canal systems (10,206 vs. 15,971 linear feet), and costs less ($711.9M vs. $760.5M+); OR
2. A **strategic realignment of Alternative B as east of 600 West as close to US Highway 40 as possible**, preserving NFIC's water delivery infrastructure, maintaining farm access, and protecting the aquifer while minimizing costs and mitigation. NFIC board members and officers present at the June 2022 and June 2025 coordination meetings attest that NFIC presented UDOT with aerial maps identifying a specific practicable corridor running east of 600 West and parallel to US Highway 40. That corridor has never been studied. UDOT is obligated to analyze it before any Record of Decision issues.
3. Preparation of a Supplemental DEIS that addresses all 111 deficiencies (42 FATAL, 69 MAJOR) identified in Exhibit A before any Record of Decision is issued.
4. Completion of all studies identified in this letter—including pump-test modeling, hydrogeologic dam analysis, groundwater travel-time study, cumulative effects analysis, hydraulic pressure gradient study, and a comprehensive agricultural compatibility analysis for all proposed grade-separated crossings, including minimum clearance heights, roadway widths, livestock passage design specifications, farm equipment accommodation, NFIC canal maintenance vehicle access, and noise/light/vibration impacts on adjacent livestock operations—before any final route is selected.
5. Invitation of NFIC as a **Section 106 consulting party** for the cultural resource review.
6. UDOT must consult with UDAF according to the best practices under the Utah Agricultural Protection Act.
7. A formal written commitment that UDOT will bear **perpetual maintenance responsibility** for any infrastructure it installs that affects NFIC's water delivery system.
8. UDOT must engage in good-faith technical discussions with NFIC regarding a NFIC-managed groundwater recharge program to address the following consequences of Alternative B that the DEIS leaves entirely unstudied: (a) the loss of passive aquifer recharge from the conversion of 241 acres+ of flood-irrigated cropland; (b) the loss of beneficial use designation for water rights whose delivery infrastructure is severed by the highway; and (c) the long-term depletion of the Class IA aquifer that provides drinking water to Heber City, Midway, and Charleston. NFIC has the institutional knowledge, the water rights seniority, and the operational infrastructure to manage such a program. UDOT has an obligation to study it as a reasonable mitigation measure under NEPA before any Record of Decision issues. The cost of establishing, funding, and operating this program must be included in the true cost estimate for Alternative B. See Formal Comment, Section III.G; Section III.M.

9. An immediate meeting with UDOT engineers and planning staff to discuss these deficiencies and plan a least-impactful route, including a specific agenda item addressing the design specifications of all North Fields grade-separated crossings and UDOT's verbal commitments regarding cattle crossings and farm equipment passages that are absent from the DEIS.
10. NFIC expressly reserves all legal rights and remedies available under federal and state law, including but not limited to: judicial review of the final agency action under the Administrative Procedure Act (5 U.S.C. § 706); challenges under the National Environmental Policy Act (42 U.S.C. § 4332); claims under the Clean Water Act (33 U.S.C. § 1344); claims under the Endangered Species Act (16 U.S.C. § 1536); regulatory taking and inverse condemnation claims under the Fifth Amendment to the U.S. Constitution and Article I, Section 22 of the Utah Constitution; water rights impairment claims under Utah Code § 73-1-7; and any and all other causes of action that may arise from UDOT's selection and implementation of Alternative B. This formal comment letter and the accompanying Exhibit A constitute a comprehensive record of the deficiencies NFIC has identified and placed on the public record during the DEIS comment period. NFIC's submission of these comments shall not be construed as a waiver of any claim, defense, or right not specifically addressed herein.

Respectfully,

Mark Wilson, President

Ed Clyde, Vice-President

Tom Brandner, Director

George Holmes, Director

Steve North, Director

The Board of Directors

North Field Irrigation Company

The digital signatures affixed to this letter have been authorized by resolution of the Board of Directors of the North Field Irrigation Company and are submitted on behalf of the full Board.

Enclosure: Exhibit A — NFIC DEIS Deficiency Index (111 Deficiencies, 42 FATAL, 69 MAJOR)

MASTER DEFICIENCY INDEX

Heber Valley Corridor Draft Environmental Impact Statement (DEIS)

Prepared by the North Field Irrigation Company | March 9, 2026

SUMMARY: This index catalogs 111 specific deficiencies identified in UDOT's DEIS for the Heber Valley Corridor Project. Of these, **42 are classified as FATAL** (deficiencies so severe they independently invalidate the DEIS conclusions or violate federal and state law) and **69 are classified as MAJOR** (significant omissions or flaws that materially misrepresent impacts or costs). Abbreviation Index at end of document.

Severity Key: **FATAL** = Independently invalidates DEIS or violates federal and state law | **MAJOR** = Significant omission that materially misrepresents impacts/costs

#	Category	Deficiency Description	Source Reference	Severity
A. PROCEDURAL & NEPA COMPLIANCE DEFICIENCIES				
1	**NEPA Hard Look**	UDOT deferred design of critical infrastructure (collector systems, ditch realignments, agricultural-compatible grade-separated crossings, and livestock passage structures) to post-ROD, violating NEPA's requirement to study impacts before the decision is made (40 C.F.R. § 1502.16). The DEIS describes the 600 West crossing only as a general vehicular underpass (Section 3.7, pp. 3-91 and 3-93; Visual Technical Report, Photo Simulations, Figures 3-5 and 3-19). No livestock-specific crossing design has been deferred—rather, no livestock-specific crossing design exists anywhere in the DEIS, deferred or otherwise.	DEIS Section 3.7, pp. 3-91, 3-93; Section 3.19.3.1; Visual Technical Report, Figs. 3-5, 3-19; 40 C.F.R. § 1502.16	**FATAL**
2	**NEPA Hard Look**	DEIS lacks 30% or 60% engineering design for proposed siphons, ditch realignments, and grade-separated crossings (including the 600 West underpass, and the crossings at 1200 North, 1800 North, and Northfield Road under Alternative B)—making it impossible for affected parties to evaluate functional equivalency. The DEIS provides no cross-sectional dimensions, clearance heights, width specifications, or structural design details for any crossing in the North Fields. Without these specifications, NFIC cannot evaluate whether its maintenance equipment can pass through, whether cattle can safely traverse these structures, or whether the crossings are compatible with the documented agricultural operations that UDOT's own DEIS acknowledges occur on these roads (Section 3.5.3.4).	DEIS Section 3.7, pp. 3-91, 3-93; Section 3.5.3.4; DEIS Ch. 5, pp. 5-210 to 5-218	**FATAL**
3	**Stakeholder Input**	UDOT ignored 44 months of formal NFIC warnings (2022–2025) regarding the hydrogeologic dam effect, aquifer risk, and design requirements. None of these warnings were incorporated into the DEIS. UDOT also ignored repeated written warnings from the U.S. Environmental Protection Agency. On November 3, 2021, EPA notified UDOT of the need to delineate wetlands to better inform alternatives selection and warned that the western alternatives could result in greater wetland impacts and may not be the LEDPA under CWA 404. On July 21, 2022, EPA again warned UDOT that sole focus on the western	NFIC Meeting Minutes 2022 & 2025	**MAJOR**

#	Category	Deficiency Description	Source Reference	Severity
		alternatives could result in an EIS that is inadequate for 404 permitting purposes. The DEIS does not demonstrate that UDOT responded to either EPA warning with substantive analysis. This failure establishes a documented pattern of disregarding expert notice on the project's most critical legal vulnerabilities. Source: EPA Memorandum to UDOT, Nov. 3, 2021; EPA Memorandum to UDOT, Jul. 21, 2022.		
4	**Stakeholder Input**	NFIC requested alignment east of 600 West in 2022. UDOT dismissed this request without conducting a technical practicability analysis based on actual NFIC operational data.	DEIS Ch. 2, pp. 2-8 to 2-14	**MAJOR**
5	**Agency Coordination**	UDOT never contacted the Utah State Commissioner of Agriculture and Food regarding modifications to protect Agricultural Protection Areas, as required by U.C.A. 17-81-307.	DEIS Ch. 5 Coordination (absent)	**MAJOR**
6	**Agency Coordination**	No evidence of Section 408 consultation with the Bureau of Reclamation regarding interference with the Provo River federal water project.	DEIS Ch. 4, pp. 4-610 to 4-622	**MAJOR**
7	**Public Process**	UDOT blocked NRCS conservation easement funding for the largest North Fields landowner (Gertsch) via letter dated May 23, 2024, while the DEIS was still pending. This action prejudiced the alternatives analysis by removing a land-protection option that could have reduced Alternative B's impacts.	DEIS Ch. 5, p. 14	**MAJOR**
102	**NEPA/CWA Integration**	UDOT explicitly states in DEIS Appendix 2F that it intends to submit the CWA § 404(b)(1) analysis to the Army Corps of Engineers separately, after the Record of Decision. This violates the 2023 NEPA Amendments, which mandate that all agencies evaluate proposals in a single environmental document (42 U.S.C. § 4336a(b)). It independently violates FHWA regulations requiring all environmental investigations be coordinated as a single process reflected in a single environmental document (23 C.F.R. § 771.105(a)). The Corps' own regulations separately require environmental documents be prepared concurrently and integrated (33 C.F.R. § 333.36). Neither UDOT nor HDR is authorized to make the 404(b)(1) LEDPA determination—that authority rests exclusively with the Corps District Engineer. By proceeding to a preferred alternative without Corps concurrence that Alternative B satisfies the LEDPA standard, UDOT has produced a DEIS that cannot support a lawful Record of Decision.	DEIS App. 2F, p. 1; 42 U.S.C. § 4336a(b); 23 C.F.R. § 771.105(a); 33 C.F.R. § 333.36	**FATAL**
103	**Predetermination / Due Process**	UDOT explicitly states in DEIS Appendix 2E, page 29, that "Alternative B is more consistent with Heber City's North Village Master Plan than Alternative A." The North Village Master Plan includes a large private resort development known as The Slope. By admitting that consistency with a private resort developer's master plan was a factor weighing in favor of Alternative B, UDOT has disclosed a predetermination rationale that has no basis in NEPA, CWA § 404(b)(1), or Section 4(f)—none of which authorize a transportation agency to select a more environmentally damaging alternative because it better serves a private developer's land use vision. This admission, combined with UDOT's May 2024 intervention to block NRCS conservation easement funding while the DEIS	DEIS App. 2E, p. 29; North Village Master Plan, p. 30 (Jan. 18, 2021); 40 C.F.R. § 1502.2(g); U.S. Const. Amend. XIV; Utah Const. Art. I, § 7	**FATAL**

#	Category	Deficiency Description	Source Reference	Severity
		was still pending, establishes a pattern of predetermination that violates 40 C.F.R. § 1502.2(g) and due process requirements.		
B. LEDPA / CLEAN WATER ACT § 404 DEFICIENCIES				
8	**LEDPA Analysis**	UDOT claims Alt B is LEDPA despite impacting 53.92 acres of aquatic resources vs. 22.52 acres for Alt A—a 140% increase—by invoking Section 4(f) to make Alt A 'not practicable.' This is circular reasoning. UDOT further misconstrues the LEDPA standard by reading out of it the statutory words 'on the aquatic ecosystem' and 'environmental consequences.' The 404(b)(1) guidelines prohibit selection of an alternative with greater aquatic impacts so long as the alternative does not have other significant adverse environmental consequences (40 C.F.R. § 230.10(a)). UDOT substitutes business and residential relocations—routine property impacts occurring in every transportation project—for the statutory term 'environmental consequences,' effectively nullifying the LEDPA standard for any project that displaces more structures along one alignment than another. Furthermore, because this project is non-water-dependent, the 404(b)(1) guidelines impose a burden-shifting presumption: UDOT must clearly demonstrate that a practicable alternative is not available with detailed, clear, and convincing information. City Club of New York v. Army Corps, 246 F.Supp.3d 860, 866 (S.D.N.Y. 2017). UDOT's own DEIS admits Alternative A is available, capable of being done, satisfies the overall project purposes, and costs less (DEIS at 2-32)—making Alternative A practicable as a matter of law, and Alternative B unable to satisfy the LEDPA standard. UDOT's selection of Alternative B as LEDPA is additionally arbitrary and capricious because UDOT previously screened out Alternative WA3 specifically on the grounds that it would impact 53.7 acres of presumed waters of the United States—characterizing that impact level as disqualifying (DEIS App. 2A, Table 3-12, Jan. 16, 2023). Preferred Alternative B impacts 53.92 acres—a figure materially identical to the acreage that caused UDOT to eliminate WA3. UDOT cannot simultaneously treat 53.7 acres of WOTUS impact as disqualifying for one alternative and as LEDPA-compliant for another without providing a rational explanation. The DEIS provides none. This inconsistency is the hallmark of arbitrary and capricious agency action under 5 U.S.C. § 706(2)(A).	DEIS App. 2F, pp. 13-14	**FATAL**
9	**LEDPA Analysis**	The Section 4(f) constraint that disqualifies Alt A reduces to three driveway alignments on a frontage road failing AASHTO standards—a solvable engineering problem, not a fundamental impracticability. UDOT could resolve this through design modifications rather than rerouting an entire highway through the North Fields. The Tenth Circuit has already ruled that UDOT violated CWA § 404(b)(1) by failing to study a narrower right-of-way as a less damaging practicable alternative in a project with a nearly identical legal posture. Utahns for Better Transportation v. Dep't of Transportation, 305 F.3d 1152, 1188-89 (10th Cir. 2002). The court held that the CWA test is not whether a proposal	DEIS Ch. 4, App. 4-D	**FATAL**

#	Category	Deficiency Description	Source Reference	Severity
		would make a more desirable project, and that UDOT was obligated to identify and select the least environmentally damaging alternative capable of serving the basic project purpose. UDOT was the losing party in that case and cannot claim ignorance of the legal standard it violated there and is violating again here.		
10	**LEDPA Analysis**	Even purchasing and conserving the entire North Fields would not resolve the CWA § 404 LEDPA conflict, because Alt B's wetland impact (53.92 acres) would still far exceed Alt A's (22.52 acres).	DEIS App. 2F, 404(b)(1) Memo	**FATAL**
11	**Wetland Data**	Wetland determinations were conducted July–November 2021 and June–November 2022 (late summer/fall), not during spring runoff when wetland boundaries are largest. This systematically undercounts wetlands. The systematic undercount of wetlands in UDOT's survey is not theoretical. An independent wetland assessment prepared by Frontier Corporation, dated July 21, 2022, found that on a single parcel within the project corridor—the Simmons property—wetland acreage alone exceeded 28 acres, far exceeding UDOT's estimates for that area. Frontier specifically concluded that additional data collection and hydrologic analyses would be required in the early spring growing season in order to do a detailed and accurate wetlands delineation for any property in the North Fields due to the unique hydrogeology of the area. UDOT received this independent assessment and did not revise its wetland delineation methodology. The existence of a professionally prepared, parcel-specific study contradicting UDOT's data—in UDOT's own possession—makes reliance on out-of-season surveys indefensible. Source: Frontier Corporation, Simmons Property Preliminary Wetlands Assessment, at 2 (Jul. 21, 2022).	DEIS App. 3N, pp. 99-1785	**FATAL**
12	**Wetland Data**	84 acres of the evaluation area have NOT been formally delineated. UDOT used refined NWI desktop data instead of field delineation for these areas, meaning the LEDPA comparison rests partly on unverified estimates rather than ground-truthed data.	DEIS Ch. 3, p. 3-176	**MAJOR**
13	**Wetland Data**	USACE has not issued an Approved Jurisdictional Determination (AJD) as of December 2025. The entire LEDPA analysis is based on UDOT's self-assessment of jurisdictional status.	DEIS Ch. 3, p. 3-175; DEIS App. 2E, p. 27	**FATAL**
14	**Wetland Data**	UDOT used the 2021 National Wetlands Inventory (NWI) map, but NWI was updated in 2022 with significantly more wetlands identified in the North Fields, especially along 600 West/Alternative B. The outdated map undercounts wetlands.	DEIS App. 3N; WOLB Comments; USFWS NWI Mapper	**MAJOR**
15	**Wetland Data**	The definition of 'waters of the United States' is actively being revised (Nov. 17, 2025 proposed rule). The DEIS acknowledges this could change jurisdictional wetland acreages yet proceeds without waiting for resolution.	DEIS Ch. 3, p. 3-175	**MAJOR**
16	**Wetland Impacts**	NFIC's natural channels sustain adjacent wetlands through historic 'subbing' (subsurface irrigation). By severing these channels, Alt B will destroy the very wetlands UDOT claims to protect—yet the DEIS fails to analyze this indirect wetland loss.	DEIS Ch. 3, pp. 3-460 to 3-468	**FATAL**

#	Category	Deficiency Description	Source Reference	Severity
17	**Wetland Data**	The DEIS treats NFIC's water delivery system as ordinary man-made ditches, but they are in fact natural channels with man-made improvements—streams and drainages that existed before settlement and were subsequently widened, deepened, or redirected for irrigation. This distinction is critical because natural channels are far more likely to qualify as 'waters of the United States' under the Clean Water Act, which would significantly increase the jurisdictional wetland acreage for both alternatives and fundamentally change the LEDPA analysis. The DEIS never evaluates this classification question.	DEIS Ch. 3, pp. 3-175 to 3-176; CWA § 404; Sackett v. EPA	**FATAL**
104	**CWA § 404 / Minimization**	The CWA § 404(b)(1) guidelines require UDOT to identify appropriate and practicable changes to the project plan to minimize the environmental impact of the discharge before mitigation is considered (40 C.F.R. § 230.5(j)). The Corps cannot issue a § 404 permit unless it determines that UDOT has taken all appropriate and practicable steps to avoid and minimize adverse impacts to waters of the United States prior to approving any compensatory mitigation plan (40 C.F.R. § 230.91(c)). UDOT has not studied design modifications that could reduce Alternative B's wetland impact—including a narrower right-of-way, an eastward alignment shift closer to US-40, or elimination of the western frontage road—before proposing compensatory mitigation. By jumping directly to mitigation promises without first exhausting minimization options, UDOT has inverted the required sequence and produced a mitigation commitment that cannot satisfy the Corps' permitting standard.	40 C.F.R. § 230.5(j); 40 C.F.R. § 230.91(c); DEIS App. 2F; DEIS Ch. 3, pp. 3-488 to 3-496	**MAJOR**
C. HYDROLOGY & WATER RESOURCE DEFICIENCIES				
18	**Groundwater**	No hydrogeologic dam effect study. The road embankment will cause groundwater mounding upgradient (water pooling on one side) and dewatering downgradient (drying out the other side)—damaging grazing vegetation and altering aquifer flow.	DEIS Ch. 3, pp. 3-104 to 3-122	**FATAL**
19	**Groundwater**	The DEIS admits a direct hydrological link between the North Fields shallow aquifer and Heber/Midway/Charleston drinking water wells, yet UDOT conducted no pump-test modeling to determine whether construction or operation of the highway would affect municipal culinary water supplies.	DEIS Ch. 3, pp. 3-140 to 3-148	**FATAL**
20	**Groundwater**	No study of lost aquifer recharge from the conversion of up to 241 acres of flood-irrigated land that currently feeds the valley's groundwater system.	DEIS Ch. 3, pp. 3-128 to 3-134	**MAJOR**
21	**Groundwater**	No contingency plan ('Plan B') for municipal water failure if aquifer is compromised during or after construction.	DEIS Ch. 3, pp. 3-88 to 3-94	**FATAL**
22	**Water Quality**	UDOT did not model pollutant migration from unlined detention ponds situated in a shallow aquifer environment. Heavy metals, hydrocarbons, and road salts from these ponds could migrate into adjacent NFIC ditches and the Class IA aquifer.	DEIS Ch. 3, pp. 3-198 to 3-206	**FATAL**
23	**Water Quality**	UDOT's own TDS analysis admits that deicing salt runoff would EXCEED the 500 mg/L water quality standard for Class IA (Pristine) aquifers.	DEIS Ch. 3, p. 3-169; DEIS App. 3K, Sec. 2.4	**FATAL**

#	Category	Deficiency Description	Source Reference	Severity
		UDOT dismisses this as 'conservative' rather than treating it as a disqualifying finding.		
24	**Water Quality**	Salt-specific BMPs recommended by EPA (salt traps, road washing) are NOT included in UDOT's Stormwater Quality Design Manual. UDOT says only that it will 'consider' them during final design—no commitment, no budget, no design.	DEIS Ch. 3, pp. 3-169 to 3-171	**MAJOR**
25	**Water Quality**	SELDM stormwater modeling database contains NO Utah sites. UDOT used proxy sites from California, Oregon, Washington, Nevada, and North Carolina, none of which share the North Fields' unique shallow aquifer, cobble-rock substrate, and prime soil characteristics.	DEIS App. 3K, p. 12, Sec. 2.2.3	**FATAL**
26	**Water Quality**	No cumulative effects study for stormwater pollutants on the unconfined aquifer over the 50+ year life of the roadway. Individual-storm analysis ignores chronic salt/pollutant accumulation.	DEIS App. 3K (absent); DEIS Ch. 3 (absent)	**MAJOR**
27	**Water Quality**	No groundwater travel-time study showing when deicing chemicals and highway pollutants would reach the Provo River, NFIC ditches, private wells, or municipal wells.	DEIS App. 3K (absent)	**MAJOR**
28	**Water Quality**	DEIS proposes 100% infiltration stormwater BMPs—meaning ALL highway pollutants (petroleum, heavy metals, road salts) are directed into the ground directly above a Class IA Pristine aquifer. Combined with the TDS exceedance admission, this design choice is fundamentally incompatible with aquifer protection.	DEIS App. 3K, p. 34; DEIS Ch. 3, pp. 3-166 to 3-169	**FATAL**
29	**Water Quality**	UDOT did not analyze zero-infiltration lined basins with stormwater treatment as an alternative BMP, despite the documented need to protect the Class IA aquifer. The cost of these more protective systems is not reflected in the DEIS budget.	WOLB Comments; DEIS App. 3K	**MAJOR**
30	**Water Quality**	No thermal loading analysis. Highway pavement exceeds 140°F; flash-storm runoff discharged into NFIC ditches can cause thermal shock lethal to livestock and can trigger algae blooms affecting the Provo River Blue Ribbon fishery.	DEIS Ch. 3, pp. 3-188 to 3-196	**MAJOR**
31	**Water Quality**	No study of chemical pollutant impacts from highway stormwater on adjacent agricultural lands and livestock. Road salts, heavy metals, and petroleum products in runoff can contaminate irrigation ditches that water hay fields and pastures, enter the forage consumed by cattle, and poison livestock drinking directly from affected channels.	DEIS Ch. 3 (absent); DEIS App. 3K (absent)	**MAJOR**
32	**Water Rights**	Forcing NFIC to accept mechanical (pump) delivery violates Utah water law prohibiting impairment of senior gravity-flow rights (Stubbs v. Ercanbrack, 368 P.2d 461).	DEIS Ch. 3, pp. 3-244 to 3-252	**FATAL**
33	**Water Rights**	Lining or piping infrastructure constitutes illegal capture of historical seepage under Utah Code § 73-3-11, depriving neighboring properties of subsurface moisture they have historically received.	DEIS Ch. 3, pp. 3-260 to 3-268	**MAJOR**
34	**Hydraulic Head**	No hydraulic pressure gradient study was conducted. NFIC's gravity-fed systems depend on specific elevation gradients to deliver water to the valley's southern end; without this study, UDOT cannot demonstrate that water delivery will function after construction.	DEIS Ch. 2, pp. 2-155 to 2-162	**MAJOR**

#	Category	Deficiency Description	Source Reference	Severity
35	**Water Delivery**	No plan for maintaining inverted siphons, which are prone to sediment accumulation. Without specialized robotic or vacuum equipment that NFIC does not own, these siphons will eventually clog and cut off water delivery to downstream farms.	DEIS Ch. 3, pp. 3-210 to 3-218	**MAJOR**
105	**Groundwater / Downstream Impacts**	The DEIS fails to study downstream impacts to Deer Creek Reservoir from highway-generated stormwater contamination, groundwater disruption, and surface water degradation flowing through the North Fields system. The Provo River Restoration Project FEIS—a publicly available federal environmental document—specifically identified the North Fields as a critical groundwater recharge zone, noting that recharge is an important source of water for Deer Creek Reservoir and water users downstream. Provo River Restoration Project FEIS, at 3-11 to 3-14 (Apr. 2015). Deer Creek Reservoir supplies drinking water to communities throughout the Wasatch Front. The DEIS contains no cumulative effects analysis for the impact of Alternative B on Deer Creek Reservoir's water quality over the 50+ year operational life of the highway.	Provo River Restoration Project FEIS, at 3-11 to 3-14 (Apr. 2015); DEIS Ch. 3, pp. 3-155 to 3-162; DEIS App. 3K (absent)	**MAJOR**
106	**State Water Quality Law**	The DEIS fails to address UDOT's obligations under Utah's groundwater quality protection rules. Utah Administrative Rules §§ 317-6-3.2, 317-6-4.2, and 317-6-5.1 govern protection of the Class IA aquifer underlying the North Fields. UDOT's own SELDM modeling admits that deicing salt runoff would produce Total Dissolved Solids concentrations exceeding the 500 mg/L standard for this aquifer, yet the DEIS proposes 100% infiltration stormwater management with no lined basins and no committed Best Management Practices. The failure to demonstrate compliance with Utah's groundwater quality rules means Alternative B may not receive the state regulatory approvals required for construction to proceed, regardless of whether a federal ROD is issued. The DEIS does not address Utah DEQ groundwater protection compliance at all.	Utah Admin. Rules §§ 317-6-3.2, 317-6-4.2, 317-6-5.1; DEIS App. 3K, Sec. 2.2.3; DEIS Ch. 3, p. 3-169	**MAJOR**
D. COST & FINANCIAL ANALYSIS DEFICIENCIES				
36	**Cost Estimate**	UDOT characterizes $48.6M cost difference between Alt A ($711.9M) and Alt B ($760.5M) as 'fairly negligible'—yet this equals the entire annual road budget of many Utah counties.	DEIS Ch. 4, Sec. 4.7.7; DEIS App. 2E, p. 30	**MAJOR**
37	**Cost Estimate**	The cost estimate omits the hydrogeologic collector system that NFIC warned about in 2022. This system has no engineering design and no budget allocation, yet it would be essential to prevent groundwater disruption.	DEIS Ch. 2, pp. 2-45 to 2-51	**FATAL**
38	**Cost Estimate**	The DEIS cost estimate omits the construction costs for cattle-drive underpasses and farm equipment crossings that UDOT verbally represented to NFIC would be included if Alt B were selected. These structures do not appear in any DEIS design drawing, engineering specification, or cost line item. The DEIS contains zero references to 'cattle crossing,' 'livestock overpass,' 'livestock underpass,' or any structure specifically designed for the movement of livestock anywhere in the North Fields. The only livestock-related construction commitment in the entire DEIS is a temporary fencing requirement during construction (Section 3.19.3.1). Verbal	DEIS Section 3.7, pp. 3-91, 3-93; Section 3.5.3.4; Section 3.19.3.1; Section 3.9, p. 3-109; NFIC Meeting Minutes 2025; WOLB Feb 11, 2026 Update	**FATAL**

#	Category	Deficiency Description	Source Reference	Severity
		representations made outside the DEIS are legally unenforceable because the Record of Decision will be based solely on what is contained in the document. See also Deficiency #97—the DEIS places a public multi-use trail crossing at 600 West at the same location where the DEIS acknowledges cattle and farm equipment currently travel, without studying the resulting conflicts.		
39	**Cost Estimate**	No accounting for severance damages to bisected lots of record. Alt B cuts more parcels, triggering legally mandated 'remainder' damages.	DEIS Ch. 5, pp. 5-144 to 5-168	**FATAL**
40	**Cost Estimate**	No accounting for total economic buy-outs of agricultural businesses rendered defunct by the alignment.	DEIS Ch. 5, pp. 5-110 to 5-118	**MAJOR**
41	**Cost Estimate**	UDOT inflated surrounding land values 3–4x through recent acquisitions near the new high school (Midway Lane/SR-113), making agricultural replacement land financially impossible to acquire.	DEIS Ch. 3, pp. 3-604 to 3-612	**MAJOR**
42	**Cost Estimate**	No cost for acquiring or extinguishing NFIC's 160-year-old senior prescriptive easements and ditch alignments, which are legally compensable property interests.	DEIS Ch. 5, pp. 5-160 to 5-168	**MAJOR**
43	**Cost Estimate**	Wetland mitigation cost underestimated because wetland acreage is based on unverified, out-of-season data and no AJD.	DEIS App. 2F; DEIS App. 3N	**MAJOR**
44	**Cost Estimate**	DEIS does not disclose what portion of the $760.5M budget is allocated to wetland mitigation, or whether money is budgeted to purchase mitigation land. At ratios of 2:1 to 15:1, mitigation could require 108 to 809 acres.	DEIS Ch. 3, p. 24 per WOLB; DEIS App. 2F	**MAJOR**
45	**Cost Estimate**	Relocation cost estimates ($57M for Alt A vs. $12M for Alt B) are explicitly 'not based on an appraised value' per the 404(b)(1) memo footnote.	DEIS App. 2F, p. 13, fn. 1	**MAJOR**
46	**Unfunded Mandate**	The DEIS proposes transferring perpetual siphon and infrastructure maintenance costs to NFIC without NFIC's agreement or a budget allocation, creating an unbudgeted perpetual liability for private shareholders who have no obligation to maintain state-built infrastructure.	DEIS Ch. 3, pp. 3-344 to 3-352	**MAJOR**
47	**Cost Estimate**	No cost analysis for replacing farmland containing Prime and Statewide Significant Soils with equivalent-quality acreage.	DEIS App. 3B Farmland Forms	**MAJOR**
E. TRAFFIC MODELING & TRANSPORTATION DEFICIENCIES				
48	**Traffic Model**	DEIS claims 25% traffic diversion produces 73.6% travel time reduction — asserting 2050 regional travel time from SR-32 to US-189 falls from 23 minutes 40 seconds (No-action) to 6 minutes 15 seconds (Alternative B). Mathematical impossibility: 25% diversion cannot produce 73.6% travel time reduction without violating fundamental traffic engineering principles. Model not validated for this outcome.	DEIS App. 2E, Table 2, p. 3; App. 2C, Table 4 (Parametrix, September 17, 2025).	**FATAL**
49	**Traffic Model**	Alt B saves only 70 seconds of marginal travel time vs. Alt A, at a cost of $48.6M+ in additional spending.	DEIS Ch. 5, pp. 5-11 to 5-15	**MAJOR**
50	**Traffic Model**	The model fails to account for induced demand from the urban sprawl that UDOT admits Alt B will facilitate in the North Fields.	DEIS Ch. 3, pp. 3-210 to 3-220	**MAJOR**

#	Category	Deficiency Description	Source Reference	Severity
51	**Traffic Model**	The DEIS v2 (2023) traffic model summer season is 'Not Calibrated' per UDOT's own sensitivity analysis, and local road projects are 'Pending incorporation.' This means traffic projections for the valley's peak tourism season—when congestion is worst—are unreliable.	DEIS App. 5A (UDOT & MAG Travel Demand Model Meetings), Meeting Summary December 11, 2023, pp. 2–3; sensitivity analysis slides DRAFT 10/19/23 and 12/12/23 ("Summer season – Not calibrated"; "Season: Summer season used for HVC EIS").	**FATAL**
52	**Traffic Model**	The v2 model shows significant volume increases on the North US-40 corridor compared to the DEIS model, yet UDOT concluded the approved model 'did not need to be revised.'	DEIS App. 5A, TDM Meetings	**MAJOR**
53	**Alternatives**	The One-Way Couplet alternative (100 East/100 West) was dismissed without the NEPA-required 'hard look,' despite Heber City's formal support (Resolution 2023-14).	DEIS Ch. 2, pp. 2-244 to 2-252	**MAJOR**
54	**Alternatives**	City-grid optimizations were measured against a 'do-nothing' baseline rather than a 'smart-build' baseline, artificially inflating bypass benefits.	DEIS Ch. 2, pp. 2-33 to 2-62	**MAJOR**
55	**Induced Growth**	The DEIS contains no funding or plan to mitigate induced growth on the 500+ acres between Hwy 40 and Alternative B. This land will face tremendous development pressure from existing Hwy 40 accesses and the decades-long 'gentleman's agreement' that Heber City would annex to the bypass road.	DEIS Ch. 3, pp. 3-18 to 3-22; DEIS App. 3A Induced Growth Notes	**MAJOR**
56	**Induced Growth**	ROW width is 250 feet—three times the 84-foot width assumed in Heber City and Wasatch County preservation corridor plans. UDOT never disclosed this mismatch to communities during corridor preservation planning. UDOT proposes a right-of-way of up to 250 feet in the Western Corridor under Alternative B, yet provides no analysis of whether a narrower right-of-way configuration could achieve the project's transportation objectives with less environmental impact. The Tenth Circuit has held that UDOT violated CWA § 404(b)(1) by failing to study a narrower right-of-way as a less damaging practicable alternative. Utahns for Better Transportation v. Dep't of Transportation, 305 F.3d 1152, 1188-89 (10th Cir. 2002). UDOT was the party against whom this ruling was entered. The DEIS does not acknowledge this precedent, does not study narrower configurations, and does not explain why standard dimensions cannot be reduced. A 250-foot right-of-way that has never been justified against narrower alternatives cannot satisfy the LEDPA standard under binding Tenth Circuit authority.	DEIS Ch. 3, p. 3-21; Heber City 2017 General Plan	**FATAL**
107	**Purpose and Need / Traffic**	A stated purpose of the Project is to relieve Heber City's Main Street of regional truck traffic. However, UDOT admits in the DEIS that it has "limited authority to restrict trucks on US-40" and can only acknowledge "potential measures to discourage truck use of Main Street if a western	DEIS at 1-10; DEIS at 1-33; DEIS Ch. 2, pp. 2-5 to 2-12	**MAJOR**

#	Category	Deficiency Description	Source Reference	Severity
		corridor is built." DEIS at 1-33. UDOT cannot legally compel truck traffic onto the bypass. Absent a legal mechanism to redirect commercial vehicles, the truck traffic reduction rationale for Alternative B is speculative and unsupported. If through traffic—including truck traffic—is not meaningfully redirected from Main Street, neither alternative satisfies this stated project purpose. UDOT has not studied the legal mechanisms, costs, or feasibility of truck traffic restrictions, nor disclosed to the public that its stated purpose may be legally unachievable.		
108	**Alternatives Analysis**	UDOT dismissed the possibility of an elevated bypass or bridging over US-40 citing snow removal concerns (DEIS at 2-6), without supporting engineering analysis, cost estimate, or snow removal modeling. Montana, Wyoming, Colorado, Alaska, and Canada maintain structurally elevated freeways in regions with substantially greater annual snowfall than the Heber Valley. The Idaho Transportation Department successfully constructed an elevated bypass through downtown Sandpoint, Idaho on US Highway 95—the Sand Creek Byway Project—which was upheld against NEPA challenge. North Idaho Community Action Network v. U.S. Dep't of Transp., 545 F.3d 1147 (9th Cir. 2008). An elevated alignment could have avoided the North Fields entirely, eliminating the wetland, agricultural, and water rights impacts driving this dispute. UDOT's dismissal without analysis does not satisfy NEPA's requirement to rigorously explore and objectively evaluate all reasonable alternatives (40 C.F.R. § 1502.14(a)).	DEIS at 2-6; North Idaho Community Action Network v. U.S. Dep't of Transp., 545 F.3d 1147 (9th Cir. 2008); 40 C.F.R. § 1502.14(a)	**MAJOR**
F. PROPERTY, AGRICULTURAL & LAND USE DEFICIENCIES				
57	**Agriculture**	Alt B impacts 223 acres of federally regulated farmland vs. 179 acres for Alt A (24% more), yet the DEIS provides no justification for selecting the higher-impact alternative.	DEIS Ch. 4, Table 4.7-2	**MAJOR**
58	**Agriculture**	The DEIS treats agricultural businesses as relocatable enterprises comparable to retail stores. In reality, farming operations are tied to specific soil types, 160-year-old water rights, and irrigation infrastructure that cannot be relocated without total business failure. The relocation analysis methodology is fundamentally flawed for agricultural operations.	DEIS Ch. 3, pp. 3-62 to 3-68; NFIC Comments	**MAJOR**
59	**Agriculture**	Alt B impacts 38.4 acres of Agriculture Protection Areas vs. 11.8 acres for Alt A (225% more). No consultation with State Commissioner per U.C.A. 17-81-307.	DEIS Ch. 4, Table 4.7-2	**FATAL**
60	**Agriculture**	The Farmland Conversion Impact Rating methodology is undisclosed; neither the Part VI Criteria #1–#10 scoring nor the documentation, formulas, or reasoning behind the assigned numbers have been made available for public review.	DEIS App. 3B	**MAJOR**
61	**Agriculture**	WOLB identifies 149.72 total acres of APA parcels affected by Alternative B across 10-14 parcels, vs. UDOT's disclosed 38.4-acre direct impact. UDOT's reported impact understates the full APA disruption by 74%.	WOLB Appendix; DEIS Ch. 4, Table 4.7-2	**MAJOR**
62	**Agriculture**	No agricultural economic impact analysis (jobs, productivity, income losses) for Wasatch County	DEIS Ch. 3 (absent); USDA	**MAJOR**

#	Category	Deficiency Description	Source Reference	Severity
		was included in the DEIS, despite $14.1M in annual agricultural sales at risk.	Census of Ag 2022	
63	**Agriculture**	Parcel fragmentation analysis is absent. Modern haying/grazing requires contiguous tracts; the DEIS does not study the loss of agricultural viability from bisected parcels.	DEIS Ch. 3, pp. 3-388 to 3-396	**MAJOR**
64	**Land Use**	The Alt B alignment contradicts the Heber City Envision 2050 General Plan, which states that Heber City's vision includes 'preserving open land and rural atmosphere.' The plan specifically identifies the North Fields as a prized open space providing 'a strong rural feel.' In the Envision Heber survey, 77% of the public wanted to protect the North and South Fields. UDOT did not study the impacts of violating these community-adopted open space mandates. The community's opposition to North Fields development is not merely expressed through surveys—it has been tested and affirmed through direct democratic action. In 2016, when Wasatch County proposed rezoning areas of the North Fields from 20-acre to 10-acre lots, citizens forced a referendum. Seventy-four percent of residents voted against rezoning parcels from 20-acre to 10-acre minimum lots—a direct democratic test of community sentiment toward North Fields development intensity that predates and independently confirms the survey findings UDOT acknowledges but disregards. Furthermore, the Envision 2050 survey data is more striking than UDOT presents: only 4% of respondents believed there was no need to conserve the North Fields. Ninety-six percent supported conservation in some form. UDOT's selection of Alternative B overrides a 74% democratic vote, a 96% conservation preference, and the expressed position of every Wasatch County and Heber City governing body on record since 2000. The DEIS does not acknowledge the 2016 referendum or explain how Alternative B can be reconciled with this level of community opposition. Source: Wasatch County Referendum Records (2016); Envision Heber 2050, pp. 10, 17, 59.	DEIS Ch. 3, pp. 3-7 to 3-8; Envision Heber 2050, pp. 10, 17, 59; WOLB Comments	**MAJOR**
65	**Land Use**	UDOT admits that Alt B will serve as the future boundary for Heber City's westward expansion, contradicting Wasatch County's A-20 agricultural zoning intent. UDOT's predetermination in favor of Alternative B is further evidenced by its explicit statement that "Alternative B is more consistent with Heber City's North Village Master Plan than Alternative A." DEIS App. 2E, at 29. The North Village Master Plan includes a large private resort development known as The Slope. Wasatch County's A-20 agricultural zoning exists specifically to prevent the conversion of North Fields agricultural land to high-density commercial and resort uses. By selecting the alternative that best serves a private resort developer's master plan—while simultaneously admitting that Alternative B will serve as the future boundary for Heber City's westward expansion—UDOT has used a federal transportation project as a vehicle to advance private development interests that directly conflict with the community's adopted agricultural zoning framework. Source: DEIS App. 2E, p. 29; North Village Master Plan, p. 30 (Jan. 18, 2021).	DEIS Ch. 3, pp. 3-444 to 3-452	**MAJOR**

#	Category	Deficiency Description	Source Reference	Severity
66	**Land Use**	The bypass is not on any current Wasatch County Zoning Map or master plan. Shareholders have made significant infrastructure investments that are now at risk.	DEIS Ch. 3, pp. 3-412 to 3-418	**MAJOR**
67	**Land Use**	Alternative B contradicts decades of local planning that envisioned a bypass along the existing US-40 corridor. By moving the alignment away from US-40 and into the heart of the North Fields, UDOT converted a bypass solution into a developmental separator that functions as a new highway through agricultural land.	DEIS Ch. 3, pp. 3-7 to 3-9; Heber City Resolution 2007-05	**MAJOR**
68	**Conservation**	UDOT's letter to NRCS (May 2024) stopped federal conservation easement funding for the Gertsch property. UDOT now proposes taking 36.09 acres (up from the initial 8.85–22.86 acres stated in the letter).	DEIS Ch. 5, p. 14; WOLB Comments	**FATAL**
69	**Conservation**	Three additional WOLB conservation easement NOIs in North Fields have been frozen for 3+ years due to DEIS uncertainty. Alternative A would allow these to proceed; Alternative B blocks them.	WOLB Comments; DEIS Ch. 5, p. 14	**MAJOR**
70	**Farm Access**	The DEIS identifies grade-separated crossings at 1200 North, 1800 North, and Northfield Road (600 West) under Alternative B (Section 3.7, p. 3-93), but these are described only as road crossings to maintain 'east-west connectivity'—not as crossings designed for livestock movement or agricultural equipment. The DEIS contains no design specifications for these crossings (clearance height, width, grade, fencing, livestock handling features) and no analysis of whether they are compatible with cattle drives, irrigation maintenance equipment, or farm vehicles. UDOT represented at the February 11, 2026 County meeting that farm overpasses—including at 2400 North—would be constructed, but 2400 North does not appear as a grade-separated crossing in the DEIS, and none of the identified crossings include agricultural design specifications. The Visual Technical Report describes these structures as 'at least 24 feet tall' (p. 50), confirming they are substantial elevated highway infrastructure—not low-profile agricultural crossings. These verbal commitments are absent from the DEIS design, engineering, and cost estimate.	DEIS Section 3.7, p. 3-93; Section 3.5.3.4; Visual Technical Report, p. 50; WOLB Feb 11, 2026 Update	**FATAL**
71	**Road Access**	Alternative B replaces 600 West's current at-grade, unrestricted connection through the North Fields with an underpass beneath the Heber Valley Corridor freeway. The DEIS describes this as 'preserving (though altering) existing access' (Section 3.7, p. 3-93)—a self-contradictory statement that is itself an admission of impairment. The 600 West underpass is designed as a general vehicular road crossing; the DEIS contains no analysis of whether this underpass is compatible with: (a) cattle drives—livestock require specific underpass design features including adequate width, low noise exposure, natural lighting, approach fencing, and separation from vehicle traffic, and cattle commonly balk at narrow, dark underpasses beneath high-speed highways; (b) the passage of oversize farm equipment including combines, hay swathers, and irrigation pipe trailers; (c) NFIC canal maintenance vehicles and excavation equipment that must access canal infrastructure on both	DEIS Section 3.7, pp. 3-93 to 3-94; Section 3.5.3.4; Section 3.9, p. 3-109; Visual Technical Report, Figs. 3-3, 3-19; DEIS Ch. 2, pp. 2-30 to 2-31	**FATAL**

#	Category	Deficiency Description	Source Reference	Severity
		sides of the corridor; or (d) the movement of livestock trailers, school buses, and emergency vehicles through a constrained underpass adjacent to high-speed on/off ramps. UDOT's own DEIS acknowledges that North Fields property owners 'use the county roads (1750 West, 1130 West, Northfield Road [600 West], 3000 North, 2400 North, 1800 North, and 1200 North) in the north fields to move livestock from pasture to pasture and to move hay and farming equipment' (Section 3.5.3.4), yet the DEIS never analyzes whether the proposed underpass accommodates these documented uses. The DEIS confirms the corridor goes over 600 West (Section 3.9, p. 3-109), with the multi-use trail crossing 600 West at grade at this same location—creating a triple conflict zone of highway traffic overhead, recreational trail users at grade, and livestock/farm operations on the road. Furthermore, all North Fields access is funneled to a constrained set of grade-separated crossings and the SR-113 interchange, forcing farm operations to merge with high-speed highway traffic—a fundamental change in the character of agricultural access that the DEIS fails to study.		
72	**Emergency Access**	Alternative B funnels 2,800+ acres of the North Fields into a single access point, creating a life-safety risk, yet UDOT conducted no study of the resulting emergency response time impacts. The DEIS identifies only four grade-separated crossings in the entire North Fields under Alternative B (600 West, 1200 North, 1800 North, and Northfield Road). If any of these constrained underpasses is blocked—by flood, accident, construction, or maintenance activity—agricultural properties, residences, and livestock between those crossings are stranded. The DEIS contains no analysis of redundant emergency access routes.	DEIS Ch. 3, pp. 3-644 to 3-652	**MAJOR**
73	**Property Rights**	The highway would restrict NFIC's direct access to its own canal infrastructure, requiring shareholders to obtain 'access keys' from UDOT to perform routine maintenance. Conditioning access to senior water infrastructure on state permission constitutes an impairment of a vested property right.	DEIS Ch. 5, pp. 5-45 to 5-52	**MAJOR**
74	**Livestock**	No study of construction noise/vibration impacts on livestock including 'shrinkage' (weight loss) and miscarriage in pregnant heifers. Economic losses from physiological stress not quantified. Moreover, the DEIS proposes permanent elevated highway structures at least 24 feet tall adjacent to active grazing land (Visual Technical Report, p. 50). No study of ongoing operational noise from freeway traffic on livestock was conducted—only construction noise is mentioned (Section 3.19.2.2.7). Cattle grazing adjacent to a freeway overpass or routed through an underpass beneath active traffic will experience chronic noise stress that the DEIS completely ignores.	DEIS Ch. 3 (absent); NFIC Comments; Visual Technical Report, p. 50; Section 3.19.2.2.7	**MAJOR**
109	**Wildlife / Habitat**	The DEIS fails to study wildlife habitat fragmentation resulting from Alternative B's construction of a new highway through the North Fields along the Provo River corridor—the area with the highest concentration of wildlife in the study area. UDOT acknowledges that Alternative B "would increase noise and visual disturbance to wildlife and add a barrier to wildlife movement in	DEIS at 3-192 to 3-193; DEIS Ch. 3 (absent—no fragmentation analysis); 40 C.F.R. § 1502.16	**MAJOR**

#	Category	Deficiency Description	Source Reference	Severity
		the area," DEIS at 3-193, but conducts no comparative analysis of the significantly greater fragmentation impacts of introducing a new highway through undisturbed riparian habitat versus widening an existing highway along US-40. The DEIS also fails to study wildlife overpasses or underpasses as mitigation measures and does not quantify the increase in wildlife-vehicle collisions from a new highway through active wildlife habitat. The absence of a habitat fragmentation analysis for the most wildlife-dense portion of the study area is a material omission under 40 C.F.R. § 1502.16.		
G. HISTORIC & CULTURAL RESOURCE DEFICIENCIES				
75	**Historic Canals**	Alt B impacts 15,971 linear feet of NRHP-eligible canal systems vs. 10,206 for Alt A (56% more), yet UDOT assigns a 'no adverse effect' finding to both alternatives.	DEIS Ch. 3, Table 3.12-6	**MAJOR**
76	**Historic Canals**	Rock Creek/Rock Ditch system: Alt B impacts 5,684 linear feet vs. only 563 for Alt A—a 910% increase—yet both receive identical 'no adverse effect' finding. The 910% disparity in Rock Creek canal impacts between Alternative B and Alternative A is not merely a linear feet comparison—it is a fisheries destruction finding. Rock Creek is an immediate tributary to the Provo River and an active spawning ground for Brown trout in the Middle Provo River Blue Ribbon fishery. The CWA specifically requires analysis of project impacts that can destroy spawning areas and alter or destroy communities and populations of aquatic animals and vegetation (40 C.F.R. § 230.24(b)). UDOT's analysis of Rock Creek impacts is limited to a linear feet comparison with an identical 'no adverse effect' finding for both alternatives—a finding that ignores the spawning habitat function of the waterway entirely. The assignment of identical findings to alternatives with a 910% disparity in impact is not a reasoned determination; it is an analytical failure that independently undermines the LEDPA conclusion. Source: DEIS Ch. 3, Table 3.12-4; 40 C.F.R. § 230.24(b).	DEIS Ch. 3, Table 3.12-4	**FATAL**
77	**Historic Canals**	De minimis determinations for 160-year-old canal systems ignore that culverting or relocating these channels fundamentally alters the historic character of gravity-fed systems that have operated continuously since the 1860s.	DEIS Ch. 4, Table 4.5-1	**MAJOR**
78	**Rural Landscape**	The North Fields may qualify as a Rural Historic Landscape under National Register criteria. No district-level eligibility evaluation was conducted, potentially allowing UDOT to avoid broader Section 106 mitigation obligations for the area as a whole.	DEIS Ch. 3, pp. 3-288 to 3-296	**MAJOR**
79	**Section 106**	NFIC infrastructure dating to 1860 may independently qualify for the National Register of Historic Places. No separate eligibility evaluation was conducted, which means UDOT may be circumventing Section 106 consultation and mitigation requirements for the canal system itself.	NHPA Section 106	**MAJOR**
H. LEGAL & CONSTITUTIONAL DEFICIENCIES				
80	**Takings**	Selection of Alt B constitutes a regulatory taking and inverse condemnation of established water	Utah Code § 73-1-7	**FATAL**

#	Category	Deficiency Description	Source Reference	Severity
		rights under the 5th Amendment and Utah Constitution Art. I, §22.		
81	**WOTUS Risk**	The DEIS ignores the Sackett v. EPA jurisdictional recapture risk: a highway that permanently severs and/or connects private irrigation channels from the Provo River could trigger federal jurisdiction over farmer-maintained ditches that are currently unregulated.	Sackett v. EPA, 598 U.S. 651 (2023)	**FATAL**
82	**Water Law**	No analysis of NFIC's 'natural channels with improvements' classification under the Clean Water Act continuous surface connection test. If these channels are classified as waters of the United States, every farmer who maintains them could face new federal permitting requirements.	CWA § 404; Sackett	**MAJOR**
83	**Water Law**	No analysis of return flow and seepage rights under Utah Code § 73-3-11. Downstream users who depend on historical return flows from NFIC ditches could lose water they are legally entitled to receive.	Utah Code § 73-3-11	**MAJOR**
84	**Section 408**	No Section 408 review for interference with the Provo River federal project (33 U.S.C. § 408). Without this review, the project may lack the federal authorization required to modify or affect a federally constructed water resource project.	DEIS Ch. 4, pp. 4-610 to 4-622	**MAJOR**
85	**Conflict of Interest**	UDOT assumed FHWA's Section 4(f) responsibilities under 23 U.S.C. § 327 (NEPA Assignment MOU, May 26, 2022). UDOT is simultaneously the project proponent and the agency making the Section 4(f) determination, creating a structural conflict of interest in which UDOT reviews the adequacy of its own environmental analysis without independent federal oversight.	23 U.S.C. § 327; DEIS Ch. 4, p. 4-1	**MAJOR**
86	**Section 106**	NFIC—the owner and continuous operator of the NRHP-eligible canal system since 1860—does not appear to have been invited as a consulting party under Section 106 of the NHPA. This is a procedural violation of 36 C.F.R. § 800.2(c)(3), which requires consultation with parties that have a demonstrated legal or economic interest in the undertaking.	36 C.F.R. § 800.2(c)(3); DEIS Ch. 4, Sec. 4.9.1	**FATAL**
87	**Section 4(f)**	UDOT's de minimis impact findings for all four NRHP-eligible canal sites depend entirely on Section 106 'no adverse effect' determinations. Those Section 106 findings are unreliable because NFIC was not consulted and SHPO may not have been fully informed of the operational impacts (gravity flow conversion, subbing loss, aquifer disruption). The de minimis findings are therefore legally defective.	DEIS Ch. 4, Table 4.5-3; 23 C.F.R. § 774.3	**FATAL**
88	**Section 4(f)**	The Least Overall Harm analysis (23 C.F.R. § 774.3(c)) gives heavy weight to building demolitions (4 structures for Alt A vs. 1 for Alt B) but near-zero weight to the functional destruction of 15,971 linear feet of NRHP-eligible canal infrastructure under Alt B. By classifying canal impacts as de minimis, UDOT effectively excluded them from the harm balancing entirely.	DEIS Ch. 4, Sec. 4.7; 23 C.F.R. § 774.3(c)	**FATAL**
89	**EO 11990**	Executive Order 11990 requires federal agencies to 'avoid to the extent possible' adverse impacts from the destruction or modification of wetlands. Alt B destroys 53.92 acres of aquatic resources vs. 22.52 for Alt A, yet the DEIS selects B. No independent EO 11990 analysis was performed;	EO 11990; DEIS App. 2F	**MAJOR**

#	Category	Deficiency Description	Source Reference	Severity
		the evaluation was subsumed into the 404(b)(1) memo without standalone compliance documentation.		
90	**CWA § 401**	Any Section 404 permit requires a Section 401 Water Quality Certification from the State of Utah confirming the project will not violate state water quality standards. Given UDOT's own admission that deicing TDS concentrations will exceed the 500 mg/L Class IA aquifer standard, it is unclear how a § 401 certification can lawfully be issued.	33 U.S.C. § 1341; DEIS Ch. 3, p. 3-169	**FATAL**
91	**Due Process**	By deferring critical design decisions (collector systems, ditch realignments, overpasses) to post-ROD, UDOT denies affected property owners the ability to meaningfully evaluate and comment on the impacts to their land during the NEPA process. This violates procedural due process under the 14th Amendment and Utah Constitution Art. I, § 7.	U.S. Const. Amend. XIV; Utah Const. Art. I, § 7	**FATAL**
92	**Due Process**	UDOT's May 2024 letter to NRCS—blocking conservation easement funding while the DEIS was still pending—constitutes a predetermination of outcome that deprived landowners of the fair and open decision-making process that NEPA requires.	DEIS Ch. 5, p. 14; 40 C.F.R. § 1502.2(g)	**MAJOR**
93	**Utah Const.**	Utah Constitution Art. XI, § 6 provides that 'all existing rights to the use of any of the waters in this State for any useful or beneficial purpose are hereby recognized and confirmed.' Alternative B's interference with NFIC's 165-year-old gravity-flow water rights implicates this independent state constitutional protection beyond the federal 5th Amendment.	Utah Const. Art. XI, § 6	**FATAL**
94	**Eminent Domain**	Utah Code § 78B-6-501 requires condemning authorities to demonstrate that a taking serves the 'public use' and to follow specific procedural protections. The DEIS's failure to disclose true project costs (deferred design, severance damages, unfunded mandates) undermines the public's ability to evaluate whether this taking genuinely serves the public interest.	Utah Code § 78B-6-501 et seq.	**MAJOR**
95	**Relocation Act**	The Uniform Relocation Assistance Act (42 U.S.C. § 4601) requires just compensation and relocation assistance for displaced persons. The DEIS's admission that relocation cost estimates are 'not based on an appraised value' (App. 2F, fn. 1) raises serious questions about whether URA compliance is achievable when the actual costs of displacing agricultural operations have not been determined.	42 U.S.C. § 4601; DEIS App. 2F, p. 13, fn. 1	**MAJOR**
96	**FPPA**	The Farmland Protection Policy Act (7 U.S.C. § 4201) requires federal agencies to minimize the conversion of farmland to nonagricultural uses. Alt B converts 223 acres vs. 179 for Alt A (24% more), yet the DEIS selects the higher-conversion alternative. The required NRCS consultation on the Farmland Conversion Impact Rating appears incomplete, and the scoring methodology remains undisclosed.	7 U.S.C. § 4201; DEIS App. 3B	**MAJOR**
97	**Trail/Ag Conflict**	Both action alternatives include a multi-use public trail running through the North Fields alongside the highway corridor. The DEIS does not study, acknowledge, or propose mitigation for the inevitable conflicts between recreational trail users and active agricultural operations—including cattle drives, heavy equipment use,	DEIS Section 3.9, p. 3-109; Section 3.5.3.4; DEIS Ch. 2 (trail design); DEIS Ch. 3 (absent—no	**MAJOR**

#	Category	Deficiency Description	Source Reference	Severity
		irrigation maintenance, and electric fencing. No operational protocol for trail access during agricultural activities, no fencing plan, no seasonal closure protocol, no liability framework, and no consultation with NFIC or North Fields ranchers appears in the DEIS. Livestock stressed by unfamiliar foot traffic, cyclists, and dogs are at risk of fence breaks, herd scattering, and reproductive loss. The conflict is most acute at 600 West, where the DEIS places the multi-use trail crossing at grade on the same road that UDOT acknowledges is used for cattle drives and farm equipment movement (Section 3.5.3.4; Section 3.9, p. 3-109). This crossing occurs directly beneath the elevated freeway corridor, creating a compressed zone where recreational users, livestock, farm equipment, and the visual and noise impacts of an elevated highway all converge—with no separation, no operational protocol, and no analysis.	trail/ag conflict analysis)	
98	**Irreplaceable Soils**	The North Fields contain alluvial soils deposited by the Provo River system with high organic content and natural moisture retention, sustained by 160 years of continuous flood irrigation that has built soil structure and organic matter. These soil types are not replicated elsewhere in Wasatch County. There is no equivalent farmland available with the same soil composition, water table depth, and gravity-flow irrigation access. The DEIS treats farmland as a fungible commodity replaceable by monetary compensation, ignoring NFIC's June 2022 warning that 'mitigation cannot be only money.' No soil analysis, no inventory of replacement parcels, and no land availability study appears in the DEIS. The agricultural losses caused by Alt B are permanent and irreversible.	DEIS Ch. 3 (absent); DEIS App. 3B; NFIC Meeting Minutes 2022	**FATAL**
99	**Alternatives**	UDOT failed to study NFIC's requested eastward-shifted Alternative B alignment closer to US-40, which would reduce wetland, farmland, canal, and agricultural corridor impacts across every measured category. Wetlands, irrigation infrastructure, and agricultural parcels are concentrated in the western portion of the North Fields closer to the Provo River; the closer the alignment sits to US-40 on the eastern edge, the fewer resources it crosses. NFIC raised this in 2022 and 2025 formal coordination. No alignment study, wetland comparison, or cost estimate for the eastward shift appears in the DEIS, and no technical explanation for rejecting it was provided. This failure undermines the 404(b)(1) LEDPA analysis because UDOT has not demonstrated that no practicable alternative exists with less adverse aquatic impact.	DEIS Ch. 2, pp. 2-8 to 2-14; DEIS App. 2F, pp. 13-14; NFIC Meeting Minutes 2022 & 2025	**FATAL**
100	**Agriculture/Livestock**	The DEIS acknowledges that North Fields property owners use county roads including 600 West, 1200 North, 1800 North, and 2400 North to 'move livestock from pasture to pasture and to move hay and farming equipment' (Section 3.5.3.4). Despite this acknowledgment, the DEIS contains zero analysis of whether the proposed grade-separated crossings under Alternative B are designed to accommodate livestock movement. No crossing in the DEIS includes agricultural design specifications such as minimum clearance height for farm equipment, minimum width for cattle drives, noise attenuation	DEIS Section 3.5.3.4; Section 3.7, pp. 3-91, 3-93; Section 3.19.3.1; Visual Technical Report, p. 50; Photo Simulations, Figs. 3-5, 3-19; NFIC Meeting Minutes 2025; WOLB Feb 11 Update	**FATAL**

#	Category	Deficiency Description	Source Reference	Severity
		for livestock, approach fencing, or separation from vehicular traffic. The only livestock-related commitment in the entire DEIS is a temporary construction-phase fencing requirement (Section 3.19.3.1). UDOT verbally represented to NFIC and at the February 11, 2026 Wasatch County meeting that cattle crossings would be provided, but these representations exist nowhere in the DEIS text, design drawings, or cost estimate. Verbal promises are legally unenforceable; the Record of Decision will be based on the document, not on meeting statements. This constitutes a failure to take the NEPA-required 'hard look' at a direct, permanent impact to documented agricultural operations that UDOT's own analysis identifies.		
101	**ESA / Threatened Species**	The DEIS identifies Ute ladies'-tresses (Spiranthes diluvialis), a federally threatened species, as potentially present in the evaluation area and documents individual sightings within a 2-mile radius (Section 3.14, Table 3.14-2; UDWR 2025a). The species' preferred habitat includes 'irrigation canals, berms, levees, irrigated meadows' and 'sub-irrigated or spring-fed abandoned stream channels'—a description that closely matches the North Fields' gravity-fed irrigation landscape. Despite this, the DEIS admits that 84 acres of the evaluation area have not been surveyed for potentially suitable habitat and defers those surveys to the 2025 field season (Section 3.22.2.2). The DEIS was published in January 2026 before survey results were incorporated into the environmental analysis and before any Section 7 consultation was initiated or completed. No formal Section 7 consultation with USFWS has been completed. UDOT has selected a preferred alternative that destroys more of the precise habitat type this threatened species colonizes—irrigated meadows and canal corridors—without finishing the surveys, without completing Section 7 consultation, and without analyzing the indirect habitat destruction that will occur when Alternative B severs the irrigation system that sustains the wet meadow conditions this species requires. Under the ESA, a federal agency may not commit to an action that is likely to jeopardize a listed species or destroy critical habitat without completing consultation (16 U.S.C. § 1536(a)(2)). UDOT has committed to Alternative B as the preferred alternative before completing this mandatory process. This is particularly significant because ESA Section 7 consultation requires coordination with USFWS—an independent federal agency whose authority UDOT cannot self-assign under the 23 U.S.C. § 327 NEPA delegation.	DEIS Section 3.14, Table 3.14-2; Section 3.22.2.2; DEIS App. 3M (ULT Survey Report); 16 U.S.C. § 1536(a)(2); IPaC Species List (Project Code 2025-0076154); DEIS App. 3L	**FATAL**
110	**Hydrology / Water Resources**	Failure to Study Managed Groundwater Recharge as Mitigation. Alternative B will sever NFIC's gravity-flow delivery infrastructure, causing water currently delivered to 241 acres of flood-irrigated cropland to lose its designated place of beneficial use—creating a forfeiture risk under Utah water law. NFIC proposed to UDOT a managed groundwater recharge program—operated by NFIC using its 165-year institutional knowledge of the aquifer system—that would direct displaced water into controlled recharge to sustain aquifer health and preserve beneficial use designations. UDOT has not studied this proposal, incorporated	DEIS Ch. 3 (absent—no recharge analysis); Utah Code § 73-1-1 et seq.; 40 C.F.R. § 1502.16(h)	**MAJOR**

#	Category	Deficiency Description	Source Reference	Severity
		it into the DEIS mitigation framework, or responded to it in any technical document. NEPA requires agencies to rigorously explore all reasonable mitigation measures before selecting a preferred alternative. 40 C.F.R. § 1502.16(h). This omission is an independent deficiency in the DEIS mitigation analysis. See Formal Comment, Section III.G; Section III.M.		
111	**Cost / Financial**	Groundwater Recharge Program Costs Absent from Budget. UDOT has not included in its Alternative B cost estimate any budget for establishing, funding, or operating a managed groundwater recharge program to offset aquifer depletion caused by the conversion of 241 acres of flood-irrigated cropland and the severance of NFIC's gravity-flow delivery infrastructure. This is a mandatory mitigation cost that UDOT has deferred without disclosure. The omission further understates the true cost of Alternative B beyond the items identified in Deficiencies #1 through #109. See Formal Comment, Section V; Deficiency #110.	DEIS Ch. 5 (absent—no recharge program budget); DEIS App. 2E, p. 30	**MAJOR**

ABBREVIATIONS & DEFINITIONS

Abbreviation	Definition
AASHTO	American Association of State Highway and Transportation Officials — sets national road design standards
AJD	Approved Jurisdictional Determination — official USACE ruling on whether wetlands are federally protected
APA	Agricultural Protection Area — state/county designation protecting farmland from development
App.	Appendix to the DEIS — technical reports and supporting documents published alongside the Draft EIS
Alt A	Alternative A — the on-alignment route that widens existing US-40
Alt B	Alternative B — the off-alignment route through the North Fields (UDOT's preferred alternative)
BMP	Best Management Practice — stormwater treatment facility (e.g., detention basin, infiltration trench)
CWA	Clean Water Act — federal law protecting wetlands and waterways (33 U.S.C. § 1251 et seq.)
C.F.R.	Code of Federal Regulations — federal administrative rules implementing statutes
DEIS	Draft Environmental Impact Statement — the document under review
EO	Executive Order — a directive from the President of the United States
EPA	U.S. Environmental Protection Agency
FHWA	Federal Highway Administration
FPPA	Farmland Protection Policy Act — federal law requiring agencies to minimize farmland conversion (7 U.S.C. § 4201 et seq.)
LEDPA	Least Environmentally Damaging Practicable Alternative — the route the Clean Water Act requires be selected under § 404(b)(1)
lf	Linear feet

mg/L	Milligrams per liter — a measure of concentration (pollutants in water)
MS4	Municipal Separate Storm Sewer System — UDOT's stormwater discharge permit
NEPA	National Environmental Policy Act — requires federal agencies to study environmental impacts before making decisions (42 U.S.C. § 4321 et seq.)
NFIC	North Field Irrigation Company — the senior water rights holder serving the Heber Valley since 1860
NHPA	National Historic Preservation Act — protects historic properties (Section 106 review)
NOI	Notice of Intent — application to begin a conservation easement
NRCS	Natural Resources Conservation Service — USDA agency that funds conservation easements
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory — USFWS map of wetland locations
ROD	Record of Decision — UDOT's final decision document selecting an alternative
ROW	Right-of-Way — land acquired for road construction
Section 4(f)	Section 4(f) of the Dept. of Transportation Act of 1966 — protects parks, recreation areas, refuges, and historic properties from transportation projects
Section 404	Section 404 of the Clean Water Act — regulates discharge of fill into wetlands and waterways
Section 408	33 U.S.C. § 408 — requires federal review before modifying a federal water project
SELDM	Stochastic Empirical Loading and Dilution Model — FHWA/USGS tool for estimating stormwater pollutant impacts
SHPO	State Historic Preservation Office (Utah)
TDS	Total Dissolved Solids — measure of salt and mineral content in water; Class IA aquifer limit is 500 mg/L
U.C.A.	Utah Code Annotated
UDOT	Utah Department of Transportation
UPDES	Utah Pollutant Discharge Elimination System
URA	Uniform Relocation Assistance Act — federal law requiring just compensation and relocation assistance when people are displaced by federally funded projects (42 U.S.C. § 4601 et seq.)
USACE	U.S. Army Corps of Engineers — federal agency that issues wetland permits and jurisdictional determinations
USFWS	U.S. Fish and Wildlife Service
WOTUS	Waters of the United States — the legal definition of waterways and wetlands protected under the Clean Water Act
WOLB	Wasatch Open Lands Board — county board overseeing the $10M conservation bond

CONCLUSION: The 42 FATAL deficiencies identified above—particularly the circular LEDPA reasoning, the unverified out-of-season wetland data, the absent AJD, the deferred post-ROD design, the unbudgeted mandatory infrastructure, and the ignored hydrogeologic dam effect—each independently constitute grounds for requiring a Supplemental DEIS. Taken together, they demonstrate that this DEIS fails to meet the "hard look" requirement of NEPA and cannot support a lawful Record of Decision.

The North Field Irrigation Company formally rejects Alternative B and demands either a strategic realignment as far east of 600 West as possible or the selection of Alternative A as the preferred option.

ID 648

FORMAL PUBLIC COMMENT
Utah Department of Transportation (UDOT)
Heber Valley Corridor Draft Environmental Impact Statement (DEIS)
Comment Period Deadline: March 9, 2026

Submitted by:
Mark Wilson, as an individual
[redacted]
Midway, UT 84049
[redacted]

Date: March 9, 2026

I. INTRODUCTION AND STANDING

My name is Mark Wilson. I submit this comment in my capacity as an individual who is also President of the North Field Irrigation Company (NFIC), a Utah irrigation company whose shareholders have held and exercised water rights in the Heber Valley since 1860. I am also a shareholder of the NFIC whose water rights are directly threatened by UDOT's proposed Alternative B bypass in the Heber Valley Corridor DEIS.

My family has worked the North Field for generations. My father, who led this company long before me, taught me that you do not build anything here unless you understand the water. Get the water wrong, and you lose the farm. Lose the farm, and you lose the soul of what keeps this valley green in one of the driest states in America.

UDOT has gotten the water wrong. And UDOT has gotten the land wrong. This comment explains why, in detail, and calls on UDOT to reject Alternative B in favor of Alternative A or a realigned corridor as close to US Highway 40 as possible.

II. WATER RIGHTS AND GROUNDWATER RECHARGE IMPACTS

The North Field sits atop a Class 1A pristine aquifer; the sole-source drinking water supply for the communities of Heber, Midway, and Charleston. UDOT&'s DEIS treats our irrigation system as a collection of simple ditches. It is not. These are living, engineered natural channels that water active agricultural fields and, through deep percolation, perform a function that is irreplaceable: they recharge the groundwater that fills our wells.

Every year, the North Field Irrigation Company intentionally floods hundreds of acres of the North Field with millions of gallons of water. This is managed aquifer recharge - a deliberate, systems-level practice that replenishes the groundwater supply upon which every Heber Valley resident depends, at no cost to the public. We are the last concentrated recharge zone in this valley.

By converting hundreds of acres of flood-irrigated farmland into federally managed wetlands; with no plan to maintain aquifer recharge functions, Alternative B will effectively make this valley drier. Water levels will drop. Total dissolved solids (TDS) concentrations will increase below ground. The cost to pump and treat drinking water will skyrocket. UDOT has not studied this outcome, not even after four years of formal warnings from NFIC and its shareholders that this issue exists.

This is not a speculative concern. It is a foreseeable, quantifiable consequence that demands rigorous hydrological analysis before any Record of Decision is issued. That analysis does not exist in the DEIS.

UDOT has never addressed my comments to them in meetings with the North Field Irrigation Company about working on a NFIC-managed groundwater recharge program to make sure the aquifer stays healthy when acreage is taken out of flood irrigation.

III. PRIVATE PROPERTY RIGHTS AND FEDERAL JURISDICTION

Alternative B proposes to acquire hundreds of acres of private farmland for "wetland mitigation". UDOT would take flood-irrigated agricultural land, leave it fallow, and reclassify it as federally managed wetlands on paper. This is not mitigation. It is a federalization of our private property.

If UDOT severs our irrigation channels or links them to the Provo River through drainage infrastructure, it creates a federal "hook" that invites Army Corps of Engineers jurisdiction over ditches that our shareholders have privately maintained for 165 years. Once that federal flag is planted, we will need federal permission to use water rights we already own.

They are inviting the federal government to run our valley.

This is not a hypothetical fear. NFIC lives it every day. Since the federal government condemned and acquired land along the Provo River corridor, we have been in continuous conflict over our right to maintain the historic NFIC ditches that cross federal property. Federal land managers have refused to allow the heavy equipment necessary to keep those channels clear, a failure that has already created real flood risk to homes in the North Fields. We are forced to wait for the Central Utah Project to physically remove beaver dams just to maintain water flow.

Alternative B will replicate this bureaucratic nightmare across hundreds of additional acres. UDOT has not analyzed this risk, not disclosed it, and not proposed any mitigation for it.

IV. AGRICULTURAL INFRASTRUCTURE AND PUBLIC SAFETY

UDOT claims Alternative B can accommodate existing agricultural operations. That claim is unsupported by any engineering documentation in the DEIS.

UDOT references agricultural crossings at 1200 North, 1800 North, and 600 West, but not a single design drawing, clearance height, or structural specification for a livestock-compatible crossing appears anywhere in the DEIS. These are not designed crossings. They are placeholders.

More critically, the DEIS explicitly proposes routing a public multi-use recreational trail across 600 West at-grade, directly beneath an elevated freeway structure. This creates what I can only describe as a triple conflict zone: highway traffic 24 feet overhead; recreational cyclists, pedestrians, and dogs moving at grade; and active cattle drives and farm equipment using the same roadway beneath the structure. UDOT's own documents acknowledge that cattle and farm equipment currently use this road. Yet no separation, no operational protocol, and no safety analysis appears in the DEIS for how a rancher is supposed to move a herd through a gauntlet of cyclists and freeway interchange traffic.

UDOT has not designed a highway. It has designed a wall that fragments our farms into non-viable operational units while creating a documented public safety hazard.

V. DEIS DEFICIENCIES

NFIC's formal technical comment has cataloged 109 specific deficiencies in the DEIS, 42 classified as FATAL flaws that, under applicable NEPA standards and federal case law, legally disqualify the DEIS from serving as the basis for a Record of Decision, and 67 classified as MAJOR flaws requiring substantial supplemental analysis. I incorporate that formal comment fully herein by reference.

A document this deficient does not support a lawful Record of Decision. UDOT must correct these deficiencies before this process advances.

VI. INCORPORATION BY REFERENCE

I formally incorporate by reference the following comments and documents into this public record:

- **Formal Comment + Deficiency Index of the North Field Irrigation Company (NFIC), dated March 9, 2026:** This comment identifies 111 specific deficiencies in the DEIS; 42 classified as FATAL and 69 as MAJOR.
- **Formal Comment of the Friends of Heber Valley to UDOT, dated March 9, 2026:** I adopt their comments as my own.
- **All Other Landowner Formal Comments Affected by Alternative B:** I incorporate all landowner formal comments that are affected by Alternative B and that seek an alternative route or Alternative A.
- **Formal Comment of the Wasatch County Council dated March 9, 2026** as they relate to the North Field area.

VII. RESERVATION OF RIGHTS

I expressly reserve all rights, claims, and defenses available to me under federal and state law, including but not limited to: the right to challenge any Record of Decision issued on the basis of this deficient DEIS; the right to assert water rights and property rights claims in any federal or state proceeding arising from Alternative B's implementation; and the right to supplement this comment with additional technical, legal, or factual information as it becomes available.

This reservation of rights is expressly intended to preserve all legal remedies and is not a waiver of any claim, objection, or defense, whether or not specifically identified herein.

VIII. CONCLUSION AND REQUESTED ACTION

The Heber Valley has been a working agricultural landscape for 165 years. The water infrastructure our families built, our ditches, our recharge fields, our managed aquifer system, is not a relic. It is the foundation of this valley's drinking water supply and its agricultural identity. Alternative B threatens to destroy that foundation with no adequate study, no adequate mitigation, and no adequate plan.

We are not opposed to transportation improvements. We want road designs that work, designs that do not trade our 165-year legacy for a marginal travel time reduction that Alternative B provides over Alternative A. We want to be at the table for any design process that affects the shareholders of the North Field Irrigation Company, our water rights, and our property rights.

I urge UDOT to select Alternative A, or to realign Alternative B as close to US Highway 40 as possible, before any Record of Decision is issued. UDOT must go back to the table with this community and design a corridor that actually respects the people who live here.

Respectfully submitted,

Mark Wilson

Heber Valley, Utah
Date: March 9, 2026

The John Robert and Alice Hicken Family
Wasatch County, Utah
[redacted]
Heber City, UT 84032
Parcel No. [redacted] (23.41 acres)

March 9, 2026

VIA EMAIL: hebervalleyeis@utah.gov
Heber Valley Corridor EIS c/o HDR, Inc.

RE: Public Comment on the Heber Valley Corridor Draft Environmental Impact Statement — Objection to Alternative B / Support for Alternative A or Modified Alternative B Realignment Close to US Highway 40

To the Project Team:

We are members of the John Robert and Alice Hicken Family. We are lifelong residents of the Heber Valley, local business owners, and cattle ranchers. We own 23.41 acres in Wasatch County (Parcel No. [redacted]), and we are writing to formally oppose Alternative B of the Heber Valley Corridor as currently designed.

This is not a property dispute. This is a government agency proposing to permanently destroy irreplaceable agricultural land, threaten a Class 1A drinking water aquifer, and sever historic family properties — to save seventy seconds of travel time.

I. This Land Is Our Family's Heritage — And This Valley's History

Our family was among the first settlers to come to the Heber Valley. We were here before the roads, before the county lines, and before the state was established. We have worked this ground for over 150 years. The Heber Valley that exists today was built by families like ours.

We still have the original land patent for this property, signed by President Ulysses S. Grant in 1863. That document is not a piece of paper to us. It is a promise that this land belongs to our family, and we are committed to being stewards of this sacred land, now and forever.

This property has never passed out of our family's hands. Not once, in well over a century. Our intention is for that to remain true. We intend for this land to stay in the family forever. It is irreplaceable — not because of what it appraises for, but because of what it represents. The land runs in our blood.

Alternative B, as currently aligned, would cut through the eastern portion of our property. That means a highway would bisect land our family has worked, grazed, and cared for since before Utah was even a state. No amount of right-of-way compensation can make that whole.

There is also no land available anywhere in this valley to replace what would be lost. You cannot write a check and make that problem go away. The farmers and ranchers in the North Fields have

been telling UDOT for years: the land itself is the resource, and there is no substitute for it. Once it is severed or taken, it is gone forever. The people of this valley understood that too — when Wasatch County asked residents what they wanted in the Envision 2050 General Plan, 77% said they wanted to protect the North Fields. That is an overwhelming majority. The DEIS reaches the opposite conclusion and offers no explanation for why the community's voice did not count or was not heard.

We also put UDOT on notice that this property, held under a presidential land patent since 1863 and in continuous family ownership ever since, may qualify as a historic property requiring additional federal review before any Record of Decision issues.

II. The DEIS Ignores Our Cattle Operation and Our Property's Agricultural Reality

We run cattle on this land. That is not a hobby — it is a working agricultural operation. Alternative B, as designed, would sever our ability to move cattle safely across our own property. Yet the DEIS contains zero references to "cattle crossing," "livestock underpass," or any structure specifically designed for livestock movement. Not a single one.

UDOT's representatives have made verbal promises about crossings and access points. But verbal promises do not appear in the DEIS, and they will not appear in the UDOT Final EIS. The only infrastructure that matters is what is documented, designed, and budgeted in the DEIS. Right now, the DEIS offers cattle ranchers in this valley nothing but verbal assurances. If it's not in writing, it won't happen and it never will happen.

A highway that severs our land without a proper livestock crossing does not just inconvenience us — it effectively ends viable grazing operations on the affected portion of our property. That is a taking of economic value that the DEIS cost estimate does not account for. It also creates immediate safety risks: cattle and traffic do not mix. Without a properly designed, livestock-appropriate grade separation, Alternative B creates dangerous conditions that will inevitably result in livestock losses and potential accidents.

This property also carries appurtenant water rights that constitute separate property interests under Utah law. Any taking or impairment of those rights requires independent compensation and is not addressed anywhere in the DEIS.

III. The DEIS Does Not Honestly Account for What This Project Will Actually Cost Landowners Like Us

We are business owners. We understand balance sheets. And when we look at the DEIS cost estimate for Alternative B, we see a document that leaves out nearly everything that actually matters to the people whose land is being taken.

Specifically, the DEIS fails to account for:

- Severance damages for the diminished utility of the portions of our property left behind after right-of-way acquisition — land that may no longer be viable for cattle grazing if access and contiguity are destroyed; and
- The actual current market value of North Fields agricultural land, which UDOT's own recent acquisitions near the new high school on Midway Lane have inflated to three to

four times historical averages — yet the DEIS uses historical unit-price averages, not individual appraisals. Federal law requires individual appraisals at current fair market value for each affected parcel. The DEIS does not comply with that requirement; and

- Infrastructure for agricultural-compatible livestock crossings, the cost of which appears nowhere in the DEIS despite UDOT's verbal commitments; and
- Long-term operational losses to ranching operations that are effectively severed or made unworkable by the project's footprint; and
- The cost of replacing lost grazing acreage and hay production capacity — a recurring annual loss that starts the day the right-of-way is taken and never stops. UDOT has done no study of what this replacement would cost. And the honest answer is that it probably cannot be replaced at any price, because comparable agricultural land in this valley is simply not for sale; and
- The costs of overriding A-20 agricultural zoning. This land is zoned agricultural for a reason — the county put those protections in place specifically to keep working farms and ranches like ours in production. UDOT's own document acknowledges that A-20 zoning, but it has no accounting for what it costs the county, the tax base, or future generations when a highway project permanently overrides it. Someone needs to answer that question before a Record of Decision is issued.

When these real costs are accounted for, Alternative B almost certainly exceeds $1 billion in true cost — a figure that makes the $48.6 million premium over Alternative A look very different than UDOT's framing of it as "fairly negligible."

IV. This Project Threatens the Valley's Drinking Water — And That Affects All of Us

As cattle ranchers, clean water is not optional. Our operation depends on it, and so does every family in this valley. The Heber Valley sits above a Class 1A aquifer that recharges municipal drinking water wells serving the local community and recharges the Provo River for well over a million Wasatch Front residents downstream through Deer Creek Reservoir.

Alternative B would place a major highway corridor — with storm runoff, unlined detention ponds, and concentrated pollution sources — directly over this aquifer and right next to our livestock operation. The DEIS has no contingency plan for what happens if that aquifer is compromised. No backup water supply. No remediation budget. No acknowledgment of the liability the State of Utah would carry if construction permanently damages the valley's drinking water source.

Runoff heated on road surfaces can also kill livestock and cause algae blooms in adjacent ditches and the Provo River. These are not hypothetical risks. They are predictable, documented consequences of highway construction in shallow aquifer systems — and the DEIS does not address them.

V. Our Recommended Solution: Alternative A or an Eastern Realignment of Alternative B as Close to US Highway 40 as Possible

We want to be clear: We are not opposed to transportation improvements in this valley. We understand the valley is growing and that traffic is a real issue. But there is a responsible way to address that problem — and Alternative B as currently designed is not it.

We support a Modified Alternative A, which runs directly to the west of the existing US Highway 40 corridor. That alignment makes sense. It follows existing infrastructure. It avoids bisecting historic family farms. It protects the aquifer. It does not require the destruction of agricultural operations that have been in continuous family ownership since before this state was founded.

The irrigation company and the landowners in the North Fields have been telling UDOT for years that moving Alternative B east — as close to US-40 as possible — would cross fewer ditches, destroy fewer wetlands, cut through fewer farms, and cost less to build and mitigate. UDOT has never come back with a technical reason why that shift cannot be done. They have simply declined to study it.

We call on UDOT and the project team to:

1. **Select Alternative A or a modified alignment as close to the US Highway 40 as possible. We request to meet with UDOT immediately to propose design modifications similar to the map provided in the Wasatch County March 9, 2026 response to the DEIS (see attached)**
2. Require that any cattle crossings, livestock underpasses, and agricultural access structures be designed, engineered, and budgeted before any Record of Decision is issued — not after;
3. Study and document the true replacement cost of grazing acreage and hay production capacity eliminated by this project — including the cost of acquiring comparable agricultural land in this valley, if such land even exists;
4. Commission individual appraisals for each affected agricultural parcel using current market data, not historical unit-price averages;
5. Address the aquifer contamination risk with a documented contingency plan before any shovel goes in the ground;
6. Prepare a Supplemental DEIS that corrects the deficiencies documented by the North Field Irrigation Company and other affected stakeholders before a Record of Decision issues.

VI. Conclusion

Our family has been part of this valley for generations. We came here when this land was raw and we helped build something worth preserving. The original land patent signed by President Grant is sitting in our family home right now. It is a tangible reminder that this land carries meaning that goes far beyond its appraised dollar value.

Alternative B, as designed, would drive a highway through the eastern portion of that legacy. It would sever a cattle operation with no plan for livestock crossings. It would threaten a drinking water source with no contingency plan. And it would do all of that — according to UDOT's own analysis — to save seventy seconds of travel time over Alternative A.

That is not a trade we are willing to make. And we do not believe the people of this valley, if they fully understood what is being asked of them, would be willing to make it either.

We demand that UDOT reject Alternative B, select Alternative A or a modified alignment as close to US-40 as possible, and issue a Supplemental DEIS that honestly accounts for what this project would actually cost — in land, in water, agricultural business loss, and in the irreplaceable agricultural heritage of the Heber Valley — and that incorporates the serious deficiencies placed on the record by the North Field Irrigation Company and affected landowners who have also given comments on rejecting Alternative B.

The Hicken Family reserves all rights. Nothing in this comment constitutes a waiver of any legal remedy available to us under federal or state law. We expressly preserve all rights under NEPA, the Fifth Amendment to the United States Constitution, and applicable Utah and federal law — including the right to just compensation, the right to challenge any Record of Decision, and the right to pursue all available legal remedies if this process fails to correct the deficiencies placed on the record here.

Respectfully submitted on behalf of the successors of Thomas Todd, original patent holder, who conveyed this property to his daughter Isabelle Todd and John Hicken in 1885; who conveyed it to their son Irwin Todd Hicken and Ruby Hicken in 1930; who conveyed it to their son John Robert Hicken in 1992.

The John Robert and Alice Hicken Family, members as follows:

Alice Hicken

Amelia Hicken Prisbrey

Todd Royal Hicken

Alyson Hicken Hansen

Robert John Hicken

Adam Price Hicken

Aaron Taylor Hicken

Property Owners,
Wasatch County Parcel No. [redacted] (The Hicken Family Trust UAD 03/15/1995)
Cattle Ranchers and Local Business Owners
Heber Valley, Utah

cc: The North Field Irrigation Company Formal Comment and Deficiency Index

d2m Desert to Mountain Services

699 E South Temple
Suite 320
Salt Lake City, UT 84102
www.d2mutah.com

March 9, 2026

VIA ELECTRONIC SUBMISSION TO HEBERVALLEYEIS@UTAH.GOV

UDOT Environmental Services Division
Utah Department of Transportation
4501 South 2700 West
Salt Lake City, Utah 84119

Re: Formal Comment — Heber Valley Corridor Draft Environmental Impact Statement (January 2026)
Re: In Support of Comments Filed by the North Field Irrigation Company, Friends of Heber Valley, Wasatch County, and other parties rejecting Alternative B.

A. Who We Are and Why We Are Writing

Desert to Mountain Services, LLC (**"DMS"**) is a land and water services firm that has worked directly within the North Fields area of Heber Valley, Wasatch County, Utah for years. Our work is not theoretical. It is done on the ground, in the field, in the title records, and at the ditch headgates.

Our Specific Work in the North Fields

- Managing water rights assets on behalf of landowners served by the North Field Irrigation Company system
- Supporting agricultural businesses with livestock operations on parcels that depend on ditch-delivered water
- Establishing lots of record for North Fields properties — which requires understanding the full history of easements, ditch rights-of-way, and water conveyances tied to each parcel
- Researching and resolving title problems in the North Fields area, including problems that arise precisely because ditch easements and water rights run with the land in ways that are not always obvious from a deed alone

We are not here to duplicate the detailed legal and technical arguments that North Field Irrigation Company, Friends of Heber Valley, North Field landowners, Wasatch County, and others have filed in rejecting Alternative B. Those comments speak with greater legal standing than ours on the regulatory questions, and we fully endorse and incorporate them by reference. **We are here to do one thing: speak from direct professional experience about what these ditches and canals actually are, what they mean to the agricultural operations tied to them, and why UDOT's treatment of them in the DEIS is so fundamentally wrong.**

B. What These Ditches Actually Are

The DEIS refers to the irrigation infrastructure of the North Fields as *"canals and ditches."* That clinical language obscures something important. These are not stormwater drains. They are not decorative waterways. They are not features that can be rerouted through a culvert and left to function as before. These natural channels with manmade improvements are the **circulatory system of an agricultural economy that has operated continuously in the Heber Valley for well over a century.**

The Historic Canal Systems Under Threat

The DEIS itself acknowledges that five distinct irrigation canal systems in the project area are eligible for listing on the **National Register of Historic Places** as archaeological sites — meaning UDOT's own consultants concluded these systems are significant to the broad patterns of American history. They are not footnotes. They are landmarks. The list of canals listed here from the DEIS is an incomplete list of the channels in the North Fields area. Three water sources and their channels are missing – the London Springs, McDonald Spring, and Sessions Spring.

Five NRHP-Eligible Canal Systems in the Project Area (DEIS Table 3.12-3)

42WA541 — Rock Creek / Rock Ditch Irrigation System [Eligible: Criterion A]
42WA217 — Wasatch Canal System [Eligible: Criterion A]
42WA238 — Sagebrush and Spring Creek Canal [Eligible: Criteria A and C]
42WA294 — Lower Canal [Eligible: Criteria A and C]
42WA112 — D&RGW Provo Branch / Heber Creeper Railroad [Eligible: Criterion A]

Criterion A = association with events significant to the broad patterns of our history.
Criterion C = embodies distinctive characteristics of a type, period, or method of construction.

The water sources that feed the North Fields area – Rock Creek (from the Provo River), London Springs, McDonald Spring, and Sessions Spring flow into a system of natural channels and canals, ditches, and laterals that carries water by gravity across the North Fields — feeding the soils, recharging the groundwater, and supporting the livestock and crops that define what the North Fields are.

DMS has worked within this system. We have managed water rights tied to it, resolved title disputes involving its easements, and supported livestock operations that depend on its seasonal flows. When we say we know these ditches, we mean it in the most literal, practical sense. We

have stood at headgates. We have traced historic ditch alignments across title records that go back to the earliest settlement of Heber Valley. We have seen what happens when water delivery is interrupted — even briefly — to an agricultural operation that depends on it.

That direct field knowledge leads us to flag one additional deficiency that underlies everything else in the DEIS's hydrological analysis: **Rock Creek is not correctly mapped in the DEIS, along with the channels coming off of London Springs, McDonald Spring, and Sessions Spring.** For example, Rock Creek is the primary surface water source for the NFIC canal system. Its diversion off the Middle Provo River feeds the Rock Creek / Rock Ditch Irrigation System — Site 42WA541, the same system the DEIS acknowledges is National Register-eligible and that Alternative B would cross and culvert nearly ten times more than Alternative A.

The alignment, flow path, and channel location of Rock Creek as shown in the DEIS maps do not accurately reflect the creek's actual location and course through the North Fields area. Because Rock Creek's mapping underlies the DEIS's analysis of canal crossings, points of diversion, wetland delineation, and aquifer recharge zones, an error in that base mapping propagates through every downstream analysis that depends on it. An environmental impact statement built on an inaccurate map of the primary water source for the area it purports to analyze cannot produce reliable conclusions about the impacts of a highway through that area. This deficiency must be corrected, and the affected analyses re-run, before any Record of Decision issues. DMS further addresses Rock Creek's mapping in Section D of this comment in connection with the DEIS's water rights figures.

> *"These ditches were not built to carry water to a lawn or a decorative pond. They were built to carry life to the soil. And the soil is what these agricultural businesses are built on — not a building, not an inventory, not a supply chain that can be rerouted. The soil itself."*
>
> — Desert to Mountain Services, LLC

What the DEIS's Own Numbers Say

The following table is drawn directly from **DEIS Table 3.12-6**. It shows the linear feet of each historic canal system that would be culverted, relocated, or filled under each alternative. We present it here because the numbers tell the story more clearly than any argument we could make:

Historic Canal System	Alternative A	Alternative B
Rock Creek / Rock Ditch Irrigation System (42WA541) — the NFIC backbone canal	~563 linear feet	**~5,684 linear feet ← TEN TIMES MORE**
Wasatch Canal System (42WA217)	~3,622 linear feet	**~4,261 linear feet**
Sagebrush & Spring Creek Canal (42WA238)	~3,309 linear feet	**~3,314 linear feet**
Lower Canal (42WA294)	~2,712 linear feet	**~2,712 linear feet**
TOTAL — all historic canal systems	~10,206 linear feet	~15,971 linear feet
UDOT Effect Finding	"No Adverse Effect"	"No Adverse Effect" — identical to Alt A

Alternative B would disturb approximately 15,971 linear feet — roughly three miles — of National Register-eligible historic irrigation canals. Alternative A would disturb approximately 10,206 linear feet. Both are significant. But Alternative B's impact on the Rock Creek / Rock Ditch system — NFIC's primary delivery canal — is ten times greater than Alternative A's: 5,684 linear feet versus 563 linear feet.

UDOT assigns an identical *"No Adverse Effect"* finding to both alternatives for all five canal systems. This is not a defensible analytical conclusion. It is a bureaucratic convenience that erases a tenfold difference in impact by using the same three words. DMS has worked in the North Fields long enough to understand that you cannot run three miles of highway through an irrigation delivery system and call it harmless.

C. Agriculture Is Not a Retail Business — It Cannot Simply Relocate or Adapt

The DEIS treats the impact on agricultural businesses in the North Fields as a minor inconvenience. It states, without analysis, that *"UDOT does not anticipate that these minor property impacts would affect the viability of any of the businesses on these properties."* (DEIS §3.5.4.2.3)

This statement reflects a fundamental misunderstanding of what agricultural businesses are. DMS works with agricultural businesses. We have helped landowners manage their water rights, supported ranching and livestock operations, and researched the title histories of farming properties throughout the North Fields. We say with direct professional experience: **agricultural businesses in the North Fields are not interchangeable with retail businesses. They cannot simply relocate. They cannot simply adapt. They are bound to specific soil, specific water, and specific infrastructure in ways that have no parallel in commercial or retail enterprise.**

Why Agriculture Is Different

Consider what it actually means to operate a livestock or farming operation in the North Fields. The land is not merely a location — it is the product. The soil quality, the water access, the seasonal hydrology, the pasture growth, the relationship between groundwater and surface irrigation — these are not background conditions. **They are the business itself.**

The Ties That Bind Agriculture to Specific Land and Water

Water rights are real property — perfected, certificated, and tied to specific points of diversion on specific water sources (Utah Code Ann. §73-1-1). You cannot move a water right to a different piece of land without a formal change application to the State Engineer, and approval is not guaranteed.

Livestock operations are built around seasonal water availability and pasture cycles that develop over years. Moving cattle to different land mid-season is not a business continuity measure — it is a financial emergency.

Lots of record in the North Fields often carry ditch easements, water delivery rights, and historical use patterns that are embedded in the title chain. Disrupting the ditch disrupts those rights even for landowners whose land is not directly in the right-of-way.

Title research work that DMS performs in this area consistently reveals that the value of North Fields parcels is inseparable from their connection to functioning ditch delivery systems. A parcel without water is not a farm — it is a dry field.

UDOT's analysis values agricultural land simply by the acre. But the agricultural **business** built on that land — the water rights, the livestock, the years of soil management, the infrastructure of gates and headworks and laterals — has a value that is not captured by the price per acre of bare ground. And when a highway cuts through the irrigation system that waters that business, the harm does not stop at the property line. **It travels downstream, through the ditch, to every operation that ditch was built to serve.**

> *"You can move a retail store. You can move an office. You cannot move over 160 years of soil conditioning, water rights, and a herd of cattle that depends on a specific ditch running in a specific direction across a specific piece of land."*
> — Desert to Mountain Services, LLC

The Livestock Operations DMS Has Supported

DMS has directly supported livestock operations in the North Fields area. In that work, we have seen first-hand how completely these operations are organized around the seasonal availability of ditch water. The timing of when the ditch runs — and how much it carries — determines grazing rotation, stocking rates, hay production, and the basic health of the herd. These operations are not running on irrigation as a convenience. They are running on irrigation as a **non-negotiable biological requirement.**

When UDOT proposes to culvert or relocate nearly a mile of the Rock Creek / Rock Ditch system — the system that feeds these operations — and calls it "no adverse effect," it is making that statement without ever having asked: *"What actually happens to the livestock operations downstream of that culvert? What happens to the water pressure? What happens to the delivery timing? What happens to the pastures that depend on flood irrigation from that ditch?"* The DEIS does not contain the answers to those questions, because UDOT never asked them.

D. What Our Title Research Tells Us About the Depth of These Impacts

One of DMS's specific areas of work in the North Fields is researching and resolving title problems — tracing ownership chains, identifying easements, and clarifying the legal status of parcels that have complex histories. That work has taught us something important: **the irrigation infrastructure of the North Fields is woven into the title fabric of nearly every parcel in the area.**

Ditch easements run across parcels that are not in the right-of-way. Water delivery rights flow through conveyances that appear in deeds, water right certificates, and historical plats going back to the original settlement of Heber Valley. When a highway severs or relocates a ditch, it does not just affect the parcel where the culvert is built. It affects **every parcel served by that ditch**

— including parcels that may appear, on UDOT's maps, to be entirely outside the project footprint.

DEIS Sections 3.13.2.3 through 3.13.3.5 (DEIS pp. 161-162) purport to identify the water rights and points of diversion in the project area. Table 3.13-7 lists NFIC as holding three water rights within the Alternative B right-of-way: one perfected surface water right, one approved underground water right, and one perfected spring water right. DMS has conducted direct water rights research in the North Fields area — reviewing Utah Division of Water Rights records, title chains, and conveyance documents for parcels throughout the NFIC service area. Based on that research, we make the following professional assertion for the record:

The water rights inventory in DEIS Table 3.13-7 does not accurately reflect the water rights held by or flowing through the North Field Irrigation Company system in the North Fields area, and the points of diversion shown in Figures 3.13-1 and 3.13-2 for that area are not correct. Compounding this, Rock Creek — the primary surface water source for the NFIC system — is not correctly mapped in the DEIS. Because the water rights figures are built on that base map, the locational errors in the figures are not independent mistakes; they flow directly from the underlying mapping error. See Section B, above.

As specific proof: the DEIS completely understates the three Provo River Decree water rights the NFIC holds (Water Right Nos. 55-11133, 55-11233, and 55-11310) and entirely omits three spring water rights that are critical sources of water for the North Fields area. All of these rights are on file with the Utah Division of Water Rights and are publicly verifiable:

- **Water Right No. 55-13428 — McDonald Spring Point of Diversion.** McDonald Spring feeds natural channels that flow into and water the North Fields. These channels and the ditches that carry water from them are directly in the path of Alternative B's alignment. The DEIS does not identify this water right, does not show its point of diversion on Figures 3.13-1 or 3.13-2, and contains no analysis of the effect of Alternative B on the natural channels that convey its flows to the North Fields area.
- **Water Right No. 55-13390 — London Springs Point of Diversion.** London Springs is a named, documented water source whose natural channel conveys water into the North Fields. Alternative B's proposed alignment drastically affects the channels and ditches that carry London Springs flows to their place of beneficial use. Again, the DEIS does not mention this right, does not map its point of diversion, and contains no analysis of what Alternative B does to the natural conveyance downstream of it.
- **Water Right No. 55-13388 — Sessions Spring Point of Diversion.** Sessions Spring feeds the same network of natural channels and ditches serving the North Fields. Like McDonald Spring and London Springs, it is completely absent from the DEIS's water rights inventory and figures. Its downstream conveyance infrastructure — the natural channels and ditches that carry its flows across the North Fields area — is directly impacted by Alternative B, and that impact is entirely unanalyzed.

These are not obscure or disputed rights. They are on file with the Utah Division of Water Rights and can be verified by anyone with access to UDOT's own source database. Their omission from the DEIS is not a minor gap. These three springs and the natural channels flowing from them are a primary water source for the North Fields. The ditches and channels that carry their flows into the agricultural lands of the North Fields area are the exact infrastructure that Alternative B repeatedly crosses, culverts, relocates, and disrupts. To analyze the impacts of Alternative B on

water rights in the North Fields without identifying these three sources — and without analyzing what happens to the natural channels and ditches that carry their flows — is to analyze an entirely different landscape than the one that actually exists.

The omission goes further still. The North Field Irrigation Company has signed approximately **50 change applications** on behalf of its shareholders, converting those shareholders' water from surface water delivery through the ditch and canal system to groundwater delivery through wells located in the North Fields area. These change applications are filed with and processed by the Utah Division of Water Rights. They are on the public record. Not one of them is reflected in DEIS Table 3.13-7.

This matters for two compounding reasons. First, each change application represents a shareholder water right that is in transition from surface conveyance to groundwater extraction — meaning it has both a surface component (the ditch delivery it is moving away from) and an underground component (the well it is moving to). Both components exist simultaneously during the transition period and both can be affected by Alternative B's construction: the surface canals those rights are still tied to during the change process, and the groundwater gradient those wells depend on once the change is complete. The DEIS analyzes neither. Second, Table 3.13-7 shows NFIC holding only one approved underground water right in the project area. That single entry cannot account for the groundwater rights associated with 50 shareholder change applications. The underground water rights picture in the North Fields area that UDOT presents to the public is not just incomplete — it is off by an order of magnitude.

Taken together — the three understated Provo River Decree water rights (Nos. 55-11133, 55-11233, and 55-11310), the three omitted spring water rights, the 50 shareholder change applications, and the misidentified points of diversion for the NFIC surface system — the DEIS's water rights inventory for the North Fields area is not a conservative undercount. It is a near-total failure to characterize the actual water rights landscape that Alternative B will permanently disrupt. UDOT cannot lawfully select Alternative B, or dismiss Alternative A, on the basis of an analysis this factually deficient.

This error is not merely a clerical issue. It has two compounding structural causes that the DEIS does not acknowledge. First, UDOT's methodology in Section 3.13.3.5 captures only water right points of diversion that fall physically inside the proposed right-of-way footprint. But NFIC's actual diversion points — where water is taken from Rock Creek and its tributaries — are upstream of the right-of-way. What Alternative B cuts through is not the diversion headworks; it is the conveyance infrastructure: the canals, laterals, and ditches that carry diverted water to its place of beneficial use across the North Fields. A water right is legally defined by its diversion point, its source, its flow rate, its volume, and its place of beneficial use. (*Utah Code Ann. §73-1-3*.) Severing or burying the conveyance infrastructure impairs the beneficial use of the right even when the physical diversion point sits outside the right-of-way. UDOT's methodology is not designed to detect this category of impact — and therefore structurally cannot account for it.

Second, the DEIS's own footnote to Table 3.13-7 acknowledges that "a single point of diversion in Figure 3.13-1 and Figure 3.13-2 can represent more than one water right." UDOT has clustered multiple water rights onto single map points, then reported those clusters as individual entries in the inventory. The result is that the true number of water rights affected by Alternative B in the North Fields area is concealed behind the aggregated figures in Table 3.13-7. Because each water right is a separate real property interest under Utah law — perfected, certificated, and

constitutionally protected — this undercounting is not a minor rounding issue. It is a failure to identify the full scope of property that Alternative B would take or impair.

The title research work DMS has performed throughout the North Fields area confirms what these methodological failures predict: the actual water rights picture for NFIC and the landowners it serves is materially more complex than Table 3.13-7 reflects. UDOT must be required to conduct a complete, right-by-right audit of all water rights whose conveyance infrastructure — not merely whose diversion headworks — falls within or is functionally affected by the Alternative B right-of-way. Until that audit is complete and its results are published for public review, the DEIS's water rights analysis is factually unreliable and cannot support a lawful alternative selection. These are real property rights. (*Utah Code Ann. §73-1-10*.) Their impairment is a taking. And UDOT has not even counted them correctly.

Demand: Complete Analysis of Alternative B and Alternative A Effects on the NFIC Water Portfolio

DMS formally demands that UDOT conduct a complete, right-by-right analysis of the effects of both Alternative A and Alternative B on the full water portfolio of the North Field Irrigation Company — not merely the three rights that appear in Table 3.13-7, and not limited to points of diversion that fall physically inside the right-of-way footprint. The analysis must be published in a Supplemental DEIS or revised DEIS for public review before any Record of Decision issues. That analysis must address, at minimum:

(1) Every water right in the NFIC portfolio whose point of diversion, conveyance infrastructure, or place of beneficial use is physically intersected, crossed, buried, relocated, or functionally impaired by either alternative — including Provo River Decree Water Right Nos. 55-11133, 55-11233, and 55-11310; and Spring Water Right Nos. 55-13428 (McDonald Spring), 55-13390 (London Springs), and 55-13388 (Sessions Spring), and all associated natural channels and ditches flowing from those sources into the North Fields;

(2) The hydraulic and operational effect of each alternative on the gravity-flow delivery function of the NFIC canal system — specifically whether culverting, grade changes, or embankment crossings will maintain, reduce, or eliminate flow rates and delivery timing to the places of beneficial use those rights serve;

(3) The effect of each alternative on the beneficial use designation of water rights whose delivery infrastructure is severed — including whether severance legally constitutes an impairment or forfeiture under Utah water law; and

(4) The just compensation value of every water right and water conveyance easement that would be taken, impaired, or extinguished by Alternative B — compared to Alternative A — as part of a complete and thorough comparative cost analysis under NEPA.

This analysis is not optional. NEPA requires agencies to rigorously explore and objectively evaluate all reasonable alternatives and to analyze the environmental consequences of their actions with sufficient detail to allow informed public and agency decision-making. (*40 C.F.R. §§ 1502.14, 1502.16*.) A water rights analysis that omits three named spring sources, misidentifies the location of points of diversion, and fails to account for the conveyance-dependent nature of beneficial use does not satisfy that standard. The NFIC water portfolio is

real property. Its complete and accurate analysis is a legal prerequisite — not a courtesy — before UDOT can lawfully choose Alternative B.

E. UDOT Must Study an NFIC-Managed Groundwater Recharge Program as a Required Mitigation Measure Under NEPA

The DEIS identifies the Heber Valley aquifer as a Class IA — Pristine groundwater resource — the highest protection classification under Utah law. (*Utah Admin. Code R317-6-3*.) That aquifer provides drinking water to Heber City, Midway, and Charleston. The DEIS acknowledges that Alternative B's stormwater runoff will introduce road salts, heavy metals, and other contaminants into a system that recharges that aquifer. What the DEIS does not acknowledge — and does not analyze at all — is that Alternative B will simultaneously and permanently destroy the primary natural mechanism by which that aquifer is passively recharged: flood irrigation of the North Fields.

This is not speculative. The North Fields are flood-irrigated agricultural land sitting directly above the Heber Valley aquifer. Water applied to the surface of those fields percolates downward, recharging the groundwater that residents of three communities drink. When Alternative B converts 241 or more acres of flood-irrigated cropland into an impervious highway embankment and right-of-way, that passive recharge is eliminated. The water that would have percolated into the aquifer instead runs off as stormwater — carrying the very road salts the DEIS acknowledges will threaten Class IA standards. The DEIS contains no analysis of this double harm: less recharge input, more contaminant load. To the aquifer, it is a compounding crisis presented in the DEIS as if it does not exist.

The three consequences that the DEIS leaves entirely unstudied are:

(a) The loss of passive aquifer recharge from the conversion of 241 or more acres of flood-irrigated cropland. Those acres are not merely agricultural land — they are the primary percolation surface above the Class IA aquifer. Their conversion to impervious highway infrastructure eliminates a recharge function that has operated continuously for over a century. The DEIS does not quantify the volume of recharge lost. It does not model the long-term effect of that loss on aquifer levels. It does not assess whether the aquifer can sustain its current service to three communities without that input. This is a textbook NEPA deficiency: a significant environmental effect that is identified in the underlying science and ignored in the analysis.

(b) The loss of beneficial use designation for water rights whose delivery infrastructure is severed by the highway. Under Utah water law, a water right that cannot be delivered to its place of beneficial use is a water right that is not being beneficially used. Non-use creates risk of forfeiture. (*Utah Code Ann. § 73-1-4*.) When Alternative B severs the conveyance infrastructure that carries NFIC's water rights to the fields they are certificated to serve, it does not just damage the canal — it threatens the legal validity of the water rights themselves. The DEIS does not analyze this effect. It does not identify which rights are at risk. It does not propose any mechanism to preserve the beneficial use designation of those rights during or after construction. That silence is not neutral. It is a failure to disclose a permanent, legally cognizable harm to real property.

(c) The long-term depletion of the Class IA aquifer that provides drinking water to Heber City, Midway, and Charleston. The aquifer does not exist in isolation from the agricultural system above it. The flood irrigation of the North Fields is not waste — it is a hydrological cycle that has sustained both the agricultural economy and the groundwater supply of the Heber Valley simultaneously. Eliminating that cycle to build a highway does not just harm the farmers. It harms every resident who drinks from that aquifer. The DEIS does not model this. It does not project aquifer levels under Alternative B over a 10-, 20-, or 50-year horizon. It does not assess cumulative risk to municipal water supply. Under NEPA, an agency cannot take an action it knows will impose a significant long-term environmental cost and simply decline to quantify that cost. That is not analysis. That is avoidance.

The NFIC-Managed Groundwater Recharge Program

UDOT must engage in good-faith technical discussions with NFIC regarding an NFIC-managed groundwater recharge program designed to address consequences (a), (b), and (c) above. This is not a novel concept. Managed aquifer recharge is an established, well-documented practice in western water management — particularly in agricultural valleys where flood irrigation has historically served a dual function of crop production and passive groundwater replenishment. NFIC is uniquely positioned to operate such a program because:

- NFIC holds water rights with senior priority dating to the original settlement of Heber Valley — the institutional seniority necessary to operate a recharge program that must function reliably in both wet and dry years;
- NFIC has the operational infrastructure — headgates, canals, laterals, and the institutional knowledge of how water moves through the North Fields — to direct recharge flows to the most effective percolation areas above the aquifer;
- NFIC has the legal standing to apply to the State Engineer for a change in use application that could convert some portion of its agricultural delivery rights to a recognized recharge beneficial use under Utah law — preserving the rights' legal validity while redirecting their function to aquifer maintenance; and
- A recharge program managed by NFIC would benefit not only the NFIC shareholders whose water rights are threatened by Alternative B, but the residents of Heber City, Midway, and Charleston whose municipal drinking water supply depends on the long-term health of the Class IA aquifer.

UDOT has an obligation to study this program as a reasonable mitigation measure under NEPA before any Record of Decision issues. (*40 C.F.R. § 1502.16(h)*.) A mitigation measure is reasonable under NEPA when it is technically feasible, addresses a documented harm caused by the proposed action, and is within the capacity of an identifiable party to implement. An NFIC-managed recharge program meets all three criteria. The failure to study it is not a discretionary omission — it is a legal deficiency in the DEIS.

Finally, the cost of establishing, funding, and operating this recharge program — including the engineering design, State Engineer approval process, infrastructure modifications, and long-term operational costs — must be included in the true cost estimate for Alternative B. The DEIS presents Alternative B's costs as if the only costs are construction costs. They are not. The destruction of a century-old passive aquifer recharge system that serves three municipalities is an

environmental liability. Its replacement or mitigation has a price. That price must appear in any thorough comparison of Alternative A and Alternative B. See also NFIC Formal Comment, Section III (groundwater impacts); Section V (true cost analysis).

F. Full Support for Comments Filed by NFIC and Others

Desert to Mountain Services fully endorses and incorporates by reference the formal comments filed in this proceeding by the North Field Irrigation Company, Friends of Heber Valley, North Field landowners, Wasatch County, and all other commenters who reject Alternative B. Those comments address, with appropriate legal and technical depth, the regulatory deficiencies in the DEIS that our comment only touches on. We specifically support the following points raised in those comments, which our field experience confirms:

- The 'No Adverse Effect' finding for 5,684 linear feet of culverting to the Rock Creek / Rock Ditch Irrigation System is not analytically defensible and is not supported by any hydraulic engineering analysis.
- Alternative B is not the Least Environmentally Damaging Practicable Alternative under Clean Water Act Section 404. The DEIS's own data shows that Alternative A causes dramatically less damage to both canal systems and wetland resources.
- The Heber Valley aquifer is a Class IA — Pristine classified groundwater resource, and UDOT's own modeling shows that Alternative B's road salt runoff will exceed the 500 mg/L TDS standard for that aquifer. This must be addressed with real, enforceable mitigation — not a promise to 'consider' better practices.
- The roadway embankment proposed under Alternative B will obstruct the natural east-to-west groundwater gradient in the North Fields. UDOT has not committed to any engineering solution for this — only to 'evaluate the potential' for one. That is not a mitigation measure.
- NFIC's perfected water rights are real property. Their impairment or taking by Alternative B triggers constitutional just compensation requirements that the DEIS does not address.
- The 241 acres of agricultural land to be acquired under Alternative B represents not just land value but the loss of water rights, ditch access, established livestock operations, and soil management investments that cannot be replaced at any price per acre.

We urge UDOT to give those comments the full weight they deserve. DMS's comment is offered not to repeat what they have said, but to add the perspective of a business that has worked the ground, walked the ditches, searched the title records, and supported the livestock operations that those comments are fighting to protect.

G. Summary of Deficiencies and Demand for a Supplemental Draft Environmental Impact Statement

The comments filed by Desert to Mountain Services in this proceeding identify a pattern of deficiencies in the Heber Valley Corridor DEIS that are not isolated analytical gaps. They are

interconnected failures that, taken together, mean the DEIS does not provide an accurate or complete picture of what Alternative B will do to the water, land, and agricultural economy of the North Fields. For the convenience of UDOT and the public record, DMS sets out below a consolidated list of those deficiencies. Each one must be addressed in a Supplemental Draft Environmental Impact Statement before any Record of Decision issues. A decision-maker reading the DEIS as written would not know:

Deficiency 1 — Rock Creek is incorrectly mapped. Rock Creek, and the channels flowing from London Springs, McDonald Spring, and Sessions Spring, are not correctly mapped in the DEIS. Rock Creek is the primary surface water source for the NFIC system. Its alignment, flow path, and channel location as shown in the DEIS maps do not accurately reflect the creek's actual location and course through the North Fields area. The same is true of the natural channels flowing from London Springs, McDonald Spring, and Sessions Spring into the North Fields. Because this base mapping underlies the DEIS's analysis of canal crossings, points of diversion, wetland delineation, and aquifer recharge zones, these errors propagate through every downstream analysis that depends on them. All affected analyses must be corrected and re-run.

Deficiency 2 — Three named spring water rights feeding the North Fields are entirely absent from the DEIS. McDonald Spring (Water Right No. 55-13428), London Springs (Water Right No. 55-13390), and Sessions Spring (Water Right No. 55-13388) are on file with the Utah Division of Water Rights and are publicly verifiable. They are not identified in Table 3.13-7, not shown in Figures 3.13-1 or 3.13-2, and the natural channels and ditches that carry their flows into the agricultural lands Alternative B repeatedly crosses receive no analysis whatsoever in the DEIS.

Deficiency 3 — Approximately 50 NFIC shareholder change applications are not reflected in the water rights inventory. NFIC has signed approximately 50 change applications converting shareholders' water from surface ditch delivery to wells in the North Fields area. All are on the public record with the Division of Water Rights. Table 3.13-7 shows NFIC holding one approved underground water right in the project area. That single entry cannot account for the groundwater rights associated with 50 shareholder change applications. The underground water rights picture UDOT presents to the public is off by an order of magnitude.

Deficiency 4 — The DEIS's water rights methodology is structurally incapable of detecting the most critical category of impact to NFIC. UDOT's analysis in Section 3.13.3.5 captures only water right points of diversion that fall physically inside the right-of-way footprint. NFIC's actual diversion points are upstream of the right-of-way. What Alternative B cuts through is the conveyance infrastructure — the canals, laterals, and ditches that carry diverted water to its place of beneficial use. Severing or burying that conveyance impairs beneficial use even when the physical diversion point is outside the right-of-way. The DEIS's methodology is not designed to detect this and therefore structurally cannot account for it. (Utah Code Ann. §73-1-3.)

Deficiency 5 — Alternative B impacts the NFIC backbone canal ten times more than Alternative A, yet both receive the identical "No Adverse Effect" finding with no hydraulic analysis. Alternative B would culvert, relocate, or fill approximately 5,684 linear feet of the Rock Creek / Rock Ditch Irrigation System (42WA541) — ten times the 563 linear feet impacted by Alternative A. Across all five National Register-eligible canal

systems, Alternative B disturbs approximately 15,971 linear feet compared to Alternative A's 10,206. The DEIS assigns both alternatives an identical "No Adverse Effect" finding for every canal system, supported by no hydraulic engineering analysis. Three words do not erase a tenfold difference in impact.

Deficiency 6 — The DEIS does not analyze the double harm Alternative B imposes on the Class IA Heber Valley aquifer: less recharge input and more contaminant load, simultaneously. Converting 241 or more acres of flood-irrigated cropland to impervious highway infrastructure permanently eliminates the primary passive recharge mechanism for a Class IA — Pristine aquifer that provides drinking water to Heber City, Midway, and Charleston. At the same time, UDOT's own modeling shows Alternative B's road salt runoff will introduce contaminants that threaten the aquifer's 500 mg/L TDS standard. The DEIS does not quantify the recharge loss, does not model long-term aquifer levels under Alternative B, and does not assess the combined effect of reduced recharge and increased contamination on municipal water supply. (Utah Admin. Code R317-6-3.)

Deficiency 7 — The DEIS does not analyze the risk of beneficial use forfeiture for water rights whose conveyance infrastructure is severed by Alternative B. Under Utah law, a water right that cannot be delivered to its certificated place of beneficial use is a right that is not being beneficially used, creating forfeiture risk. (Utah Code Ann. §73-1-4.) When Alternative B severs the conveyance infrastructure serving NFIC rights, it does not merely damage a canal — it threatens the legal validity of the rights themselves. The DEIS proposes no mechanism to preserve beneficial use designations during or after construction. This is a permanent, legally cognizable harm to real property that the DEIS does not acknowledge or address.

Deficiency 8 — The true cost of Alternative B has never been thoroughly calculated or compared to the true cost of Alternative A. The DEIS presents Alternative B's costs as if the only costs are construction costs. They are not. The just compensation value of the NFIC water portfolio rights that will be taken or impaired; the cost of replacing lost aquifer recharge; the cost of establishing mitigation infrastructure for the groundwater recharge program that NEPA requires UDOT to study; and the severance damages owed to North Fields landowners whose remaining parcels are cut off from canal delivery — none of these appear in the DEIS cost comparison. A cost comparison that omits these items does not compare Alternative A and Alternative B. It compares one alternative's full cost to another alternative's partial cost. That is not analysis. That is advocacy dressed as analysis.

Deficiency 9 — An NFIC-managed groundwater recharge program has never been studied as a required mitigation measure under NEPA. Such a program is technically feasible, addresses documented harms caused by Alternative B, and is within NFIC's institutional capacity — senior water rights, operational infrastructure, and legal standing to pursue a change-in-use application before the State Engineer. UDOT is legally required to study reasonable mitigation measures under NEPA before any Record of Decision issues. (40 C.F.R. §1502.16(h).) The failure to study this program is not a discretionary omission. It is a legal deficiency.

UDOT must issue a Supplemental Draft Environmental Impact Statement addressing each of the nine deficiencies listed above, as well as the deficiencies identified in the formal

comments of the North Field Irrigation Company and all other commenters who reject Alternative B. This is not a request for a response letter or a technical memorandum appended to a Final EIS. A Supplemental DEIS is required because the deficiencies go to the foundational data and analysis on which the entire DEIS is built. When the base map of the primary water source is wrong, when the water rights inventory omits three source springs and fifty change applications, when the hydraulic analysis of a ten-to-one impact difference is simply absent, the public has not had a meaningful opportunity to comment on an accurate description of what this project will do. NEPA's comment process exists to prevent agencies from building records on incomplete information and locking in decisions before the gaps are filled. (42 U.S.C. §4332; 40 C.F.R. §1502.9(d).)

The Supplemental DEIS must, at minimum:

(1) Correct the mapping of Rock Creek and the channels flowing from London Springs, McDonald Spring, and Sessions Spring and re-run all analyses — canal crossings, wetland delineation, points of diversion, and aquifer recharge zones — that relied on the existing mapping;

(2) Conduct a complete, right-by-right audit of the full NFIC water portfolio — including all three omitted spring rights, all approximately 50 shareholder change applications, and all rights whose conveyance infrastructure is functionally affected by either alternative — and publish that audit for public review;

(3) Prepare a full hydraulic engineering analysis of the gravity-flow impacts of both alternatives on the NFIC canal system, with specific findings as to whether proposed culverts and crossings will maintain flow rates and delivery timing to certificated places of beneficial use;

(4) Model the long-term effect of the loss of flood-irrigated recharge on the Class IA Heber Valley aquifer under 10-, 20-, and 50-year horizons, and compare projected aquifer levels and municipal supply risk under Alternative A versus Alternative B;

(5) Study an NFIC-managed groundwater recharge program as a reasonable mitigation measure — including engineering design, State Engineer approval pathway, operational costs, and funding mechanism — and include those costs in a true, complete cost comparison of Alternative A and Alternative B;

(6) Prepare a severance damage analysis for all North Fields parcels that will be cut off from canal delivery infrastructure by Alternative B, and include those damages in the just compensation and true cost calculations; and

(7) Provide a new public comment period of not less than 60 days on the Supplemental DEIS before any Record of Decision issues.

Desert to Mountain Services joins the North Field Irrigation Company and all other commenters who reject Alternative B in demanding that UDOT not proceed to a Record of Decision on the basis of the current DEIS. The deficiencies identified above are not technical quibbles. They are the difference between an environmental review that paints a picture a community can rely on about what this highway will do to the North Fields and one that does not. The public, the landowners, the water rights holders, and the residents of three communities who drink from the Class IA aquifer deserve a thorough study before actions have irreversible consequences. NEPA requires it.

H. Conclusion

UDOT has described the North Fields as agricultural land that will experience *"minor property impacts."* That description is not accurate, and we do not believe it was written by people who have stood in those fields, walked those ditches, or sat across the table from a livestock operator trying to understand what a highway through his water supply means for his herd.

These ditches are historic. They are recorded in the National Register of Historic Places eligibility determination that UDOT itself commissioned. They have been carrying water to the soils of the North Fields for well over a century. They are not infrastructure that can be disrupted and reassembled. They are the reason these agricultural businesses exist where they exist, in the form they exist, with the land value they have.

And the businesses built on that water are not retail operations that can adapt to disruption. They are soil-connected, water-dependent, place-specific enterprises whose entire value proposition rests on the continued functioning of the irrigation system that serves them. When you bury nearly a mile of that system in a concrete culvert beneath a freeway, you do not just change the route of the water. **You change what the land can do. You affect a business attached to every parcel of land. And in many cases, you end what the land and that business has been doing for over a hundred years.**

We respectfully urge UDOT to reject Alternative B, correct the DEIS's fundamental deficiencies, and conduct the thorough, complete analysis that the North Fields community deserves.

Submitted for the Record,

Desert to Mountain Services, LLC
Nacia Franco, Founder
[redacted]
Heber Valley, Utah
March 9, 2026

These comments are submitted for the record pursuant to *42 U.S.C. § 4332* (NEPA) and *40 C.F.R. Part 1503*. Desert to Mountain Services, LLC incorporates by reference all comments filed by the North Field Irrigation Company, Friends of Heber Valley, North Field landowners, Wasatch County, and others who have filed comments rejecting Alternative B in this proceeding. DMS reserves all rights to supplement these comments and to participate in any further proceedings concerning the Heber Valley Corridor project.

ID 557

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. **Local costs and responsibilities**
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely, Nancy Ann Armstrong

Name Nancy Ann Armstrong

Address [redacted]

Phone N

Email A

ID 359

March 2, 2026

Dear UDOT-

Look long at these two attached pictures of the North Fields in Heber painted by my two daughters* This space is the heart of Heber Valley beyond even the downtown. We are not Park City. In our bones we are a rural community with over 125 dairy farms and endless alfalfa farms before the world found us. My mother's ancestors went back to the first three farmers in Heber Valley who already had crops in the ground when Brigham Young send men to settle it.

Please consider carefully what this open space means to this valley. The priorities are not just about cost and expediency, but about respect for the history and beauty especially this remaining open space called the North Fields.

If a bypass needs to go up in the Heber Valley, **please go with Alternative A** which dissects the North Fields the least. Besides ripping a scar through the entire North Fields, you have already noted the other potential negative impacts of Alternative B such as destroying the 54 canals, ditches, streams, and the wetlands being severely impacted. Alternative A would do the least damage and would keep the sacred view of Timpanogos through the North Fields fairly in tack.

But whether Alternative A or B is chosen, the ultimate UDOT promise needs to be exactly as you've stated that you "will prioritize the North Fields for wetland mitigation" and the "mitigation acres are protected in perpetuity. They will NOT be privately owned or up for development." We hold you to that priority.

Hear our pleas Do not destroy the heart of our valley.

Sincerely—Patricia Merkley

[redacted]

Heber City, UT

*Sarah Merkley Morrow at: https://sarahmerkleystudio.blogspot.com/p/landscapes.html

*Missy Merkley Ames at: https://missyames.com/

ID 458

Utah Reclamation Mitigation & Conservation Commission
230 South 500 East, Suite 230
Salt Lake City, UT 84102-2045
Phone: (801) 524-3146 – Fax: (801) 524-3148

COMMISSIONERS
Brad T. Barber, Chair
Robert L. Morgan
Gene Shawcroft

Utah Department of Transportation
Heber Valley Corridor EIS
c/o HDR, Inc.
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

Subject: Heber Valley Corridor Draft EIS Comments

Dear Heber Valley Corridor EIS Team:

The Utah Reclamation Mitigation and Conservation Commission (Mitigation Commission) appreciates the opportunity to comment on the Heber Valley Corridor Draft Environmental Impact Statement (EIS). As a stakeholder committed to the long-term health of Heber Valley's natural resources and the Provo River Restoration Project's continued viability, we provide the comments below as a continuation of previous submitted comment letters which began with project scoping in 2020.

As you are aware, the Mitigation Commission and the U.S. Bureau of Reclamation manage over 1,500 acres of land in Wasatch County adjacent to the Provo River between Jordanelle and Deer Creek reservoirs. This property is known as the Provo River Restoration Project (PRRP). The land was acquired, and the Provo River restored through this corridor, as partial mitigation for fish and wildlife impacts from the Central Utah Project. As identified in the PRRP Final Environmental Impact Statement, the PRRP purposes are habitat restoration, biodiversity, and fish and wildlife conservation.

In addition to providing comments on which action alternative will best protect the PRRP and the surrounding environment, we also identify areas of analysis within the EIS that need to be improved to fully evaluate potential impacts to the hydrology and water quality of the area.

Support for Action Alternative A as Preferred Alternative

Although neither of the action alternatives currently being evaluated have direct impacts to PRRP, indirect and potential cumulative effects associated with Alternative B would have a heightened negative effect to water and other natural resources of the PRRP. Any highway alternative that has direct impacts on wetland areas, perennial, intermittent, or ephemeral streams, or canal or ditches that return water flows back to the Provo River or the associated aquifer would likely result in negative impacts to water quality and quantity in the Provo River. In addition, wildlife barrier impacts associated with Alternative B would also indirectly and cumulatively affect wildlife moving into and out of PRRP lands. For these reasons, we urge the selection of Alternative A as the preferred alternative. The EIS demonstrates that Alternative A would result in substantially fewer and less severe impacts to a wide range of natural resources compared to Alternative B, including:

- Wetlands and Aquatic Resources: Alternative A would directly impact 19.91 acres of palustrine emergent wetlands, compared to 50.34 acres for Alternative B—a reduction of over 60%. Similarly, impacts to perennial streams and riparian habitat are lower under Alternative A. This would result in maintaining the current hydrologic connection between PRRP lands and those of the North Fields.

- Farmland and Agricultural Protection Areas: Alternative A would convert fewer acres of farmland and have less impact on Agriculture Protection Areas (APAs) than Alternative B. Surrounding farmland areas are important to the PRRP as they form a protective undeveloped buffer to the project area.

- Wildlife and Habitat: The footprint of Alternative A avoids new road construction through the North Fields, thereby reducing habitat fragmentation, wildlife-vehicle collision risk, and disturbance to sensitive species and migratory birds. This reduction in wildlife and habitat related impacts would benefit wildlife resources of the PRRP that move into adjacent areas outside the property.

- Visual and Aesthetic Resources: Alternative A maintains the rural and agricultural character of the North Fields and minimizes adverse visual and noise impacts compared to the new corridor proposed in Alternative B. Consequently, Alternative A would more effectively minimize associated roadway noise and visual impacts to the PRRP.

- Floodplains and Hydrology: Alternative A results in slightly less floodplain encroachment and maintains more natural hydrologic connectivity which in turn would benefit water quality and water quantity resources associated with the PRRP.

Importantly, the Envision Heber 2050 General Plan explicitly calls for the preservation of open land and rural atmosphere, with a vision that “Heber City draws a clear distinction between what is city and what is country, maintaining a distinct city that is surrounded by open land, valuable for its beauty, ecology and agricultural function.” The North Fields, as one of the valley’s most significant open spaces, are central to this vision. Action Alternative A is the only alternative that meaningfully upholds this community value by avoiding new impacts to the North Fields, in direct alignment with the adopted plan.

Recommendations for In-Depth Assessment and Mitigation

In addition to supporting Alternative A, the EIS Team needs to strengthen the analysis and mitigation commitments for several critical resource areas. First, the EIS should include a thorough evaluation of potential impacts to the region’s drinking water aquifer. The Heber Valley’s underlying Class IA “pristine” aquifer is a vital source of drinking water for the community. Any changes in groundwater flow, recharge, or contamination risk from roadway construction, stormwater infiltration, or deicing practices must be rigorously analyzed. This includes modeling potential contaminant transport, assessing risks to existing and future wells, and establishing robust monitoring and contingency plans to protect public health and water supply integrity.

For groundwater flow, surface water flow, and wetland hydrology, the EIS acknowledges that embankments and new roadways may obstruct natural groundwater movement and alter surface water flow, potentially affecting wetland hydrology and the PRRP corridor. Disrupting the hydrology of the area will impact the nature of the PRRP and reduce the mitigative benefits that the PRRP is

required to provide as part of the Central Utah Project. As such, UDOT must conduct detailed hydrogeologic modeling to assess potential changes in groundwater and surface water flow, design and implement cross-drainage features (e.g., underdrains, culverts) to maintain natural hydrologic connectivity and wetland function, and monitor groundwater and wetland hydrology pre- and post-construction, with adaptive management to address any observed impacts. This analysis is necessary to ensure the PRRP continues to fulfill mitigation requirements necessary to support the Central Utah Project.

Regarding stormwater runoff and BMPs, while the EIS proposes stormwater BMPs to infiltrate runoff and protect water quality, additional measures are warranted given the sensitivity of PRRP waters. The cumulative effects of multiple years of contaminated roadway runoff should be explicitly analyzed and monitored, not just single-event impacts. We recommend requiring multiple, redundant BMPs for all concentrated flows, including vegetated filter strips, oil/grit separators, and extended detention basins. Treatment methods that combine structural and vegetative BMPs should be prioritized, with oil/grit separators installed either before or after vegetated filter strips, especially at outfalls near sensitive water bodies. Regular maintenance and performance monitoring of all BMPs must be committed to, ensuring long-term effectiveness and accountability.

For wildlife passage, both action alternatives will increase the barrier effect for wildlife. All drainage crossings should be designed to accommodate passage for small-to-large mammals, semi-aquatic and aquatic species, reptiles, and amphibians. In particular, the potential for clear-spanning most or all drainages should be evaluated, as this approach is often the most effective at maintaining ecological connectivity and reducing wildlife-vehicle collisions. Crossings should include natural substrate bottoms and shelves or dry pathways above base flow to facilitate safe movement during high water. Wildlife fencing and escape ramps should be incorporated where appropriate, and post-construction monitoring should be conducted to assess effectiveness.

Finally, with respect to salt-specific BMPs for PRRP waters, the EIS's own modeling using UDOT's Stochastic Empirical Loading and Dilution Model (SELDM) shows that deicing salt runoff would produce Total Dissolved Solids (TDS) concentrations exceeding the 500 mg/L standard for the area's pristine Class IA aquifer. Given the aquifer's critical importance and regulatory status, the EIS must treat this as a significant impact and commit to implementing salt-specific BMPs such as salt traps, post-season roadway washing, and alternative de-icing products with lower salt content. Salt storage and application areas should be located away from sensitive hydrologic features, and TDS and chloride concentrations in runoff and groundwater should be monitored, with adaptive management to reduce salt loading as needed.

Conclusion

In summary, Action Alternative A offers clear advantages in minimizing impacts to wetlands, farmland, wildlife, and the visual landscape, and is therefore the environmentally preferable alternative. Alternative A also has fewer potential impacts to the PRRP and would be less detrimental to the State's water supply. We urge the EIS Team to select Alternative A as the preferred alternative and to incorporate the above recommendations for in-depth assessment and mitigation of hydrologic, water quality, and wildlife impacts—especially as they relate to the PRRP, the drinking water aquifer, and the broader ecological health of the Heber Valley.

Thank you for your consideration of these comments and for your commitment to a thorough and transparent NEPA process. Please do not hesitate to contact us for further discussion or clarification.

Sincerely,

MICHAEL MILLS Digitally signed by MICHAEL MILLS
Date: 2026.03.06 10:51:41 -07'00'

Michael D. Mills
Executive Director

cc: Commissioners Brad Barber and Robert Morgan
Gene Shawcroft, Central Utah Water Conservancy District
Paul Christensen, Central Utah Project Completion Act Office
Rick Baxter, U.S. Bureau of Reclamation, Provo Area Office
George Weekley, U.S. Fish and Wildlife Service
Heber City Council and Mayor Heidi Franco
Doug Smith, Wasatch County Planner
Danny Summers, Utah Division of Wildlife Resources
Jordan Nielson, Trout Unlimited

change. of 3 stop options
Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

ID 162

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1-28-26

Name Paula Dean

Phone ___ - ___ - ___

Email [redacted]

Address

Would you like to receive email updates? **Yes** or **No** already on your list

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

Alternative A is Better Option of the two.
Less than half the destruction of wetlands and less impacts to our beautiful valley. That extra minute of travel time will allow the traveller to view a beautiful green valley out their window.

The noise from the current highway can already be heard from miles away all the way to the river. Please read the article "The Blab of Pave" in the High Country News from a few years ago. The author describes a "Phantom Rd Study", analyzing the surprising effects of the highway noise on wildlife.

The North Fields and the Provo River Corridor should not be dissected by a highway, no matter what.

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 562

These comments are regarding Appendix F: Noise Technical Report in the Heber Valley Corridor EIS.

You have likely received many comments quoting studies that show traffic noise within 500-1,000 feet of a highway acts as a chronic stressor, increasing risks for cardiovascular disease, hypertension, sleep disruption, and mental health issues.

But as bad as noise is for humans, it can be worse for wildlife. From Ben Goldfarb's essay in Sept. 2023's issue of High Country News:

> *Wild animals inhabit an aural milieu that is sensitive beyond our imagining. Human conversation occurs at around 60 decibels, and sounds that barely register to us — gentle breathing, the rustle of leaves — produce around 10 decibels. The most acute predators, meanwhile, can detect* ***negative-20 decibels. Bats*** *seize upon the crunch of insect feet;* ***foxes*** *triangulate snow-buried voles. Prey is equally perceptive. Scrub wren* ***nestlings*** *freeze at the footsteps of enemy birds. Tungara* ***frogs*** *duck at the flap of bats. While most animals sleep with their eyes closed, nearly all awaken at the snap of a twig.*
>
> *For animals that survive by the grace of their hearing, traffic's "masking effect" can be fatal. Ambient road noise drowns out songbirds' alarm calls and prevents owls from detecting rodents.* ***A mere three-decibel increase*** *in background noise* ***halves the "listening area,"*** *the space in which an animal can pick up a signal. By disturbing animals, noise also disrupts the ecological processes they catalyze, among them seed dispersal, pollination and pest control."*

Alternative A is much less harmful to the natural environment than UDOT's stated preferred Alternative B, as it destroys much less wetlands and viewsheds and keeps a larger portion of the North Fields intact. We humans can more easily replace the houses and businesses necessary to be relocated with Alternative A than recreate the 54 acres of wetlands that would be lost forever with Alternative B.

Other related comments on Appendix F:

1. The sound of highway traffic is heard beyond the Noise Evaluation Area of ~500ft from the highway depicted in Figure 2-1. A GIS sound map would be a better way to accurately illustrate the impact of traffic noise in this report.
2. Table 3-2 states that there are no Category A sites, yet the Provo River Corridor (a blue ribbon fishery and big economic driver in the valley) fits that description and falls within the Noise Evaluation Area on the northern end where it flows under Hwy

40, and may be close to 1000 ft from the proposed highway near 600 South and thus be impacted.

3. Table 3-2 also lists no Category D sites, yet there is a place of worship at 2930 US Hwy 40. Has the model evaluated the impact at this location?
4. Wind direction and temperature inversions have an effect on sound waves. Highway sounds are often louder at night, yet no acoustic data was collected at night. The sound wall analysis should monitor acoustic data at night when determining locations.
5. Since the report was written, construction material and labor costs for noise abatement structures have increased. The $20/sq.ft may not be accurate. Will this cost increase affect the "feasible and reasonable" criteria?
6. On pg 46, in Appendix F's Conclusions: *"A barrier identified as recommended for balloting is a barrier that has been shown to be both feasible and reasonable. However, that finding is not a commitment to build a barrier."* Of the 3 or 4 recommended noise barriers, even those are not guaranteed. Isn't there some assurance noise abatement measures will be done?
7. Monitoring took place in 2022, before construction at East Village and other large developments near Hwy 40 were ongoing. Baseline noise levels have likely only increased.
8. Table 3-4: Model Valuation *To be considered valid, the field noise measurements must be within 3 dBA of the model's predicted noise level.* One monitor, ML-14, does not meet this criteria, or there is either a math error or typo, as 80.1-76.9=3.2, not -0.7 as the table states. (ML-14 Residential; 2693 S. US-189 B 80.1 76.9 –0.7)

References:

Wildlife and the inescapable impact of road noise - High Country News

Arregi A, Vegas O, Lertxundi A, Silva A, Ferreira I, Bereziartua A, Cruz MT, Lertxundi N. Road traffic noise exposure and its impact on health: evidence from animal and human studies-chronic stress, inflammation, and oxidative stress as key components of the complex downstream pathway underlying noise-induced non-auditory health effects. Environ Sci Pollut Res Int. 2024 Jul;31(34):46820-46839. doi: 10.1007/s11356-024-33973-9. Epub 2024 Jul 8. PMID: 38977550; PMCID: PMC11297122.

ID 432

March 5, 2026

Heber Valley Corridor EIS

Thank you for the continued discussion regarding long-term transportation planning in the Heber Valley. As conversations evolve, we would like to reaffirm several core principles that are essential to the future of Central Heber and the broader region.

Central Heber is the commercial, civic, and historic heart of Wasatch County. Decisions made here do not affect only one neighborhood or one jurisdiction, they shape economic patterns, investment behavior, and quality of life countywide. Without intentional planning, continued congestion and heavy truck traffic through downtown will push investment outward to easier, auto-oriented development, weakening Main Street and placing our historic core at risk of long-term decline.

Recent historic survey work indicates that hundreds of properties in Old Town may meet state and national historic standards. These are not abstractions or vacant parcels—they are real homes, small businesses, family investments, and livelihoods that represent over a century of private stewardship. As traffic volumes increase, cut-through traffic is already bleeding into residential streets that were never designed to function as arterials, creating safety concerns, degrading neighborhood livability, and increasing vehicle speeds in areas without sidewalks or pedestrian infrastructure.

For these reasons, we strongly support forward progress toward a completed bypass that removes regional and freight traffic from downtown streets. A functional bypass is not simply a transportation improvement, it is a preservation strategy, a public safety measure, and an economic development tool that protects the county's historic and civic center while allowing Main Street to function as a place for people, commerce, and community life.

At the same time, we believe it is critical that the process remain focused on outcomes rather than prematurely narrowing the conversation to a single route. The goal should be clear and shared:

- Reduce congestion and heavy truck traffic in Central Heber
- Improve safety, air quality, and neighborhood livability
- Protect historic resources and private investment
- Support a resilient, economically vibrant downtown

Achieving these outcomes requires collaboration, transparency, and a commitment to completing a bypass solution that works for the entire valley—not continued delay or piecemeal fixes that further strain downtown streets.

We appreciate the opportunity to engage in this process and look forward to continued dialogue that keeps preservation, safety, and long-term regional vitality at the forefront of decision-making.

Heber City Community Alliance for Main Street Board Members

Tom Stone

Matt Brower

Dallin Koecher

Erik Rowland

Nicole Ferguson

Jeff Bradshaw

Kelsey Berg

Ryan Fritzsche

Rachel Kahler

ID 636

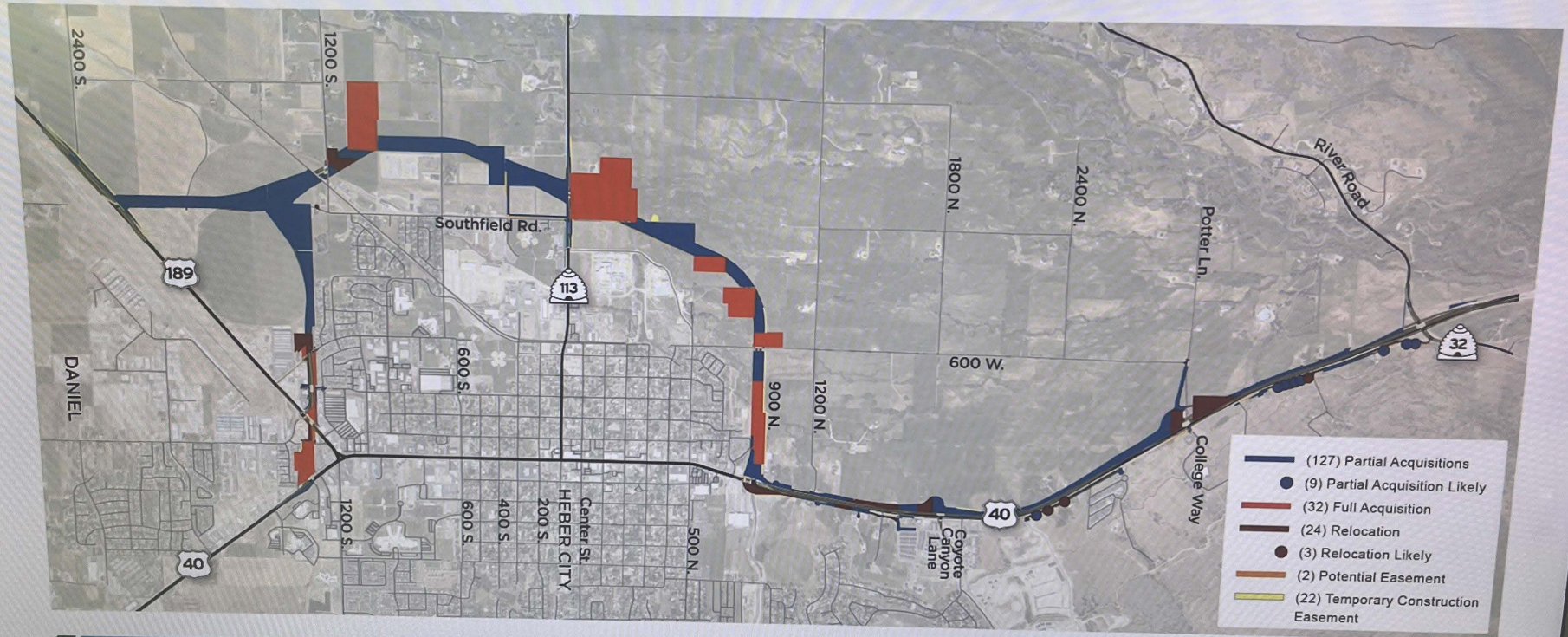
ID 82

Right of Way Acquisition

Alternative A Property Impacts

Heber Valley Corridor

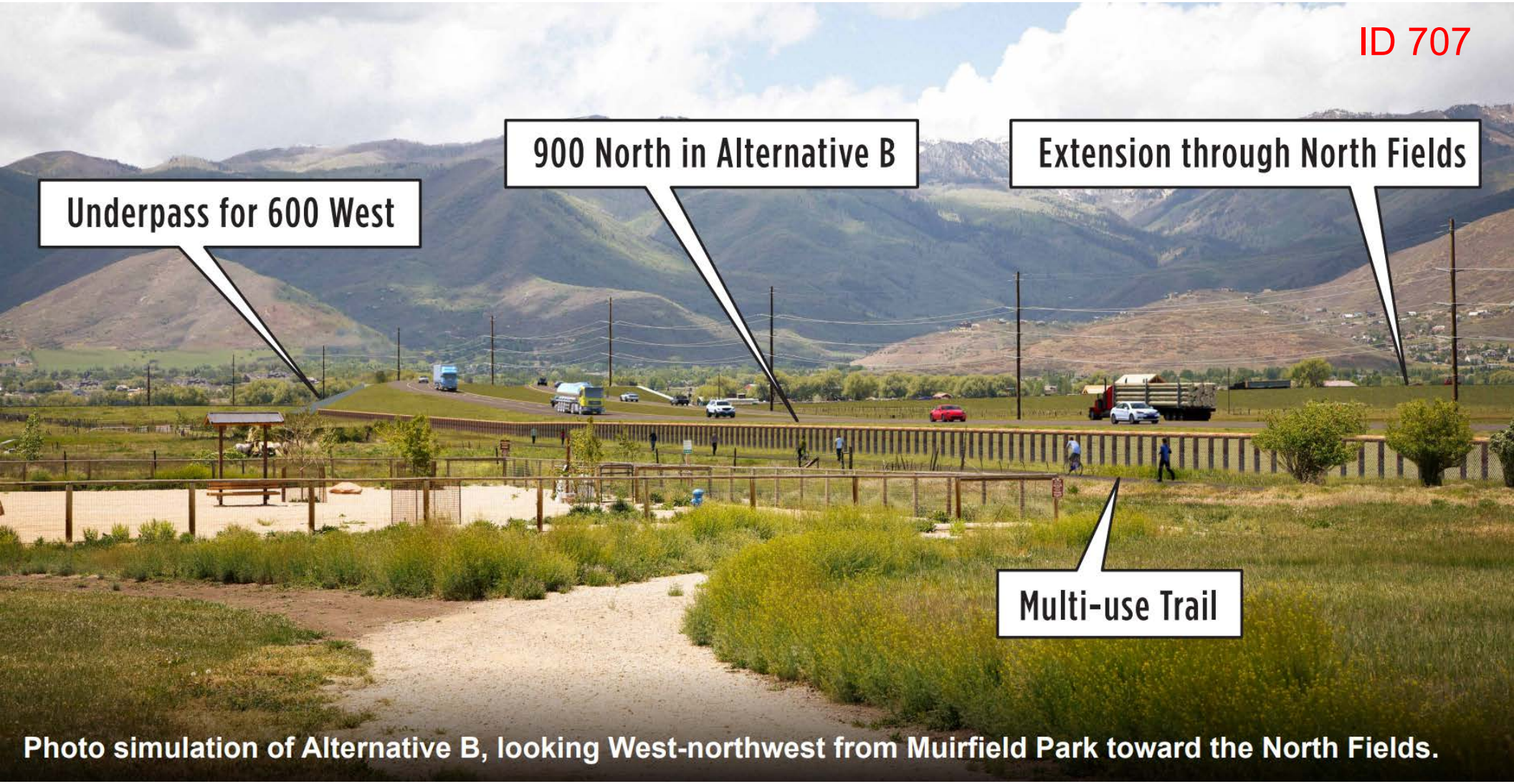
ENVIRONMENTAL IMPACT STATEMENT



UDOT

MORE VIDEOS

EliteDisplay E241i


ID 707
Underpass for 600 West
900 North in Alternative B
Extension through North Fields
Multi-use Trail
Photo simulation of Alternative B, looking West-northwest from Muirfield Park toward the North Fields.

ID 522

Comments on the Heber Valley Corridor Draft Environmental Impact Statement (DEIS)

3/7/2026

Robert K. Simons (Ph.D., P.E.)

An environmental impact statement should provide an evaluation of the effects of a proposed project on the environment. The Heber Valley Corridor Draft Environmental Impact Statement, unfortunately, does not. One of the key aspects of the environment in the Heber Valley is the complex interaction between the surface water and groundwater that is found in the North Fields. The proposed alternative selected in the DEIS follows a route through the North Fields (Alternative B) which would significantly disrupt the movement of surface water and groundwater through the North Fields and would also adversely affect water quality of this important water resource. The effects of Alternative B on the water resource in the North Fields were discussed in a brief document entitled, "Comments on the proposed Highway 40 Bypass Road through the North Field," by me and provided to UDOT in 2022. This document was provided to alert UDOT of these water-related issues in hopes UDOT would seriously address these issues. Despite this information, UDOT completely failed to adequately address water issues and by so doing, the DEIS is fatally flawed.

In my professional career, I have been involved in numerous environmental studies including formal Environmental Impact Statements from a perspective of water issues as well as habitat for threatened and endangered species and related riparian issues. As stated in my verbal comments in the recent meeting in Heber, I was probably the only person in the room commenting on the DEIS who has actually conducted such a study (other than UDOT). With some authority on the subject, my assessment is that the DEIS is fatally flawed with respect to water issues and future efforts in developing any bypass must seriously address the environmental impact on water in the Heber Valley.

An excellent summary of the flaws in the DEIS is found in: "**MASTER DEFICIENCY INDEX,** Heber Valley Corridor Draft Environmental Impact Statement (DEIS)," *Prepared by the North Field Irrigation Company | February 2026*. This document clearly points out with detailed reference to a plethora of issues citing chapter and verse in the DEIS and related references to legal issues and federal regulations.

> ***EXECUTIVE SUMMARY:*** *This index catalogs 96 specific deficiencies identified in UDOT's DEIS for the Heber Valley Corridor Project. Of these,* ***34 are classified as FATAL*** *(deficiencies so severe they independently invalidate the DEIS conclusions or violate federal law) and* ***62 are classified as MAJOR*** *(significant omissions or flaws that materially misrepresent impacts or costs).*

Each of the issues in this Master Deficiency Index must be addressed before the actual development of a proposed bypass can legitimately proceed. Specifically, regarding water this would entail detailed studies of the impact of a bypass on the flow of surface and ground water through the North Fields as would be affected by a bypass in this part of the valley. As cited in my 2022 comments, a bypass through the North Fields would significantly alter the permeability and hydraulic conductivity of the soil underlying the road which, in turn, would affect the flow ground water which generally flows from northeast to southwest through the area. The bypass would effectively create a dam, blocking the flow of water through this area. Water quality impacts due to salting and other pollutants from vehicular use would need to be quantitatively addressed. As a professional engineer with significant experience in such water-related issues, I would want to see detailed and specific study plans including data collection programs and analysis techniques such as computer modeling of surface and groundwater flow as well as analysis of contaminants related to any bypass through the North Fields. Both seasonal and long-term hydrologic trends need to be considered in such studies. No such data collection or technical analyses were conducted as an integral part of the DEIS. Please provide specific and detailed study plans regarding the flow of groundwater and surface water as it currently exits and as would be affected by any alternative bypass route, as well as the effect of salt and other contaminants from a bypass on surface and ground water quality.

In my opinion, these studies will show significant environmental impacts to water in the North Fields with any alternative that follows a route through this area. To either minimize or eliminate such impacts to water resources, Alternative A or moving Alternative B as far east as possible (basically adjacent to existing development of Heber City and avoiding the North Fields) are much more appropriate than the current alignment of Alternative B.

As you will see in the Master Deficiency Index, there are several people from this area who are concerned about the bypass and have considerable expertise in either conducting environmental impact statements or who are very familiar with regulatory processes associated with such studies. It would behoove UDOT to seriously consider these matters unlike what we have seen so far in this DEIS process.

Comments on the proposed Highway 40 Bypass Road through the North Field

by

Dr. Robert K. Simons, P.E., Ph.D.

The North Field area is located to the west of Heber, UT and is an agricultural area that lies between Heber and the Provo River. This area has been irrigated by a system of canals and laterals which have provided water to this area for over 100 years. This irrigation system has:

1) built up the groundwater table and through flood irrigation of the land surface
2) developed sub-surface irrigation by groundwater
3) developed this area into prime ground for production of hay and grazing for significant cattle operations which have been in existence for many decades.

Figure 1 shows this irrigation system in the North Field. The boundary of the North Field irrigation system is shown in green. Some of the main irrigation canals are shown in blue, as is the Provo River which flows in a southern direction along the western boundary of the service area. The irrigation canals are diverted from the Provo River north of the North Field and generally flow in a southerly direction through the North Field. The ground surface in the North Field generally slopes to the south and west. There is a groundwater gradient that slopes to the southwest through the North Field as groundwater generally flows from the higher sources on the north and east and flows towards the lowest level which is the Provo River along the western boundary of the North Field area.

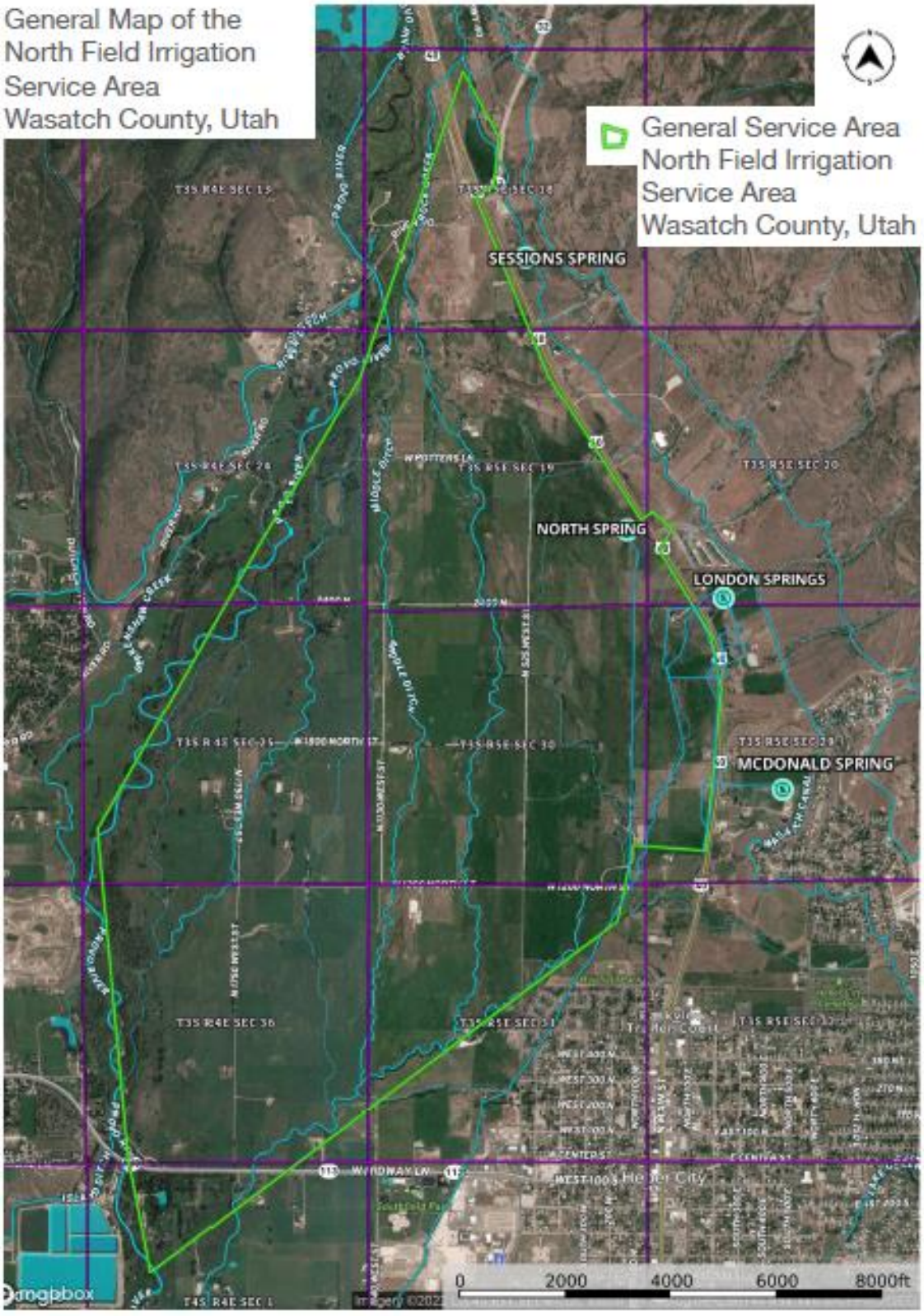
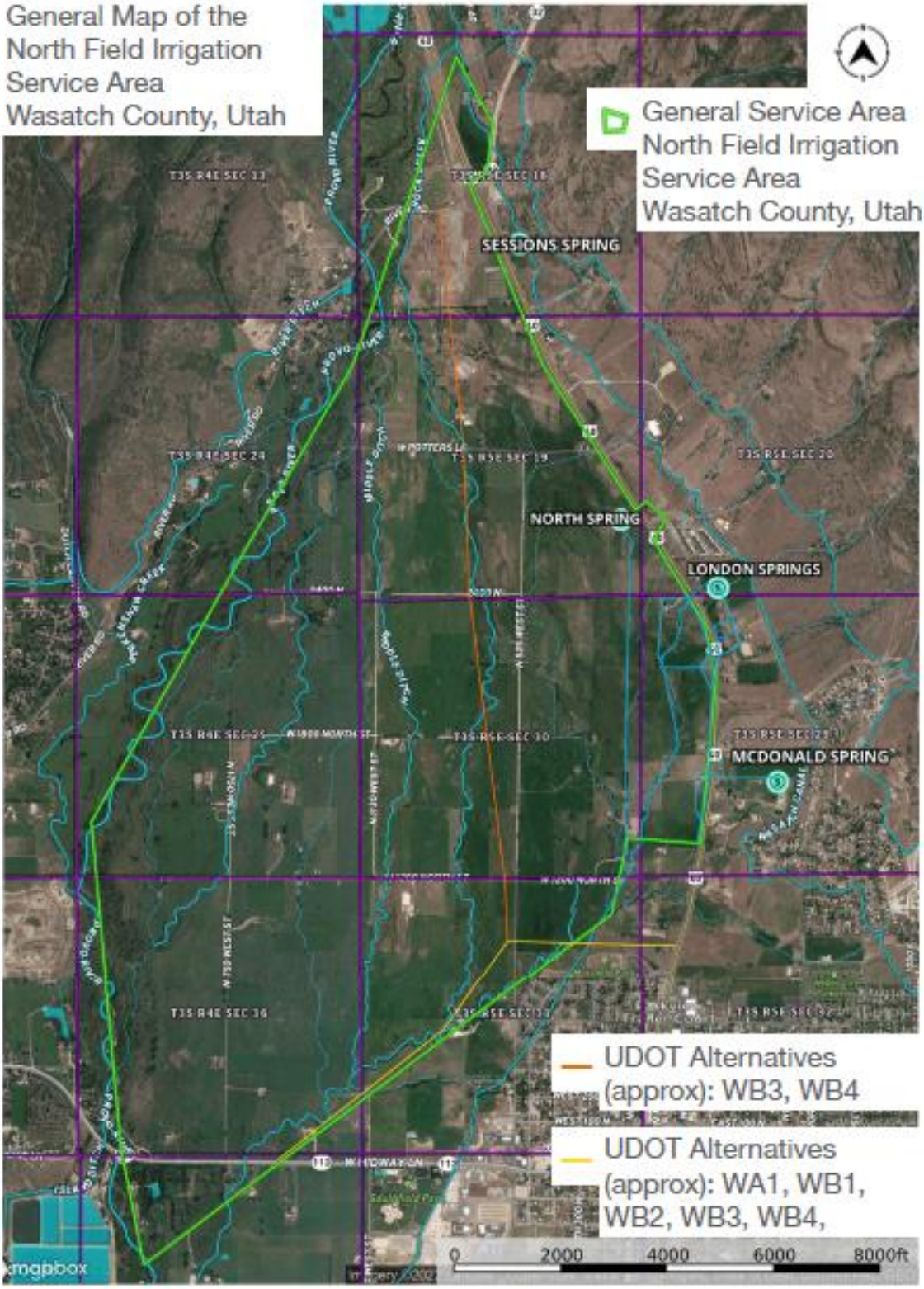


Figure 1. North Field area and associated irrigation system

Recent photographs show the North Field area, as well as some of the main irrigation canals that provide water to this area.

The approximate location of the proposed Highway 40 Bypass Road through the North Field area is shown in the following Figure in yellow and orange. The primary route in the north-south direction is shown in orange and essentially cuts the North Field area into two separate pieces.


General Map of the
North Field Irrigation
Service Area
Wasatch County, Utah
General Service Area
North Field Irrigation
Service Area
Wasatch County, Utah
SESSIONS SPRING
NORTH SPRING
LONDON SPRINGS
MCDONALD SPRING
T3S R4E SEC 13
T3S R4E SEC 24
T3S R4E SEC 25
T3S R4E SEC 36
T3S R5E SEC 19
T3S R5E SEC 30
T3S R5E SEC 31
T3S R5E SEC 32
T3S R5E SEC 33
PROVO RIVER
DEER CREEK
MILL CREEK
MAIN CANAL
UDOT Alternatives
(approx): WB3, WB4
UDOT Alternatives
(approx): WA1, WB1,
WB2, WB3, WB4,
0
2000
4000
6000
8000ft
mapbox

The road will significantly affect the irrigation system and the delicate balance that has been developed over the past century between surface water and groundwater and the agricultural activity that it supports. The road alignment essentially goes right over one of the primary canals that provides water to the fields. This will require the realignment of the irrigation canal. More significant is the impact on the groundwater flow that again flows generally from the northeast to the southwest across the North Field towards the low point of the Provo River on the western boundary of the North Field Service area.

The effect of roads on groundwater has been studied and shows that the proposed road will adversely affect the North Field area.

In Chapter 18 (ref) of a manual on highway design, the issue of groundwater and seepage is addressed:

18 Groundwater and Seepage

18.1 INTRODUCTION

18.1.1 Purpose

The impact of groundwater on the construction, maintenance and long-term performance of highways and highway structures must be considered on every project. Excessive and uncontrolled subsurface water has been responsible for large numbers of pavement and slope failures, and unsatisfactory projects. Subsurface drainage is essential for economical, long-term performance of roads and highways. This chapter discusses the effects of groundwater on highway projects, identification of groundwater problems, and methods for control of subsurface and subpavement water. Procedures and criteria for subsurface drainage design are presented, with emphasis on a multidisciplinary approach to groundwater problems with interaction between the hydraulics, geotechnical and roadway engineers.

While most of the manual focuses on how to reduce problems to the highway, the concepts also apply to adverse effects on groundwater movement under the road.

In section **18.3 ANALYSIS OF GROUNDWATER PROBLEMS,** they discuss Darcy's law which is used in quantifying the movement of groundwater:

Darcy's law relates flow through porous media linearly to a proportionality constant, k, and the hydraulic gradient, i. Darcy's law is expressed in the following form:

$$Q = k\, i\, A \quad (18.1)$$

where: Q = discharge through an area (volume/time); k = coefficient of permeability (length/time); i = hydraulic gradient, the ratio of change in water level and linear distance of fluid flow (dimensionless); A = area through which flow occurs (length^2).

When a road is constructed, one of the first steps is to compact the soil and build up a base by importing road base material. This changes the value of k, which is the coefficient of permeability of the soil. This will disrupt the historic movement of groundwater which has developed over the past century as it flows from northeast to southwest and crosses the proposed alignment of the road.

The manual then discusses the difficulty in determining the coefficient of permeability:

18.3.3 Determination of the Coefficient of Permeability
The coefficient of permeability, k in Darcy's law, is defined as the flow rate through a unit area with a unit hydraulic gradient. It indicates the capability of a material to carry water. Both soil and fluid properties affect the coefficient of permeability. Permeability is a function of soil-particle size, soil void ratio, mineral composition, soil fabric, and degree of saturation. The coefficient of permeability is also a function of the fluid density and viscosity.
It is preferable to determine permeability by direct methods in the laboratory or field. These methods include:
- *Laboratory - constant head test and falling head test; and*
- *Field - pump tests.*

Tests to determine the coefficient of permeability for fine-grained soils take a long time to perform. As such, permeability is sometimes determined indirectly from triaxial compression test results, or from consolidation tests. Procedures for these testing methods can be found in soil mechanics texts or laboratory manuals.
Although field or laboratory determinations of permeability are ideal, they are both expensive and difficult. In practice it is often necessary to estimate soil or filter-material permeability with empirical equations, or charts that relate permeability to soil gradation.
The relationship between soil grain-size and permeability can be used to estimate the permeability. Permeability of granular soils is related to grain size by Hazen's Formula:
k = C (D10)2 (18.2)
where: k = coefficient of permeability (in/sec); C = proportionality constant (C = 1 for coarse sands and gravel); D_{10} = effective grain size in inches (the particle diameter for which 10 percent of the soil mass passes in a sieve analysis).
It should be noted that the coefficient of permeability varies over many orders of magnitude depending on soil properties. In natural deposits and some compacted soils permeability may be much greater in one direction than in another. The coefficient of permeability for a soil is very difficult to determine, and results obtained from these methods are approximations which should be used with discretion.

Designing a road that will not impact the movement of groundwater as it has developed over the past century will be a difficult task since this will be a wide road that will carry a very significant load of traffic with many millions of tons of traffic compressing the soil and adversely affecting the movement of groundwater as it has in the past.

A recent study shows the impact of even small forest roads on groundwater (Measuring Effects of Roads on Groundwater: Five Case Studies (fs.fed.us),

Measuring Effects of Roads on Groundwater: Five Case Studies

Keith Kahklen
Hydrologist, Juneau Forestry Sciences Laboratory

Jeffry Moll, P. E.
Senior Project Leader

The report clearly states the issue:

Introduction
This report presents five case study site investigations of road effects on groundwater levels. Levels were measured by both electronic and hand methods in accordance with methods and equipment discussed in the companion document in this series entitled "A Monitoring System for Measuring Effects of Roads on Groundwater: Equipment and Installation." These five case study sites are in southeast Alaska. Additional case study investigations from sites in Montana will be added to an electronic version of this paper accessible on the SDTDC homepage.

Road effects on groundwater levels are important considerations in determining the overall impact a transportation system imparts on the hydrologic function of a watershed. A complete understanding of the effects of roads on groundwater is difficult because of the

- *Nonuniform interception of groundwater*
- *Heterogeneity of soils*
- *Variations of soil density*
- *Differing prism configurations on a given road segment*
- *Lack of methodology for tracking all components of a catchment's water budget*

Results presented in this report are examples of an initial determination of road effects on groundwater for each of the five sites. From results such as these, the need for further investigation and analysis can be determined, based on specific concerns for a given site.

Sound ecosystem management for transportation system development activities encompassing ecological, watershed, fish habitat, and buffer strip analyses requires information concerning road effects on groundwater. This study was designed to assist Forest Service field units in measuring and assessing effects of roads on groundwater and to provide a foundation for

- *Developing the ability to predict effects of road prisms on groundwater*
- *Developing methods of identifying and treating or mitigating effects*
- *Accounting for groundwater concerns during transportation system activities including planning, location, design, construction, operations, maintenance, and closure and obliteration.*

The report concludes by stating:

Results from the five transects described in this study show two effects of roads on groundwater levels on the uphill side of the prism: either a bulge or a drawdown in groundwater level near the ditch.

On the up-gradient side of the road there was an increase in groundwater level and a drawdown or lowering on the down-gradient side of the road, particularly if drainage ditches are built on the side of the road.

Another adverse impact to the area as a result of the proposed Highway 40 Bypass Road is salt pollution as explained in the following document:

Effects of Road Salting on Ground Water
Quality at the Suffolk County Water Authority Ackerly Pond
and Mill Lane Well Fields, Peconic, Town of Southold
Tyrand T. Fuller and Richard G. Bova
Suffolk County Water Authority
, Oakdale, NY 11772

This study shows that "elevated chloride concentrations" were found in adjacent ground water and ponds associated with road salting, which is quite prevalent in Utah.

Construction of the proposed bypass road through the North Field area, based on observations of the area and the available literature, will modify the historic groundwater movement from northeast to southwest by changing the coefficient of permeability due to changes in soil conditions and compaction and will result in a build up of groundwater on the east side of the road and a decrease in groundwater level on the west side of the road. This will adversely affect the historic pattern of surface and sub-surface irrigation that has resulted in the current delicate balance of the interaction between surface and groundwater that is so important to agriculture in this area. Salting of the road will adversely affect the quality of the water which is used for agriculture and ultimately drains into the Provo River.

The proposed alignment of the Highway 40 Bypass Road should not be allowed to proceed because of the significant adverse impacts to surface water and groundwater resources which have been developed for over a century which supports significant agricultural activity. Other alternatives exist which would not cause these adverse impacts to this important local resource.

ID 68

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

Comments that are publicly displayed through online tools must follow our UDOT Social Media Policy Participant Code of Conduct. Comments that are unacceptable under that policy may be removed at the administrator's discretion.

If you receive an error when trying to submit a comment, please refresh your browser.

Please provide your name and email to submit a comment. After clicking 'Comment', please email hebervalleyeis@utah.gov to confirm receipt.

Submit Comment

Please provide your name and email to submit a comment.

It's unfortunate to have only these two North Fields options available now when an eastern route would have been the least impactful in all respects. But that would have required long-term planning and limiting the amount of development. Please use option A as it is least impactful to the lovely North Fields that define this valley.

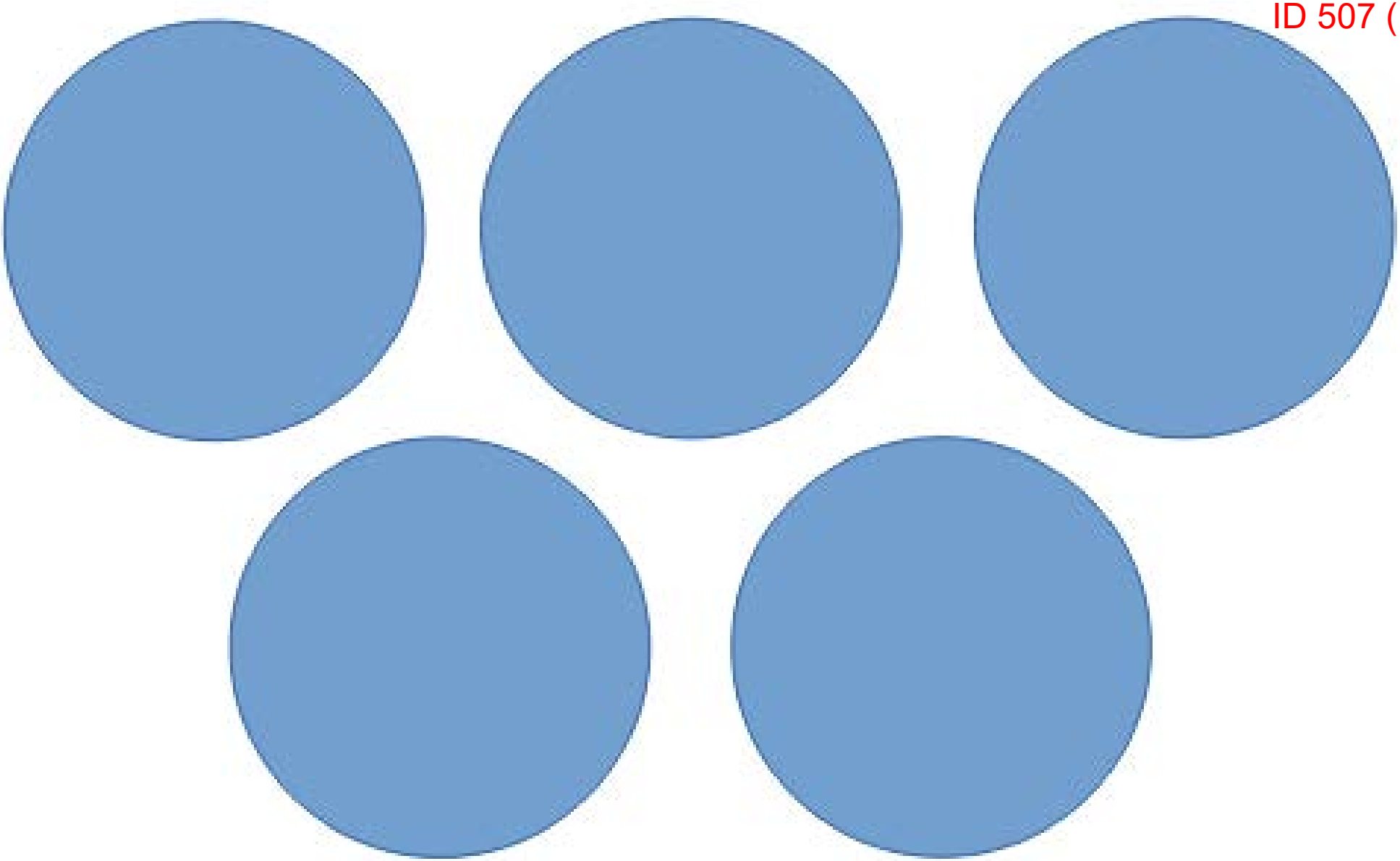
Your name (optional)

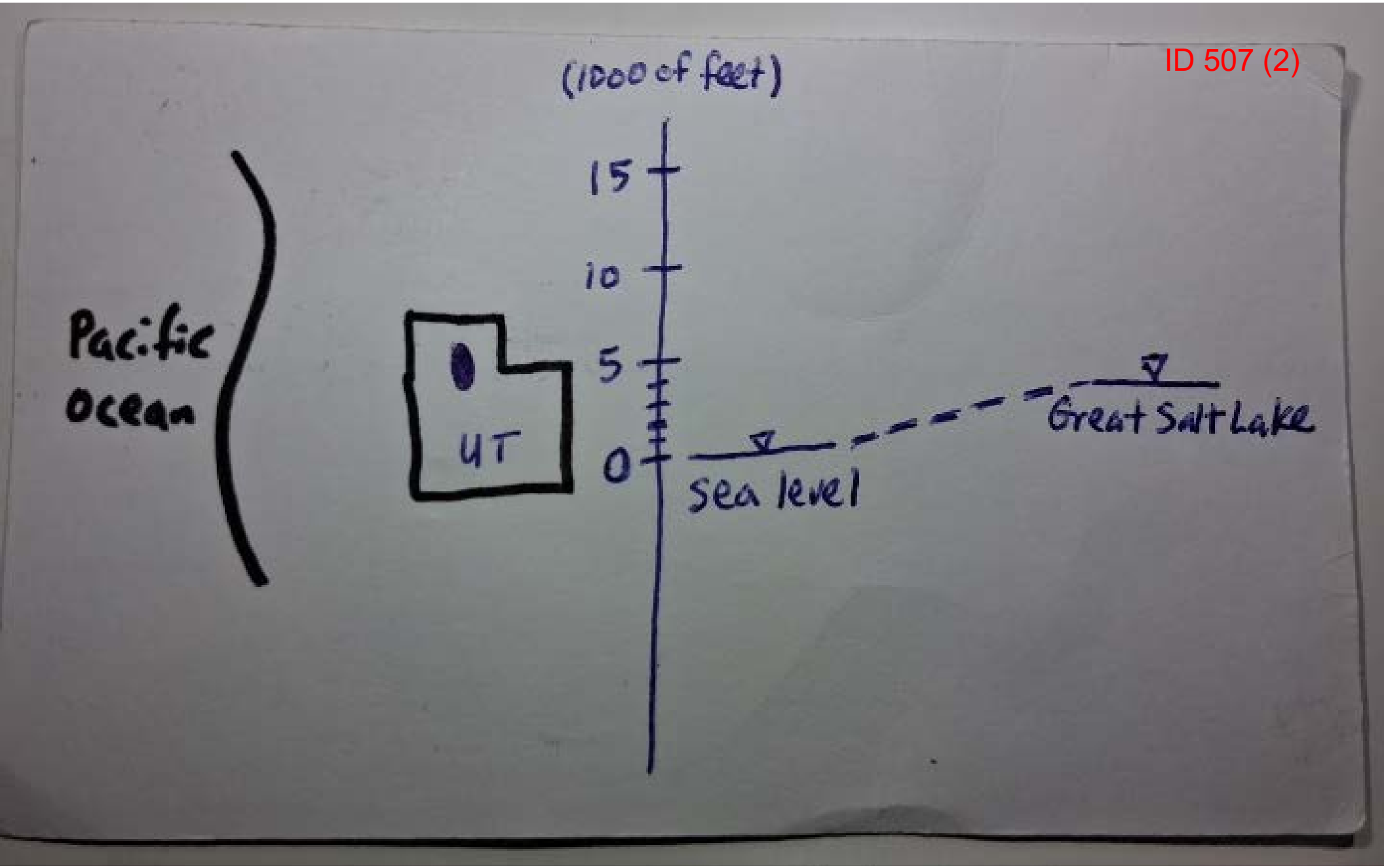
Rosie

Email

Add Files

Comment


ID 507 (1)


(1000 of feet)
15
10
5
0
Pacific
Ocean
UT
sea level
Great Salt Lake

ID 507 (3)

ID 507 (4)

ID 631

Public Comment on the Heber Valley Corridor Study

Opposition to Alternative B – North Fields Bypass

Submitted by:

W. Brad Winegar

Midway, Utah

Thank you for the opportunity to provide comments regarding UDOT's proposal to construct the Heber Valley Bypass and the designation of **Alternative B as the preferred route through the North Fields**.

While addressing transportation challenges in the Heber Valley is important, the proposed bypass represents a **very costly solution that does not effectively address the primary source of congestion and would permanently impact one of the valley's most valuable agricultural landscapes.**

For the reasons outlined below, I respectfully urge UDOT to reconsider Alternative B.

---

1. The Bypass Does Not Address the Main Cause of Traffic

UDOT's own analysis indicates that **approximately 70% of traffic on Heber City's Main Street is local "intra-valley" traffic**, meaning trips that both begin and end within the valley.

Examples include:

- Midway–Heber travel
- school trips
- local shopping and services
- recreation within the valley

A bypass around Heber City will do little to reduce these trips because they are **local trips, not through traffic**.

---

2. A $1 Billion Highway Should Not Be the First Solution

The bypass is projected to cost **approaching or exceeding $1 billion**.

Before committing to such an expensive and irreversible project, lower-cost solutions should be implemented first, including:

- a valley-wide bus system
- intersection improvements
- improved local connectivity
- traffic signal coordination

Transportation planning best practice is to **implement demand-management solutions before building major new highways**.

---

3. Transit, Bicycle, and Electric Bike Solutions Have Not Been Attempted

The Heber Valley currently has **no meaningful public transit system**.

A modest bus network connecting:

- Midway
- Heber City
- Jordanelle / Mayflower
- Deer Valley East Village
- schools and commercial areas

could significantly reduce the short trips that dominate traffic patterns.

The valley is also **unusually well suited for bicycle transportation due to its relatively flat terrain**.

A mobility strategy could include:

- protected bike lanes connecting Midway and Heber
- safe routes to schools
- regional trail connections

- **rental electric bike systems similar to those used successfully in Park City**

These lower-cost investments should be implemented and evaluated before constructing a new highway through farmland.

---

4. A Highway Through the North Fields Would Create Development Pressure

Transportation infrastructure strongly influences future land use.

Constructing a major highway through the North Fields would likely increase development pressure on one of the valley's most important agricultural landscapes.

Historically, rural highways often become the catalyst for:

- residential subdivisions
- commercial development
- land speculation

The North Fields are one of the defining landscapes of the Heber Valley and provide:

- productive farmland
- wetlands and wildlife habitat
- scenic viewsheds
- the rural character that residents value

Once a highway corridor divides this landscape, it cannot be restored.

---

5. The Bypass May Primarily Serve Regional Through Traffic and Airport Access

The proposed bypass would create a faster corridor connecting:

- Park City / Jordanelle
- Utah County
- the Wasatch Front
- Heber Valley Airport
- Provo Airport

This raises an important policy question:

Should one of the valley's most valuable agricultural landscapes be sacrificed primarily to facilitate faster regional travel or airport access?

Transportation investments should primarily serve the needs of **local communities**, not simply regional through traffic.

Conclusion

The proposed North Fields bypass represents a **high-cost project with significant environmental and agricultural impacts**, yet it does not directly address the primary source of congestion in the Heber Valley.

Before moving forward with Alternative B, UDOT should:

- implement transit and local mobility solutions
- develop bicycle and electric-bike infrastructure
- improve local road connectivity and intersections
- fully evaluate lower-cost alternatives

The North Fields are one of the defining landscapes of the Heber Valley. Once a highway is constructed through them, the character of the valley will be permanently changed.

For these reasons, I respectfully urge UDOT to reconsider Alternative B and pursue transportation solutions that preserve the agricultural and scenic resources that make the Heber Valley unique.

Respectfully submitted,

Sonia Tasha Lingos

Midway, Utah

ID 163

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1/28/26

Name Stephanie Neal

Phone _____ - _____ - _____

Ema [redacted]

Add [redacted]

Would you like to receive email updates? (Yes) or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

The North Fields are the life-blood of this community. Running "Plan B" directly through them would have devastating impacts on the water and air quality, wildlife, wetlands, and farms. It would go against all of the efforts that residents have put into preserving this land over the years, for very little effect on traffic. This is not the plan that the people that live here want!!

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

hebervalleyeis.udot.utah.gov
hebervalleyeis@utah.gov
801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 360

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. **Local costs and responsibilities**
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,

Stephen Rather

Name

Address

Phone Number

Email Address

ID 87

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date Jan. 28 2026

Name Steve and Susie Heaps

Phone [redacted]

Email [redacted]

Addres [redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

We are very against alternate B! It will totally distroy the beautiful North fields, one of the reasons why we moved here! We overlook the North fields and cannot even comprehend disturbing this idealic valley! The cost is outrageous and astronomical! Also the noise this would cause! We do not want alternate B! It would be a detriment to this beautiful Valley! Please consider alternate A which is not the most ideal, but much better than B! The North fields to the residents of Heber Valley are iconic, and hopefully won't be disturbed. Please consider all of the residents wishes! NO to alternate B!

Letter to Utah Department of Transportation (UDOT)

Re: Air Quality Impacts of Proposed Heber Valley Corridor Bypass - Draft EIS Comment

Date: February 21, 2026

To:
Utah Department of Transportation
Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway # 200
Cottonwood Heights, UT 84121

From: Steve Phillips, Concerned Citizen

RE: Public Comment on Draft Environmental Impact Statement - Air Quality Concerns Regarding Proposed Highway 40 Bypass Alternatives

Dear UDOT Officials:

I am writing to express serious concerns regarding the air quality impacts of the proposed Heber Valley Corridor bypass project, particularly as documented in the Draft Environmental Impact Statement published January 7, 2026. As a concerned citizen with a sensitivity to air quality in Utah valleys, I urge UDOT to reconsider this project based on documented evidence that the bypass will significantly worsen air pollution in Heber Valley during winter inversion events.

The Inversion Problem: Heber Valley's Geographic Vulnerability

Like the Salt Lake Valley, Heber Valley experiences winter temperature inversions where cold air becomes trapped beneath a layer of warm air, creating a "lid" that prevents pollution from dispersing.[1][2] The bowl-shaped geography of Heber Valley—surrounded by the Wasatch, Oquirrh, and Traverse Mountains—enhances this lid effect, allowing pollution to accumulate for days during stagnant high-pressure weather patterns.[2][3] Recent research confirms that "inversions occur naturally here in Heber Valley," and local officials have begun monitoring PM2.5, ozone, and NOx specifically because valley inversions can trap pollution.[4][5]

While Heber Valley has historically experienced less severe pollution than Salt Lake Valley due to lower traffic volumes, the proposed bypass threatens to change this fundamentally. Utah DEQ warns that population growth and increasing traffic could make future inversions in Heber "look more like

what you see along the Wasatch Front."[4] During January 2026, Salt Lake City ranked as having the **worst air quality in the United States** with an AQI of 123 during an inversion event.[6] Heber Valley is on track to experience similar conditions.

Traffic Increases: The Pollution Source

The Draft EIS reveals dramatic traffic increases that will significantly increase mobile source emissions:

Current Baseline (2019):

- US-40 north of Heber City: ~22,000 vehicles/day
- Main Street (US-40 through downtown): ~32,000 vehicles/day PM peak hour volume
- Oil/gas tanker trucks: 600-700 per day (~30-60 per hour during peak)

Projected 2050 No-Build Conditions:

- Traffic volumes on north US-40 projected to reach **49,500 vehicles per day**—comparable to existing traffic on Bangerter Highway in Salt Lake County[7]
- Main Street traffic increased 10% over previous forecasts
- 30% increase in traffic on north US-40 compared to earlier projections[7]

With Alternative B (Preferred Alternative - Off US-40 Alignment):

- Creates entirely new 4-lane corridor through pristine North Fields
- Alternative B generates more traffic by providing faster regional travel times (6:15 vs 7:25 minutes SR-32 to US-189)[8]
- 54 acres of wetlands impacted, plus 223 acres of agricultural protection areas destroyed[8]
- More efficient routing attracts additional traffic that would otherwise avoid the area

Alternative A (On US-40 Alignment):

- While generating less new traffic than Alternative B, still accommodates massive volume increases
- 23 acres of wetlands impacted[9]
- Regional travel time 6:55 minutes (Alternative B) vs 8:10 minutes (Alternative A)[8][9]
- Slower travel times make Alternative A less attractive to through-traffic, reducing induced demand

Air Quality Consequences: Drawing from Salt Lake Valley Experience

Salt Lake Valley's air quality crisis provides a clear warning for Heber Valley. During 2026 inversions, Salt Lake Valley PM2.5 levels reached "unhealthy for sensitive groups" (AQI 101-150), with mandatory

no-burn restrictions.[6] Fine particulate matter from vehicle emissions—especially diesel trucks—becomes concentrated in the shallow cold air layer during inversions, creating the characteristic gray-brown haze.[2][10]

Key Air Quality Comparisons:

Location	Current PM2.5 Status	Inversion Severity	Traffic Volume Context
Salt Lake Valley	AQI 123 (worst in US, Jan 2026)[6]	Strong, persistent winter inversions[2]	Urbanized, high density
Heber Valley (current)	AQI ~14-25 (healthy/fair)[11][12]	Natural inversions documented[4][5]	Rural, growing rapidly
Heber Valley (2050)	**Projected degradation**	Same inversion conditions + 113% population growth by 2065[13]	49,500 vehicles/day on US-40[7]

Population Growth Amplifies Impact:

Wasatch County is projected to see a **113% population increase by 2065**—the highest growth rate of any Utah county, adding approximately 45,000 people.[13] The Kem C. Gardner Policy Institute projects Wasatch County population will reach 81,022 by 2060, with the county experiencing 47.9% growth from 2010-2020 alone.[14] This explosive growth, combined with bypass-induced traffic increases, creates a perfect storm for air quality degradation.

Mobile Source Emissions: The Science

During temperature inversions, vehicle emissions become trapped and concentrated:

- **PM2.5 from diesel trucks**: Oil/gas tanker trucks currently traverse Main Street at 600-700 per day. The bypass will maintain or increase this through-traffic while adding thousands of additional vehicles.
- **NOx emissions**: Nitrogen oxides from vehicle exhaust contribute to ozone formation and respiratory problems, with levels already monitored by Utah DEQ in Heber.[4]
- **CO and VOCs**: Carbon monoxide and volatile organic compounds accumulate during inversions, reducing air quality to hazardous levels as documented in Salt Lake Valley.[6][10]

The Draft EIS notably **fails to provide quantitative air quality impact analysis**, including PM2.5 projections, mobile source air toxics data, or climate change emissions for either alternative. This omission prevents meaningful public review of perhaps the most significant long-term health impact of this project.

Why Alternative A is Superior to Alternative B (Though Neither is Preferred)

If UDOT insists on proceeding despite air quality concerns, **Alternative A is demonstrably superior to Alternative B** from an environmental and air quality perspective:

Alternative A Advantages:

- **Less induced demand**: Slower travel times (7:25 vs 6:15 minutes) discourage unnecessary regional traffic[8][9]
- **57% less wetland destruction**: 23 vs 54 acres impacted—wetlands help filter air pollutants and sequester carbon[8][9]
- **Less agricultural land lost**: 179 vs 223 acres of agricultural protection areas preserved[8][9]
- **Avoids pristine North Fields**: Does not bisect undeveloped natural areas that currently provide air quality benefits
- **Better climate impact**: Less construction, less habitat destruction, less encouragement of sprawling development patterns

Alternative B's Fatal Flaws:

- Creates fastest route, maximizing traffic attraction and induced demand
- Destroys 54 acres of wetlands that provide natural air filtration during inversions
- Severs 223 acres of agricultural land, eliminating open space that helps moderate local climate
- Encourages additional development in North Fields area, compounding future traffic and emissions

No-Build Alternative: The Only Responsible Choice

Given Heber Valley's documented inversion problem, explosive population growth trajectory, and the catastrophic air quality lessons from Salt Lake Valley, **the No-Build Alternative is the only option that protects public health.** Heber Valley residents already face "moderate risk from air quality" with projections showing "poor air quality days with AQI over 100 will be higher in 30 years."[15]

Alternative approaches should include:

- **Transit investment**: Enhanced bus service, vanpool programs, and regional connections to reduce vehicle trips
- **Local circulation improvements**: Downtown Heber street network enhancements without regional bypass
- **Trip demand management**: Remote work incentives, staggered work hours, parking pricing
- **Oil tanker routing restrictions**: Limit or redirect commercial truck traffic during inversion events
- **Air quality monitoring and thresholds**: Establish PM2.5 triggers that would delay or restrict bypass traffic during inversions

Conclusion and Recommendations

The Heber Valley Corridor project proposes to build a pollution superhighway through an inversion-prone valley that will experience 113% population growth over the next 40 years. Salt Lake Valley's current air quality crisis—ranking worst in the nation—provides irrefutable evidence of what awaits Heber Valley if this project proceeds.

I urge UDOT to:

1. **Select the No-Build Alternative** as the only option that protects public health and air quality
2. **If construction is mandated, select Alternative A over Alternative B** due to reduced induced demand, less environmental destruction, and lower long-term traffic volumes
3. **Conduct air quality modeling** including PM2.5 projections, mobile source air toxics analysis, and cumulative impact assessment with inversion scenarios
4. **Establish air quality performance standards** that would trigger project re-evaluation if PM2.5 levels exceed health-based thresholds
5. **Invest in transit alternatives** and trip demand management as the primary mobility solution

The geographic reality of Heber Valley's inversion-prone basin, combined with explosive growth and massive traffic increases, makes this bypass project an air quality catastrophe in waiting. We have the opportunity to learn from Salt Lake Valley's mistakes. I urge UDOT to choose public health over traffic speed.

Respectfully submitted,

Steve Phillips
, Midway, UT 84049

References

[1] Utah Department of Environmental Quality. (2025). Inversions. https://deq.utah.gov/air-quality/inversions

[2] Central Wasatch Commission. (2019). Wintertime Inversion Explained. https://cwc.utah.gov/wintertime-inversion-explained/

[3] Deseret News. (2022, December 16). What causes inversion? https://www.deseret.com/23505771/what-causes-inversion/

[4] KPCW. (2023, December 5). Smog-filled inversions could be a future concern in Heber Valley. https://www.kpcw.org/2023-12-05/smog-filled-inversions-could-be-a-future-concern-in-heber-valley

[5] KPCW. (2024, September 2). Heber gets first DEQ air quality monitor in Wasatch Back. https://www.kpcw.org/heber-city/2024-09-02/heber-gets-first-deq-air-quality-monitor-in-wasatch-back

[6] Town Lift. (2026, January 14). Salt Lake City's air ranks worst in U.S. as inversion traps pollution. https://townlift.com/2026/01/salt-lake-citys-air-ranks-worst-in-u-s-as-inversion-traps-pollution/

[7] UDOT. (2025). Heber Valley Corridor Draft EIS Summary. https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2025/12/HVC_DEIS_00b_Summary.pdf

[8] UDOT. (2026). Alternative B Factsheet. https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2026/01/UDOT_HVC_DEIS_AlternativeBFactsheet_1-7-2026.pdf

[9] UDOT. (2026). Alternative A Factsheet. https://hebervalleyeis.udot.utah.gov/wp-content/uploads/2026/01/UDOT_HVC_DEIS_AlternativeAFactsheet_1-7-2026.pdf

[10] Camfil. (2023, February 15). Utah's Recent Air Quality Deemed Among Worst in the Nation. https://cleanair.camfil.us/2023/02/15/utahs-recent-air-quality-deemed-among-worst-in-the-nation-due-to-recent-inversions-and-wea

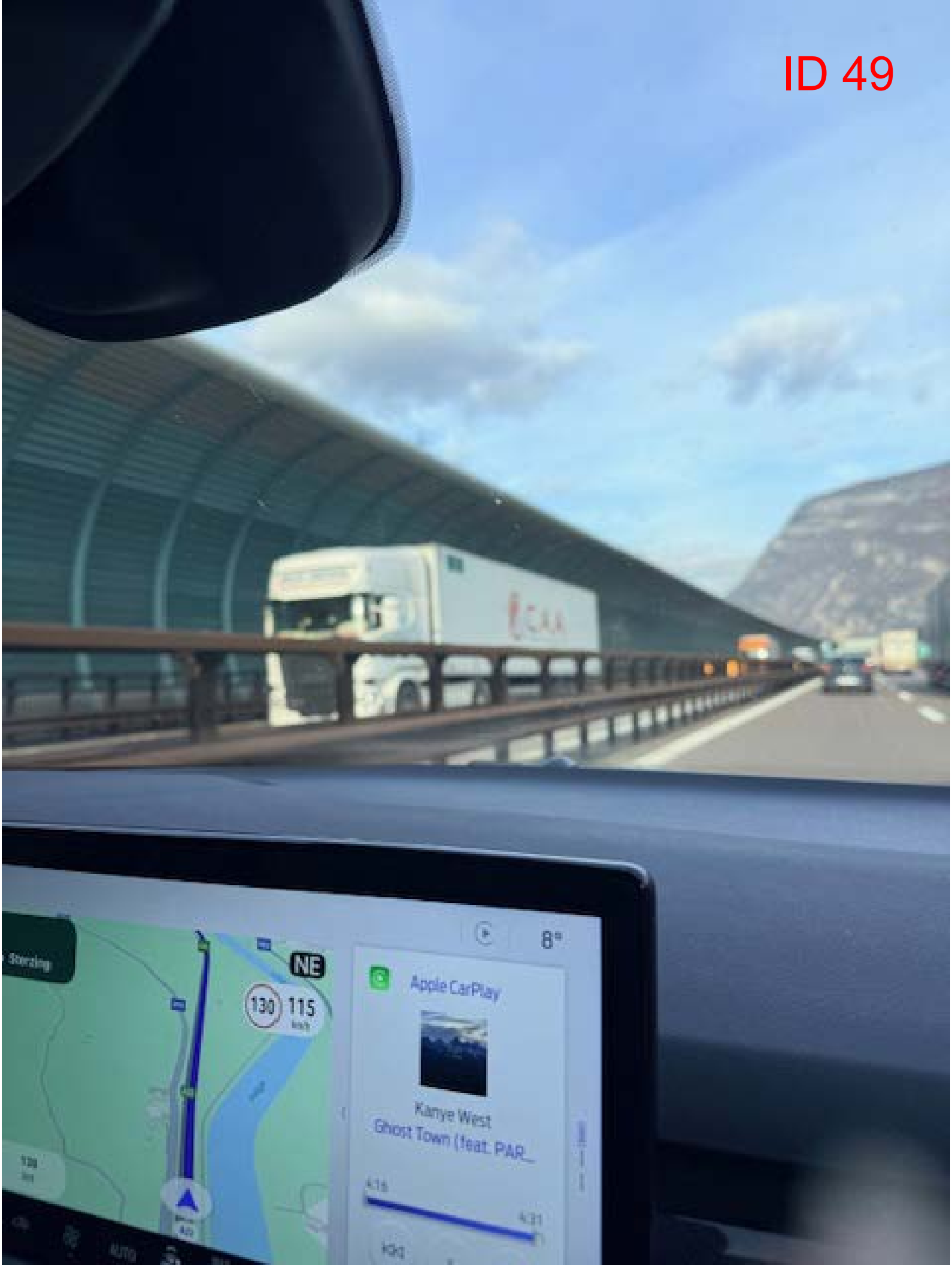
[11] AQI.in. (2026). Heber City Particulate Matter (PM2.5) Level. https://www.aqi.in/us/dashboard/united-states/utah/heber-city/pm

[12] AccuWeather. (2026). Heber, UT Air Quality Index. https://www.accuweather.com/en/us/heber/84032/air-quality-index/336122

[13] KPCW. (2025, November 19). New report projects Wasatch County population to double by 2065. https://www.kpcw.org/wasatch-county/2025-11-19/new-report-projects-wasatch-county-population-to-double-by-2065

[14] Wasatch School District. (2021, June 30). Utah school district preparing for student growth. https://wasatch.edu/blog/heres-how-a-utah-school-district-is-preparing-for-an-influx-of-student-growth/

[15] First Street. (2026). Heber, UT Poor Air Quality Map and Forecast. https://firststreet.org/city/heber-ut/4934200_fsid/air


ID 49
NE
130
115
Apple CarPlay
Kanye West
Ghost Town (feat. PAR_

ID 398

Susan L. Philipp

[redacted]

Park City, UT 84060

[redacted]

March 4, 2026

Utah Department of Transportation

Re: Request for New Thinking – Heber Valley Bypass Project

To Whom It May Concern,

I am writing to respectfully urge the Utah Department of Transportation to reconsider the current direction of the Heber Valley Bypass project and to engage in broader, long-term thinking about what this decision will mean for generations to come – forever!

I drive to Northfield Stables almost every day, and upon turning off U.S. 40, I am immediately embraced by the serenity and beauty of the Heber Valley. Those daily moments of awe—witnessing wildlife, simple fields of grazing cattle, and sweeping mountain vistas—instill in me a deep sense of responsibility to be a steward and ambassador for my community. It is this lived experience, not abstract opposition, that compels me to speak thoughtfully and earnestly about the future of this valley.

The proposed bypass would sever land that has been continuously farmed for 167 years, permanently altering not only productive agricultural ground but also the heritage and identity of a small town like Heber City. Once divided and developed, this land cannot be restored. Its history, continuity, and contribution to the character of the valley would be lost.

The environmental consequences are equally concerning. The fragile water aquifer and the Provo River represent critical natural resources whose long-term health must be safeguarded. Large-scale roadway construction introduces risks of runoff, pollution, and long-term degradation to water quality. These impacts may unfold gradually over decades, long after the immediate transportation objectives have been met or rendered obsolete by changing conditions.

Infrastructure decisions of this magnitude should be evaluated not only for present-day congestion concerns, but for their viability in a rapidly changing world. Technological advances, shifting transportation patterns, environmental realities, and evolving community priorities may dramatically alter what future mobility truly requires. Committing to a permanent bypass corridor today may limit flexibility tomorrow.

Heber is widely regarded as one of Utah's most cherished small towns. Its beauty, open landscapes, agricultural roots, and quiet valley setting are central to its identity. A bypass of this scale risks introducing long-term noise, visual disruption, air pollution, and water impact that

would fundamentally change the character of the area forever. Land that should be preserved for its beauty and for future generations would be irrevocably transformed.

I hope this letter can spark new thinking about the long-term future of Heber Valley and encourage exploration of alternative options that better align transportation planning with preservation of community character, environmental stewardship, and agricultural heritage.

Many of those involved in shaping this bypass have understandably become immersed in the technical complexities of the project. In doing so, however, broader conceptual and forward-looking vision can be overshadowed by minutiae, as well as by political and institutional pressures. I respectfully urge UDOT to step back from the immediate mechanics of the proposal and thoughtfully reconsider the enduring legacy this decision will leave for decades to come.

Thank you for your time and consideration.

Sincerely,

Susan L. Philipp

ID 250

MARK AND THERESA BARONEK

[redacted]

HEBER CITY, UT 84032

[redacted]

[redacted]

[redacted]

Heber Valley Corridor EIS

c/o HDR

2825 E Cottonwood Parkway, suite 200

Cottonwood Heights, UT 84121

SUBJECT: Comments on the Heber Valley Corridor Draft EIS regarding 1300 SOUTH

On behalf of our community and neighborhood, please consider the following:

ISSUE 1: 1300 South Elevated Roadway

CONCERN: Impact on the residential properties located adjacent to the proposed 1300 South leg. The proposed elevated road negatively impacts every home along 1250 South as well as the entire neighborhood. These lots were purchased, at an extra cost, for the unobstructed views of the beautiful Timpanogos Mountains. The proposed placement of this elevated road will reduce the value of our homes and make living there undesirable. In addition to the negative impact on the landscape, the noise associated with this raised road, as well as the diesel smell of the semi-trucks, would greatly impact on the quality of life for our families. While we understand the importance of creating other roads for commuting, we strongly suggest considering another option that will not negatively affect these properties.

RESOLUTION: Consider an alternative option that is better for the community and less invasive. Below are three acceptable suggestions:

1. **Consider an alternative route that runs to the south of 1300 through the open land used for the HVSSD Sewer Fields**

2. Consider using a smaller frontage road (two lanes, not elevated), running along the canal for local traffic
3. Utilize smaller local roads around the Walmart Valley Station

We value your efforts to resolve the traffic issues but would appreciate an alternative route to the 1300 South raised bypass road location that has been proposed.

Thanks for your consideration.

Mark and Theresa Baronek

[redacted]

Heber City, UT 84032

ID 164

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1-28-26

Name Theresa Wardell

Phone [redacted]

Email [redacted]

Addres [redacted]

Would you like to receive email updates? (Yes) or No

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

on the rail trail instead of having it right in front of my house why not keep it going down Hwy 40 like it is. Why are you taking it from the hwy to go up on my private road. I do not like that idea. We have a canal in the back of us that has to have a right away on each side. Maybe you can take the rail trail that way ALSO. please consider ALL options because I really dont think its A great choice to put it in "FRONT" of everyones house.

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 165

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1-28-26

Name TODD HICKEN

Phone [redacted]

Email [redacted]

Addres [redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

PLAN A OR DO-NOTHING

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 558

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: *Stop Route B — Choose Route A*

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. **Local costs and responsibilities**
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,

Name TOM REED

Address [redacted]

Phone N

Email A

ID 329

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway #200
Cottonwood Heights, UT 84121

To: hebervalleyeis@utah.gov
Subject: Stop Route B — Choose Route A

Hello Heber Valley Corridor EIS Team,

I'm writing to urge UDOT to reject Route/Alternative B and choose Route/Alternative A.

UDOT's mission includes enhancing quality of life. Route B fails that test for the people who live and work in the Heber Valley. It pushes the greatest damage onto the North Fields—wetlands, farmland, irrigation history, and water resources—while delivering only a small travel-time advantage.

UDOT has stated Route B is preferred because it:

- performs best on mobility,
- pulls more trucks off Main Street,
- causes fewer relocations, and
- has fewer historic (4(f)) impacts.

Before any Record of Decision, UDOT must show proof—not conclusions—and answer the following:

1. **"Best for the community"**
   What does "best for the community" mean, who is included in "the community," and what scorecard/weighting was used to choose B over A (including wetlands, farmland, noise, water risk, and rural character)?
2. **Truck diversion**
   Please provide the modeled heavy-truck volumes (trucks/day and %) on Main Street under No-Action vs A vs B (opening year and 2050), and the assumptions behind truck route choice. If trucks continue using Main Street, what is the justification for Route B?
3. **Main Street totals, not percentages**
   Please provide total projected Main Street traffic volumes (vehicles/day) for today vs 2050 under No-Action, A, and B. Percentages do not prove Main Street will be less busy with significant growth in local trips.
4. **No-access enforcement**
   What is the legal, enforceable guarantee that no new access points or interchanges will ever be added through the North Fields, and who can change that later?
5. **Mitigation specifics now**
   Please provide the number of mitigation acres, a map clearly separating highway right-of-

way from actual permanently protected mitigation land, and the funding plan for acquisition and perpetual management.

6. **Stormwater and drinking water**
   How does infiltrating highway runoff protect groundwater and drinking water sources? What treatment measures are guaranteed in design and budget, and what is the contingency plan if wells or irrigation water are contaminated?
7. **Construction impacts**
   Please provide a clear A vs B construction comparison: years of construction, closures/detours, and guaranteed protections for farms and residents (access, irrigation, livestock movement, dust/noise, emergency response).
8. **Historic resources and consistent weighting**
   Please provide the full list of historic resources counted and exactly how each alternative affects them, including historic irrigation/canal resources, and the "least overall harm" worksheet.
9. **Local costs and responsibilities**
   Please provide the written breakdown of what UDOT will maintain and what Wasatch County/Heber will be required to maintain (trail, snow removal, crossings, frontage roads, landscaping/irrigation, lighting, policing/EMS impacts), with annual lifecycle costs for A vs B.

Route A meets the project purpose while avoiding the most severe and irreversible harms to the North Fields. If UDOT truly cares about quality of life and community impacts—not just travel time and construction convenience—Route A is the only defensible choice.

Please confirm receipt of this comment and direct me to the tables and sections in the DEIS that answer the questions above.

Sincerely,

Tom Stenger

Name

Address

Phone Numbe

Email Address

ID 480

Heber Valley Wetlands Draft EIS

March 7, 2026

To: hebervalleyeis@utah.gov

Subject: Heber Valley Corridor Draft Environmental Impact Statement

This comment is being submitted in connection with the above DEIS.

Alternative B should not be chosen as the preferred route for the bypass due to its significant negative impacts on sensitive wetland habitats and threatened species.

Wetland habitats are the most threatened ecosystems in Utah and have already been severely compromised in Heber Valley. As one of the three driest states in the country, we continue to act as though these vital ecosystems can be continuously impacted. Some 40% of all plant and animal species rely on these habitats. Meanwhile, an estimated 35% of these ecosystems have been lost globally since 1970.

Too often, wetlands are incorrectly viewed as wastelands when in reality, they provide irreplaceable ecological services and must be vigorously protected.

The loss of amphibian habitat alone in the Heber Valley is startling. The Columbia Spotted Frog, for example, (listed as a sensitive species by state and federal agencies), has been found along the Provo River corridor (there are recent reports on iNaturalist as well). The state of Utah has not historically provided a favorable environment for amphibian experts to gather data and make their recommendations.

(See: https://www.hcn.org/issues/issue-60/utah-ushers-its-frogs-toward-oblivion/)

The still federally listed Ute Ladies Tresses (*Spiranthes diluvialis*) has been found along the west side of the Provo River (and also in the Jordanelle Dam area). See:

https://intermountainbiota.org/portal/collections/individual/index.php?occid=3892267&clid=0

Your document reference includes survey information for the listed orchid, yet Appendix 3M simply indicates that survey information will only be available in the Final EIS. This means that the public cannot review the adequacy of those surveys. The North Fields corridor likely includes the type of habitat required for this species, but it would require multiple years of survey work to identify the presence or absence of the orchid species. Further, for habitat reintroduction or future restoration work, wetland habitat must remain undisturbed.

The area in general supports numerous vanishing wetland plant species. Other species, such as the Monarch Butterfly, rely on riparian corridors in order to complete their arduous migratory journeys.

If an alternative must be chosen, then Alternative A is the only responsible option. Wetlands are delicate ecosystems. Once they are impacted, they will never be the same. Their importance cannot be overvalued.

Tony Frates

Holladay UT

ID 166

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date _____

Name Trace Heiner

Phone [redacted]

Email [redacted]

Addres [redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

I am very concerned about the water that will be affected by this project. I feel it won't really resolve the issues with Interstate 40. they need to find another solution. Plan A is the least aggressive option to the BYPASS - Please consider the wild life that is supported by the North fields - You are not supposed to upset wet lands - It will affect the farmers and their cattle as well. It should not be considered a fix to traffic!

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

hebervalleyeis.udot.utah.gov
hebervalleyeis@utah.gov
801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 207

HEART OF THE WASATCH BACK

HEBER CITY

EST 1889

February 3, 2026

Heber Valley Corridor EIS
c/o HDR
2825 E Cottonwood Parkway, Suite 200
Cottonwood Heights, UT 84121

Subject: Heber City Comments on the Heber Valley Corridor Draft EIS

Dear Evaluation Team,

Heber City would like to express our appreciation for the work and effort your team has put into preparing the Draft Environmental Impact Statement (EIS) for the Heber Valley Corridor. We recognize the importance of this project to our community and thank you for your efforts to keep us informed throughout the process.

On behalf of our community, please consider the following comments relating to the final alternative(s):

Issue 1: 1300 South Elevated Roadway

Concern: Heber City would have preferred to see the South Highway 40 leg—planned to run along 1300 South—located further south through the undeveloped area to reduce impacts on residential and commercial properties along 1300 South.

Resolution Request: Consider alternate routes to the south of 1300 South running more through the open land used for the HVSSD Sewer Fields. Evaluate whether these routes could reduce impacts to property owners and if they could reduce the cost and expense associated with the long length of raised roadway and underpasses along 1300 South. If an acceptable alternate route can be identified, it may eliminate some of the additional concerns listed below.

Issue 2: Proposed Southfield Road Cul-de-sac

Concern: Current alternatives call for a dead-end cul-de-sac at the south end of Southfield Road. Southfield Road is designated as a Major Collector in Heber City's Transportation Master Plan and serves as an important link to major roads, including Highway 40, 650 South, and Midway Lane. It provides critical capacity and multiple ingress/egress routes for large events on the west side of town, including at the Wasatch County Events Center. UDOT has indicated that future alternatives were evaluated assuming a 1200 South connection from Southfield Road to Industrial Parkway.

Resolution Request: Provide a connection from the bypass near 1200 South to Southfield Road, or construct the future connecting road between Southfield Road and Industrial Parkway.

Issue 3: No Westbound Access to 1300 South from Hwy 189 & 1300 S Intersection

Concern: Traffic coming from south Heber (north on Daniel Road) cannot access the Valley Station commercial development (Walmart) or 300 West without going north through the Hub intersection and turning left off Main Street at 1000 South. This movement is already restricted and difficult during heavy traffic.

Resolution Request: Allow westbound traffic along 1300 South from the Hwy 189 & 1300 South intersection by creating an additional tunnel or opening under the bypass road to merge with westbound traffic on the north side of the bypass.

Issue 4: One-Way Access at Industrial Parkway

Concern: Traffic traveling along Industrial Parkway cannot pass under the bypass and continue on Industrial Parkway. Detours to the underpass at 300 West would add traffic to signals and intersections that are expected to experience capacity concerns.

Resolution Request: Consider adding another underpass at this location to provide more direct routes and better direct access to Hwy 189.

Issue 5: No Left Turns or Access to the Bypass from Southfield Rd at Midway Lane

Concern: Due to anticipated traffic and proximity of planned signals for the bypass interchange and the new high school at 1000 West, northbound traffic on Southfield Road will not be able to turn left to head to Midway or access the bypass.

Resolution Request: Allow full movement at this intersection and access to the bypass in both directions. One idea is to realign the Southfield Road intersection to line up with the

new signal at 1000 West, which is already being pursued by Heber City and Wasatch County. Can this solution be considered as part of the project?

Issue 6: Trail Access at Midway Lane Interchange

Concern: Proposed trail access requires pedestrians or cyclists to take a half-mile detour through the interchange. The concern is that many people may not be willing to do this, and may risk crossing with traffic (4 crossings), which could lead to increased accident risk.

Resolution Request: Evaluate other alternatives including an elevated or below-grade walkway for safe pedestrian crossing and potential bike lanes through the intersection.

Issue 7: No Direct Access to College Way from the Bypass

Concern: The alternatives identify College Way (3000 North) as the northernmost signalized intersection before the Hwy 32 interchange. This location will serve as the primary access to the North Village, including UVU and the future Arts District. As designed, traffic heading north on the bypass would need to get off the bypass at 900 north and travel along the existing north Hwy 40 route and then turn onto College Way at the future signal. Traffic leaving College way going south would need to turn left at the signal to travel back down the old Hwy 40 to 900 North where it could access the bypass. These options will rely heavily on the planned traffic signal(s) and may contribute to poor level of service during high traffic volumes.

Resolution Request: Consider options for more direct access to College Way, including:
1) A northbound exit ramp merging directly with College Way;
2) A free right lane from College Way to merge northbound without stopping; and
3) A merge lane or ramp on the west side of Hwy 40 to provide direct southbound access to the bypass.

Issue 8: Maintenance Responsibility of Frontage Roads & Trails

Concern: The City is also concerned about responsibility for maintenance and upkeep of frontage roads and trails to be built as part of the project.

Resolution Request: Our preference would be for UDOT to assume this responsibility and we request that UDOT provide clarification and/or negotiate with the City as needed.

Thank you for your consideration of these comments. Heber City looks forward to continued collaboration to ensure the best possible outcome for our community.

Sincerely,

The Heber City Council

Councilmember Yvonne M. Barney

Councilmember Aaron Cheatwood

Councilmember Mike Johnston

Councilmember Morgan Murdock

Councilmember Sid Ostergaard

Mayor Heidi Franco

HEBER CITY CORPORATE Seal WASATCH COUNTY, UTAH

ID 167

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 2/1/28/2026

Name Una L Briton Yonge

Phone [redacted]

Email [redacted]

Addre [redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

Our property and life will be severely impacted by Alternate B. Our home life would be very different given the proximity of a large road (not at ground level). I don't understand how are kids are supposed to play outside during the construction of a major highway. We won't be able to access half our property.

The route through the North fields is allegedly trying to mitigate wetlands but on the maps I've seen there seems to be ample space without wetlands that is going untouched. There aren't wetlands on 600 W so why can't the road go there? That will also reduce the need for very ugly fly overs and elevated portions of the road.

I know the road needs to happen to help growth in our valley but I don't think the current route through the North fields makes sense. Please consider using the 600 W.

Where did you hear about the Heber Valley Corridor? Website

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 168

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date 1/28/2026

Name Valerie Sorensen

Phone [redacted]

Email [redacted]

Addre [redacted]

Would you like to receive email updates? **Yes** or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

I vote for Alternative A. The other alternative, B, does not solve the traffic problem. We also want to preserve and protect our water, air, farms, wildlife that makes our valley beautiful!

* Option B does not fix Main Street Traffic. it threatens our drinking water. Destroys N + S. Fields, and harms farmers. Not fiscally responsible.

PLEASE VOTE FOR OPTION A!

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

- hebervalleyeis.udot.utah.gov
- hebervalleyeis@utah.gov
- 801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

PUBLIC HEARING

(PUBLIC COMMENTS TO CERTIFIED COURT REPORTER)

UTAH DEPARTMENT OF TRANSPORTATION

HEBER CITY, UTAH

WEDNESDAY, JANUARY 28, 2026

REPORTED BY: Tammy M. Breed, CCR No. 7801

JOB NO: SLC 7801999

HEBER CITY, UTAH; WEDNESDAY, JANUARY 28, 2026

(Public Comments Began at 5:30 p.m.)

1. Virginia Joyce [redacted]

Virginia Joyce. I'm a resident of Midway, and I'd like to put on the record that I am opposed to the bypass in any form. There are alternatives that should be pursued, possible railway connectors or rerouting of traffic on an hourly basis, for example, having trucks travel through downtown Heber at later hours in the evening; or possibly using a toll system to be -- that would impact travel on 40 based on the number of axels a vehicle may have, so the size and/or weight of the vehicle.

(Public Comments Concluded at 8:00 p.m.)

REPORTER'S CERTIFICATE

STATE OF UTAH)
)
COUNTY OF UTAH)

I, Tammy M. Breed, CSR No. 7801, a Certified Reporter, hereby certify:

THAT I reported the taking of the Public Comments of Utah Department of Transportation concerning the Heber Valley Corridor Environmental Impact Statement, commencing on WEDNESDAY, JANUARY 28, 2026;

THAT I took down the testimony on my stenograph machine and thereafter transcribed my said shorthand notes into typewriting and that the typewritten transcript of said Public Comments are a complete, true, and accurate transcription of said shorthand notes.

I further certify that I am in no way related to any of the parties, nor am I in any way interested in the outcome thereof.

IN WITNESS THEREOF, I have subscribed my name on this 29th day of January, 2026.

TAMMY M. BREED, C.C.R. No. 7801

[1 - subscribed]

1

1 2:5

2

2026 1:14 2:1 3:8,15
28 1:14 2:1 3:8
28097 3:18
29th 3:15

4

40 2:13

5

5:30 2:3

7

7801 1:23 3:5 3:19
7801999 1:24

8

8:00 2:16

a

accurate 3:11
alternatives 2:8
axels 2:13

b

based 2:13
basis 2:10
began 2:3
breed 1:23 3:5 3:19
bypass 2:8

c

c.c.r. 3:19
ccr 1:23
certificate 3:1
certified 1:11 3:5
certify 3:5,12
city 1:13 2:1
commencing 3:8
comments 1:11 2:3,16 3:6,10
complete 3:10
concerning 3:7
concluded 2:16
connectors 2:9
corridor 3:7
county 3:3
court 1:11
csr 3:5

d

day 3:15
department 1:12 3:7
downtown 2:11

e

environmental 3:7
evening 2:12
example 2:10

f

form 2:8
further 3:12

g

gmail.com 2:5

h

hearing 1:10
heber 1:13 2:1 2:11 3:7
hourly 2:10
hours 2:11

i

impact 2:13 3:7
interested 3:12

j

january 1:14 2:1 3:8,15
job 1:24
joyce 2:5,6

m

m 1:23 3:5,19
machine 3:9
midway 2:6

n

name 3:14
notes 3:10,11
number 2:13

o

opposed 2:7
outcome 3:13

p

p.m. 2:3,16
parties 3:12
possible 2:9
possibly 2:12
public 1:10,11 2:3,16 3:6,10
pursued 2:9
put 2:7

r

railway 2:9
record 2:7
related 3:12
reported 1:23 3:6
reporter 1:11 3:5
reporter's 3:1
rerouting 2:9
resident 2:6

s

shorthand 3:9 3:11
signature 3:18
size 2:14
slc 1:24
state 3:2
statement 3:7
stenograph 3:9
subscribed 3:14

[system - witness]

system 2:12

t

tammy 1:23 3:5 3:19
testimony 3:9
thereof 3:13,14
toll 2:12
took 3:9
traffic 2:10
transcribed 3:9
transcript 3:10
transcription 3:11
transportation 1:12 3:7
travel 2:11,13
trucks 2:10
true 3:10
typewriting 3:10
typewritten 3:10

u

using 2:12
utah 1:12,13 2:1 3:2,3,7

v

valley 3:7
vehicle 2:14,15
virginia 2:5,6
vjoyce420 2:5

w

way 3:12,12
wednesday 1:14 2:1 3:8
weight 2:14
witness 3:14

Utah Rules of Civil Procedure

Part V. Depositions and Discovery

Rule 30

(E) Submission to Witness; Changes; Signing. Within 28 days after being notified by the officer that the transcript or recording is available, a witness may sign a statement of changes to the form or substance of the transcript or recording and the reasons for the changes. The officer shall append any changes timely made by the witness.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored

in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.

ID 169

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

COMMENT FORM

CONTACT INFORMATION *(Optional)*

Date Jan 28, 2026

Name Virginia Joyce

Phone [redacted]

Email [redacted]

Addres [redacted]

Would you like to receive email updates? (Yes) or **No**

PUBLIC COMMENT PERIOD: Jan. 9 - March 9, 2026

UDOT is seeking public input on the Draft EIS, specific to the preferred alternative, the analysis of the potential impacts of the preferred alternative, and the proposed mitigation of the potential impacts.

I am opposed to the bypass. It would be a complete mistake to build a road anywhere near the NorthFields and surrounding area. My thoughts are:

1. Build a railway system that would connect Park City through Heber and on to Provo. We already have Heber rail system to work with.
2. Toll, tax or charge vehicles based on size and weight.
3. Completely rework traffic lights so that traffic flows more efficiently.
4. Doing nothing is a fine alternative.

Where did you hear about the Heber Valley Corridor? _____

Comments must be postmarked or timestamped by 11:59pm MST on March 9, 2026.

Comments provided to the study team will be reviewed and considered by UDOT as it develops the study. All comments received will be documented in the study record. The study team will contact you if they need additional information or clarification.

Comments provided during the National Environmental Policy Act (NEPA) process to UDOT are a matter of public record and subject to public release, if requested. For more information, see the Terms of Use at the bottom of the Utah.gov website.

MAIL TO

Heber Valley Corridor EIS c/o HDR
2825 E Cottonwood Parkway, #200
Cottonwood Heights, UT 84121

OTHER WAYS TO COMMENT

hebervalleyeis.udot.utah.gov
hebervalleyeis@utah.gov
801-210-0498 (voicemail/text)

The environmental review, consultation and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by UDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated May 26, 2022, and executed by FHWA and UDOT.

Heber Valley Corridor
ENVIRONMENTAL IMPACT STATEMENT

UDOT Keeping Utah Moving

ID 76

Envision Heber 2050.

Introduction: “What do people want and how will our city provide it”

Heber City Vision: Heber City is nestled in a green valley, brimming with historic agricultural uses, the beautiful Provo River, and unmatched views of the Wasatch Mountains. Our residents value this beautiful and unique setting and are committed to preserving its character while growing and nurturing our City. Together, we desire to: • preserve the beautiful open lands that surround us; • create friendly neighborhoods and centers that focus homes, jobs, shopping, and recreation into places where we gather and interact regularly; • enhance and strengthen downtown—the heart of our community; and • grow, promote and diversify our recreational opportunities. By focusing our growth in specific areas, we foster a vibrant community and a quiet countryside—a place residents and visitors alike will enjoy for generations to come.

Heber City Envision Doc:

Open Space & Rural Character

Heber City draws a clear distinction between what is city and what is country, maintaining a distinct city that is surrounded by open land, valuable for its beauty, ecology and agricultural function. Principles: 1. Heber actively works with neighboring communities and Wasatch County on strategies to implement the permanent protection of farmlands, natural open spaces, and rural character, to keep the distinct separation between communities. 2. Heber City will work with the County and surrounding communities to create permanent farm and mountain land protection through such mechanisms as conservation easements and partnerships. 3. Heber actively clusters development to focus growth and protect remaining open land from dispersed development.

Voters approved an 10 million open space bond in 2018 to help preserve the natural beauty and heritage of our community. 623.00 acres are preserved or proposed to be preserved. Easement value of 66,179,350.00 from out 10 million bond. Now with the UDOT proposed bypass alternative b, that runs right through the North Fields, years of work will be erased protecting a key property, over 165 acres, that was ready to go until UDOT stepped in to put a highway through it.

Back to the envision 2050,

The most important thing the residences wanted to protect was the open space/rural character of the valley. 78% valued small town feel, 78% wanted goals for preserving open space, 77% wanted goals for preserving views and scenic beauty. On the future land use map, they have all the North Fields as Agriculture Preservation status. The UDOT proposal of a major highway with on and off ramps through the crown jewel of the valley is a slap in the face to all the intelligence and desire of all the people in the community proven through the envision Heber city study. Driving on Hwy 40 from river road to the city limits is prized for its view shed looking across the green fields to the snow capped Wasatch back. UDOT wants to take this away to save 1 minute of travel time.

From Envision Heber 2050:
Separation—maintaining open space between Heber and surrounding communities—is the second most important feature that defines “small town” for Heber residents (according to a recent survey completed as a part of the City’s visioning process). Residents want to preserve larger open spaces that provide a rural feel and promote a distinct identity for each community in the Heber Valley. I encourage you to read the number 6: open space and Rural Character chapter. Particularly page 62 which has a designated Scenic Buffer (SB) zone all along the west side of Hwy 40 that transitions to an Agriculture Preservation from all of the North Fields to the South Fields. This was the plan!

In 1858, New York’s central park was created to provide urban dwellers an experience of the country side, a place to escape from from the stresses of urban life and to commune with nature. Its over 800 acres. smack dab in the middle of the bustling city. Even they had foresight to preserve this space, we can do the same.

Heber City Envision 2050

General Plan

Updated December 05, 2023

(this page intentionally left blank)

2020 Heber City Council

March 17, 2020

Dear Heber City Residents:

The General Plan is the primary tool for guiding the future of Heber City. It contains the community's goals and policies on character and design, land use, open space and the natural environment, business and economics, neighborhood vitality, transportation and growth. It shapes the physical form of the City, yet it also addresses other aspects, such as community services, protection of sensitive lands and the character of neighborhoods and the community.

The General Plan provides a guide for day-to-day, short- and long-term decision making. Heber City's General Plan has three interrelated roles:

- *It is an expression of the community vision, aspirations, values, and goals;*
- *It is a decision-making guide; and*
- *It fulfills State legal requirements.*

The previous General Plan was adopted by a former City Council on July 3, 2003. The General Plan needed to be updated to reflect significant community changes and events such as rapid population growth, increased traffic and annexations. The City desired to have a very transparent and inclusive process for updating the plan so that its goals and policies would reflect the values of the community. Residents responded through several surveys, public meetings, public outreach at public events and online sources, steering committee meetings and open houses, and expressed concern about the need for better parks, gathering spaces, economic development, open space, trails, streets, dark skies, development patterns and the downtown.

The new General Plan incorporates the required sections of state law. Some of the state mandated elements have been combined, and some have been expanded beyond what is required. The plan is arranged into chapters categorized by the important principles identified by residents in developing the Heber City Vision Statement. These principles include (1) Quality Neighborhoods, (2) Centers and Gathering Places, (3) Open Space and Rural Character, (4) Outdoor Recreation, (5) Parks and Trails, (6) Mobility and Streetscapes and (7) Jobs and Economic Development.

The General Plan's goals and policies are implemented through ordinances, regulations, ongoing procedures, recommendations from City boards and commissions, and decisions made by the City Council. The General Plan is also carried out by private actions and initiatives in the community. This new plan will provide a new vision to guide the growth of the community for the next 30 years; thus, its name, Heber City Envision 2050.

Sincerely,

Kelleen Potter, Mayor
Heidi Franco
Wayne Hardman
Ryan Stack
Rachel Kahler
Mike Johnston

ACKNOWLEDGMENTS

Thank you to everyone who participated in Envision Heber by attending a meeting, taking a survey, spreading the word, or in any other way to make Heber City's future brighter.

Mayor
Kelleen Potter, Heber City Mayor

City Council
Kelleen Potter, Mayor
Heidi Franco
Wayne Hardman
Ryan Stack
Rachel Kahler
Mike Johnston

Planning Commission
Keith Rawlings, Chairman
Darek Slagowski ,Vice Chairman
Oscar Covarrubias
Dennis Gunn
David Richards
Steve Allen
Sid Ostergaard

City Staff
Matt Brower, City Manager
Tony Kohler, Planning Director
Meshelle Kijanen
Jamie Baron

Envision Heber Steering Committee
Marianne Allen
Brian Balls
Kristen Bybee
Stacie Ferguson
Ashlyn Fuller
Isela Jimenez
Philip Jordan
Rachel Kahler
Richard Lee
Lane Lythgoe
Jocelyn Lujan
Jim Mortensen
Larry Newhall
Matt Parker
Keith Rawlings
David Richards
Ryan Stack
Ryan Starks
Tom Stone
Don Taylor
Debra West

Consultants
Christie Oostema Brown, People + Place
John Janson
Jake Young
Meg Ryan
Ryan Bunnell, Ignition Creative Group

The People of Heber City

Photography: A special thank you to Jake Young for providing project photography and for contributing numerous photos from his collection to this document.

2023 General Plan Update

Mayor
Heidi Franco

City Council
Ryan Stack
Rachel Kahler
Mike Johnston
Scott Phillips
Yvonne Barney

Planning Commission
Dennis Gunn
Dave Richards
Darek Slagowski
Oscar Covarrubias
Sid Ostergaard
Phil Jordan
Joshua M. Knight
Robert M. Wilson

TABLE OF CONTENTS

1: Introduction 1
Introduction
A Context of Growth
What Does Growth Look Like?
Issues Surrounding Growth
Establishing Direction: The Role of a Vision and General Plan
2023 General Plan Update

2: Heber City Vision 5
Heber City Vision
Topic Area Vision Statements & Guiding Principles
What is Envision Heber 2050?
Public Meetings and Online Feedback
A Vision for Central Heber

3: Future Land Use 19
Future Land Use Map and Definitions

4: Quality Neighborhoods 25
Quality Neighborhoods Vision
Guiding Principles
Existing Neighborhoods
New Neighborhoods and Rural Clusters
Clean Air: Options for Residential and Business Land Uses
General Housing/Moderate Income Housing Plan

5: Centers and Gathering Places 39
Centers and Gathering Places Vision
Guiding Principles
Central Heber
Beyond Central Heber

6: Open Space and Rural Character 59
Open Space and Rural Character Vision
Guiding Principles
Existing Open Space System
What Could Heber's Future Open Space System Look Like?
Partnering Options

7: Outdoor Recreation, Parks & Trails .. 63
Outdoor Recreation, Parks and Trails Vision
Guiding Principles
Existing System
What Could Heber's Future Outdoor Recreation System Look Like?

8: Mobility and Streetscapes 71
Mobility and Streetscapes Vision
Guiding Principles
Existing Transportation System
What Could Heber's Future Transportation System Look Like?
How Could the Heber Valley Airport Change?

9: Jobs and Economic Development 79
Jobs and Economic Development Vision
Guiding Principles
Existing Economic Climate
How Could Heber's Business Environment Evolve?

10: General Plan Priorities 85
Higher Priority Strategies

Appendix 89
Heber City Downtown Study (Downtown Redevelopment Service)
General Plan Land Use Study (Lewis Young Robertson & Burningham)
Moderate Income Housing Plan
Presentation: Vision Celebration and General Plan Kick-Off
Presentation: Workshop Values Summary

1: INTRODUCTION

Introduction

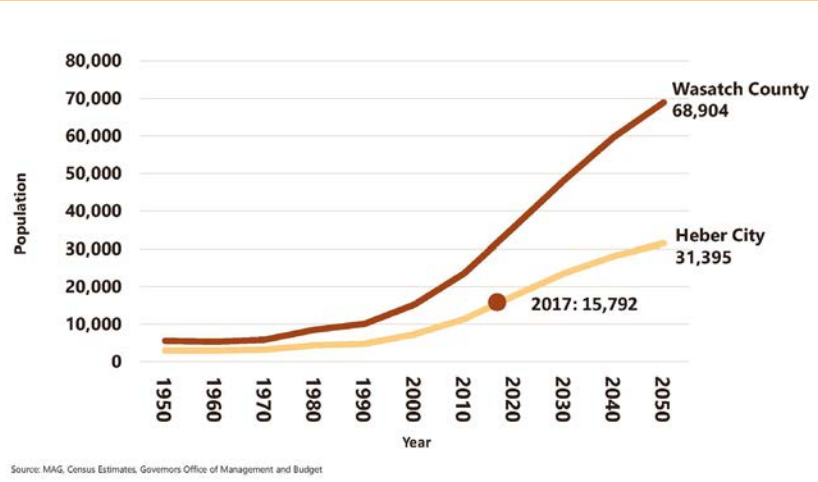
Heber City is at a crossroads in the midst of significant growth along the Wasatch Back. The City can choose to let development shape it, or the City can choose to shape development. Shaping a city is what planning is all about, and the effort to refresh city planning strategies is best initiated through a city's general plan – a vision for the future.

Heber City is located in a beautiful rural setting, but the growth that is being planned in areas beyond the community threatens the values that residents hold dear. They value open space, the rural atmosphere and the small town feel. These values could be compromised by the influx of new development if development does not meet the expectations of residents. This fact is not offered to imply that new growth is negative in some manner, but simply to suggest that new growth needs to help achieve Heber's vision for the future.

A Context of Growth

While Heber residents enjoy tremendous quality of life in the heart of a beautiful valley, the City also grapples with another reality: its context in a rapidly growing state and region. Utah's growth continues to be mostly homegrown due to the larger average size of our families, but the state also attracts many new residents, who come for economic opportunities and the quality of life that places like Heber City offer. Just like the state as a whole, Wasatch County is experiencing rapid growth, expecting to double its population by 2050, reaching nearly 70,000 residents. Like the County, Heber City itself is likely to double its population by 2050, to reach a total of more than

The Big Question Is Not "*Will* We Grow?", but "*How* Will We Grow?"



Heber's population is expected to double by 2050. This population projection reflects numbers developed by our state, which provides population projections as a part of its planning. The state effort is informed by local government input.

The larger context of Heber City is Wasatch County, which is experiencing similar growth

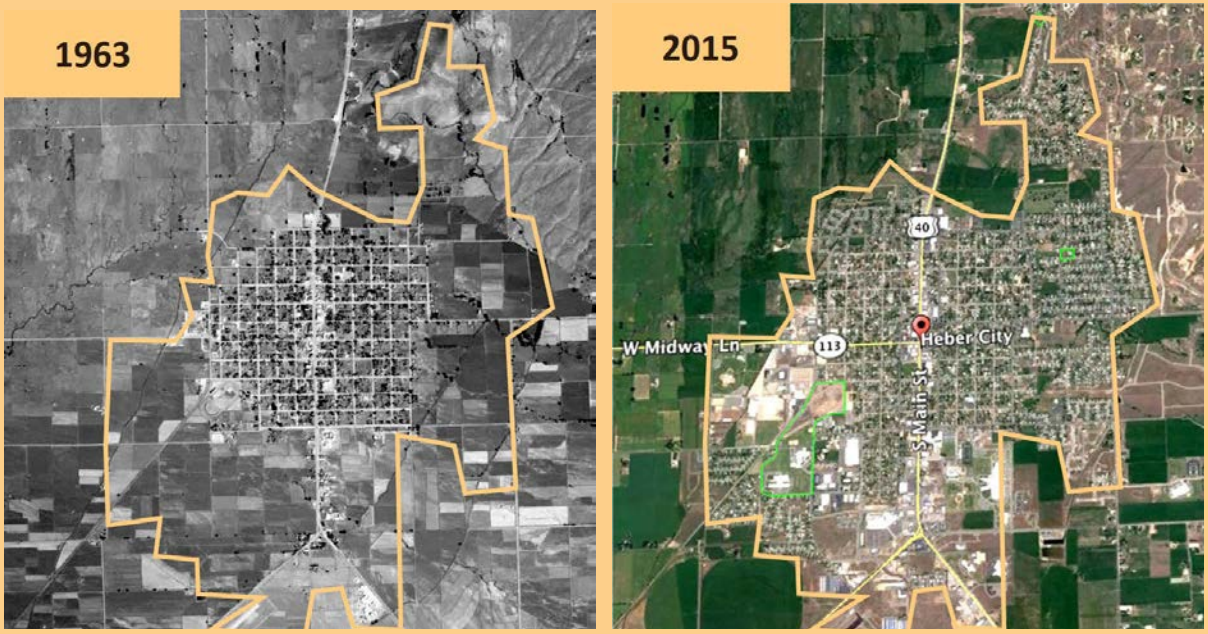
30,000 residents. And growth is nothing new to the City. A 2018 Salt Lake Tribune article noted that for the second year in a row, Heber ranked No. 1 for growth among the nation's smaller "micropolitan areas," with populations between 10,000 and 50,000. Growth is a part of Heber's past, present and future.

What Does Growth Look Like?

Until the 1990s, Heber City's growth was concentrated in its historic core, featuring a tidy grid of residential streets surrounding Main Street.

In subsequent decades the City's growth pattern changed. The City grew beyond its grid and into a pattern that included strip commercial and more dispersed residential growth. Between 1963 and 2015, the City's footprint grew by about 2.5 times, with most of that growth happening in the last couple of decades. The visioning process explored land well beyond Heber's current boundaries, so residents and the City could be proactive about lands surrounding the city—land that Heber influences and is influenced by.

Heber City: Growth in Recent Decades



Key Facts: Population

17,093
2019 Population

4.5%
2010-2019 Population Growth Rate

29.4
Median Age

3.4
Ave Household Size

$62,826
Median Household Income (2019)

Educational Attainment

9%
No High School

37%
Some College

21%
High School Graduate

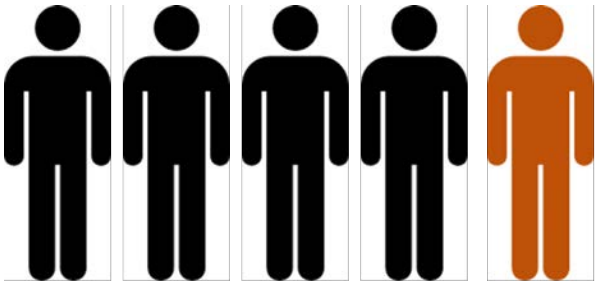
21%
Bachelor's/Grad/ Prof Degree

Source: ESRI/American Community Survey

Issues Surrounding Growth

As the major regional hub for Wasatch County, Heber is central to many issues facing the greater area. The location, within a short drive of two major ski resorts with a third under construction, is in an area brimming with world class, year-round outdoor recreational opportunities, yet it is not far from the Salt Lake and Provo/Orem job markets. Combined, these factors suggest continued strong growth into the distant future. Rapid recreation-oriented growth and access to strong job markets also affect housing affordability. Increasingly, the ability to buy a home is out of reach for first-time home buyers, and workforce housing is in short supply. Household income is not keeping pace with rising housing costs in Heber.

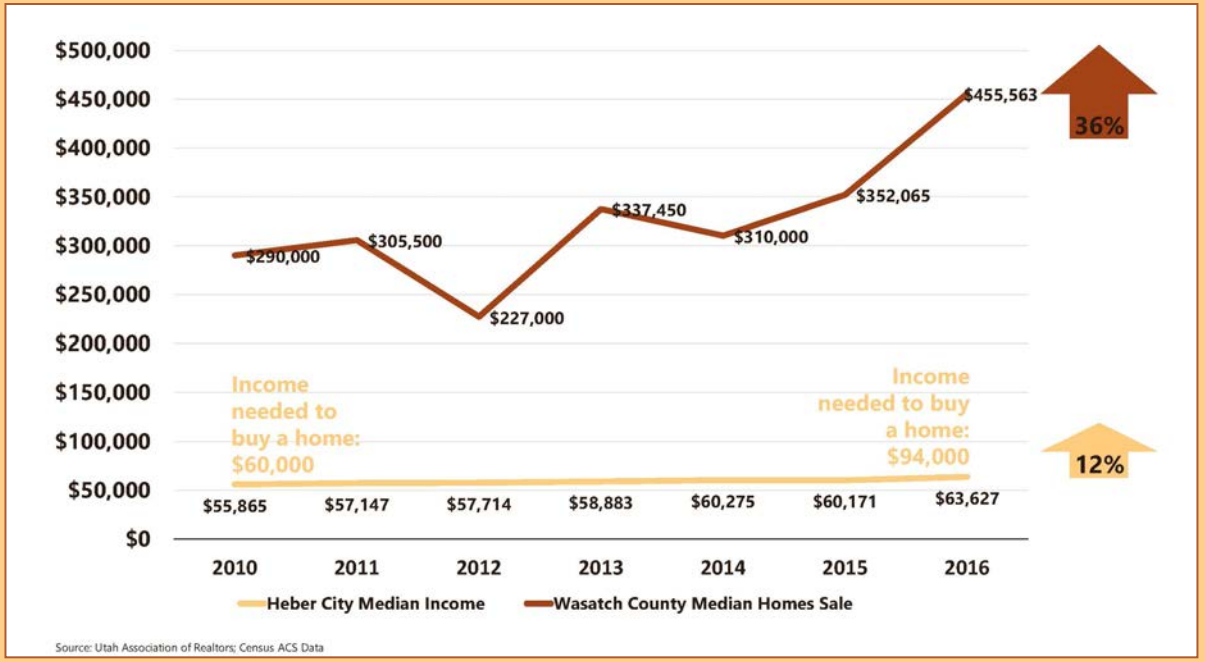
Only 1 in 5 of Heber City residents work in Heber City proper; most others work in Park City, Salt Lake County, Utah County, or other communities in the area.



Somewhere Else | Heber City

Median Household Income and Median Home Sales Price

This chart shows Heber City's median income in tan, and Wasatch County's median home price in brown. Income has not kept up with rising home prices. What's even more interesting is the annual income needed to buy a median priced home. In 2010, it was $60,000. Now it's $94,000. Increasingly, housing is out of reach for low to median income residents.



How growth is managed is a primary question for all of Wasatch County. In Heber itself there are many important issues that are being addressed with additional studies:

- The future of Main Street
- A new high school
- Airport expansion
- Bypass roads
- Housing affordability
- Transit feasibility
- A parks system master plan

Establishing Direction: The Role of a Vision and General Plan

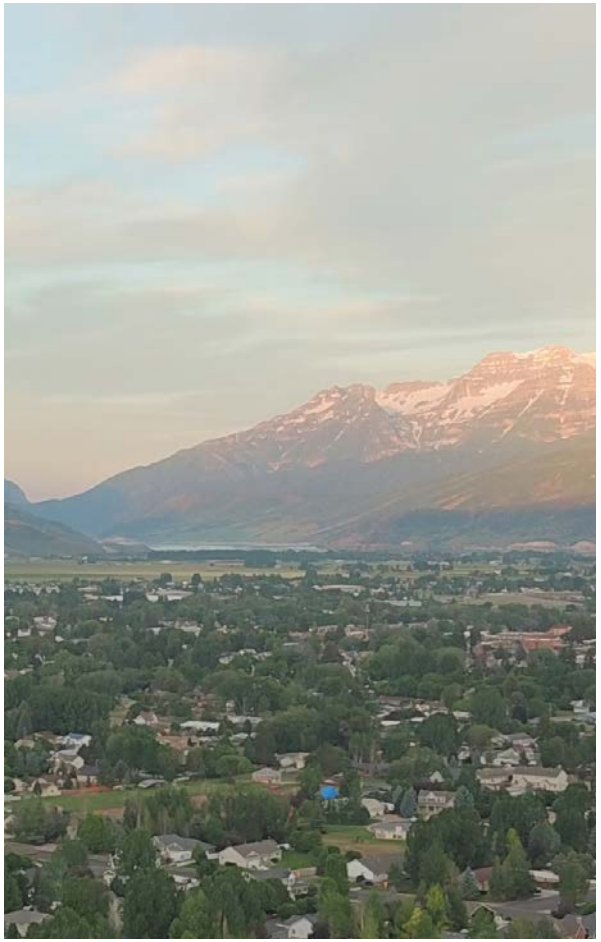
General plans are the foundation that establishes direction on the "big" issues. Heber's Envision 2050 visioning process started with a survey, a web site and then a workshop intended to ascertain issues of importance to everyone in the community. A community values assessment and a land use visioning exercise resulted in a vision map and vision principles. The vision map and principles became the foundation for this general plan.

Heber City's visioning process, Envision Heber 2050, described in Chapter 2, was a grassroots conversation about the future of the City. It provided an opportunity for Heber City residents to explore issues surrounding Heber's future and, in that context, conceptualize together the future they want to create. The process identified what residents need to preserve and enhance quality of life today, but also the quality of life for the City's children and grandchildren. Finally, the process laid the foundation for the development of this general plan, which represents a road map to the future envisioned by the public. Rather than diving into the general plan update, the visioning process provided the space to ask, "*What do people want and how will our City provide it?*" before moving directly to implementation strategies, which are embodied in the general plan.

2023 General Plan Update

In 2023, Heber City updated this general plan to include the Central Heber Vision, a guide for future growth and development in the Downtown District blocks surrounding Main Street, the Central Neighborhoods in the City's core, and the Recreation and Arts District on the west side of town. Chapters two and five contain most of the updates.

2: HEBER CITY VISION



Heber City Vision

Heber City is nestled in a green valley, brimming with **historic agricultural** uses, the **beautiful Provo River**, and unmatched views of the **Wasatch Mountains**. Our residents value this **beautiful and unique setting** and are committed to **preserving its character** while **growing and nurturing** our City. **Together**, we desire to:

- preserve the **beautiful open lands** that surround us;
- create **friendly neighborhoods and centers** that focus homes, jobs, shopping, and recreation into places where we gather and interact regularly;
- enhance and strengthen **downtown—the heart of our community**; and
- grow, promote and diversify our **recreational opportunities**.

By **focusing our growth** in specific areas, we **foster a vibrant community** and a **quiet countryside**—a place residents and visitors alike will **enjoy for generations to come.**

Topic Area Vision Statements and Guiding Principles

Quality Neighborhoods

Heber City's neighborhoods thrive because all of them are valued for their unique characters, amenities and context. Residents with a range of incomes have access to great places to live, and all residential neighborhoods are stable, attractive options.

Principles:

1. Heber City will honor and enhance existing neighborhoods and increase their walkability.
2. Heber City's new neighborhoods will be walkable and blend a variety of housing options and shared open space amenities. New neighborhoods will be within walking distance of a center, where neighbors can gather.
3. Rural and mountain residential clusters will enable residents to live in neighborhoods where housing is focused in a smaller area, resulting in the majority of natural lands reserved for shared open space with recreational, equestrian or agricultural uses.
4. Heber will maintain its clean air and dark skies so the City is a healthy and beautiful place to live.

Centers & Gathering Places

Centers enable Heber to maintain a small town feel by focusing new growth into distinct areas rather than dispersing growth across our City's surrounding open lands. Centers focus activities, providing a home base for visitors and a "living room" for residents.

Principles:

Downtown, Heber'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.

1. Heber preserves, enhances, and improves access to its valued places and buildings on Main Street.
2. Heber improves pedestrian and bike accessibility, parking, and traffic conditions along Main Street.

Shared Values

Heber City residents share common values that will guide our growth:

- We value our people and the friendly, caring atmosphere that we create together.
- We value maintaining a small town feel even as we grow.
- We value an outdoor lifestyle and recreational opportunities, with the ability to access and enjoy the lands that surround us.
- We value the beauty of our mountain valley setting.
- We value a thriving downtown, the heart of our City.
- We value proactive planning to realize the future we envision.

3. Underused spaces are reimagined into significant new places to work, live and enjoy time together.
4. Downtown is a regional destination for annual gatherings and traditions that Heber residents and visitors enjoy.

New centers will be strategically located, connected to each other and the greater community, and offer walkable access to amenities and day-to-day needs.

1. New centers should encourage many distinct features: outdoor gathering spaces; parks and plazas, schools; community centers; a mix of shopping, restaurants, offices; as well as a variety of housing choices, including more affordable options.

Open Space & Rural Character

Heber City draws a clear distinction between what is city and what is country, maintaining a distinct city that is surrounded by open land, valuable for its beauty, ecology and agricultural function.

Principles:

1. Heber actively works with neighboring communities and Wasatch County on strategies to implement the permanent protection of farmlands, natural open spaces, and rural character, to keep the distinct separation between communities.
2. Heber City will work with the County and surrounding communities to create permanent farm and mountain land protection through such mechanisms as conservation easements and partnerships.
3. Heber actively clusters development to focus growth and protect remaining open land from dispersed development.

Outdoor Recreation, Parks & Trails

For Heber residents, outdoor recreation is a lifestyle and a passion. Both new and existing homes should have walking access to parks, trails and other outdoor amenities.

Principles:

1. Trails connect residents to other neighborhoods, downtown and new centers.
2. Trails provide access to the City's beautiful setting, including nearby canyons, mountains, lakes and the Provo River.
3. All neighborhoods have access to a park within walking distance, whether it be a neighborhood park or a regional recreation facility.
4. In general, recreational opportunities are diverse, well-maintained and accessible.
5. Heber City meets its current and future park system needs through obtaining lands and trail corridors for a connected system of parks and trails.

Mobility and Streetscapes

Heber's streets are safe and inviting for all travel modes, including pedestrian, bike, car and bus.

1. Heber emphasizes walkable streets that are comfortable and inviting for people walking and biking.
2. As Heber grows it continues using a well-connected street network system, similar to the historic pioneer grid.
3. Heber maintains a system of bike routes around town, with access to desired destinations, and collaborates with neighboring communities on regional bike routes.

4. Heber works with neighboring communities and the County on a bus system to connect our City with surrounding cities and nearby regional centers, including Salt Lake, Park City and Provo/Orem.

Jobs and Economic Development

Heber's economic vitality enables most residents to work in town if they choose. The City attracts and partners with employers in key industry sectors to locate downtown, in new town centers and in the business center on the south end of downtown.

Principles:

1. Heber fosters an environment that supports local business.
2. Heber supports and grows its emerging recreation and tourism industry, as well as opportunities in technology, research and development, professional/office, medicine/healthcare and light manufacturing.
3. Heber continues to support its historic economic status as a support center for

"The future is not some place we're going to, but a place we are creating. The paths to it are not found, they are made."

–Jane Garvey

What is Envision Heber 2050?

Heber City's visioning process, Envision 2050, was a grassroots up conversation about the future of the City. It provided an opportunity for Heber City residents to explore issues surrounding Heber's future and, in that context, imagine together the future they want to create. The process identified what residents need to preserve and enhance quality of life today, but also the quality of life of the City's children and grandchildren. Finally, the process laid the foundation for the development of this general plan, which represents a road map to the future envisioned by the public. Rather than diving into the general plan update, the visioning process provided the space to ask, "*What do people want and how will our city provide it?*" before moving directly to strategies, which are embodied in the general plan. The vision and principles on preceding pages are the result of the Envision 2050 process.

Vision Process Goals

1. Identify, honor and address values and "big ideas/issues."
2. Create a vision statement and principles to the guide general plan and to be a standard to weigh current and future decisions against.

Even a minor course adjustment can have significant long-term impact. Visioning helped residents and leaders take a 30,000 foot view of Heber and to look out a few decades. It may seem hard to see the effect of a visioning process when so much is happening in our community in the present time. However, like a rudder that turns a ship, even small adjustments, while they may not seem to make much difference initially, over the long term make a giant impact on where a ship ends up. The

A Public Stakeholder Process

The process included a large steering committee of residents and community leaders—a diverse group of people with varied ideas but with a commitment to a public process and the greater good of Heber City. The steering committee met regularly, ensuring the visioning process would:

1. Provide research and information to the public both in person and online;
2. Seek broad public input through a variety of events and online opportunities;
3. Build the vision directly from public input;

4. Use transparent methods throughout, so the nexus between what the public input and the resulting vision was clear; and
5. Build momentum for implementation as residents and City leaders had conversations together and built trust.

The steering committee reviewed all feedback from the public and used it throughout the process as it worked alongside City leaders and consultants to create options for further public consideration as well as the final vision and principles.

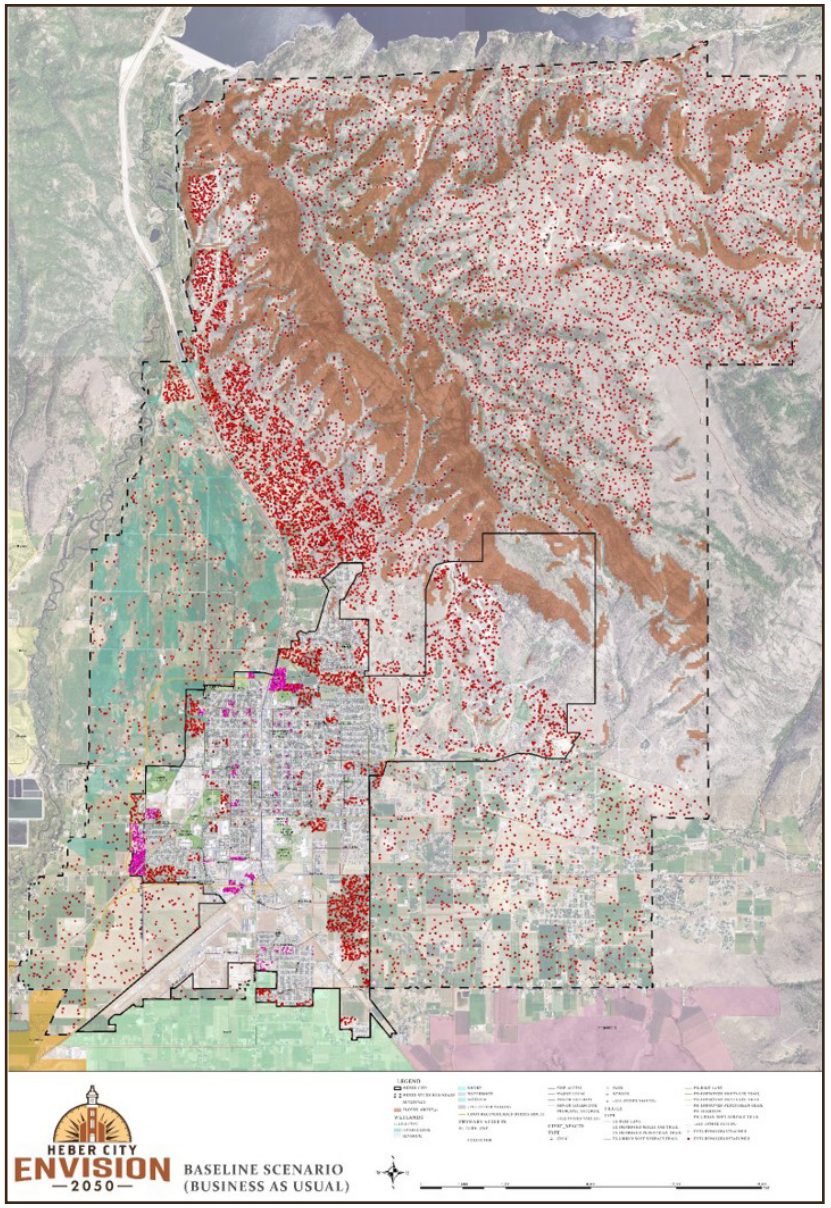
Envision Heber's website, EnvisionHeber.com, provided transparency throughout the process, supplying project updates, breaking news and project progress, while also providing ways for people to share their ideas through several online surveys. Combined with in person events, the website delivered a locally unprecedented level of transparency and public outreach so that citizens could easily understand and trust the process.

A Scenarios Process

While the visioning process was a public process, it was also a scenarios process, which built a range of potential futures based on various conventional trends (trend scenario) and the public's ideas (alternative scenarios) and compared them, to explore the long-term consequences of the choices they could make today. Ideas from citizens shaped the scenarios, and feedback on those scenarios shaped the vision. The visioning process enabled residents to identify the best options while acknowledging the reality of growth.

How Will Heber Grow?

Heber City's 2050 baseline projection (at right) is a picture of what growth might look like in 2050 if we simply follow existing zoning and grow in the patterns we have in the recent past. This scenario contains 12,900 new households, which includes the state's 2050 projection for Heber City, while also capturing approved units outside the City but in the vision study area. Will Heber add 12,900 households to the vision study area by 2050? We don't know. We might by 2040, or by 2060—we just know that



In this image, recent growth trends are projected out to 2050. Each red or pink dot represents a new household. If we follow recent trends, our future includes a dispersed pattern of growth.

we are likely to grow a lot, and it will be helpful to identify the growth patterns Heber residents prefer, so that when more growth comes, the City will be well prepared. The baseline projection is helpful because it shows our likely growth pattern if Heber follows recent trends. We can ask proactively, *"Is this how we want to grow? What does this growth pattern mean for community identity? Jobs? Recreational opportunity? Rural atmosphere and agricultural heritage? Housing affordability? Downtown?"* In contrast to the 2050 baseline projection, which simply carries current trend forward, a vision scenario charts a deliberate course toward a future that residents want.

Public Meetings and Online Feedback

First Public Workshop (March 2019) and Online Survey

Heber residents participated in a public workshop to explore Heber's context of growth and brainstorm options for the City's future. Residents were asked, *"What do you value?"* They added dozens of sticky notes to posters, answering questions about what they cared most about. A second activity at the workshop asked people to imagine Heber's future in 2050, and to answer the following questions through a mapping exercise:

- *As we grow, what do we need to hold on to?*
- *How shall we accommodate anticipated growth?*

Tables of residents created 25 maps identifying how the City should accommodate and plan for growth while preserving and enhancing quality of life. Together, these activities enabled residents to identify what matters most to them and to voice preferences in the context of both their values and the reality of growth. Workshop presentations and a companion survey were also available online.

Thousands of Heber Citizens Helped Create the Vision

- 3 = public meetings
- 2 = mailers to every household
- Lots! = print/radio presence
- 23,324 = social media reach
- 2,500 = unique visitors to website
- 1200+ survey responses

What do Heber Residents Value?

In addition to basic values, there were also a number of big ideas that rose to the top after hearing from residents at the workshop and reviewing online feedback. Six big ideas were identified:

1. Open Space/Rural Character Preservation

The desire to preserve open space and Heber's rural character is not a new idea, but it was a loud and clear message, especially in regard to the North Fields. As the City and its residents contemplate open space preservation, they will need to acknowledge that property owners possess a "bundle of rights" that run with the land, including development rights, based on their zoning classification. Permanent open space preservation involves employing many strategies, including moving development rights and building them elsewhere, selling development rights, exchanging open spaces, conservation easements, zoning for large agricultural parcels, etc. Many of those strategies require both a voluntary seller and a funding source, likely a public one.

Source: Jake Young

2. Trails

Heber residents want to connect their neighborhoods with the mountains and lakes that surround them. They imagine continuing the Provo River Parkway up the canyon and into the valley (connecting Deer Creek Reservoir and Jordanelle Reservoir), accessing the mountains, and connecting priority destinations, including new centers.

3. Centers

A center combines the ability to live, work, learn and play all in one walkable place. This idea is similar to historic town development, in which most places, including homes, shops, workplaces and schools, were connected to one another with a series of walkable streets. New centers were identified as important to future development.

4. Downtown Enhancement (Preservation and Redevelopment)

There is significant interest in enhancing Heber's

historic center, downtown. One concept embodied in this idea is preserving and restoring the spaces and buildings downtown that make Heber, Heber. The second concept is reimagining spaces that are underused. Most newer retail spaces turn over every 25 years or so. As these spaces do so, there is opportunity to revitalize downtown. Adjacent mixed use is also embraced.

5. Neighborhoods with Open Space

Heber residents want to build subdivisions that include a variety of homes as well as significant open space amenities—a neighborhood a park, tree-lined streets or trails, maybe a community garden. They also explored neighborhoods that are mostly open space, with larger acreage reserved for farming, recreation, or shared equestrian facilities, with homes clustered onto a small amount of the land.

6. Small Town Character (Even as We Grow)

Heber residents want to maintain a small town feel even as the City grows. The following encourages small town feel:

- **Separation**: open lands surround the town, so it remains distinct from nearby communities

- **Downtown**: a distinct and vibrant place, the destination and commercial center of a community
- **Building heights**: building heights encourage a vibrant downtown with enough stories to promote a strong economy without feeling like a big city

- **Unique character**: preserve historic architecture; support local businesses
- **Gatherings/gathering places**: city residents gather and celebrate together at more regular traditional annual events
- **Village/neighborhood component**: residents live in neighborhoods or villages that enable them to see the people they know more often

Second Public Open House (May 2019)

The maps created by workshop participants and online survey feedback were used as the basis for alternative scenario development. The scenarios created from public feedback explored different ways Heber could grow, in contrast to the trend scenario. At an open house and online, residents reviewed the scenarios to identify the components of each scenario they preferred and didn't prefer.

The Numbers: Survey Results

Preferred approach to community life?

79%....prefer centers, either smaller town centers or larger destination centers over conventional subdivisions.

Preferred approach for new development? There's a lot of interest in new neighborhood forms over conventional subdivisions.

46%: Neighborhoods with open space
44%: Rural residential clusters
9%: Conventional subdivisions

Best approach for affordable housing?

75%: Blend it in *[Blend compact single family, townhomes, apartment homes into neighborhoods (38%) or centers (37%).]*
25%: Isolate it *(Edges of town or along Hwy 40)*

Streets: preferred emphasis?

85%: Walkable streets with sidewalks and street trees, with buildings lining the streets and parking to the side or behind buildings

Level of support for a bus system?

84%: Support [Fully support (59%) or somewhat support (25%)]

Trail you're most excited about?

66%: Lake-to-lake *(Connect Jordanelle and Deer Creek via Provo River)*

Preferred approach to economic development?

68%: Attract more/substantially more family-sustaining jobs
33%: Remain a bedroom community

Industries most important to Heber's future? (Top 3)

- Recreation and tourism
- Agriculture
- Tech/research & development

Preferred approach to conserving the North Fields?

Almost half want to permanently protect the North Fields by purchasing land or development rights, and there's a lot of support for maintaining 20-acre zoning.

Approach to conserving the Jordanelle Mountains?

77%: In addition to precluding development on steep slopes, significant open space is permanently preserved by clustering development in town centers

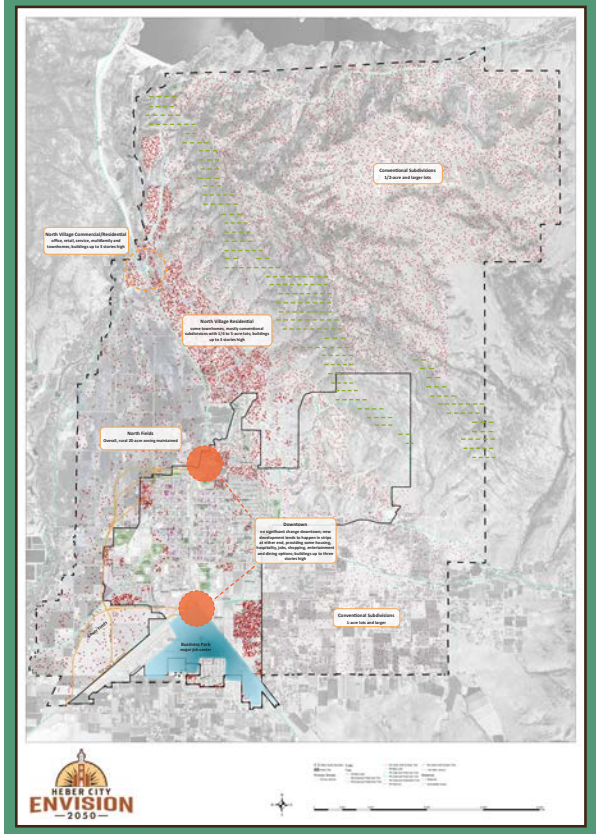
Components that best define "small town"

1. Unique character
2. Separation (open space between communities)
3. Gatherings/gathering places

% that prefer scenarios C/D, featuring centers & open space, to address the following values and goals:

78%: small town feel
78%: goals for open space
77%: goals for preserving views & scenic beauty
79%: fosters a friendly atmosphere
76%: overall preferred scenario
79%: best addresses needs of future residents

Trend Scenario

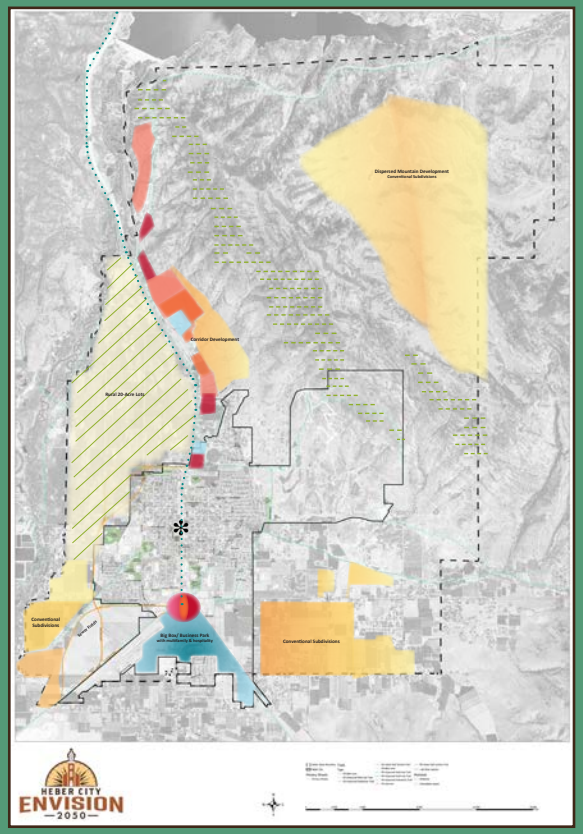


Scenario A:
Bedroom Community (Baseline Projection)

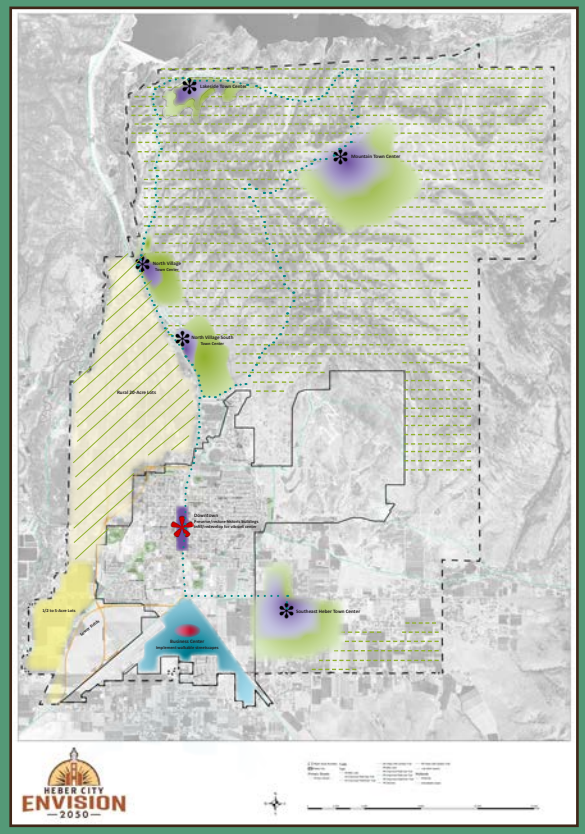
Public Preferences: What Did We Learn?

Overall, 76% of residents preferred Scenario C or Scenario D, with only 24% preferring the

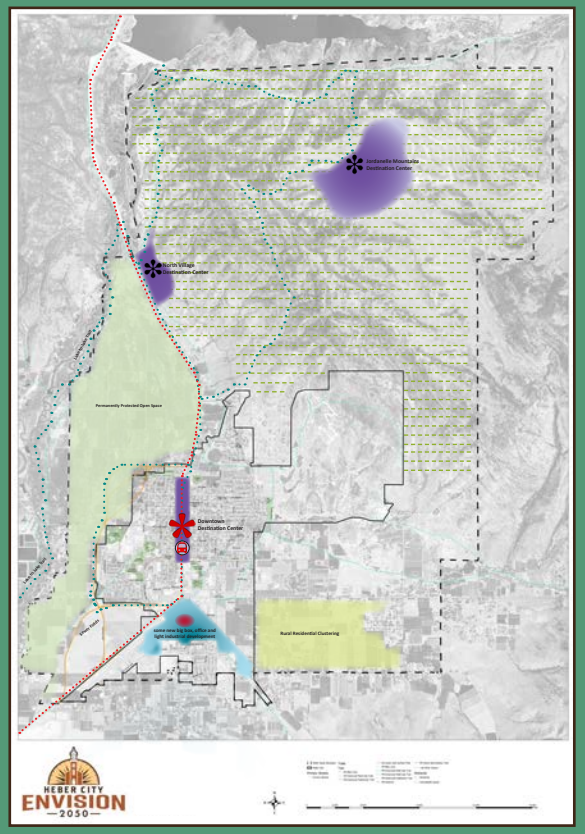
Scenarios Created with Ideas from the Public



Scenario B:
Corridor Focus



Scenario C:
Town Centers with Neighborhood Open Space



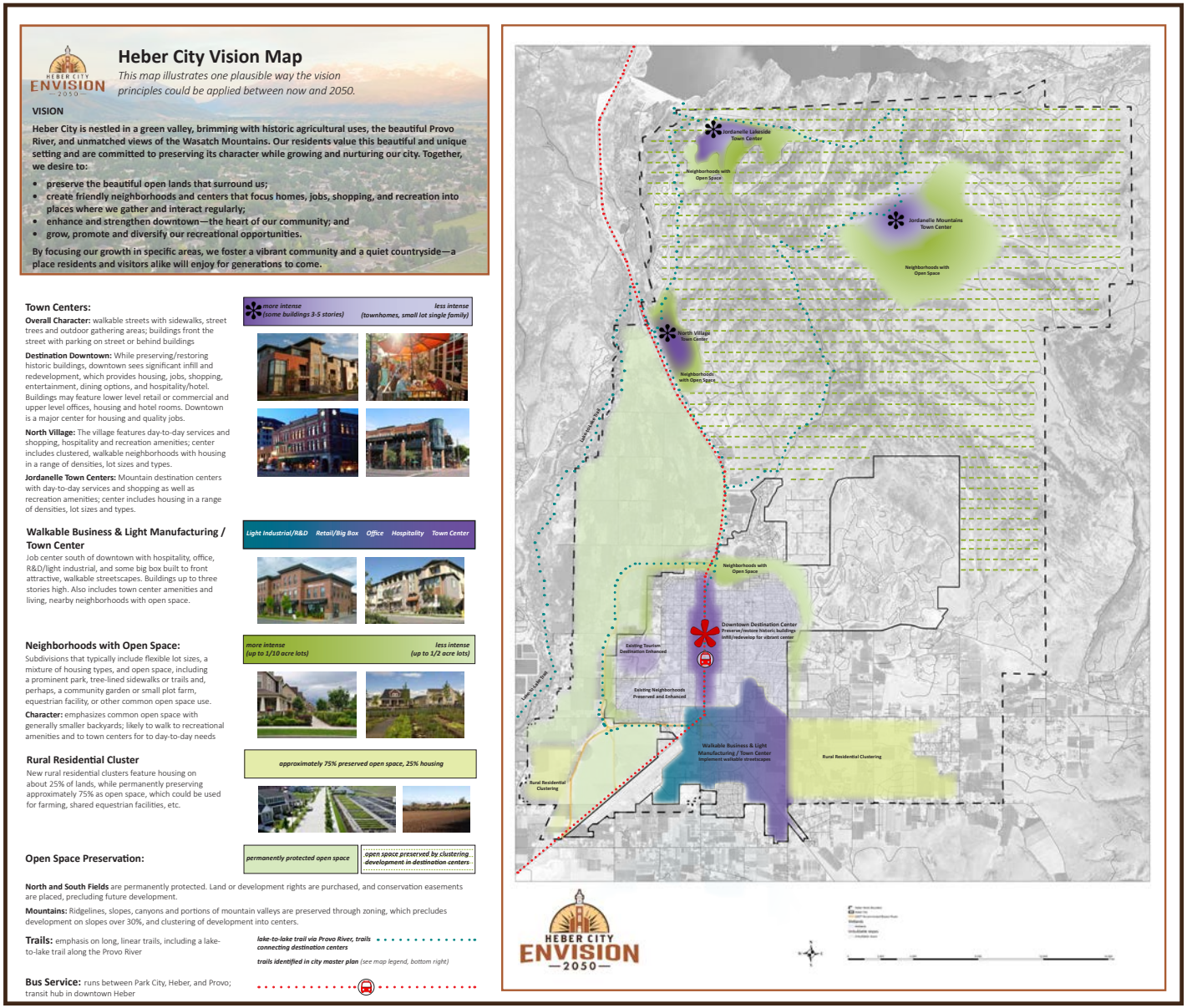
Scenario D:
Destination Centers with Rural Open Space

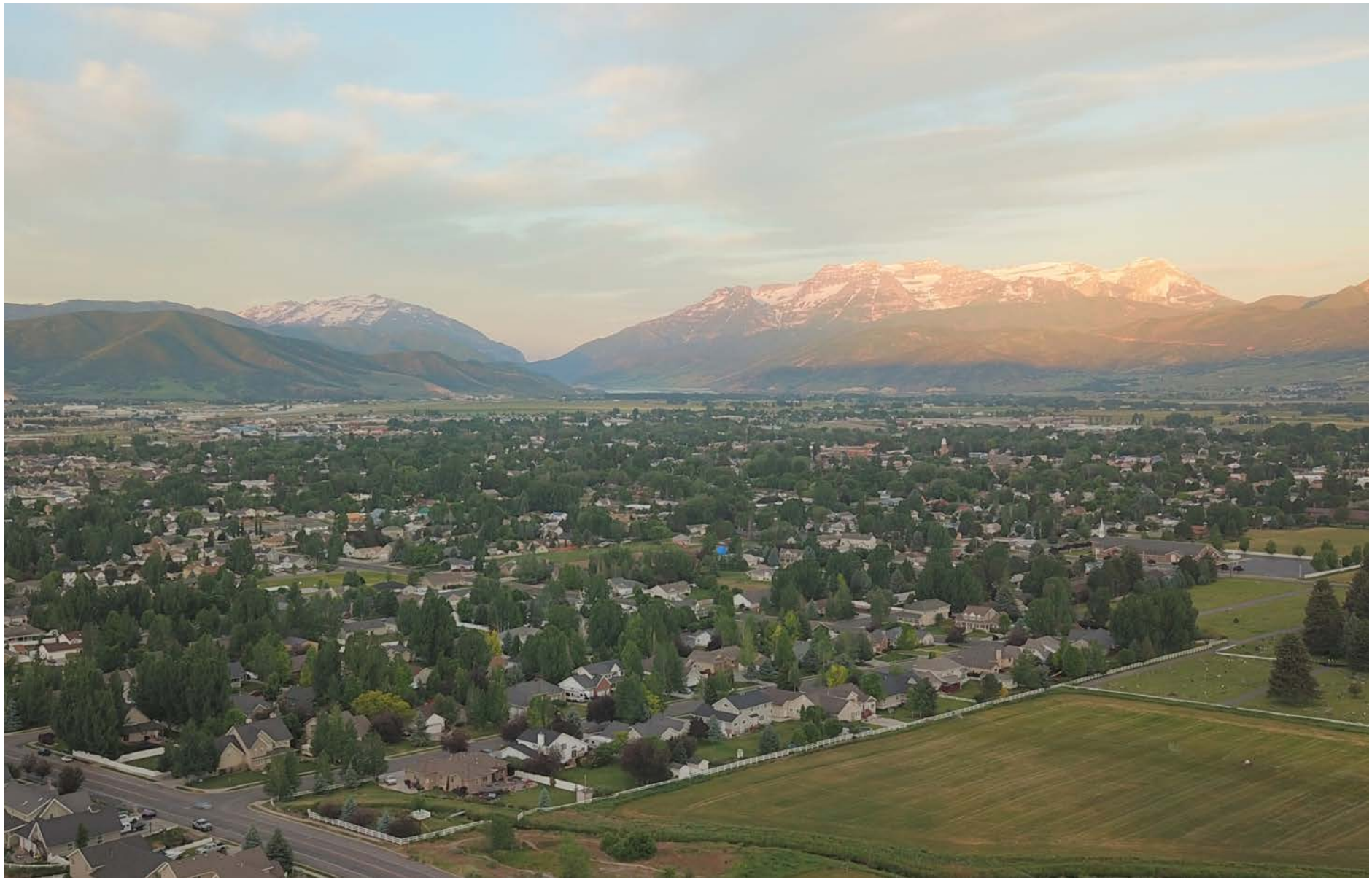
Scenario A or Scenario B. Scenarios C and D explored variations of the “big ideas” that came from the public at the initial public workshop, whereas Scenario A simply projected trend, and Scenario B was judged by many residents not to be much different than Scenario A, though it did capture the feedback from some residents at the public workshop. Clearly, Heber residents want a future that is much different than a projection of recent trends. Heber residents embrace a future that preserves its open lands and creates vibrant centers for living and working.

Public Vision Celebration

The steering committee, City leaders and consultants used feedback from the public's review of alternative growth scenarios to create a vision (see the vision and principles at the beginning of this chapter) that represents Heber's values and hopes for the future. This vision was warmly received and celebrated at a final open house in August 2019. As with each step in the process, the website provided a complete summary of the process and its findings, as well as the vision itself. Heber City's vision represents a collective effort of hundreds of citizens over many months to identify how they would like to grow between now and 2050. It's inspiring to see the common ground among Heber's residents, and to know the City's future direction!

The vision map depicts one plausible way the vision principles listed at the beginning of this chapter could be applied between now and 2050. It features significant open space preservation; a vibrant downtown, town centers and business center; neighborhoods with open space; rural residential clusters; trails; and bus





A Vision for Central Heber

In 2023 Heber City updated its vision to include a detailed vision for Central Heber, which includes the Downtown District blocks near Main Street, the Central Neighborhoods in the City's core, and the Recreation and Arts District on the west side of town and encompassing the Heber Valley Railroad depot area.

The Central Heber visioning process engaged hundreds of residents, business leaders, and other stakeholders in a variety of meetings, activities and events. Stakeholders guided the process, meeting six times over the course of the process. Six public meetings to enabled people to brainstorm possibilities through mapping and online surveys, evaluate scenarios through keypad polling and poster sessions, and come together at a final vision celebration. The vision and general recommendations from that process appear below. A large poster, pictured on the following page, provides detailed maps, recommendations, and illustrations, and is best viewed at envisionheber.com.

Central Heber's Vision

The heart of our community and region, Central Heber is a destination area featuring unique shopping, dining, and gathering areas for residents and visitors who enjoy a welcoming and peaceful environment with a sense of history and place in a beautiful mountain valley. Downtown is our economic catalyst, featuring our historic center and working, living, and public gathering areas in a mixed use environment, which help support street level retail, restaurants, and entertainment. Outdoor-oriented local and regional recreation are features at our Recreation and Arts Destination, which is the place to go to enjoy the train, rent a bike, enjoy a ballgame, or plan regional recreational adventures. Heber's quiet central neighborhoods provide places to live that are rooted in our history while also conveniently located nearby places to work, play, shop and dine.

General Recommendations

1. Highlight Heber's sense of history and place in a beautiful mountain valley, and its welcoming and peaceful environment.
2. Create a walkable, bikeable central city, with safe and pleasant streets.
3. Connect destination places and districts with interesting, pedestrian-friendly routes.
4. Create increased living and working opportunities in the Downtown area, for economic resilience and to better support uses like shopping, dining, gathering, and entertainment.
5. Activate and connect public spaces on Main Street, including Heber City Park, Civic Center Block, and the Public Safety Block, adding amenities, activities, and attractions that people return to again and again.
6. Enliven the streets in Heber's Downtown with features that provide interest and comfort and encourage repeat visits.
7. Create a new recreation/lifestyle gateway on the west side of town that supports existing and new arts, recreation, tourism, and outdoor-oriented pursuits, better positioning Heber as a destination for regional recreational opportunities.
8. Provide a small neighborhood dining/ shopping area near the train station to provide amenities adjacent to tourism and sporting events.
9. Create a new missing middle neighborhood east of the planned high school to provide needed housing options.
10. Preserve Central Heber's neighborhoods, enhancing their quiet, friendly atmosphere while providing options for new housing that fits into the historic fabric.

CENTRAL HEBER VISION

The heart of our community and region, Central Heber is a destination area featuring unique shopping, dining, and gathering areas for residents and visitors who enjoy a welcoming and peaceful environment with a sense of history and place in a beautiful mountain valley. Downtown is our economic catalyst, featuring our historic center and working, living, and public gathering areas in a mixed use environment, which help support street level retail, restaurants, and entertainment. Outdoor-oriented local and regional recreation are features at our Recreation and Arts Destination, which is the place to go to enjoy the train, rent a bike, enjoy a ballgame, or plan regional recreational adventures. Heber's quiet central neighborhoods provide places to live that are rooted in our history while also conveniently located nearby places to work, play, shop and dine.

GENERAL RECOMMENDATIONS

1. Highlight Heber's sense of history and place in a beautiful mountain valley, and its welcoming and peaceful environment.
2. Create a walkable, bikeable central city, with safe and pleasant streets.
3. Connect destination places and districts with interesting, pedestrian-friendly routes.
4. Create increased living and working opportunities in the Downtown area, for economic resilience and to better support uses like shopping, dining, gathering, and entertainment.
5. Activate and connect public spaces on Main Street, including Heber City Park, Civic Center Block, and the Public Safety Block, adding amenities, activities, and attractions that people return to again and again.
6. Enliven the streets in Heber's Downtown with features that provide interest and comfort and encourage repeat visits.
7. Create a new recreation/lifestyle gateway on the west side of town that supports existing and new arts, recreation, tourism, and outdoor-oriented pursuits, better positioning Heber as a destination for regional recreational opportunities.
8. Provide a small neighborhood dining/shopping area near the train station to provide amenities adjacent to tourism and sporting events.
9. Create a new missing middle neighborhood east of the planned high school to provide needed housing options.
10. Preserve Central Heber's neighborhoods, enhancing their quiet, friendly atmosphere while providing options for new housing that fits into the historic fabric.

The Central Heber Vision poster includes detailed maps, recommendations, and illustrations, and is best viewed at envisionheber.com.

THE RECREATION & ARTS DISTRICT

The western gateway into Heber from Midway at 600 West and 100 South is anchored by a flex-space venue and plaza supporting the arts and recreational opportunities and lifestyle. It includes mixed uses focusing on meeting day-to-day needs of nearby residents and visitors, and supporting and expanding local and regional arts, recreation, and tourism opportunities. A small commercial area adjacent to the railroad depot provides convenient options for dining and services. Needed missing middle and more reasonably priced housing is provided east of the planned high school.

WEST GATEWAY | NEW SCHOOL NEIGHBORHOOD | RAILROAD AREA

Character
An outdoor-oriented district that lets Downtown shine while supporting local arts and recreational activities and regional recreational destination pursuits.

Focus
Outdoor and recreational lifestyle, arts

Features
Flex-space lifestyle center and gathering area; trails (including Spring Creek Canal Trail), trailheads, and a trail depot with bike rentals and repair; potential shuttle to Main Street; pedestrian and bike friendly boulevard along 600 West to connect the West Gateway and the Railroad Area

Placemaking
Wide sidewalks, benches, outdoor dining areas, street trees, plaza space, fire pits/heaters, bike racks, activity structures, artsculptures, planters, attractive streetlights

Use Mix

West Gateway
Residential & Lodging: hotel, housing in mixed use buildings with ground floor commercial
Civic: cultural assembly, performance and/or museum
Retail/Restaurant/Office: neighborhood retail/restaurant, neighborhood service, office (main floor retail/restaurant required)
Open Space: active plaza, pocket park, contamination garden
Parking: on-street public parking areawide, private parking lots

Railroad Area
Retail/Restaurant/Office: neighborhood retail/restaurant, neighborhood service, office
Parking: on street public parking areawide, private parking lots

New School Neighborhood
Residential: missing middle, multifamily
Open Space: neighborhood park

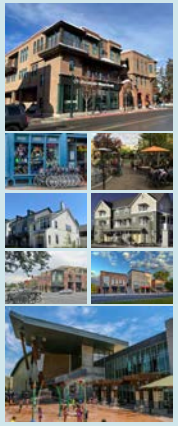
Building Height

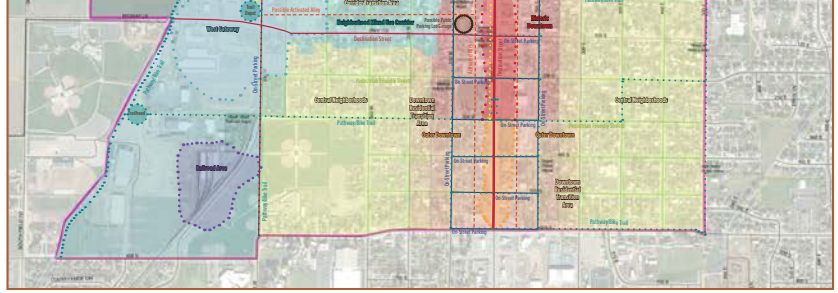
West Gateway
Up to four stories
Step backs required for buildings over three stories
Encourage other height-softening strategies (e.g. roofline variation, building modulation, attached features, corner cuts)

Railroad Area:
Up to two stories

New School Neighborhood:
Up to three stories

Visual
Style: classic materials and features, modern/clean lines
Preferred building materials: brick, wood/composite siding, sandstone, timbers
Design standards requiring classic commercial feature (e.g. storefront), but with flexibility for a variety of styles (e.g. mountain modern)





DEFINITIONS

Activated Alley: primarily a pedestrian space with extra-wide sidewalk or shared pathway, street trees, and seating/eating/gathering/event space.

Destination Street: a pedestrian-friendly street with extra-wide sidewalk, street trees, seating/eating space, and on-street parking.

Missing Middle Housing: a range of house-scale buildings with multiple units—compatible in scale and form with detached single-family homes that provide housing for middle income households. Examples include town homes and mansion homes.

Pedestrian Friendly Street: a street that feels comfortable for people, with wide sidewalk, street trees, and on-street parking.

Workforce Housing: a type of home that aims to provide affordable, safe, and comfortable living spaces for workers and their households. Examples include multiplex or stacked housing (apartments or condos).

THE DOWNTOWN DISTRICT

Downtown is characterized by a vibrant business environment and ample housing opportunities that support dining, shopping, playing, and gathering opportunities, providing a strong destination in the heart of Heber City. Historic Downtown (300 North to 300 South) features the richest suite of options for people to return to again and again, from restaurants and shops to inviting public spaces and streets, making the area a strong destination for residents and visitors. Alleys off Main Street as well as streets bisecting Main provide quieter spaces for shopping and dining. Outer Downtown (north of 300 North and south of 300 South) offers the greatest opportunities for working and living near Historic Downtown. The District as a whole features Downtown destination branding and beautification.

HISTORIC DOWNTOWN | OUTER DOWNTOWN | DOWNTOWN RESIDENTIAL TRANSITION AREA

Historic Downtown = 300 North to 300 South | Outer Downtown = north of 300 North and south of 300 South

Character
Highly active destination downtown featuring live/work/play/shop/dine/gather opportunities; historic/classic architecture in Historic Downtown District and historic themed but more flexible architecture in outer Main

Focus
Major focus on business and housing that supports shopping/dining/playing/gathering; Heber City Park, Civic Center Block, and Public Safety Block provide active park/plaza space for gathering

Features
Walkable streets, on-street parking district wide, alley pilot project(s) behind Main Street for a quiet dining/pedestrian experience, history walk on Main Street with a major feature at Civic Center Block, publicly owned historic buildings and places preserved, active destination public space at Heber City Park, Civic Center Block, and Public Safety Block

Placemaking
Benches, outdoor dining areas, street trees, plaza space, fire pits/heaters, bike racks, activity structures, artsculptures, planters, attractive streetlights

Activity Spaces to Consider
Skating ribbon/rink, farmer's market, rock climbing wall/boulders, food truck court, food hall, concert/event amphitheater, fitness stations, water feature

Use Mix

Historic Downtown & Outer Downtown
Residential & Lodging: missing middle/multifamily, hotel
Civic
Retail/Restaurant/Office: neighborhood retail/restaurant, neighborhood service, office
Open Space: destination plaza/park
Commercial use required on Main Street-facing first floor facades in Historic Downtown, with limited percentage allowed for residential or office access doors
Residential allowed on Main Street-facing first floor facades in Outer Downtown

Downtown Residential Transition Area
Residential: single family, missing middle
Retail/Restaurant/Office: neighborhood commercial allowed as a conditional use in Residential Transition Area east and west of Historic Downtown
Accessory uses: home-based business, attached/detached accessory dwelling units; Open space: pocket park/plaza

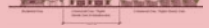
Parking
Striped on-street public parking district wide, private parking lots/garages but not fronting Main Street in Historic Downtown area, public parking lot/public parking garage possible in future phase

Building Height
Up to three stories allowed in Historic Downtown, with step backs up to four stories allowed
Up to four stories allowed in Outer Downtown with step backs for buildings over three stories; up to five stories allowed if incorporating additional design features and affordable housing (on site or off site)
Step backs required for buildings over three stories on Main Street
Step backs required for buildings over two stories adjacent to publicly-owned historic places
Building height transition required; buildings in Historic Downtown on 100 West/100 East frontages limited to three stories or less; in Residential Transition Area east and west of Historic Downtown limited to two stories or less
Require other height-softening strategies (e.g. roofline variation, building modulation, attached features, corner cuts/plazas)

Visual Preferences
Style: mix of existing historic and new modern and traditional
Preferred building materials: brick, sandstone, glass, timbers, rock
Apply existing design standard for classic commercial requiring historic/classic commercial features (e.g. storefront), but with flexibility for a mix of styles, especially in Outer Downtown
Historic Downtown: increase existing design standards, and encourage a greater number of classic/historic building features

Step Back: a change in the vertical plane of multi-story buildings that preserves the pedestrian experience at sidewalk level by setting the upper story building facade away from the street

Building Height Transition Area: a change in building heights, generally with taller buildings on main/internal streets, with shorter buildings on the transition area next to single-family homes



CENTRAL NEIGHBORHOODS DISTRICT

In central neighborhoods, changes to housing is typical of older neighborhoods: maintaining and enhancing existing homes, rebuilding those that owners deem are no longer satisfactory, and adding attached accessory dwelling units. Detached accessory dwellings and flag lots are allowed to provide more neighborhood housing options, but in keeping with the feel of a predominantly single family residential area. The 100 South corridor between 600 West and Main includes new missing middle housing and neighborhood retail, restaurants, and services.

CENTRAL NEIGHBORHOODS & MIXED USE CORRIDOR

Character
Quiet, pedestrian-friendly streets with a range of homes built across decades, supported by a neighborhood corridor that includes additional housing options and convenient neighborhood retail, restaurants, and services.

Focus
Residential, with some neighborhood retail and commercial along 100 South

Features
Pedestrian-friendly streets with bike network, neighborhood parks, a potential alley pilot project between 100 South and Center Street, history walk connecting the original train depot and the Civic Center Block, historic structures and homes enhanced

Use Mix

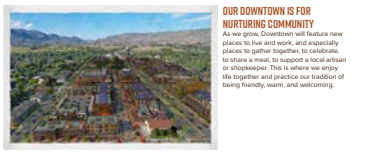
Neighborhoods
Residential: single family
Open Space: neighborhood park

Accessory Uses: home-based business, attached accessory dwelling units, detached accessory dwelling units with height equal to or lower than main home height, flag lots

Neighborhood Mixed Use Corridor
Residential & Lodging: missing middle multifamily, hotel
Retail/Restaurant/Office: neighborhood retail/restaurant, neighborhood service, office (on commercial corners on 100 South)
Open Space: pocket park/plaza, neighborhood park
Parking: on-street public parking, private parking lots behind buildings

Corridor Transition Area (area between mixed use corridor and neighborhoods)
Residential: missing middle, single family
Open Space: pocket park/plaza, neighborhood park

Building Height
Up to three stories



OUR DOWNTOWN IS FOR NURTURING COMMUNITY

As we grow, Downtown will feature new places to live and work, and especially places to gather together, to celebrate, to share a meal, to support a local artisan or shopkeeper. This is where we enjoy life together and practice our tradition of being friendly, warm, and welcoming.

ENVISION CENTRAL HEBER

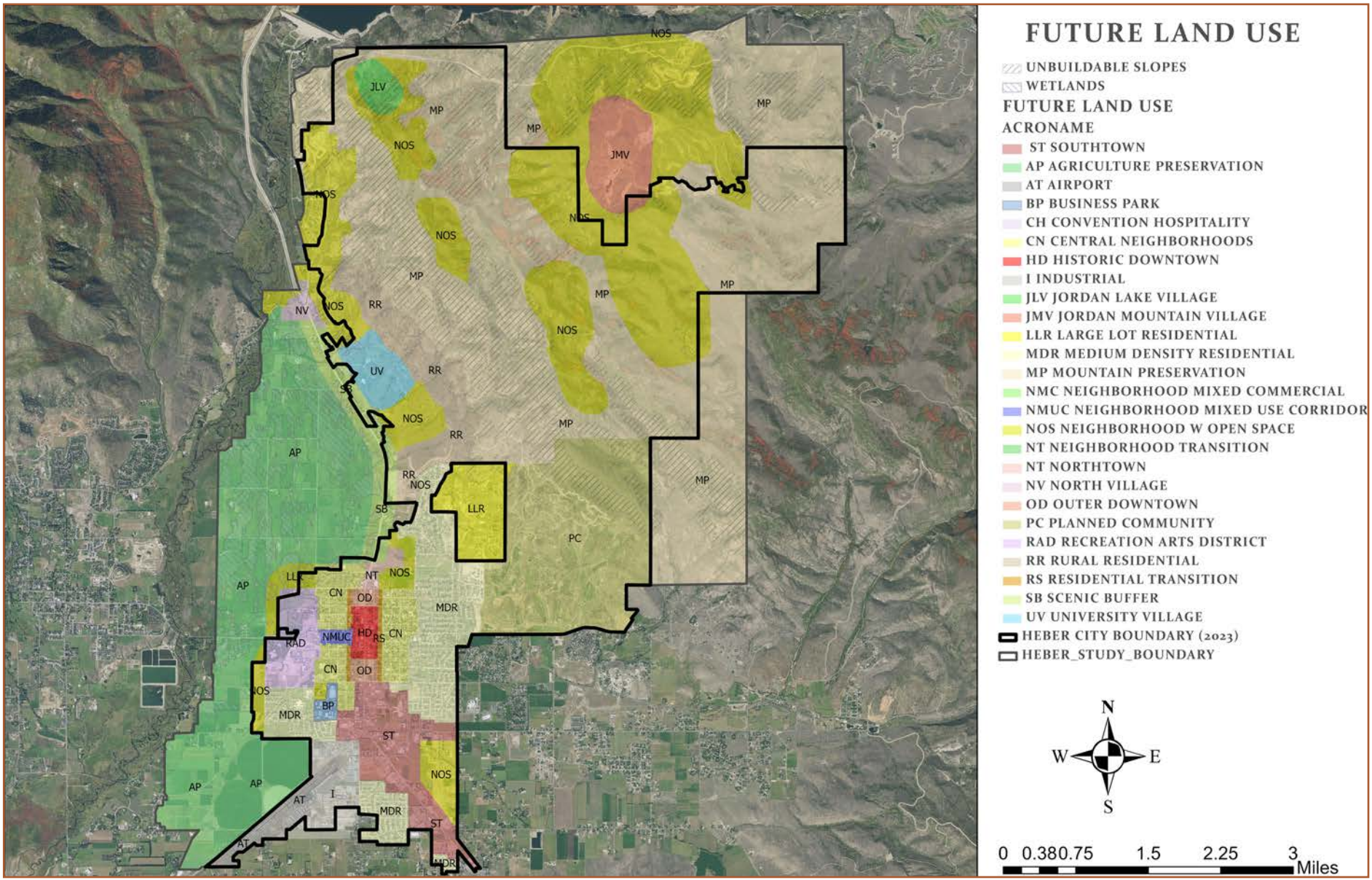
3: FUTURE LAND USE

Future Land Use Map and Definitions

Heber's spectacular setting makes creating a future land use plan that embraces the vision for Heber particularly important. The design and patterns within new development areas are expected to follow the guidelines described in this general plan, which will be translated into updated ordinances. This chapter provides direction and guidance for future decisions to expand, modify or rehabilitate City infrastructure. It suggests where prudent public and private investments should be placed. It illustrates the future land uses that the City will support.

This chapter is comprised of a Future Land Use map which identifies various land uses that the City believes are consistent with the vision for Heber. Land uses are divided into categories which are identified on following the map. The edges or lines for each land use category on the map are not meant to be precise. Future land use maps in general plans are purposely intended to be "general" and do not strictly follow property lines like a zoning map. They are a guide to the future land uses that the City has determined help achieve the City's vision.

Since the intent of the map is to guide with flexibility, future zone changes should generally conform to the land use districts described in this chapter. There can be discussions of "intent" and "general conformity" when there are situations where a proposal under consideration follows the City's vision and principles but where exact adherence to the map suggests a different outcome. The Planning Commission and City Council have discretion in applying the concepts found in this plan.


FUTURE LAND USE
UNBUILDABLE SLOPES
WETLANDS
FUTURE LAND USE
ACRONAME
ST SOUTHTOWN
AP AGRICULTURE PRESERVATION
AT AIRPORT
BP BUSINESS PARK
CH CONVENTION HOSPITALITY
CN CENTRAL NEIGHBORHOODS
HD HISTORIC DOWNTOWN
I INDUSTRIAL
JLV JORDAN LAKE VILLAGE
JMV JORDAN MOUNTAIN VILLAGE
LLR LARGE LOT RESIDENTIAL
MDR MEDIUM DENSITY RESIDENTIAL
MP MOUNTAIN PRESERVATION
NMC NEIGHBORHOOD MIXED COMMERCIAL
NMUC NEIGHBORHOOD MIXED USE CORRIDOR
NOS NEIGHBORHOOD W OPEN SPACE
NT NEIGHBORHOOD TRANSITION
NT NORTHTOWN
NV NORTH VILLAGE
OD OUTER DOWNTOWN
PC PLANNED COMMUNITY
RAD RECREATION ARTS DISTRICT
RR RURAL RESIDENTIAL
RS RESIDENTIAL TRANSITION
SB SCENIC BUFFER
UV UNIVERSITY VILLAGE
HEBER CITY BOUNDARY (2023)
HEBER_STUDY_BOUNDARY
N
W
E
S
0 0.380.75 1.5 2.25 3
Miles

Future Land Use Map Categories

District Type	Uses	Density Range / Scale (gross acreage)	Key Characteristics
Central Neighborhoods (CN)	Primary: SFDs on smaller lots, with options for detached ADUs, flag lots Secondary: connective and corner small scale retail/ restaurants, bed and breakfasts, community gardens, along 100 South	3-8 units per acre 1-3 story height	A mixed neighborhood emphasizing a variety of housing types. Strong street connections to the downtown and the tourist center; bicycle and pedestrian friendly. Historic structures and homes enhanced.
Neighborhood Mixed Use Corridor (Frontages of Center Street and 100 South from 150 West to 600 West) (NMUC)	Primary: A mix of residential, missing middle housing, hospitality, retail, restaurant, office	3-12 units per acre 1-3 story height	Single family in scale (e.g. mansion homes, townhomes), transition area to central neighborhoods, historic structures and homes enhanced, possible activated alley, history walk, bicycle and pedestrian friendly.
Historic Downtown (300 South to 300 North, 200 East to 200 West) (HD)	A mixed residential and commercial town center with historical architecture and active open spaces	Up to 4 story heights with step backs (interior block locations encouraged) Consider 2 story minimum height	Small business storefronts with historic architectural elements on first floors along Main Street. Interior block commercial/office uses blending with higher density residential. Includes on-street parking and bike accommodations, parking structures, and shared parking. Emphasis on historic beautification, placemaking, plazas, parks, historic walk, and activated alley.
Outer Downtown (300 South to 600 South; 300 North to 500 North; 150 East to 150 West) (OD)	A mixed residential and commercial area supportive of historic downtown	Up to 5 story heights with affordable housing and additional design features	Gateway to Historic Downtown with mixed use blocks. Streets to include on-street parking and bike accommodations.
Residential Transition Area (150 West to 200 West and 150 East to 200 East; generally 500 North to 600 South) (RT)	Single family and missing middle housing, retail, restaurant, office, neighborhood commercial, home based business, attached/detached ADUs, pocket parks and plazas	1-2 story height	Mixed use transition area to central neighborhoods. Streets to include on-street parking and bike accommodations.

Future Land Use Map Categories

District Type	Uses	Density Range / Scale (gross acreage)	Key Characteristics
Recreation and Arts District (RAD)	A recreation/arts mixed use center including residential, missing middle, hospitality, retail, restaurants, outdoor recreation, tourism, office, craftsman industrial, civic, educational uses.	1-4 story height (West Gateway) 1-2 story height (Railroad Area) 1-3 story height (New School)	Recreation and arts-oriented feel that highlights the railroad and recreational amenities and trails. New School a key area for multifamily/missing middle.
Jordanelle Mountain Village (JMV)	Primary: commercial and service uses intended to reduce trip generation to other town centers Neighborhoods: low, medium and higher density residential areas on slopes less than 30%, clustering options, schools	Base density established by a master development agreement. Overall property base densities may be transferred to the center and adjacent NOS by concentrating and clustering land uses. Up to 3-4 story heights in mixed use village 1 to 14 units per acre in residential areas adjacent to centers	A mixed use town center intended to serve the significant population on the upper mountain area, characterized by Mountain Modern architecture and mixed uses that include gathering spaces. Natural lands are preserved. Roads with swales and trails, clustering options, small lot and townhome options, significant open space, natural areas, schools.
Jordanelle Lake Village (JLV)	Primary: hospitality, mixed uses, service and commercial uses Secondary: medium to higher density residential, schools	Base density established by a master development agreement. Overall property base densities may be transferred to the center and adjacent NOS by concentrating and clustering land uses. Up to 4 story heights in the town center	A mixed use town center with adjacent neighborhoods to serve the region's growing recreation/tourism industry, characterized by Mountain Modern architecture and mixed uses that include gathering spaces. Development blends into the slopes, and natural lands are preserved. Roads with swales and trails, clustering options, small lot and townhome options, significant open space, natural areas.
North Village (NV)	Primary: hospitality and commercial/retail uses, higher density residential adjacent to the southern two quadrants at the intersection. Offices complement the town center. Secondary: SFDs, townhomes, limited multifamily complexes	14 to 30 units per acre Overall property base densities established by the North Village Overlay Zone may be transferred to the Village and adjacent NOS to create open space. Up to 4 story heights in the village center Residential clustering up to 3 stories with 4 to 20 units per acre in clustered locations	A mixed use village to serve the region's growing recreation/tourism industry and retail needs, characterized by Mountain Modern architecture and a greater range of mixed uses that include gathering spaces. Small lot, townhouse, and apartment developments, clustering, open space.

Future Land Use Map Categories

District Type	Uses	Density Range / Scale (gross acreage)	Key Characteristics
Utah Valley University Village	Primary: an array of uses supportive to the University, including hospitality, training centers, small retail, gathering places, mixed use, and student housing. Secondary: tech uses, affordable housing	14 to 30 units per acre Overall property base densities established by the North Village Overlay Zone may be transferred to the Village and adjacent NOS to create open space. Up to 4 story heights in the village center Residential clustering up to 3 stories with 4 to 20 units per acre in clustered locations	A mixed use village created to support the growth and desirability of the UVU campus, characterized by Mountain Modern architecture and vibrant pedestrian gathering places.
New Neighborhoods with Open Space (NOS)	Primary: SFDs Secondary: townhomes, small lot and attached housing	3 to 20 units per acre Overall property base densities, established by the North Village Overlay Zone may be transferred to adjacent Villages to create open space. 2-3 story height limit	Small lot clusters, townhomes and open space achieved through clustering and generally located adjacent to centers
Agricultural Preservation (AP)	Agricultural uses on large lot (20 acres), with minor residential use	1 unit per 20 acres	Dairy, grazing and grazing supportive crops with a homestead. Agricultural areas provide separation between communities.
Mountain Preservation (MP)	Recreational uses using the preserved natural areas	1 unit per 20 acres transferred to mountain residential areas	Steep slopes over 30%, stream corridors, wetlands, areas providing separation between communities. Clustered housing with density transfers to the villages.
Scenic buffer (SB)	Scenic highway corridors with adjacent trail systems, storm water retention and significant use setbacks	Setback minimum 150 feet from highway right of way	Natural and enhanced landscapes with trail systems adjacent to existing and proposed highways.

Future Land Use Categories

District Type	Uses	Density Range / Scale (gross acreage)	Key Characteristics
Rural Residential (RR)	Residential and agricultural mix in clustered patterns of development	1 to 2 units per acre; base density with clustering incentives for higher densities	Rural streetscapes with clustered housing and large open spaces in a natural, grazing, or agricultural use.
Medium Density Residential (MDR)	Primary: single family residential uses	3 to 6 units per acre	Existing single family neighborhoods with a mix of suburban and rural street standards.
Large Lot Residential (LLR)	Primary: single family residential uses	1 unit per five acres	Mostly existing single family neighborhoods with expansive views due to large separations between homes.
Planned Community (PC)	Primary: large lot single family homes	1 to 2 units per acre	Existing neighborhood with significant open space and recreation uses.
South Town Center (ST)	Primary: regional commercial/office uses, health services, light manufacturing and tech businesses Secondary: medium to high density residential	14 to 20 units per acre Up to 3 story heights	A mix of businesses catering to the regional larger scale needs of Wasatch County. Includes big box retail opportunities.
North of Downtown Center (NT)	Primary: regional commercial/office uses, health services, incubator business complexes Secondary: medium to high density residential	14 to 20 units per acre Up to 3 story heights	A secondary regional hub.
Business Park (BP)	Office and tech uses	NA	High quality design and architecture.
Airport (AT)	Airport and air traffic related uses	NA	Runways, hangars, service shops and supportive commercial uses.
Light Industrial (I)	Manufacturing uses located generally within enclosed buildings, plus office warehouse uses	*NA*	Limited outdoor storage and activity; may allow for accessory apartments

4: QUALITY NEIGHBORHOODS

Quality Neighborhoods Vision

Heber City's neighborhoods **thrive** because all of them are valued for their **unique character, amenities, and context**. Residents with a range of incomes have access to great places to live, and all residential neighborhoods are **stable**, **attractive** options.

Guiding Principles

1. Heber City will preserve and enhance existing neighborhoods and increase their walkability.
2. Heber City's new neighborhoods will be walkable and blend a variety of housing options and shared open space amenities. New neighborhoods will be within walking distance of a center, where neighbors can gather.
3. Rural and mountain residential clusters will enable residents to live in neighborhoods where housing is focused in a smaller area, resulting in the majority of natural lands reserved for shared open space with recreational, equestrian or agricultural uses.
4. Heber will maintain its clean air and dark skies so the City is a healthy and beautiful place to live.

Existing Neighborhoods

Heber City's existing neighborhoods have provided and will continue to provide a variety of housing options and living environments for the City's residents. Options include large single family dwellings with views of the region's open lands on the edge of town; historic homes on shady, tree-lined streets in the historic core; new, smaller lot subdivisions; and a variety of townhome and apartment/condominium homes closer to the City's center and along Highway 40. As Heber grows, investments in existing neighborhoods should enhance unique neighborhood characteristics and features. In general, the City's existing neighborhoods will benefit from continued investment in existing housing stock,

During the Heber City's recent visioning process, 85% of survey respondents were supportive of working toward more walkable streets. Access to parks, trails and open space was a common theme across both new and existing neighborhoods.

context-sensitive infill, streetscape enhancements to improve walkability and better access to parks and trails.

Central Neighborhoods District

In central neighborhoods, changes to housing is typical of older neighborhoods: maintaining and enhancing existing homes, rebuilding those that owners deem are no longer satisfactory, and adding attached accessory dwelling units. Detached accessory dwellings and flag lots are allowed to provide more neighborhood housing options, but in keeping with the feel of a predominantly single family residential area. The district includes the Neighborhood Mixed Use Corridor, an area along 100 South and Center Street between 600 West and Main. It includes new missing middle housing and neighborhood retail, restaurants, and services.

Character

- Quiet, pedestrian-friendly streets with a range of homes built across decades, supported by a neighborhood corridor that includes additional housing options and convenient neighborhood retail, restaurants, and services.

Focus

- Residential, with some neighborhood retail and commercial along 100 South

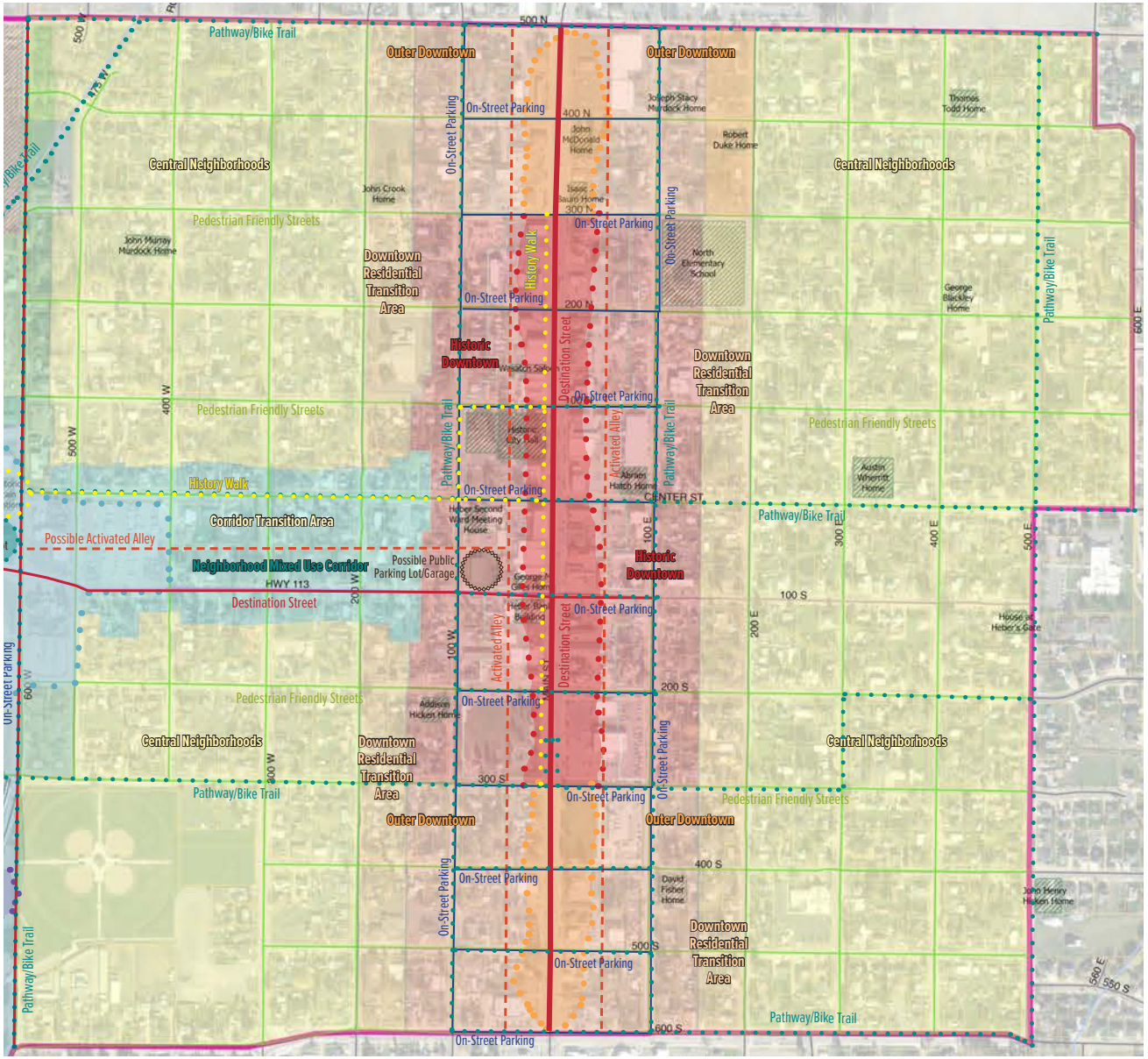
What Could Heber's Central Neighborhoods Become?

Over time, the historic core could become a consistently beautiful area. Imagine tree-lined streets, upgraded homes, new architecturally pleasing housing, and a wonderful place to walk and bike, with connections to the entire City. Heber's Central Neighborhoods and Neighborhood Mixed Use Corridor could be the most desirable neighborhoods in Heber, offering a range of housing types, convenience and historic character.

Features

- Pedestrian-friendly streets with bike network, neighborhood parks, a potential alley pilot project between 100 South and Center Street, history walk connecting the original train depot and the Civic Center Block, historic structures and homes enhanced

Central Neighborhoods District Vision Map: Excerpted from the Central Heber Vision Map, this illustration highlights key subdistricts, which are explained in the text on the surrounding pages. Central Neighborhoods are shaded yellow, and the Neighborhood Mixed Use Corridor is shaded blue.



Examples below and on opposite page of potential building types and neighborhood forms for the Central Neighborhoods District

Use Mix

Central Neighborhoods

- Residential: single family
- Open Space: neighborhood park
- Accessory Uses: home-based business, attached accessory dwelling units, detached accessory dwelling units with height equal to or lower than main home height, flag lots

Neighborhood Mixed Use Corridor

- Residential & Lodging: missing middle multifamily, hotel
- Retail/Restaurant/Office: neighborhood retail/restaurant, neighborhood service, office (on commercial corners on 100 South)
- Open Space: pocket park/plaza, neighborhood park
- Parking: on-street public parking, private parking lots behind buildings

Corridor Transition Area (area between mixed use corridor and neighborhoods)

- Residential: missing middle, single family
- Open Space: pocket park/plaza, neighborhood park

Building Height

- Up to three stories

Strategies - Central Neighborhoods District

1. Consider land use changes to grow the connection between Historic Downtown the Recreation and Arts District along 100 South. Consider tourism-based businesses, and more flexible options for homeowners, such as more flexible home occupation ordinances, live/work opportunities, bed and breakfasts and other residence-based businesses.
2. Consider additional upgrades to existing zoning that promote reinvestment and infill.
3. Support improvements to existing homes. Establish and/or identify grants and/or loans for home repairs, façade improvements and efficient, attractive landscaping. Work with local business and historic groups to establish a historic home walking tour. This will encourage residents to improve and maintain their historic homes.
4. Use dark sky compliant lighting throughout the historic core.
5. Promote ordinance revisions for infill and flag lots to increase redevelopment potential, where appropriate.

What Could Streets in Central Neighborhoods Look Like?

Heber's historic core features many charming characteristics. As streets are improved, there is opportunity to retain desirable qualities and add new elements that increase beauty and safety. The image below features reduced pavement width, wide parkstrips, consistent walkways, street trees, lighting, swales with some irrigation ditches preserved, and both natural and more formal parkstrip plantings.

Where possible, Heber should retain the rural feel that Heber's open irrigation ditches convey. As the City moves toward pressurized irrigation and working irrigation ditches are slowly replaced, some streets should be designated to preserve historic ditches and retain related rural context. Since existing ditches and street-adjacent swales will accommodate storm water for the near future, a phased approach is suggested. A more detailed streetscape plan and streetscape options should be considered.

Existing Neighborhoods Outside the Historic Core

Heber residents that live in neighborhoods outside of the historic core enjoy a wide range of living opportunities, all relatively nearby the City's center. Like the historic core, as these neighborhoods age, Heber should support reinvestment to improve or enhance the quality of existing homes, encourage infill and new investment where possible, and implement context-sensitive streetscape plans that highlight the unique character of neighborhoods while improving walkability.

Strategies – Existing Neighborhoods

1. Create a citywide streetscape plan, strategy and program that explores distinct options for various neighborhoods, including older areas of the city encompassed in the historic grid as well as options for newer existing neighborhoods and future neighborhoods. Streetscape improvements include sidewalks, trails, street tree planting, street parking and setbacks. (see Chapter 8, Mobility and Streetscape for more detail)
2. Enhance park access from existing neighborhoods. Add trail connections and new parks. Look for opportunities to consolidate stormwater detention in multi-purpose ponds that can also be used for recreation. (see Chapter 7, Open Space, Parks and Trails for more detail)

New Streets in the Mountains

While most of Heber's new streets will be in traditional neighborhoods and can implement ideas from the historic core image at left, some streets will be "collector" in nature, moving traffic between new and existing centers. These streets provide enjoyable travel through open spaces, whether driving a car or walking/biking on the adjacent trail. These streets feature narrow pavement width with right turn lanes, swales and off-street trails.

New Neighborhoods and Rural Clusters

Heber City embraces a range of new neighborhood options designed to provide a variety of beautiful, comfortable, convenient and safe places for all of its residents to live their lives.

New Neighborhoods with Housing Variety and Amenities

Public feedback during Heber's recent visioning process uncovered a strong desire for new neighborhood options that include both housing variety and amenities. This desire should be realized with new guidelines that enable flexibility in lot size, setbacks and housing type. This option provides for a broader range of household types—including young families, mature families and empty nesters—to live in a more diverse neighborhood setting with common open space areas for socializing and recreating.

Further, when combined with incentives, such as density increases, varied lot sizes and housing types allow developers to cluster housing to reduce the development footprint in order to establish common open space areas. This encourages higher quality design and distributes shared maintenance costs among more homeowners, keeping costs sustainable over time for each household.

The examples at right explore a more limited amount of high-quality open space over a larger percentage of open space. When ordinances require a high percentage of open space (30% to 50%), the result is often a configuration of homes on pad sites with a private outdoor patio area, but without a building lot containing individual yard space. With pad sites, the common open space is typically provided as shared landscaping surrounding homes, in addition to a landscaped detention area. This design format provides limited usable open space area for recreation, socializing and gathering.

What Could Heber's New Neighborhoods Be Like?

As Heber grows, residents have a strong desire to create neighborhoods that include a variety of housing options and recreational opportunities. A recent survey found that 46% want this type of neighborhood compared with only 9% who want to continue building conventional subdivisions.

What's in every example at right?

- **A concept for a 10-acre parcel**
- **10% - 20% common usable open space for recreation, socializing and gathering**
- **Quality streetscapes with street trees, lighting, and trails, pathways and/or sidewalks**

31 units | 10,000 sq ft lots

(above) A standard 10-acre subdivision with minimal streetscape features and no common open space. This plan suggests moving away from this pattern of growth in new neighborhoods.

1. Neighborhood with Agriculture & Open Space

38 units | 6,000-10,000 sq ft lots
single family
1-acre farm/community garden
.5-acre park

2. Traditional Neighborhood with Open Space

44 units | 5,000-10,000 sq ft lots
single family
1-acre park

58 units | 4,000-6,000 sq ft lots
single family | rowhomes
1.5-acre park

3. Compact Neighborhood with Open Space

91 units | 4,000-6,500 sq ft lots
single family | rowhomes | multifamily
2-acre park & plaza

4. Mixed Use Neighborhood with Gathering/Open Space

Most open spaces in new neighborhoods will be the responsibility of homeowners in the development and will be governed by a homeowner's association. The developer or association will improve the space for recreation, restore it to a natural state, create a community garden or perhaps lease it to a small plot farmer. However, the City may want to assure public access through acquisition in the development process or agreements to that effect. A systematic approach to consider is for the City to determine priority areas for open space that might further other goals such as stormwater retention or trails. Trail systems along creeks, canals and utility corridors, connected to mountain area trails, could provide a more functional and distinctive connected series of open spaces.

Common open space area(s) should be right-sized for recreational needs, and right-priced for residents to sustain long-term care and maintenance costs through a homeowners' association. Open space quantity and design should be informed by an appropriate integration of storm water detention without compromising recreational use, and by an appropriate balance between outdoor common area and private yard space. In some cases, the City may want to acquire open space during the development process, to provide public access. These decisions should be informed by the City's parks and trails master plan.

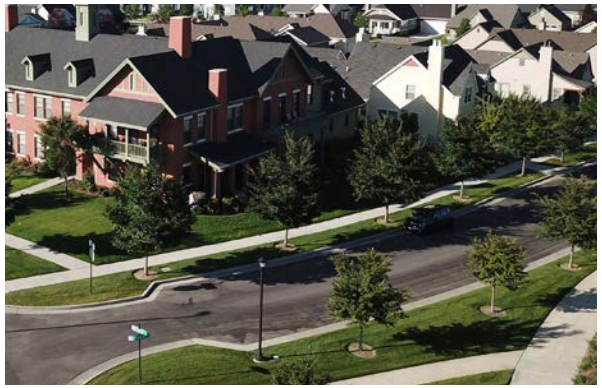
Strategies - New Neighborhoods

1. Create incentives or new zones to build neighborhoods that include a variety of housing types and quality open space amenities.
2. Include quality building materials and architectural standards as part of new ordinances.
3. Sustain the long-term quality and value of these neighborhoods through:
   a. Superior neighborhood design;
   b. Quality building materials;
   c. Integrating a variety of lot sizes and housing types;
   d. Establishing private development covenants and homeowner's associations to ensure continual reinvestment in and maintenance of the neighborhood.
4. Open space amenities should be a central feature in a neighborhood and may include parks, plazas, trails, community gardens, small plot farms or other space that can be used by residents. Quality open space amenities include long-term management and maintenance plans.
5. Develop and implement streetscape standards to ensure walkability. Create new residential street cross sections that are comfortable

and safe for pedestrians. Consider crossings, pavement widths, traffic speed, park strip width, street trees, sidewalk widths, etc. (see Chapter 8, Mobility and Streetscapes for more detail)

   a. Connect new neighborhoods to centers with sidewalks, pathways and/or trails.
   b. Connect new neighborhoods to existing regional or local trail systems when possible.

6. Consider a new neighborhood design process that analyzes priority destinations for pedestrians and focuses the design process on achieving a walkable community first, as opposed to the greatest number of lots.
7. Consider an incentive-based system with a base lot size that can be reduced by exceeding city goals for open space, walkability, trails, views and stormwater reduction.
8. New neighborhoods at Jordanelle Mountain, Jordanelle Lakeside and North Village
   a. Create walkable, compact neighborhoods with significant natural open space and mountain-themed village town centers.
      1. Create design standards for interesting "mountain modern" residential architectural features.
      2. Promote deed restricted workforce housing in the villages and inclusionary affordable housing for a portion of new housing.
      3. Create trail systems with greater separation from roadways.
      4. Encourage increased residential densities in village town centers.
      5. Develop a street connectivity and circulation plan that does not rely on the highways to reach destinations. (see Chapter 8, Mobility and Streetscapes for more detail)
      6. Consider more hospitality and entertainment options near the highways.
      7. Consider design standards for outdoor and indoor storage facilities, and promote the placement of such facilities in less visually prominent locations through ordinance amendments.



How Are Rural & Mountain Residential Clusters Developed? (100-acre example)

Existing Condition:
Parcels feature historic farming operations, and owner is considering options for future development.

Conventional Development Pattern: 88 units
Underlying one-acre zoning employed to create standard subdivision with uniform lot sizes, eliminating agricultural uses.

75% open space | 25% housing
124 units | 71 detached; 51 attached
3 neighborhood parks
40% density bonus

Residential Cluster Alternative:
Clustered housing, flexible lot sizes and a density bonus enable a profitable project while **permanently preserving** remaining agricultural uses. This alternative could also be used to preserve natural areas in the mountains.

Rural and Mountain Residential Clusters

After the New Neighborhoods with Housing Variety and Amenities option described above, the option second most desired by Heber residents is the Rural Residential Cluster. This option clusters housing on about 25% of the development parcel, while permanently preserving approximately 75% of a parcel as open space. This option is best employed where larger acreages exist, so preserved open space is large enough to be viable for continued farming or ranching, for shared passive recreation (e.g. trails in a natural area), shared equestrian use or to provide a large open space that remains or is restored to its natural state. Developments should include clear plans for long-term open space management and maintenance. Areas for these types of neighborhoods include lands adjacent to north village and university village.

Strategies - Rural and Mountain Residential Clusters

1. As part of a new zoning ordinance, create incentives or new zones to enable rural and mountain residential clusters that permanently designate open space for agricultural, natural, passive recreation or shared equestrian uses.
2. Update trail plans as new rural and mountain residential clusters are developed.
3. Promote neighborhood safety by reviewing and updating as necessary community wildfire prevention plans and wildfire ordinances and development standards for hillside and mountain areas.

Clean Air: Options for Residential and Business Land Uses

Heber has relatively clean air today, but keeping that clear blue sky is a concern for residents. The Wasatch Front is notorious for temperature inversions, when warmer air gets trapped below colder air. Such inversions trap pollution close to the ground, creating air that is both ugly and unhealthy to breath. Occasionally, Heber residents can see the inversion from the Wasatch Front creeping up the canyon toward the Heber Valley.

Like the Wasatch Front, Heber Valley can experience temperature inversions. If we want to maintain air that is healthy and skies that are beautiful, we will need to be mindful of the pollution that we create and release into the air as the City grows. As our vehicles become more efficient, our homes and businesses will be the largest source of air pollution and should be a focus for maintaining air quality.

Water heaters and furnaces that burn natural gas and have not been updated create emissions that we do not see, but, as a percentage of the overall air pollution problem, our house and business heating systems start to take on a greater role because vehicles are getting cleaner and more are electric. In the Salt Lake Valley, on red burn days, wood stove fires are not allowed. Wood stoves add significant amounts of particulates, especially when the air is not moving, during an inversion.

Strategies - Clean Air

1. Explore ways to reduce air pollution from homes and businesses and improve efficiency.
   a. Promote a water heater replacement program. Promote no “nox” water heaters and more efficient furnaces for long-term clean air benefits.
   b. Eliminate wood stoves and/or prohibit use on stagnant air days.
   c. Encourage rooftop solar installations.
   d. Explore potential strategies with Heber Power and Light.
2. Explore no idle programs for vehicles and electric vehicle facilities such as charging stations.
3. Promote and support the Heber Valley Regional Air Quality Board.
4. Adopt a clean air program with priorities, time lines and strategies.

During Heber City’s recent visioning process, a number of survey respondents and meeting participants were concerned about long term air quality. Blue skies are one of Heber’s valued assets.

What's the best approach to affordable housing?

75% Heber of residents say, "Blend it in!"

Based on survey responses from Heber's recent visioning process, **38%** prefer to blend compact single family, townhomes and apartment homes into neighborhoods, and **37%** say to blend these housing types into town centers. Only 25% wanted to isolate affordable housing at the edges of town or along Highway 40. The picture below depicts a home with limited square footage to reduce overall cost.

General Housing/Moderate Income Housing Plan (MIHP)

When Heber's neighborhoods and centers provide housing for a broader range of household types and consider our school teachers, police officers, and service industry employees, more of our residents can enjoy living in a safe and comfortable environment, with convenient access to goods, services and amenities.

Heber City has recognized the great need for and difficulty of providing affordable housing for many years and has been innovative in its approaches to creating more affordable housing. The City adopted its revised Moderate Income Housing Plan (MIHP) as part of the General Plan by Ordinance 2018-31 on August 16, 2018. Utilizing property values, census data, building permit data and data from the Utah State Department of Workforce Services, the City identified the existing supply of moderate income housing and identified the five-year moderate income housing need. The City analyzed residential zoning and identified how zoning densities affect opportunities for moderate income housing. Based on this analysis, the plan identified the following affordable housing needs for the next five years:

- 517 units of 30% AMI or less
- 429 units of 50% AMI or less
- 138 units of 80% AMI or less

The four primary goals of the MIHP include:

1. Heber City will continue to provide a realistic opportunity to meet the estimated needs for additional moderate-income housing.
2. Heber City will continue to foster partnerships with non-profit organizations and developers, and identify new funding sources to implement affordable housing policies.
3. Heber City will continue to work with the County Housing Authority to increase the supply of affordable housing
4. Heber City shall biennially review the moderate-income housing plan element of its general plan.

The implementation strategies identified below exceed the requirements of Utah State Code Section 10-9a-403. The following four strategies from the 2018 General Plan update mirror Utah State Code recommendations for implementing three or more implementation strategies. Not only have these strategies been identified by the MIHP, they have also been adopted into the City's zoning ordinance and are already being implemented.

1. **Utilization of accessory apartments (aka accessory dwelling units).** Accessory dwelling units are allowed in all residential zones in Heber City.

2. **Consider inclusionary housing ordinances to close the future housing need gap.** Heber City has adopted an inclusionary housing ordinance that requires 10% of all new residential units to be affordable housing that is aimed at those earning 30%, 50% and/or 80% of County average median income. The ordinance permits increased density, open space and spatial incentives to developers for providing affordable housing.
3. **Consider deed restriction programs to keep new moderate income housing units affordable to target populations.** As part of the inclusionary housing ordinance, Heber City requires that certain affordable housing units in the 50% AMI or lower category be deed restricted and often works with the County Housing Authority to accomplish this.
4. **Consider general fund expenditures to waive or reduce construction related fees that are otherwise generally imposed by the City.** The inclusionary housing ordinance permits the waiver of building permit fees.

Potential Near-Term Work Efforts:

1. Update the accessory apartment ordinance to eliminate barriers.
2. Track spending of the affordable housing fund, and emphasize workforce housing.
3. Continue to require deed restricted housing aimed at the 50% AMI and below category, and track City progress.
4. Study the pros and cons of waiving building permit fees for qualifying projects or portions of projects. Track additional units produced.
5. Consider areas for mixed use housing and mixed housing types, especially adjacent to the downtown and in emerging centers.
6. Create a mixed housing types cluster subdivision ordinance.
7. Consider an update study of the fee-in-lieu program to assure that fees are reasonably commensurate with actual construction costs.

Volodymyr Kyrylyuk via Getty Images

5: CENTERS AND GATHERING PLACES

Centers & Gathering Places Vision

Centers enable Heber to maintain a **small town** feel by focusing **new growth into distinct areas** rather than dispersing growth across our City's surrounding **open lands**. Centers **focus** activities, providing a **home base** for **visitors** and a **"living room"** for **residents**.

Guiding Principles

Downtown, Heber'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.

1. Heber preserves, enhances and improves access to its valued places and buildings on Main Street.
2. Heber improves pedestrian and bike accessibility, parking and traffic conditions along Main Street.
3. Underused spaces are reimagined into significant new places to work, live and enjoy time together.
4. Downtown is a regional destination for annual gatherings and traditions that Heber residents and visitors enjoy.

New centers will be strategically located, connected to each other and the greater community and offer walkable access to amenities and day-to-day needs.

1. New centers should encourage many distinct features, including outdoor gathering spaces, parks and plazas; schools and community centers; a mix of shopping, restaurants, and offices; as well as a variety of housing choices, including more affordable options.

Central Heber

Central Heber includes two distinct multiuse centers: (1) The Main Street District, and (2) The Recreation and Arts District, which are discussed here. Central Heber also includes the residential Central Neighborhoods District, which is discussed in detail in Chapter 4.

Central Heber Vision

The heart of our community and region, Central Heber is a destination area featuring unique shopping, dining, and gathering areas for residents

and visitors who enjoy a welcoming and peaceful environment with a sense of history and place in a beautiful mountain valley. Downtown is our economic catalyst, featuring our historic center and working, living, and public gathering areas in a mixed use environment, which help support street level retail, restaurants, and entertainment. Outdoor-oriented local and regional recreation are features at our Recreation and Arts Destination, which is the place to go to enjoy the train, rent a bike, enjoy a ballgame, or plan regional recreational adventures. Heber's quiet central neighborhoods provide places to live that are rooted in our history while also conveniently located nearby places to work, play, shop and dine.

General Recommendations

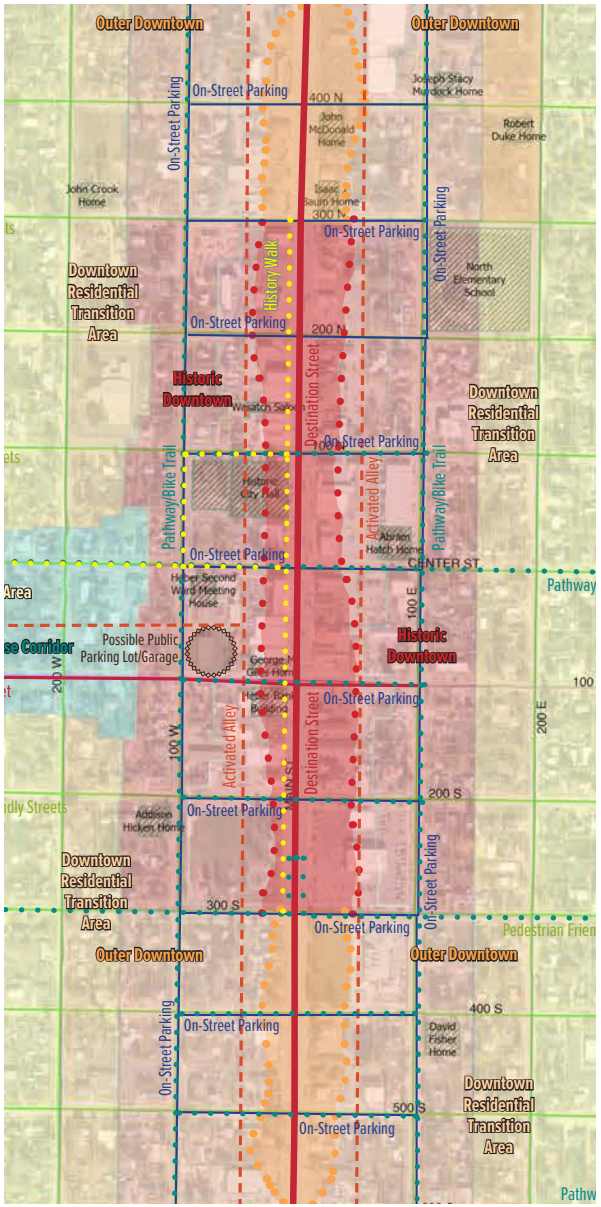
1. Highlight Heber's sense of history and place in a beautiful mountain valley, and its welcoming and peaceful environment.
2. Create a walkable, bikeable central city, with safe and pleasant streets.
3. Connect destination places and districts with interesting, pedestrian-friendly routes.
4. Create increased living and working opportunities in the Downtown area, for economic resilience and to better support uses like shopping, dining, gathering, and entertainment.
5. Activate and connect public spaces on Main Street, including Heber City Park, Civic Center Block, and the Public Safety Block, adding amenities, activities, and attractions that people return to again and again.
6. Enliven the streets in Heber's Downtown with features that provide interest and comfort and encourage repeat visits.
7. Create a new recreation/lifestyle gateway on the west side of town that supports existing and new arts, recreation, tourism, and outdoor-oriented pursuits, better positioning Heber as a destination for regional recreational opportunities.
8. Provide a small neighborhood dining/shopping area near the train station to provide amenities adjacent to tourism and sporting events.
9. Create a new missing middle neighborhood east of the planned high school to provide needed housing options.
10. Preserve Central Heber's neighborhoods, enhancing their quiet, friendly atmosphere while providing options for new housing that fits into the historic fabric. (Discussed in Chapter 4.)

Which scenario best preserves "small town" feel?

78% of recent survey respondents selected scenarios featuring **centers** and **open space**.

Surveys for Main Street and the general surveys performed as part of the visioning process indicate that **Main Street is important to nearly everyone in the community.** Residents want Main Street to become quieter and more walkable.

Downtown District Vision Map: Excerpted from the Central Heber Vision Map, this illustration highlights key sub-districts, which are explained in the text on the following pages.



Examples of potential building types and forms for the Downtown District

The Downtown District

Downtown is characterized by a vibrant business environment and ample housing opportunities that support dining, shopping, playing, and gathering opportunities, providing a strong destination in the heart of Heber City. Historic Downtown (300 North to 300 South) features the richest suite of options for people to return to again and again, from restaurants and shops to inviting public spaces and streets, making the area a strong destination for residents and visitors. Alleys off Main Street as well as streets bisecting Main provide quieter spaces for shopping and dining. Outer Downtown (north of 300 North and south of 300 South) offers the greatest opportunities for working and living near Historic Downtown. The District as a whole features Downtown destination branding and beautification.

The following provides detailed recommendations regarding character, focus, features, use, and form for the district.

Character

- Highly active destination downtown featuring living, working, playing, shopping, dining, and gathering opportunities.
- Historic/classic architecture in Historic Downtown District; historic themed but more flexible architecture in Outer Main.

Focus

- Major focus on business and housing that supports shopping, dining, playing, and gathering.
- Heber City Park, Civic Center Block, and Public Safety Block provide active park/plaza space for gathering.

Features

- Walkable streets
- On-street parking district wide
- Alley pilot project(s) behind Main Street for a quiet dining/pedestrian experience
- History walk on Main Street with a major feature at Civic Center Block
- Publicly owned historic buildings and places preserved
- Active destination public space at Heber City Park, Civic Center Block, and Public Safety Block

Placemaking

- Benches
- Outdoor dining areas
- Street trees
- Plaza space
- Fire pits/heaters
- Bike racks
- Activity structures
- Art/sculptures
- Planters
- Attractive streetlights
- Activity Spaces to Consider: skating ribbon/ rink, farmer's market, rock climbing wall/ boulders, food truck court, food hall, concert/ event amphitheater, fitness stations, water feature

Use Mix

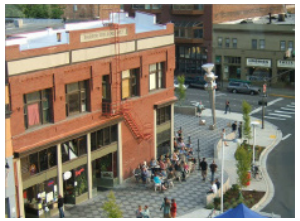
Historic Downtown & Outer Downtown

- Residential and Lodging: missing middle/ multifamily, hotel
- Civic
- Retail/Restaurant/Office: neighborhood retail/ restaurant, neighborhood service, office
- Open Space: destination plaza/park
- Commercial use required on Main Street-facing first floor facades in Historic Downtown, with limited percentage allowed for residential or office access doors
- Residential allowed on Main Street-facing first floor facades in Outer Downtown

Downtown Residential Transition Area

- Residential: single family, missing middle
- Retail/Restaurant/Office: neighborhood commercial allowed as a conditional use in Residential Transition Area east and west of Historic Downtown
- Accessory uses: home-based business, attached/detached accessory dwelling units,
- Open space: pocket park/plaza

Examples of potential building types and forms and streetscape for the Downtown District



Before and After: Heber's Downtown District Vision Concept

As Heber grows, the Downtown District will feature new places to live and work, and especially places to gather together, to celebrate, to share a meal, to support a local artisan or shopkeeper. This is where we enjoy life together and practice our tradition of being friendly, warm, and welcoming.

Above: Recent aerial photograph of the Main Street District; Right: Downtown District vision concept.

Above: Recent aerial photograph of the Main Street District between Main Street & 100 West; Left: Vision concept; Top left: vision concept zoomed in to alley just west of Main.

Above right: A large plaza in the alley near the Civic Center Block provides space for outdoor movies and other activities; Right: Midblock walkways connect Main Street and the pedestrian alley.

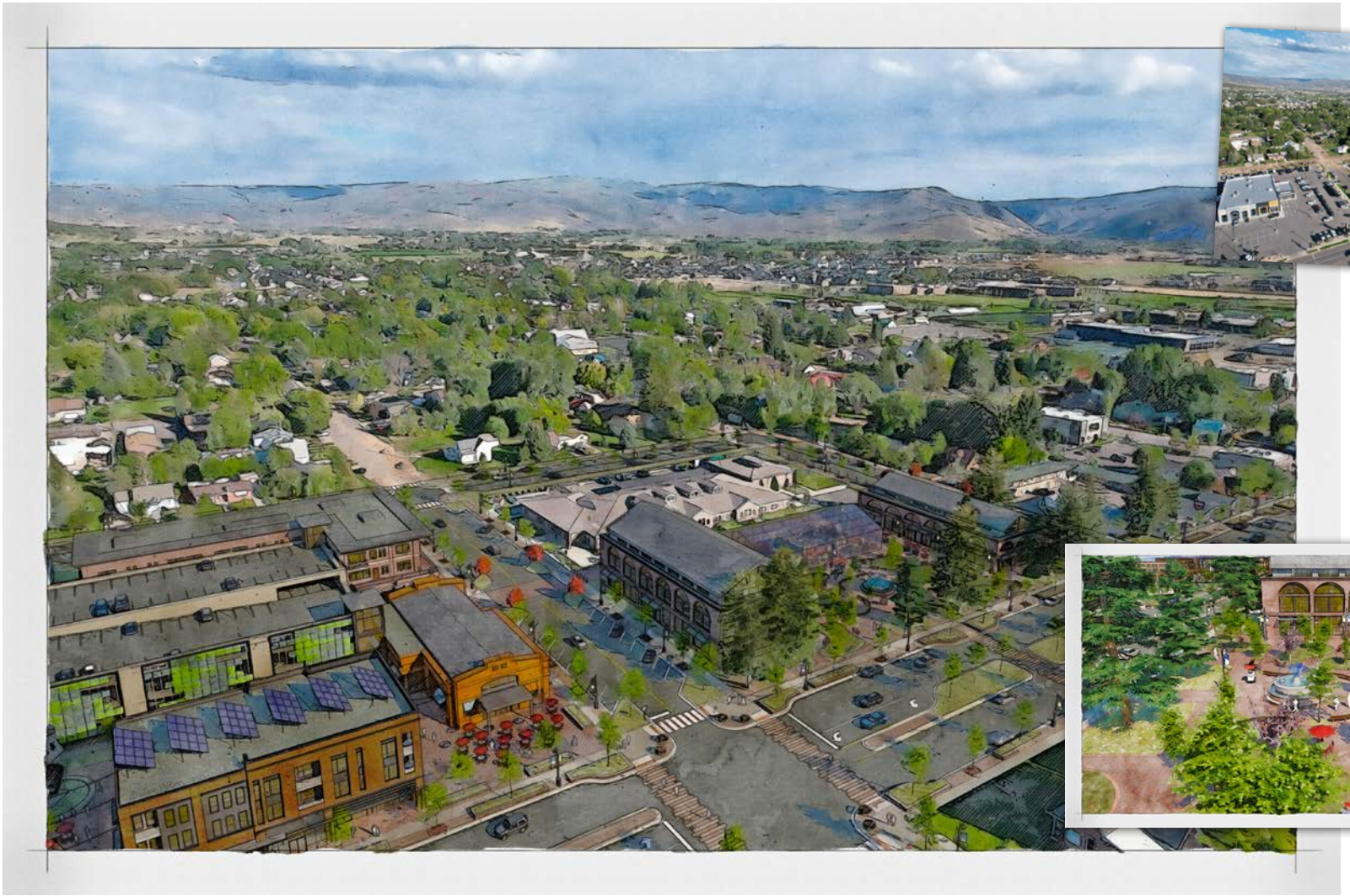
Before and After: Heber's Downtown District—Civic Center Block Concept

We reflect on, remember, and celebrate Heber's heritage at Civic Center Block, highlighting the historic tabernacle and theater, daylighting Lake Creek, and creating interpretive elements commemorating our history. This space is also the center of our history walk, which runs along Main Street and then along Center Street, ending at the historic depot building.

Above: Recent aerial photograph of the Civic Center Block, location of the historic tabernacle; Right: Vision concept for Civic Center Block; Far right: Vision concept zoomed in, looking at a new public arts/history building and interpretive features.

Before and After: Heber's Downtown District—Civic Center Block Concept

Rather than developing all of the green space on the Public Safety Block, this concept preserves a large plaza for enjoying a meal in the shade or strolling through an exhibition or year round farmer's market out of the weather. The trees and buildings along the perimeter reduce traffic noise and provide space for a plaza, food hall, meeting rooms, or other amenities.

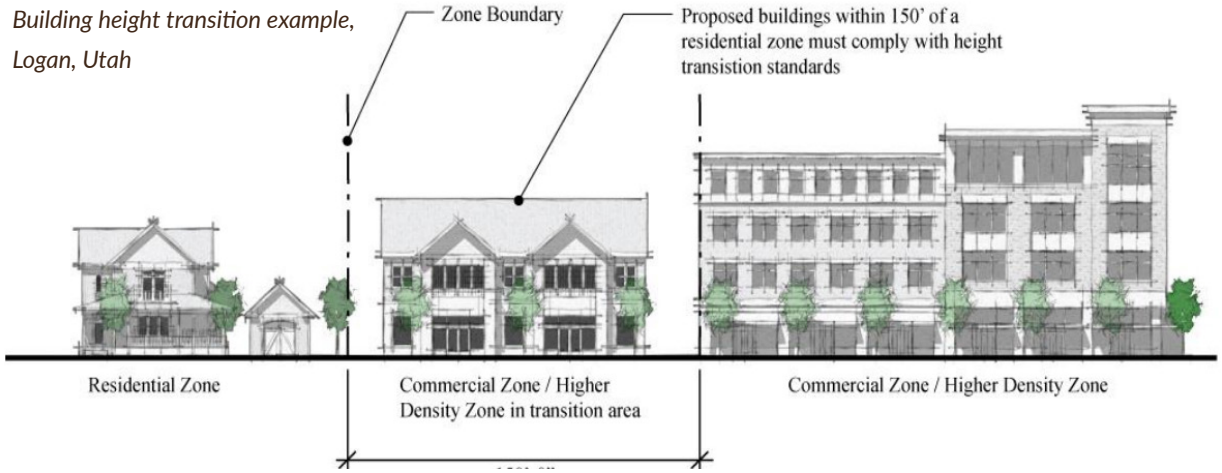


Above: Recent aerial photograph of the Public Safety Block; Left: Vision concept for the Public Safety Block; Below: Vision concept zoomed into plaza area.

Step Back: a change in the vertical plane of multi-story buildings that preserves the pedestrian experience at sidewalk-level by setting the upper story building facade away from the street

Building Height Transition: a change in building heights, generally with taller buildings on more intense streets, with shorter buildings as the transition area nears single family homes

Building height transition example, Logan, Utah



Parking

- Striped on-street public parking district wide
- Private parking lots/garages, but not fronting Main Street in Historic Downtown area
- Public parking lot/public parking garage possible in future phase

Building Height

- Up to three stories allowed in Historic Downtown; with step backs up to four stories allowed
- Up to four stories allowed in Outer Downtown with step backs for buildings over three stories; up to five stories allowed if incorporating additional design features and affordable housing (on site or off site)
- Step backs required for buildings over three stories on Main Street
- Step backs required for buildings over two stores adjacent to publicly-owned historic places
- Building height transition required; buildings in Historic Downtown on 100 West/100 East frontages limited to three stories or less; in Residential Transition Area east and west of Historic Downtown limited to two stores or less
- Require other height-softening strategies (e.g. roofline variation, building modulation, attached features, corner cuts/plazas)

Visual Preferences

- Style: mix of existing historic and new modern and traditional
- Preferred building materials: brick, sandstone, glass, timbers, rock
- Apply existing design standard for classic commercial requiring historic/classic commercial features (e.g. storefront), but with flexibility for a mix of styles, especially in Outer Downtown
- Historic Downtown: increase existing design standards, and encourage a greater number of classical/historic building features

Strategies: How Do We Achieve Goals for the Downtown District?

1. Update City code to align with detailed recommendations, listed above.
2. Create a Downtown Development Authority, such as a Community Reinvestment Agency (CRA), to provide a sustainable source of funding for community enhancements and a focused group that facilitates the improvement of downtown.
3. As part of a downtown placemaking and branding study, develop a set of unified community character elements to be implemented within the entire downtown corridor, to create a stronger sense of place. Use the City brand to complement downtown.
4. Increase activity downtown. Activate downtown through public spaces, including streetscapes, alleys, and parks that attract people, so that residents and visitors want to return over and over again. Create a design plan for the three public blocks (Heber City Park, Civic Center Block, and the Public Safety Block) that includes uses that bring people back on a daily basis and include free WIFI. Upgrade restrooms for safety and convenience, and request businesses to allow the public to use their bathrooms. Promote consistent business hours of operation, emphasizing Thursday, Friday and Saturday evenings.
5. Create a unified pedestrian-friendly and bike-friendly streetscape for the entire Main Street District. Include wider sidewalks and bikelanes.
6. Promote historic architecture in the Historic Downtown District. Beautify sidewalk areas and create a comprehensive set of façade/storefront standards; incorporate into City ordinances. Fund implementation of a city-wide façade program.
7. Create a parking plan and management strategy to maximize land use intensification and minimize parking needs.
8. Revise the sign ordinance to unify size and location; allow projecting and certain

A pedestrian-friendly sidewalk with planted bulb out that shortens pedestrian crossing distances

Mixed use buildings with ground floor retail add vibrancy

A shady sidewalk designed for living

Blade/projecting signage adds appeal

Potential Downtown Improvements

Main Street

Main Street is envisioned as Heber's premier destination—a place that's comfortable for residents and visitors to enjoy on foot, and a place that supports adjacent local businesses, restaurants, public gathering areas and quality housing and hospitality options. A reimagined Main Street includes the following features:

- Reduced pavement width and lower speed limits
- Wide sidewalks to accommodate walking, shopping and dining
- Interesting street trees and plantings for shade and beauty
- On-street parallel parking
- Medians and bulb outs to add beauty, reduce traffic speed and ease pedestrian crossings; mid-block pedestrian crossings
- Dark sky compliant lighting

East/West Streets Adjacent to Main Street

East/West streets in the blocks off of Main Street can support downtown activity, providing a pedestrian friendly means of accessing Main Street destinations, whether walking or driving into town. They could feature:

- Reduced pavement width
- Comfortable sidewalks and "parklets" to accommodate walking, shopping and dining
- On-street angled parking
- Planted medians and bulb outs to add beauty, reduce traffic speed and ease pedestrian crossings
- Mid-block pedestrian crossings
- Bike accommodations, including bike lanes and bike parking

temporary signs, such as A-frames. Include wayfinding signs within the downtown corridor.

9. Promote adjacent increased densities and mixed uses through ordinance updates. Increase and expand the alleys a parallel to Main Street for a unique pedestrian experience. Alleys could accommodate additional development and become the "quiet" space that visitors seek until Main Street is reconfigured.
10. Spur economic development by mixing land uses, specifically to attract services and amenities that will attract local residents. Offices, service uses, residential, and moderately priced restaurants and shops should be part of the mix. Increase retail diversity along the Main Street corridor, especially for smaller, local shops. Restrict national chains from Historic Downtown. See list of potential uses in Chapter 8.

Appropriate lighting can help keep skies dark.

11. Work with UDOT to reduce Main Street speeds, install raised medians within the spaces between turn-queue lanes along the primary downtown corridor, widen sidewalks, extend themed streetlights further north and south (assure dark sky compliance), replace distressed trees and plant additional large shade street trees, consider diagonal parking (with bike lanes adjacent to the curb) on the streets approaching Main, build larger bulb-outs to reduce pedestrian crossing distances, add trash receptacles, add benches located near the buildings that face the street, and add distinctive bike racks. Consider "for sale" art and sculpture along the street and in public parks.
12. Enhance the gateways to downtown to ensure that people know when they have arrived.

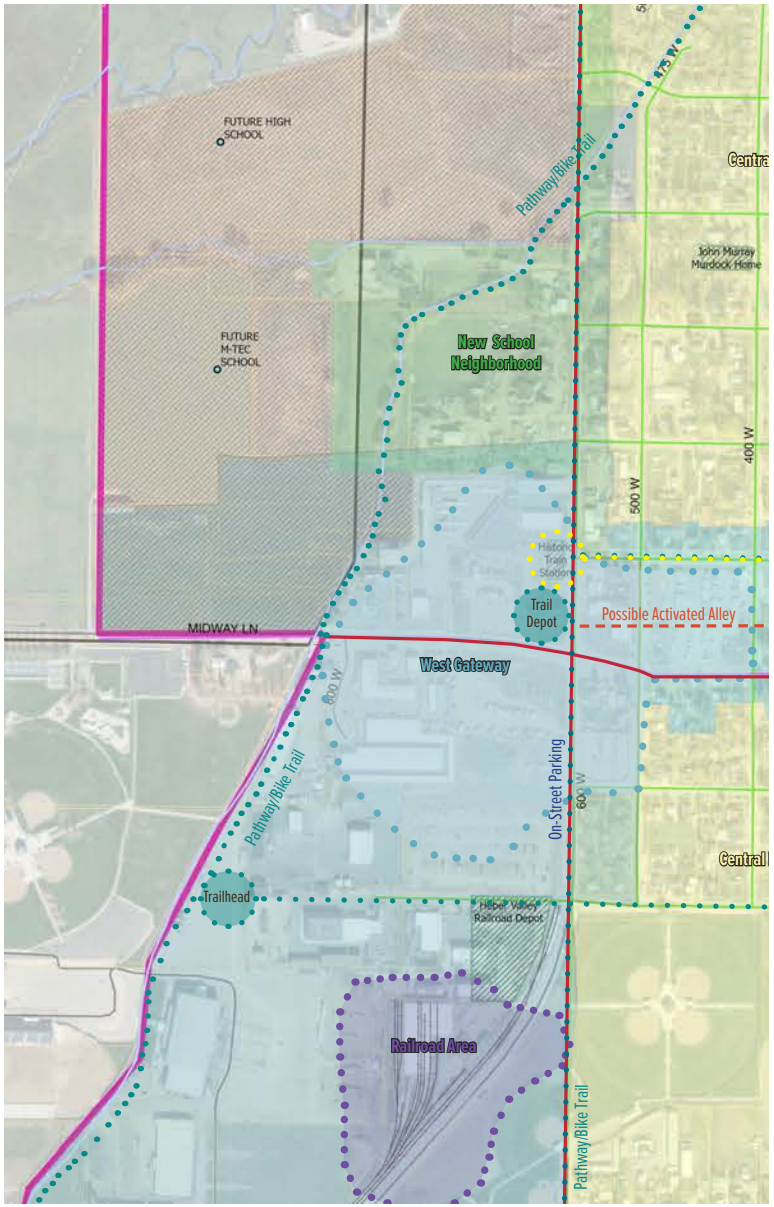
Activate public spaces on Main Street to encourage community gathering and return visits

Mid-block crossings provide pedestrian convenience

Scooters could provide a mobility alternative

Public art adds interest along the sidewalk

Recreation and Arts District Vision Map: Excerpted from the Central Heber Vision Map, this illustration highlights key sub-districts, which are explained in the text on the following pages.



Heber Valley Railroad is a key attraction in the Recreation and Arts District.

A potential building types and form for the Recreation and Arts District

The Recreation and Arts District

The western gateway into Heber from Midway at 600 West and 100 South is anchored by a flex-space venue and plaza supporting the arts and recreational opportunities and lifestyle. It includes mixed uses focusing on meeting day-to-day needs of nearby residents and visitors, and supporting and expanding local and regional arts, recreation, and tourism opportunities. A small commercial area adjacent to the railroad depot provides convenient options for dining and services. Needed missing middle and more reasonably priced housing is provided east of the planned high school.

The following provides detailed recommendations regarding character, focus, features, use, and form for the district.

Character

- An outdoor-oriented district that lets Downtown shine while supporting local arts and recreational activities and regional recreational destination pursuits.

Focus

- Outdoor and recreational lifestyle, arts

Features

- Flex-space lifestyle center and gathering area
- Trails (including Spring Creek Canal Trail), trailheads, and a trail depot with bike rentals

and repair
- Shuttle to Main Street
- Pedestrian and bike friendly boulevard along 600 West to connect the West Gateway and the Railroad Area

Placemaking

- Wide sidewalks
- Benches
- Outdoor dining areas
- Street trees
- Plaza space
- Fire pits/heaters
- Bike racks
- Activity structures
- Art/sculptures
- Planters
- Attractive streetlights

Use Mix

West Gateway

- Residential & Lodging: hotel, housing in mixed use buildings with ground floor commercial
- Civic: cultural assembly, performance and/or museum
- Retail/Restaurant/Office: neighborhood retail/ restaurant, neighborhood service, office (main floor retail/restaurant required)
- Open Space: active plaza, pocket park, conservation garden
- Parking: on-street public parking areawide, private parking lots

Railroad Area

- Retail/Restaurant/Office: neighborhood retail/ restaurant, neighborhood service, office
- Parking: on street public parking areawide, private parking lots

New School Neighborhood

- Residential: missing middle, multifamily
- Open Space: neighborhood park

Building Height

West Gateway

- Up to four stories
- Step backs required for buildings over three stories
- Encourage other height-softening strategies (e.g. roofline variation, building modulation, attached features, corner cuts)

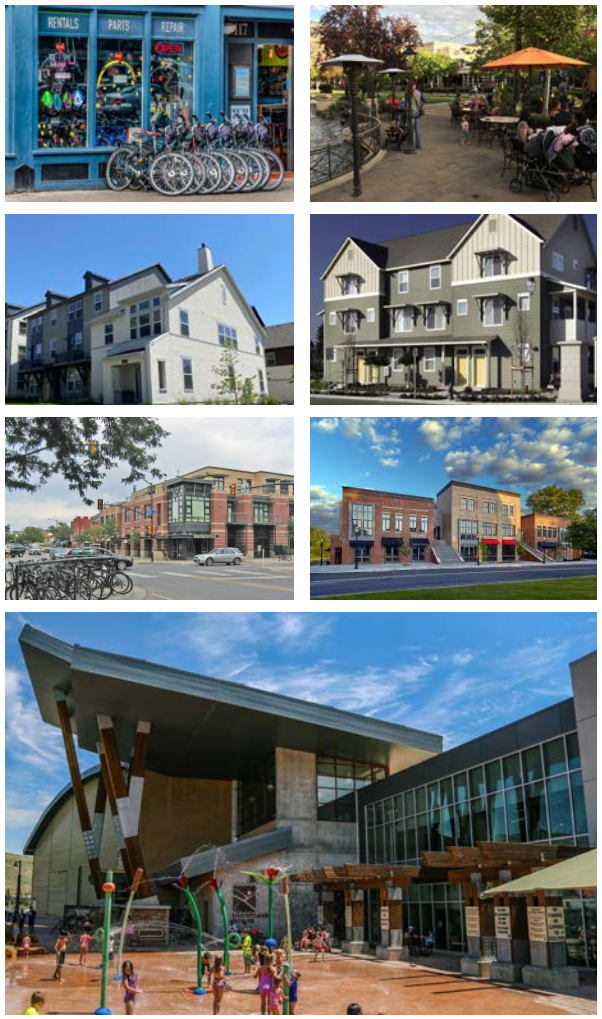
Railroad Area

- Up to two stories
- New School Neighborhood:
- Up to three stories

Visual Preferences

- Style: classic materials and features, modern/ clean lines
- Preferred building materials: brick, wood/ composite siding, sandstone, timbers
- Design standards requiring classic commercial features (e.g. storefront), but with flexibility for a variety of styles (e.g. mountain modern)

Examples of potential uses, building types, and building forms for the Recreation and Arts District



Public Preferences: How Do Centers Rate?

76% of residents completing recent visioning surveys preferred scenarios that included **walkable, connected, vibrant new centers**.

Beyond Central Heber

Beyond Central Heber, the City expects to have several emerging and new centers gradually developing over the planning period. As annexations occur and new development is proposed, it is important to implement the City's "center focused" vision. Centers provide many benefits and are the best way to assure that the community vision for walkability and connectedness is achieved. Different types of centers are envisioned since they will be located in several unique locations.

What Are Heber's New Centers?

Jordanelle Mountain Village

Comprised of moderate slopes leading up from the Jordanelle to flatter but considerably higher mountainous terrain, this development will include a town center of significant size. This center should be oriented toward everyday shopping needs and function as a gathering place for the residents of the development. Residential uses in and adjacent to the center will include compact housing types, could blend with other uses and should be concentrated to retain as much natural open space as possible. The density that could have been built over much of the property will be transferred to the center and surrounding mixed housing types. Neighborhoods with open space should connect to the center. A main road will provide the primary access, but additional access roads from the plateau down to Highway 32 will become increasingly important.

(below) The New Park center, in the Park City area, showcases Mountain Modern architecture with this mixed use building featuring ground floor retail/restaurants and upper floor hospitality. (below, right) Village Center in Holladay, while not Mountain Modern, provides an excellent example of a mixed use building featuring ground floor retail and upper floor offices. (below, far right) A Mountain Modern mixed use building in nearby Midway

A Town Center Concept for the Mountains

As development happens in the mountains to the northeast, Heber envisions clustering development into town centers and nearby neighborhoods with open space and other amenities (see Chapter 4). This concept highlights a town center itself, linked to the City and other centers by a mountain connector featuring a pleasant road and trail. The center features a church, grocery, theater, hotel, offices, small shops and restaurants, as well as a variety of single family homes, townhomes, condos or apartments, and live/work units. Plazas, green space and trails support an outdoor lifestyle and anticipated tourism and recreation.

(far left) Heber City leaders and staff have studied Daybreak, Utah, as a model for new town center development. The community blends a variety of housing types and signature open spaces within walking distance of the town center core, which features shopping, dining and employment. The housing variety enables people to live there at all stages of life, whether needing a small flat, a single family home, an apartment or senior housing. (left) Centers provide opportunities for community members to gather and enjoy festivals, farmers markets and other activities. They also provide convenient access to things

A Town Center for the Region

This concept represents a possibility for a town center off our major highway, perhaps in the North Village area. With convenient highway access, this center could support regional needs for shopping, jobs and a range of housing options while also serving as a recreation and entertainment district. The center features a grocery and larger format shopping as well as small shops and restaurants. Offices, a hotel and a variety of townhomes, condos or apartments and live/work units are also envisioned. Just as in the mountain center concept on the prior page, plazas, green space and trails support an outdoor lifestyle and anticipated tourism and recreation.

Heber envisions neighborhoods with open space and amenities (see Chapter 4) adjacent to town centers, so those living in new neighborhoods can enjoy walkable access.

Jordanelle Lake Village

Located adjacent to the Jordanelle Reservoir and along Highway 32, this center will focus on providing convenient goods and services for neighborhoods in the area, as well as hospitality options for the recreational activities already established and growing in Wasatch and Summit Counties. Due to slope issues, development will be concentrated along US 32. The density that could have been built over much of the property will be transferred to the center and surrounding mixed housing types. Neighborhoods with open space (NOS) should connect to the center.

North Village

At the major crossroads of Highway 40 and Highway 32, growth is anticipated to exceed many other areas of Heber due to the numerous developments occurring in both Summit and Wasatch Counties, including evolving ski resort destinations. This crossroads is logically one of the areas to receive much development pressure and will likely include major commercial, recreational, and hospitality uses, paired with compact mixed housing in adjacent residential neighborhoods (NOS). Trail connections to the mountains, along the canals, in the scenic buffer, and the planned lake-to-lake trail will be paramount.

Strategies - How Do We Achieve the Vision for New Centers?

1. Create a town center ordinance with flexible housing types, varying lot sizes and increased densities in the town center core.
2. Adopt design standards to promote interesting "mountain modern" architectural building features for the three centers.
3. Encourage workforce housing in the centers, as part of the City's Moderate Income Housing Plan.
4. Provide parks, plazas and build trails that connect residents to regional and local trails networks, natural open spaces and the rest of the community.
5. Promote a greater concentration of hospitality uses in the North Village.
6. Prevent standard strip commercial development through ordinance modifications.
7. Coordinate with the school district to establish new schools based on anticipated population and distances to be traveled.
8. Assure dark sky compliance for all lighting.
9. Consider design standards for outdoor and indoor storage facilities, and promote the placement of such facilities in less visually prominent locations through ordinance amendments.

Heber's South Town could become an attractive jobs center while still providing regional retail and services.

Utah Valley University Wasatch Campus Town Center

Located near the south end of the North Village Town Center and including the open areas further south to the Wasatch Commons apartment complex, the Utah Valley University Wasatch Campus and its environs have the potential to become the southern bookend to the North Village neighborhoods and town center. The area currently includes the campus and significant vacant land before expanding out to several proposed developments. Land on both sides of the campus have potential to provide supportive development, which is critical to the success of the school. Supportive development could include additional affordable housing for the student population, limited retail and personal services, hospitality, and space for incubator businesses, including high tech and trades, which could be encouraged in the area through a flexible zoning philosophy.

Strategies - Utah Valley University Wasatch Campus Town Center

1. Design continuous parallel roads to US 40 that connect north and south of the school.
2. Provide opportunities for supportive businesses such as tech, retail and hospitality in close proximity to the school.
3. Promote affordable housing options for students and workers in the area.
4. Create and enhance trailheads into the mountains, but also connect trail and open spaces in a north south direction, using the canals.
5. Establish a US 40 scenic buffer that includes trails and stormwater provisions.
6. Promote transit connections to the area.

What Are Heber's Emerging Centers?

South Town & Tech Hub

How could the South Town area change over time? Located at the triangular intersection of SR 189 and US 40, this diverse area includes shopping, health services, light manufacturing, the airport, Wasatch High School, storage and housing, including a trailer court. It is a natural area for larger commercial businesses and "big box" developments since it is clearly an important crossroads. It is an area that can accommodate commercial uses associated with a regional hub community—building materials, discount shopping, car dealerships, etc. These uses consume considerable land area, need good vehicular access, and are in demand by the larger region.

This area also could support more jobs, especially in the tech industries. With good road access, potential transit in the future and an existing airport, the area has potential to serve an expanded tech sector.

While the area currently lacks walkability and cohesiveness, the eastern portion of the area could transform into a town center over time, while remaining areas could become more attractive and cohesive. To some extent, the results of the bypass study may impact properties in this area, but they could also create business opportunities. Although a mix of businesses and residential uses already exist, adding a "sense of place" to the area will help it emerge as a true center.

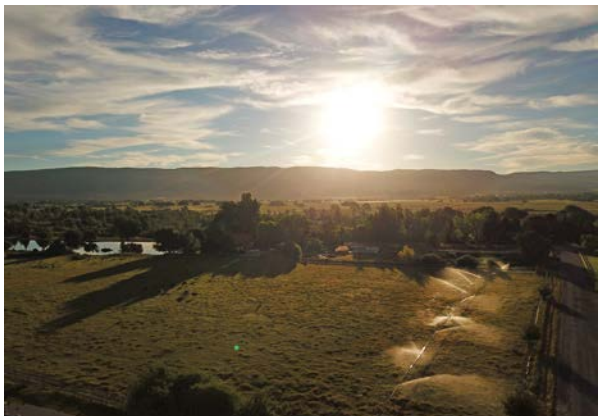
Strategies - South Town & Tech Hub

1. Unify the area with consistent streetscape standards, including five-foot sidewalks.
2. Create connections to the rest of the community.
3. Through ordinance revisions, incorporate more town center characteristics as the area grows, especially on the east side, where the high school, the library, and professional/medical services already exist.
4. Emphasize anticipated uses, including major commercial and light manufacturing, and include larger trucks in street design.
5. Promote rooftop and near the airport.
6. Consider additional storage businesses, but control their location to assure they do not consume prominent corners and critical frontages.

6: OPEN SPACE AND RURAL CHARACTER

Open Space and Rural Character Vision

Heber City draws a clear **distinction** between **what is city** and **what is country**, maintaining a distinct city that is **surrounded** by open land, valuable for its **beauty**, **ecology** and **agricultural** function.



Guiding Principles

1. Heber actively works with neighboring communities and the County on strategies to implement the permanent protection of farmlands, natural open spaces and rural character to maintain distinct separation between communities.
2. Heber will work with the County and surrounding communities to create permanent farm and mountain land protection through such mechanisms as conservation easements and partnerships.
3. Heber actively clusters development to focus growth and protect remaining open land from dispersed development.

Existing Open Space System

Heber currently enjoys highly visible open spaces. The North Fields provide a strong rural feel when coupled with the mountainside on the east side of US 40. From the south the views from Daniels Canyon are expansive, showcasing many rural farms and the spectacular Wasatch Mountains to the west. To the east are views of large open spaces featuring farming and ranching functions. West of the airport, large open fields create a desirable separation between Heber and other communities. Retaining a sense of being a distinct community—not allowing the typical blending of communities that occurs in suburban areas—is a goal that Heber residents embrace. The nearby mountains contribute to that undeveloped feeling.

The issue that this chapter addresses is the potential loss of open space through development as the population more than doubles over the next 40 years. Although a bond for $10 million recently passed to acquire open space in Wasatch County, those funds will not be enough to achieve the City's vision. Zoning for large lots may not work when some of those open spaces are not under the City's jurisdiction. A Transfer of Development Rights (TDR) system has been previously considered but never adopted. Creating a workable TDR system is not easily accomplished but could add a new property right that provides a conservation mechanism.

What Could Heber's Future Open Space System Look Like?

Community interest in open space preservation is focused on the North Fields, maintaining separation between communities and the mountainsides. An open space system that includes those areas, as well creates open space corridors using the creeks, canals and utility corridors, could help retain the open feeling that the community has now. Much of the currently visible open space is a result of views of the surrounding mountains, agricultural fields and wetlands, all of which may slowly disappear unless actively preserved.

Strategies - Open Space Preservation in Heber

1. Review and update rural zoning ordinances. Rural zoning should have a minimum 20-acre lot size. New incentives, such as additional clusters and on-site density bonuses, could be used to create larger open spaces. Consider starting a County-wide discussion about rural zoning, defined as 20-acre lots. Incentives to continue grazing and farming could be part of ordinance revisions.
2. Consider reviewing and updating zoning ordinances for highway corridors and City entrances, using overlays. Corridor overlay ordinances could include view preservation, different setbacks, lower building heights and minimize the size and types of signs, including billboards.
3. Develop a system to purchase or transfer development rights with implementation through the zoning ordinance. Clustering bonuses may be a part of this process. The potential ordinance should transfer residential unit density into villages from areas between communities, using a defined priority open space ranking system. TDR works best if it becomes a condition of rezoning to higher densities where the development rights from rural/lower densities areas are acquired for higher density zoning requests. Both landowners and developers should be involved in the process. A similar system where priority open spaces are exchanged for ones that are more logical for development could also be established. This would preserve open space in areas identified by the City as highly supportive to the open space system.
4. Some communities are using a crowd sourcing fund raising process for the purchase of development rights. Encourage the use of the County-wide bond funds to purchase the North Fields development rights is a logical step. Consider additional bonding campaigns to purchase development rights or land for priority properties. Policies for large annexations should include a condition requiring deed restricted development agreements that permanently protect open space.
5. Revising ordinances to promote clustering as long as open space maintenance is addressed is a viable option, especially where it can be used in conjunction with an open space corridor. Consider linked open spaces that create corridors along creeks, rivers, utility corridors and canals. Creating ordinance incentives for farmers to continue their agricultural livelihood, such as density transfers, clustering, and preventing residential encroachment, can add help achieve preservation goals. Include wildfire risks and prevention programs as new development encroaches on natural areas.

A Link Between "Small Town" Feel and Open Space

Separation—maintaining open space between Heber and surrounding communities—is the second most important feature that defines "small town" for Heber residents (according to a recent survey completed as a part of the City's visioning process). Residents want to preserve larger open spaces that provide a rural feel and promote a distinct identity for each community in the Heber Valley.

Partnering Options

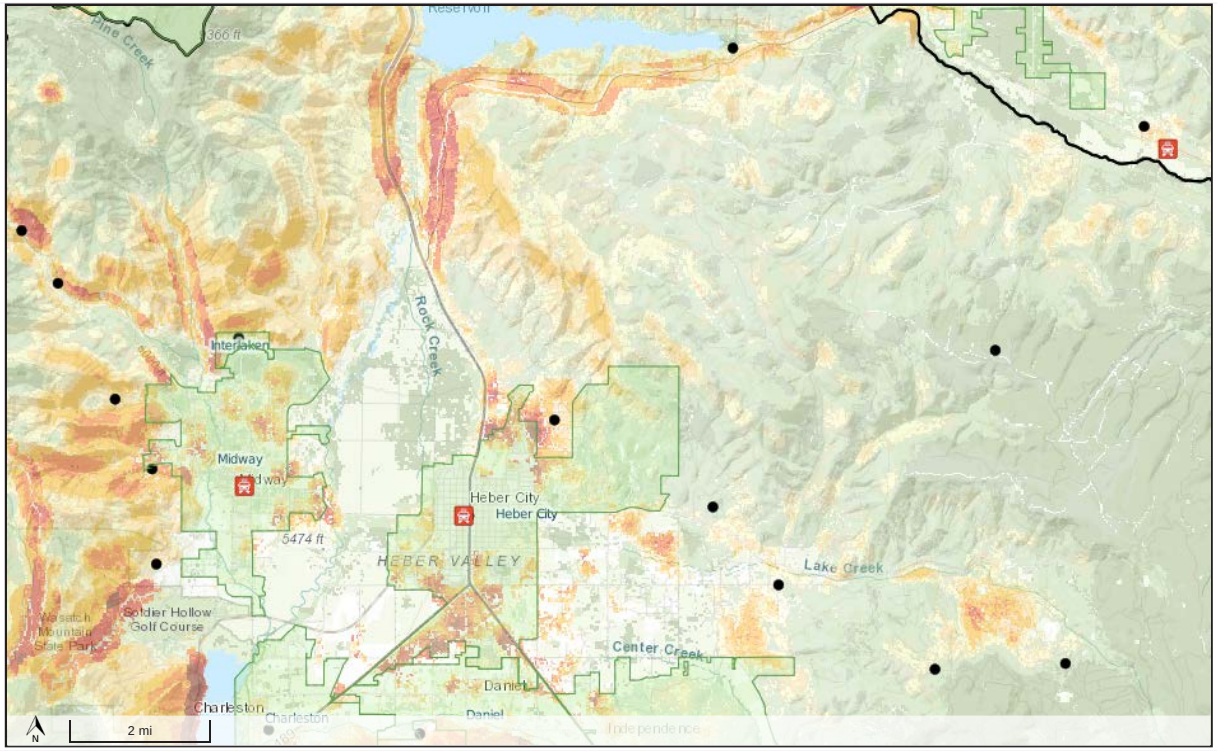
Working on an open space system will most likely necessitate expanding the focus on shared issues and priorities within the County. Open space preservation is an issue throughout the County and efforts to preserve open space are underway.

Strategies - Partnership Options

1. Explore Federal and State funding options, such as the LeRay McCalister fund and the USDA, to maximize local investments in the purchase of development rights and/or the establishment of conservation easements.
2. Partner with non-profits, such as Utah Open Lands, to offer conservation easements to owners of priority open space properties.
3. Countywide ordinances should prevent development, other than trails, on slopes greater than 30% through a coordinated Countywide series of ordinance amendments within each city and the unincorporated area. This should include preventing view obscuring ridge development through Countywide ordinance amendments and incorporate dark sky philosophies. Promote a Countywide effort to retain the open spaces between communities through such techniques as clustering and agricultural 20-acre lot zoning.
4. To assure greater focus the City could support a coordinating council to manage a Countywide system of open spaces and trails, with a designated staff person and/or consider creating a non-profit organization/trust for this purpose.
5. The Heber Valley and regional conservation efforts should be included in the branding and development of outdoor recreation and tourism. The City could explore ways tourism could financially support open space preservation through a hotel tax or recreation fee.

Wildfire Risk

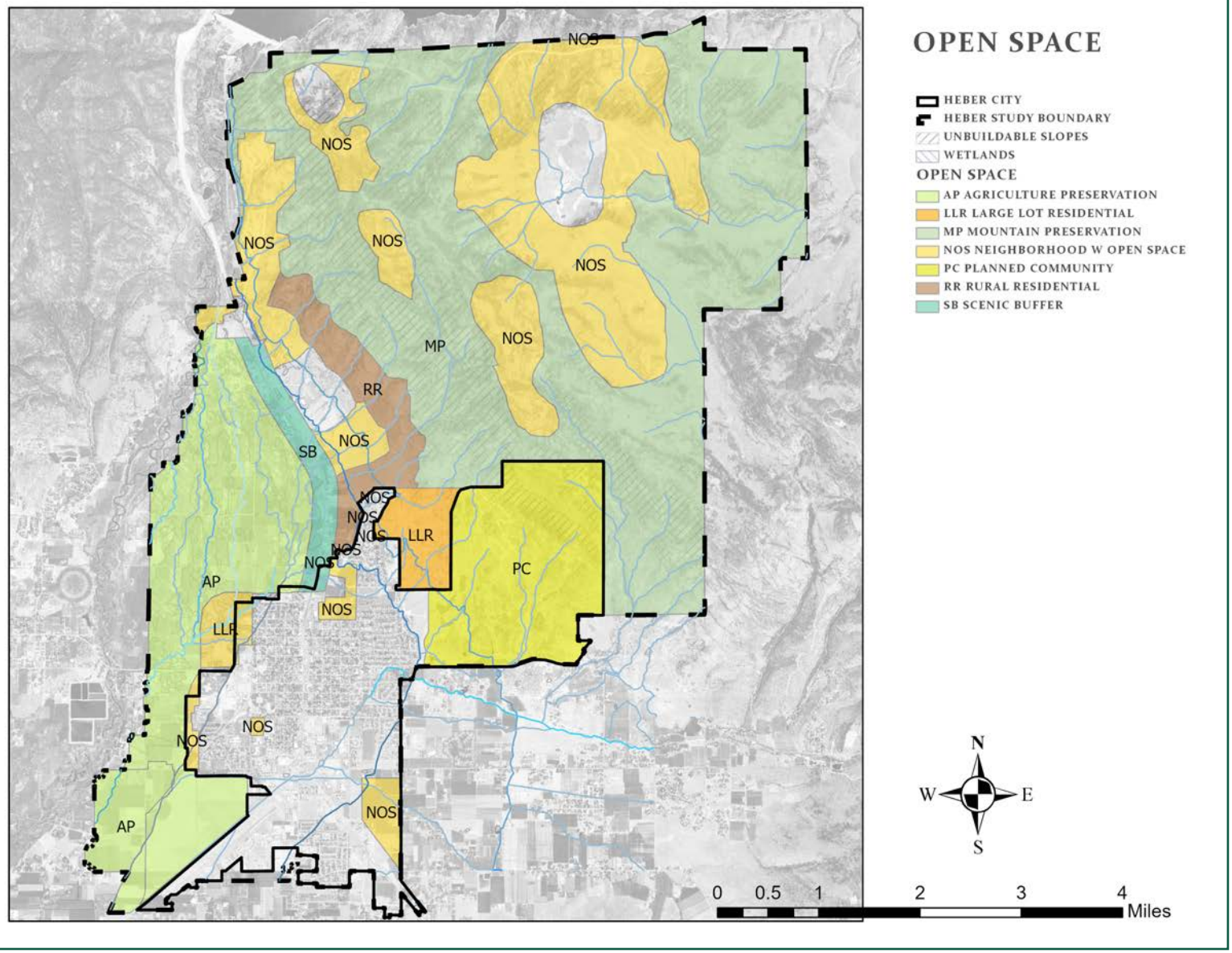
Source Utah DNR Wildfire Risk Assessment



Report Created:
11/22/2019 - 4:42:21 PM

Wildfire Risk Assessment Portal
http://wildfirerisk.utah.gov

The user assumes the entire risk related to their use of the Wildfire Risk Assessment Portal and either the published or derived products from these data. UTAH DNR is providing these data "as is" and disclaims any and all warranties, whether expressed or implied, including (without limitation) any implied warranties of merchantability or fitness for a particular purpose. In no event will UTAH DNR be liable to you or to any third party for any direct, indirect, incidental, consequential, special or exemplary damages or lost profit resulting from any use or misuse of these data.


OPEN SPACE
HEBER CITY
HEBER STUDY BOUNDARY
UNBUILDABLE SLOPES
WETLANDS
OPEN SPACE
AP AGRICULTURE PRESERVATION
LLR LARGE LOT RESIDENTIAL
MP MOUNTAIN PRESERVATION
NOS NEIGHBORHOOD W OPEN SPACE
PC PLANNED COMMUNITY
RR RURAL RESIDENTIAL
SB SCENIC BUFFER
NOS
MP
RR
SB
LLR
PC
AP
N
W
E
S
0 0.5 1 2 3 4
Miles

7: OUTDOOR RECREATION, PARKS AND TRAILS

Outdoor Recreation Parks and Trails Vision

For Heber residents, **outdoor recreation** is a **lifestyle** and a **passion**. Both new and existing homes should have walking access to **parks**, **trails** and other **outdoor amenities**.

Guiding Principles

1. Trails connect residents to other neighborhoods, downtown and new centers.
2. Trails provide access to the City's beautiful setting, including nearby canyons, mountains, lakes and the Provo River.
3. All neighborhoods have access to a park within walking distance, whether it be a neighborhood park or a regional recreation facility.
4. In general, recreational opportunities are diverse, well-maintained and accessible.
5. Heber City meets its current and future park system needs through obtaining lands and trail corridors for a connected system of parks and trails.

Existing System

Heber City and Wasatch County have an extensive recreation system consisting of trails, regional athletic facilities and local parks. The regional parks and recreation facilities attract participants from all over the County and from more remote areas for tournament play. With South Fields Park, City Park and Wasatch High School, soccer and baseball are well supported in Heber. Multi-purpose ball diamonds that are large enough to also provide soccer fields are a trend that is emerging across the Country and in Heber. There are few smaller parks in the City. Many of the parks are large in size and accommodate traditional sports with their associated fields. Pickleball is a growing demand sport, and new facilities are under construction.

Currently there are approximately 6 acres of parks per 1,000 residents in Heber City. Some Utah cities have a goal of 5 acres per 1,000, but the national average is 10 acres of parks per 1,000 residents. As population grows, it's important to increase park lands and amenities.

In 2016, Wasatch County completed a Regional Trails Master Plan, including recommendations for

Heber City and potential annexation areas. The Master Plan makes recommendations for regional trails connecting the cities and the County and for multiple types of trails. The document provides instructional information on trail types, construction methods and long-term goals. The City adopted an updated trails plan in 2018.

The nearby lakes, reservoirs, rivers, streams and mountains diversify recreational opportunities. Heber City has a location advantage over most communities with adjacent access to wild mountain areas and water bodies. These areas provide for additional activities, including fishing, boating, winter sports, ATV riding, motorcycle riding, mountain biking, hiking and equestrian activities. Heber City's location, setting and amenities are exceptional for outdoor recreation.

What Could Heber's Future Outdoor Recreation System Look Like?

Heber's recreation system should become an integrated network that promotes regional activities by the County and a more local emphasis for the City. The trail system becomes a part of an overall active transportation system in Heber that focuses on creating better connections to desired destinations within the community and to regional locations. Increased trail connections, internal trails, event spaces and more parks is the desired local emphasis. Trails could connect throughout the County to a variety of destinations, into the mountains and along wetlands and streams. Trails may be constructed as wider sidewalks in some locations due to right of way considerations and to assure connectivity. Working together with the County, some regional park locations could be combined with other more local activities. Defining the relationship between the County and the City and then institutionalizing it for current and future generations is an important part of Heber's recreation future.

Establishing a trails coordination system, with a dedicated staff, could move the Heber Valley closer to its goal of a connected regional trail network. A shared trail coordinator model already exists in Cache Valley, which has very similar geographic characteristics to Heber Valley. The trail coordinator n Cache Valley is funded through contributions from each city and town, as well as the County. The coordinator seeks grants and donations, oversees construction, coordinates between communities and provides a central focus to the Countywide efforts. It has been a very successful program.

Recreation: Ideas from Residents

Resident input in the visioning process prioritized recreational uses, with trails being particularly important. When asked about trails, two thirds of vision survey participants said they are **most excited about a lake-to-lake trail** connecting Jordanelle Reservoir and Deer Creek Reservoir. Survey respondents also consistently desire a Countywide trails system. A recreation brand has also been suggested for the community.

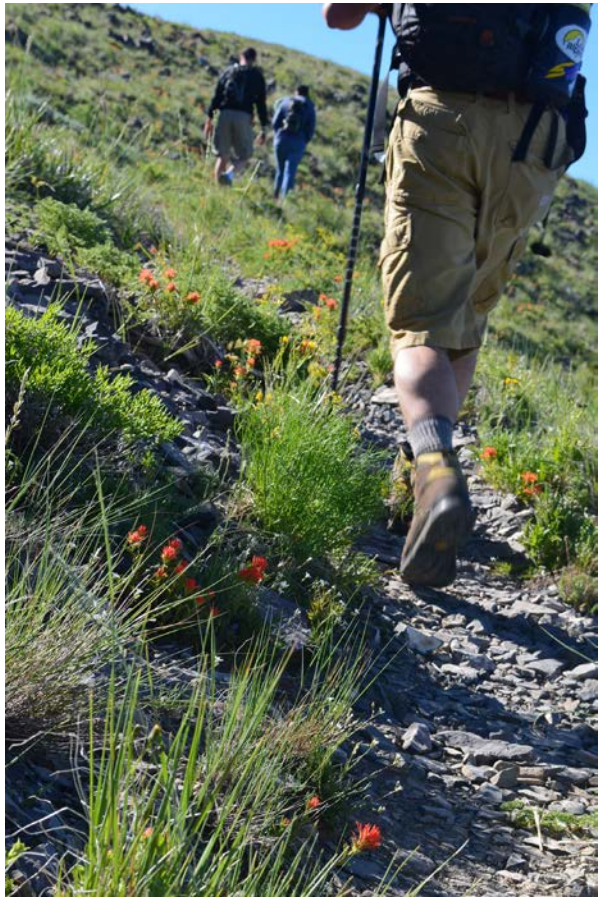
Strategies - Improving and Diversifying Trails

1. Heber City should work with Wasatch County, UDOT, MAG, Midway, Charleston, Daniel, Hideout, local non-profits and other jurisdictions to collectively pay for a Wasatch County regional trails coordinator.
    - The coordinator will be funded by multiple jurisdictions and respond directly to paying jurisdictions.
    - The coordinator will oversee trail funding, including grants, general funds and fund raising.
    - The coordinator will oversee construction of trails.
    - The coordinator will oversee trail maintenance and volunteer efforts.
    - The coordinator will implement the coordination of trail construction and planning between the cities, the County, MAG, UDOT, and non-profits.
2. Plan and develop a lake-to-lake trail, connecting Jordanelle Reservoir to Deer Creek Reservoir.
    - The lake-to-lake trail should have multiple trailheads and access points.
    - The lake-to-lake trail should have multiple fishing access points.
    - The lake-to-lake trail should be planned for multiple user groups.
3. Continue to improve trails to valley and mountain amenities. Trails provide access to the City's beautiful setting, including nearby canyons, mountains, lakes and the Provo River.
    - The Trails Plan emphasizes the ability of residents and visitors to connect with natural areas from their front door.
    - Trails are designed to be safe and separate from traffic as much as possible. Safe is defined as minimizing vehicular conflicts and roadway crossings.
    - Trails should connect to downtown, centers, parks, schools and other key destinations. Parks should feature interior trails. Some trails should provide a "collector" road type function, anticipating greater usage.
    - Parallel trails to canals and streams can provide major corridors of open space.
    - Areas with established wetlands become potential open space areas and trail connection destinations that could incorporate boardwalks, wildlife viewing areas and interpretive signage.

- Coyote Lane is emphasized as a major trail connection to the Jordanelle Mountain development. Coyote Lane or a nearby location may also need to become a road connection to the new development on the mountain plateau. If a road is required, it could be closed in the winter and provide a new cross country skiing area.
- Trail connections with the unincorporated area are coordinated and include, as per the adopted County Plan:
  a) Railroad Trail (Heber Portion)
  b) Mill Road and Canal Trails
  c) Bypass Road multi-use trails
  d) Main Street Bike Lanes north and south of the downtown
  e) Canal Trail Connection from Coyote Lane trailhead to the Highway

4. Update and fund the working trails plan on a regular basis.
   - The working plan should be considered in all aspects of city planning. Update the plan every three years showing progress on trails and prioritizing next steps.
   - Prioritize and dedicate a portion of the annual City capital improvements plan to construct/improve new trails every year.
   - Plan and provide a budget for maintenance.
   - Create a parks impact fee that includes both parks and trails, which also accounts for the installation of parks and trails by new development.
   - Prioritize trails that are incomplete but could provide good access to desired destinations.

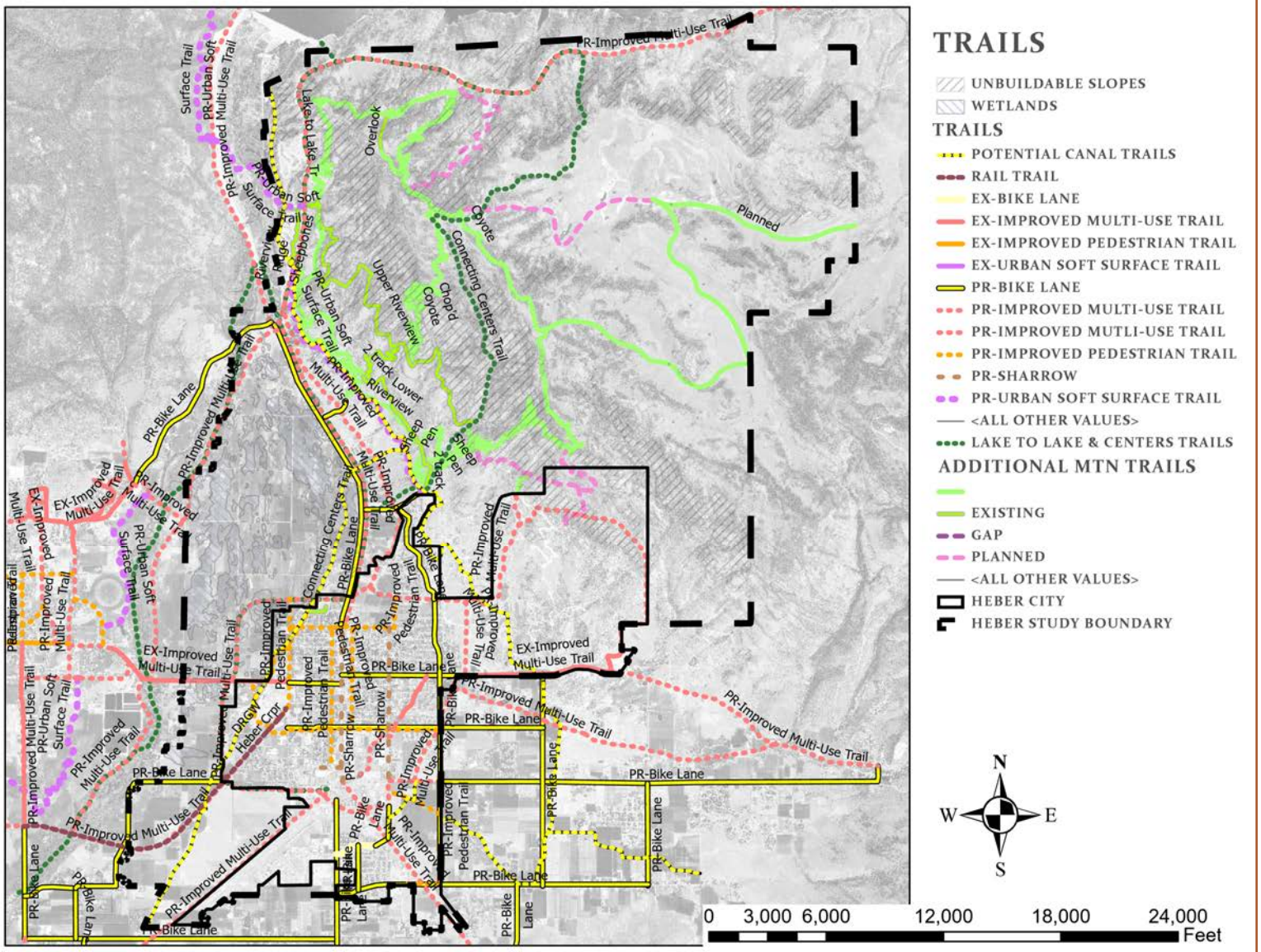
- All neighborhoods should be within a 1/4-1/2-mile or less from trail access points or trailheads.
- As part of the working trails plan, Heber City should develop trail user policies and post them on trailhead wayfinding signs and online. The trail user policies should

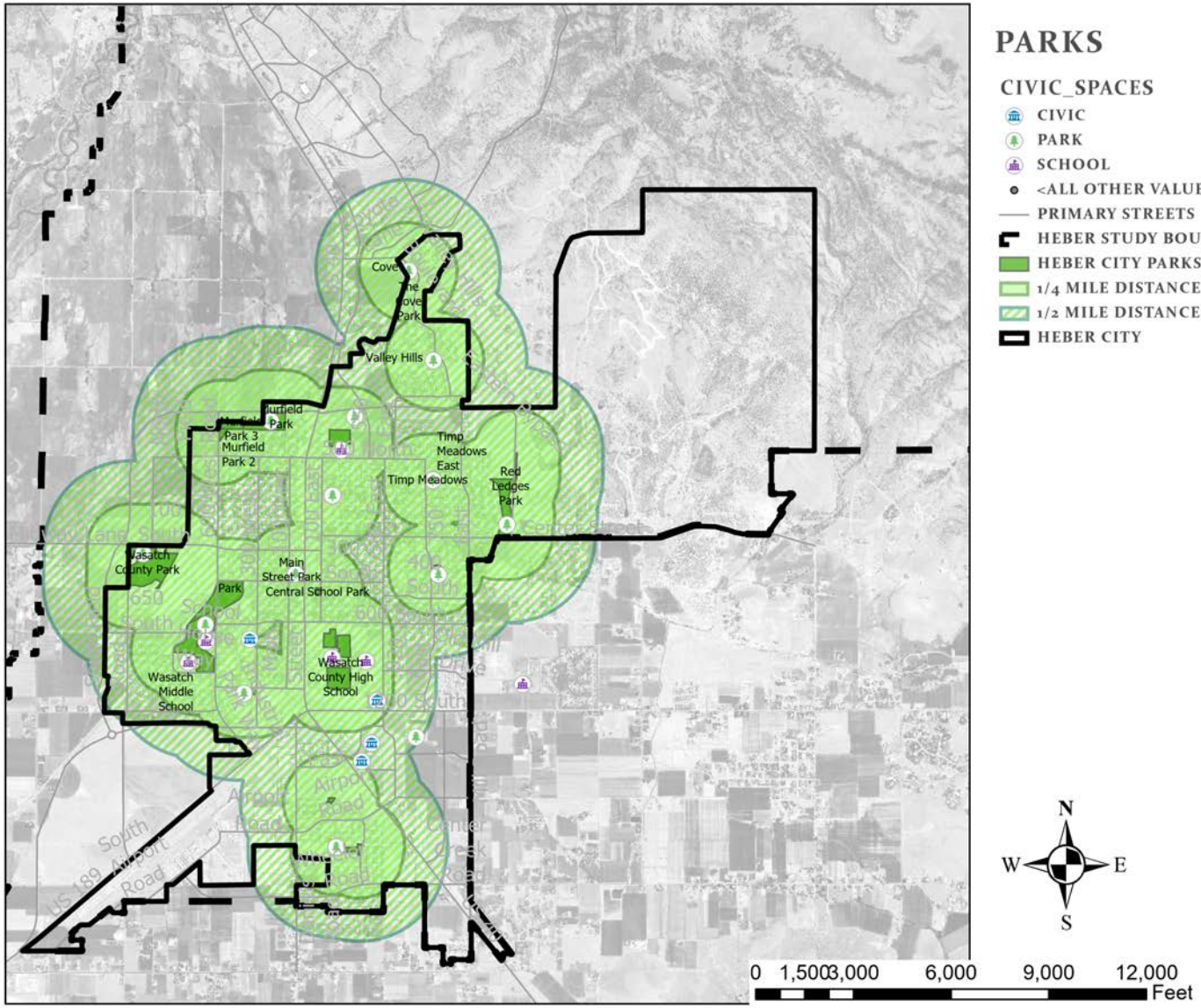


address all user types, including: horses, dogs, and people hiking, biking, horseback riding, walking, running, strolling, etc.

Strategies - Evolving Heber's Park System

1. Heber City will plan for providing usable and programmable parks for current and future populations at 10 acres per 1,000 residents. This policy will guide Heber City in acquiring the proper amount of park land to meet current and future demands. Park lands should be usable for active sports, recreation and programing. All neighborhoods should be within a 1/4-1/2-mile or less walking distance to a park. Such policies will be further explored in the forthcoming Parks Master Plan.
2. Wetlands, stormwater basins, steep slopes and foothills, although not considered active park lands (for the 10 acres per 1,000 residents goal), do provide scenic and recreational value for other purposes and are an important part of the mix. Trails planning should consider these open space areas.
3. Walking and biking access to parks is critical for local and consistent park usage. Park efforts should be focused to create parks within 1/4-1/2-mile or less walking distance from neighborhoods of significance.
4. Parks should be somewhat equally distributed throughout the City in areas of significant population.
5. The three publicly owned open spaces (Tabernacle Square, Main Street Park, and the front lawn of the Police Station) on Main Street should be redesigned and improved to work with synergy, activating both park spaces and the larger Main Street area. These three parks need to attract visitors consistently through designs that provide a reason to


TRAILS
UNBUILDABLE SLOPES
WETLANDS
TRAILS
POTENTIAL CANAL TRAILS
RAIL TRAIL
EX-BIKE LANE
EX-IMPROVED MULTI-USE TRAIL
EX-IMPROVED PEDESTRIAN TRAIL
EX-URBAN SOFT SURFACE TRAIL
PR-BIKE LANE
PR-IMPROVED MULTI-USE TRAIL
PR-IMPROVED MUTLI-USE TRAIL
PR-IMPROVED PEDESTRIAN TRAIL
PR-SHARROW
PR-URBAN SOFT SURFACE TRAIL
<ALL OTHER VALUES>
LAKE TO LAKE & CENTERS TRAILS
ADDITIONAL MTN TRAILS
EXISTING
GAP
PLANNED
<ALL OTHER VALUES>
HEBER CITY
HEBER STUDY BOUNDARY
N
W
E
S
0 3,000 6,000 12,000 18,000 24,000
Feet


PARKS
CIVIC_SPACES
CIVIC
PARK
SCHOOL
<ALL OTHER VALUES>
PRIMARY STREETS
HEBER STUDY BOUNDARY
HEBER CITY PARKS
1/4 MILE DISTANCE FROM PARKS
1/2 MILE DISTANCE FROM PARKS
HEBER CITY
Valley Hills
Murfield Park
Park 3
Murfield
Park 2
Timp Meadows East
Timp Meadows
Red Ledges Park
Wasatch County Park
Main Street Park
Central School Park
Wasatch Middle School
Wasatch County High School
N
W
E
S
0 1,500 3,000 6,000 9,000 12,000
Feet

return again and again. It is recommended that Main Street's public spaces have at least 250 days of activities a year and these park spaces offer opportunities to achieve that goal.

6. Heber City is in the process of creating a more detailed parks master plan. The guiding plan is to be a working plan that provides both long-term vision and near-term priorities and steps.
    - The master plan will identify the future park lands needed by both acreage/ population and walking distance.
    - The master plan will conduct a needs assessment for both active and passive recreation needs. The plan will include a facilities and programming assessment of all existing facilities and proposed needed facilities.
    - Along with park acreage and distribution, considerations for the parks master plan include a fishing pond and park, connections with trail systems and Provo River fishing access points.
    - The parks master plan will include recommendations for establishing open space/recreation requirements for new development.
    - The parks master plan will include funding recommendations for park land purchases, building parks, Main Street parks, and future recreational facilities and maintenance.
    - The plan will establish priorities and include a capital improvements plan.
    - The planning process will include input from residents, visitors and stakeholders.
7. In general, recreational opportunities are diverse, well-maintained and accessible.
8. Parks design, signage and activities should help to promote the City "brand" and help promote tourism opportunities both through tournaments and outdoor recreation.

8: MOBILITY AND STREETSCAPES

Mobility and Streetscapes Vision

Heber's streets are **safe** and **inviting** for **all travel modes**, including pedestrian, bike, car and bus.

Guiding Principles

1. Heber emphasizes streets that are comfortable and inviting for people walking and biking.
2. As Heber grows it continues using a well-connected street network system, similar to the historic pioneer grid.
3. Heber maintains a system of bike routes around town with access to desired destinations and collaborates with neighboring communities on regional bike routes.
4. Heber works with neighboring communities and the County on a bus system to connect our City with surrounding cities and nearby regional centers, including Salt Lake, Park City and Provo/Orem.

Existing Transportation System

With an original Brigham Young "plat of Zion" grid, the historic core has been developed with mobility and structure in mind. The layout of the blocks and streets creates a development pattern that is distinct, but not as functional as it once was when horses were the primary mode of transportation. Many roads lie on a very wide rights of way that are inconsistently filled with street features, including narrow asphalt widths, dirt shoulders, irrigation ditches, informal street tree plantings, and occasional curb, gutter, sidewalks and streetlights. Adjacent property owners use this extra space, mostly as a place to park vehicles. The overall appearance is disjointed but still provides an atmosphere of a rural small town. To some extent the highly rural past has defined Heber's roads over time. In the future, the wider rights of way characteristic of Heber's historic grid provide a unique opportunity for sidewalks or trails, large shade trees, bike lanes and green infrastructure for stormwater.

New subdivisions have a much more organized street appearance, with consistent roadway standards. However, they lack rural appearance, and feel "anywhere USA" due to generally conventional architecture and streetscapes.

The community has relied on US 40 to handle major traffic flows to destinations beyond and within City boundaries. Over the years, traffic on US 40 has grown significantly with rapidly expanding development in Wasatch and Summit Counties. In addition, the oil industry in the Vernal and Duchesne areas to the southeast has brought oil tankers to Main Street, exacerbating congestion and increasing noise levels.

Traffic on Main Street has grown to a point where a UDOT-sponsored western bypass alternatives study is underway. 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.

Travel demand to access jobs near the ski resorts and in Salt Lake and the Provo-Orem areas has also increased; about four of five employed persons currently commutes out of the City.

Main Street and the bypass study are extremely important to Heber residents. Two high-response surveys were performed as part of the Main Street Study. 82% support making Main Street a more inviting corridor.

Some trails exist within Heber, but many opportunities exist to expand trails and create connections to destinations important to the community. Sidewalks may provide trail functions in some areas of the community, but they are intermittent.

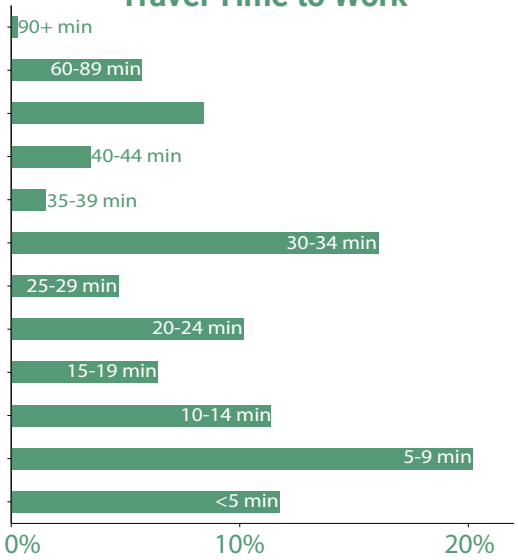
What Could Heber's Future Transportation System Look Like?

During the next decade, one of the western bypass road alternatives will likely be finalized and constructed. This will radically change Main Street by allowing the City to control how the street functions. Slower traffic speeds and roadway enhancements along the edges for pedestrians and bicyclists will change the ambiance in a very positive way. Bicycle-friendly east/west streets, with bike racks on Main Street's corners, will become the norm. Diagonal parking between 100 East and 100 West on east/west streets as they approach Main Street will assist in meeting downtown parking demands.

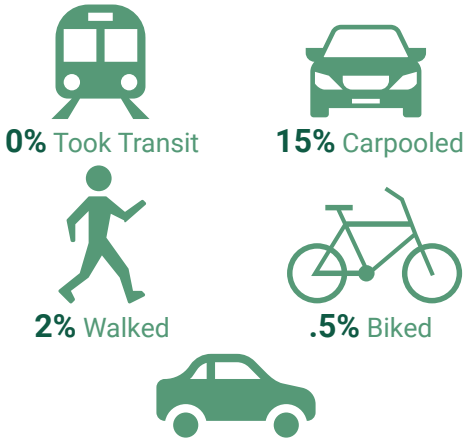
Historic streets in the downtown area will become pedestrian and bicycle-friendly, and the rural appearance will continue as irrigation ditches remain a significant feature. Reduced pavement widths and a greater use of swales will change the way new subdivisions look and function. Collector roads parallel to the major roads will act as an alternative to using US 40.

Key Facts: Heber Commuting

Travel Time to Work



Transportation to Work



Source: ESRI/American Community Survey

Reimagining Streets in the Historic Core

Transforming Main Street

New Ideas for Other Downtown Streets

An Option for a Mountain Connector Street

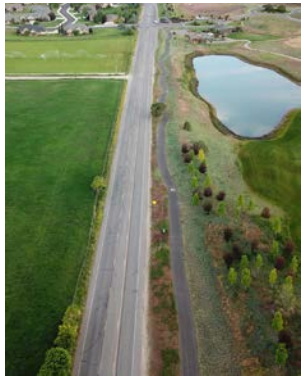
Often cities think of roads simply as conduits for moving vehicles quickly and efficiently. This may be the case for freeways or high-speed highways, but most city streets, especially residential ones, should also serve the role of public space—places where people can stop and enjoy a conversation or a meal, or where you might even find children playing. In many communities, the car-focused approach has created streetscapes that are too inhospitable for pedestrians or cyclists to use.

By contrast, a "complete street" design integrates diverse modes of transportation in a way that benefits the widest portion of a city's population. A basic complete street would typically include bike lanes, comfortably-sized adjacent sidewalks and narrower traffic lanes for speed calming. Complete streets systems can also include a paved multi-use path, dedicated transit lanes, street furniture, other traffic calming devices and transit stations. Curb bulb-outs and raised crosswalks are also often used to increase crossing safety. The width and placement of these additional amenities varies depending on the size and type of facility.

Advancements in artificial intelligence will bring changes to the transportation system and individual travel patterns in the future. Self-driving cars, delivery vehicles and possibly semi-trucks may no longer need a human driver. Implications of this likely change to our transportation modes include people starting their work day while in the car, a potential for increased sprawl as distance from work issues are reduced, the need for less on-site parking, the need for better drop-off accommodations, the potential for more vehicle sharing and, therefor, reduced traffic volume, and reduced accidents because the AI is always focused on the task of driving.

Strategies - Achieving Walkable, Safe Streets

1. Develop and adopt new Citywide street cross sections, with a focus on complete streets.
    - In new neighborhoods, consider street cross sections that provide at least 5-foot sidewalks and a large park strip to separate pedestrians from traffic. Consider alternatives such as construction of an 8- to 10-foot sidewalk on one side of City streets.
    - In mountainous areas consider a trail and street cross section where the trail is well separated from the street with natural vegetation and swales.
    - Downtown sidewalks should be 14 feet or more in width to allow for sidewalk dining.
    - In the historic core, retain the rural appearance by continuing to daylight certain designated irrigation ditches, but protect them from pollution with adjacent



Maintain and extend Heber's historic street grid pattern on flat to moderate terrain to encourage connectivity, convenience and improved appearance.

swales that catch street runoff.
- Allow for on-street parking, but reduce the paved width of streets.
- Design street cross sections to reduce the conflicts between cars, pedestrians and bicycles, especially at intersections, by adding features such as bulb outs, crosswalks and bike lanes.
- Large, thriving street trees become an important part of the streetscape. Heber becomes a Tree City USA designee.

2. Create a connectedness ordinance based on a ratio of intersections, block length and a consideration of the need for additional connections to service adjacent areas. Include incentives if the developer will lose a lot where a connection is needed.
3. Consider the concept of parallel roads to US 40 that can carry local traffic, so not all cars have to use US 40 to move north and south.
4. Maintain the historic grid pattern on flat to moderate terrain.
5. Consider the use of roundabouts in locations where traffic speeds necessitate a reduction, intersection capacity is problematic and studies show a benefit. Careful consideration of pedestrian traffic issues should be included in the study.
6. Adopt a complete streets approach for regional planning. Engage with regional planning partners and programming processes to encourage the funding of a balanced, multi-modal transportation system, emphasizing adjacent trails within Heber City's borders and in context with Wasatch County neighbors.
7. Adopt a complete streets approach to the local transportation system design.
   - Encourage street connectivity as a priority when planning new developments and other land use and transportation planning. Consult Utah Street Connectivity Guide sponsored by Mountainland Association of Governments.
   - Consider all modes (car, bike, walking, future transit) and user needs when projects are designed and implemented in the public right-of-way. Standards should be developed and consistently applied to consider these needs.
   - Consider public health and reduce air contaminants by encouraging designs that encourage walking and biking. Consider safety, especially in the design of cross walks and trails, with trails well separated from vehicles.
   - Consider changes that make the network more safe, livable, understandable and hospitable for all modes, users and trip types, including recreational and

commuter bicycle riders, pedestrians of all ages and abilities, auto and transit users, and large freight haulers.

- Strengthen sense of community by restoring connectivity to portions of the community divided by large roadways and intersections, such as Main Street or the future bypass.

Strategies - Achieving More Trails and Bike Paths

1. Formalize an organization composed of Wasatch County, communities, UDOT, MAG, non-profits, and the County to promote a coordinated effort for trails into the mountains, trail connections between cities and trails along canals, creeks and rivers.
2. Consider a staff person designated to manage, oversee construction, seek additional funding, etc. for Countywide trails (see Parks and Trails chapter).
3. Seek regular funding to build and maintain trails.
4. Consider fundraising events and such techniques as crowd share funding.
5. Adopt trail cross sections appropriate to the user and location in the community

Trails Designed for User Safety and Enjoyment

Where possible, trails should be separate from roadways, immersing users in nature, whether enjoying bike ride in the mountains or walking along the envisioned lake-to-lake trail.

Public transportation adds an affordable and attractive option for commuting and recreation.

Tactical urbanism in Salt Lake City

Strategies - Establishing a Transit System

1. Complete the bus transit study, secure funding sources and begin structuring the system. Small buses may be warranted for the initial start up.
2. Consider a hub location at the airport and one on the north end of Heber, but also add stops downtown.
3. In addition to managing work-related trips, create alternate schedules for the ski season.

Strategies - Improving Main Street

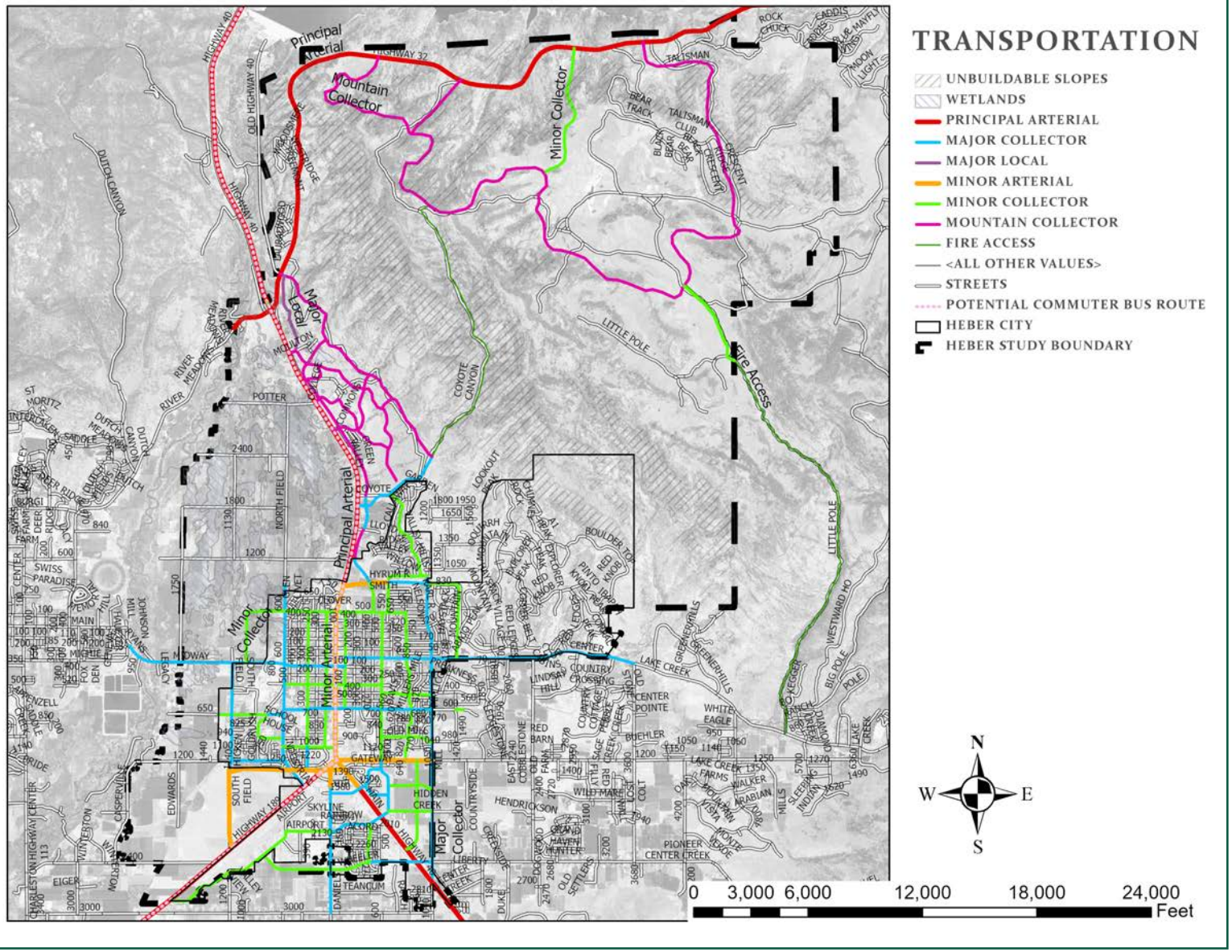
1. Actively promote the completion of the western bypass study and lobby for construction dollars.
2. Negotiate with UDOT to discontinue their jurisdictional responsibility for Main Street and to accept responsibility for the new western bypass road. Local control of the Main Street right of way will provide more flexible options for street reconfiguration and a more pleasant environment to foster Main Street business.
3. Begin recommended improvements to Main Street to slow traffic down, as per Chapter 5 and the Main Street Study found in the Appendix.
4. Consider testing the new right of way concepts for Main Street using a temporary, "tactical urbanism" approach. For example, temporary paint and low-cost barriers could be used to illustrate how a complete street feels and functions.

How Could the Heber Valley Airport Change?

The Airport's future is currently under study. When that study is complete, this section of the general plan should be updated.

Strategies - Parking Policy Supportive of Mobility and Efficient Land Use

1. Review and update ordinances, including modern policies such as park once districts, right sizing parking for capacity, shared parking and bike and transit-related parking requirement reductions.
2. Heber City should manage on-street parking downtown and develop a parking plan that includes wayfinding.


TRANSPORTATION
UNBUILDABLE SLOPES
WETLANDS
PRINCIPAL ARTERIAL
MAJOR COLLECTOR
MAJOR LOCAL
MINOR ARTERIAL
MINOR COLLECTOR
MOUNTAIN COLLECTOR
FIRE ACCESS
<ALL OTHER VALUES>
STREETS
POTENTIAL COMMUTER BUS ROUTE
HEBER CITY
HEBER STUDY BOUNDARY
Principal Arterial
Mountain Collector
Minor Collector
Major Local
Fire Access
Minor Arterial
Major Collector
N
W
E
S
0 3,000 6,000 12,000 18,000 24,000
Feet

9: JOBS AND ECONOMIC DEVELOPMENT

Jobs and Economic Development Vision

Heber's **economic vitality** enables most residents to work in town if they choose. The City **attracts and partners with employers** in key industry sectors to locate in the **downtown**, in **new town centers**, and in the **business center** on the south end of downtown.

Guiding Principles

1. Heber fosters an environment that supports local business.
2. Heber supports and grows its emerging recreation and tourism industry, as well as opportunities in technology, research and development, professional/office, medicine/ healthcare and light manufacturing.
3. Heber continues to support its historic economic status as a support center for surrounding agricultural operations and as the valley's retail and entertainment destination.

Existing Economic Climate

Located along the valley's main highway corridors and with a long history of providing the goods and services that most people need countywide, Heber functions as the "hub" community for Wasatch County. Its traditional Main Street shopping district is complemented by grocery stores, big box retail and home improvement stores. Reinvestment in Main Street will reward the City with a long-term shopping and gathering place into the distant future.

While there are quality local jobs, there is

an insufficient number relative to the City's workforce, and many jobs don't provide the income needed to live in the valley. Instead, many residents commute to job markets in Salt Lake and the Provo/Orem areas. Housing prices and rents have also risen disproportionately to income over the last ten years, making it difficult for workers earning lower wages to remain in Heber. Attracting higher paying jobs and long-term employers should be an important part of the City's economic development strategy.

Though a healthy mix of small shops and larger retail is available in Heber, a recent Lewis, Young, Robertson and Burningham study revealed some shopping and service categories that the City does not provide well. Supporting the existing retail mix and adding in missing or underrepresented categories could become a focus of an economic development plan.

How Could Heber's Business Environment Evolve?

Although being the hub city in the County creates its own synergy and market demand, it cannot be relied on to provide all that is needed for positive long-term growth. Main Street is the recognizable center that residents believe needs improvement. A revitalized Main Street with reduced traffic, a pedestrian friendly and quieter environment, mixed uses, thriving businesses and active gathering spaces is achievable over time and can become a major force for attracting additional economic development.

A Community Reinvestment Agency (CRA) should be created to improve funding options. A CRA derives its funding from the property taxes generated by new development. Through the establishment of a project area that encompasses properties that front on 100 East and 100 West, the property taxes from redevelopment and new infill development can be captured for use by the CRA. CRA funds are required to be reinvested in a defined project area and can be used for a variety of enhancements, especially infrastructure repairs and improvements.

With considerable effort, the Heber Valley Railroad and nearby regional recreation facilities can become a cohesive recreation and arts node within the City, with a great connection to downtown along 100 South.

Emerging regional retail businesses to the north and south end of Main Street could become gateway features that clearly state when you have arrived in Heber. The City should limit further standard strip commercial growth along the highways, focusing instead on creating distinctive gateways into town. On the south end there is potential for tech businesses to thrive.

Key Facts: Heber Jobs

$62,826
Median Household Income

705
Total Businesses

5,566
Total Employees

Employment

58% White Collar

21% Blue Collar

22% Services

1.9%
Unemployment Rate

Source: ESRI/American Community Survey

Industries Most Important to Heber's Future *(top 3, according to public feedback during Heber's visioning process)*

1. Recreation and tourism
2. Agriculture
3. Tech/research & development

New centers will emerge at River Road, at Utah Valley University, near the Jordanelle and up on the mountain that will have Heber's influence, as the City provides models for town center development.

More work-from-home opportunities and artificial intelligence systems are trends we can expect in the future. Encouraging more flexible home occupations will help foster additional jobs in Heber. Creating training partnerships with Utah Vally University and other organizations to address an artificial intelligence boom will be critical for continued, diversified job growth.

Strategies - Downtown Economic Development (see additional strategies in Chapter 5)

1. Create a Community Reinvestment Agency (CRA) project area, that will provide an additional source of funding for the downtown area. Include an incubator business fund using CRA funds.
2. Encourage a storefront width that promotes smaller businesses and historic architectural features along Main Street in City ordinances.
3. Include some national chains in the mix to assure additional downtown patronage.
4. Consider ordnance amendments that avoid drive-up lanes and windows facing Main Street; consider prohibiting drive-through businesses downtown.
5. Activate Main Street public spaces so residents and visitors want to visit repeatedly, bringing people downtown consistently.
6. Initiate a branding study to provide guidance for strategy and message consistency.
7. Restructure capital Improvements, City ordinances, sign plans (including wayfinding) to promote and reinforce the brand.
8. Incorporate recognizable physical improvements downtown that strengthen the City's brand.
9. Increase the number of local and regional events.
10. Revise zoning ordinances to promote infill and redevelopment and incentivize a mixture of uses downtown, including residential.
11. Identify key historic buildings and adopt a historic preservation ordinance with incentives to preserve those sites.

Strategies - Economic Development Throughout the City

1. Promote opportunities in technology, research and development, professional/office, and light manufacturing.
2. Attract businesses that have reduced impacts on air and water quality; discourage those that increase noise pollution or degrade the

recreation environment/brand.

3. Downtown and the South Town centers provide the focus for the above sectors. Light manufacturing is best clustered in the South Town area.
4. Foster connections with Utah Valley University to create a partnership for incubator businesses and needed training for targeted professions.
5. Promote a business center, including tech businesses, associated Utah Valley University's Wasatch campus.
6. Consider emphasizing tech businesses in downtown, the South Town area and as infill in the recreation/tourism hub.
7. Consider deriving additional funding from tourism/hospitality businesses that could generate funds for citywide recreation, trails and downtown improvements.
8. Address issues with outside/inside storage developments in ordinance amendments, and prevent them from building on prominent corners or blocks.
9. Continue to promote Heber's historic economic status as a support center or hub for surrounding agricultural operations and the valley's retail, entertainment and job destination.
10. Define the historic architectural character of Heber and incorporate design standards in City ordinances to showcase that character in new buildings downtown.

Strategies - Enhancing Retail Sales

1. Attract business sectors that are currently underrepresented in Heber, including clothing and accessories, furniture and home furnishings, miscellaneous retail trade (smaller shops), business management companies and enterprises (offices), arts, entertainment and recreation, health and personal services, goods/necessities, natural foods store, mid-grade dining ($15–$25 per person), used-books store, and technology stores (computers, IT services).*

2. Plan for and develop civic uses such as mid-sized plazas, a bike/scooter share hub and community fair/farmers market space.*

3. Create an economic incentive-based strategy to assist in reducing vacancy and increasing diversity in the variety of businesses in Heber.

4. Promote a chamber of commerce organization to represent local businesses, foster historic preservation and attract visitors using Heber's brand.

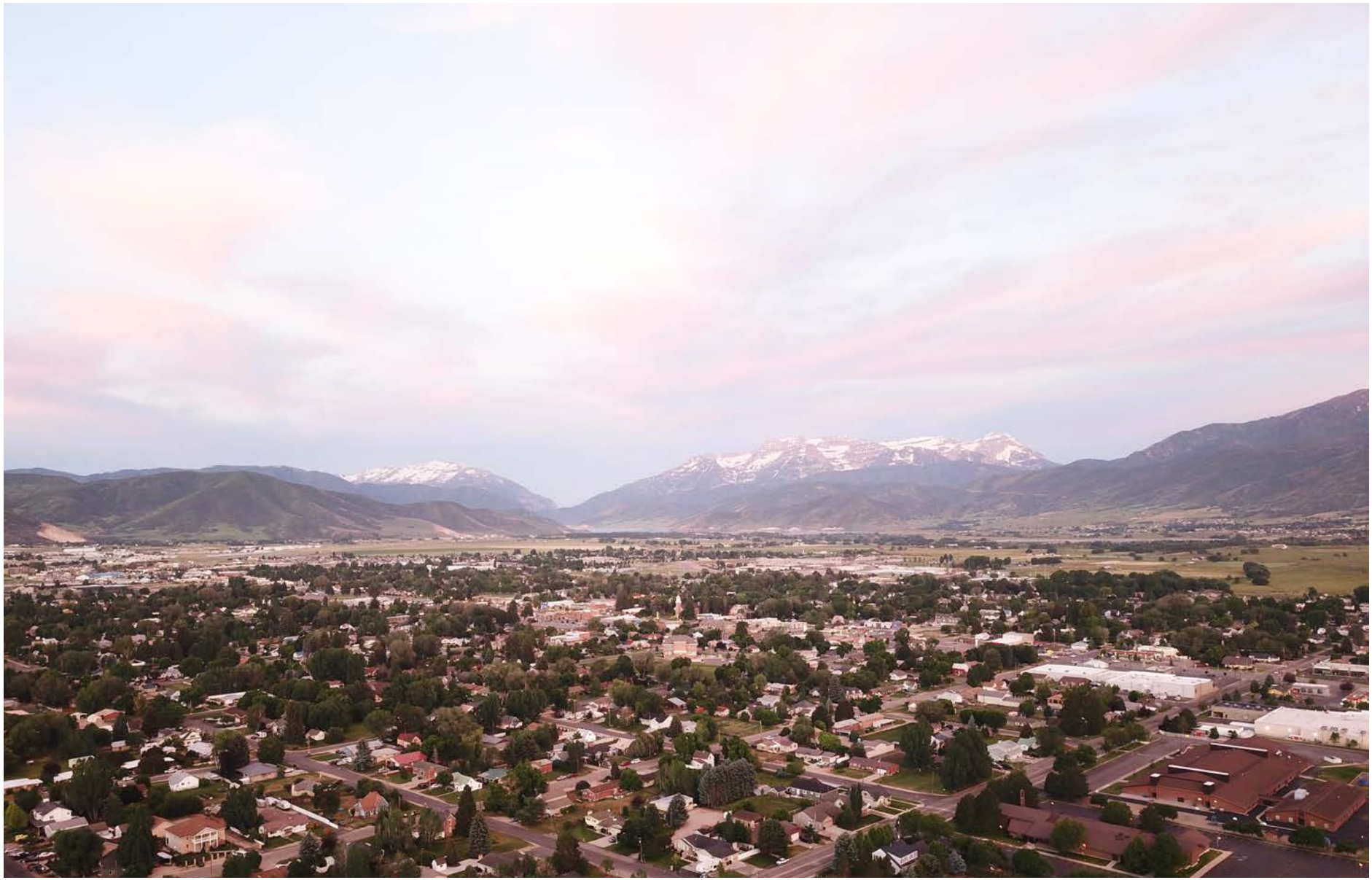
**As suggested by Lewis Young and Downtown Revitalization Services*

Sales Tax Leakage Analysis

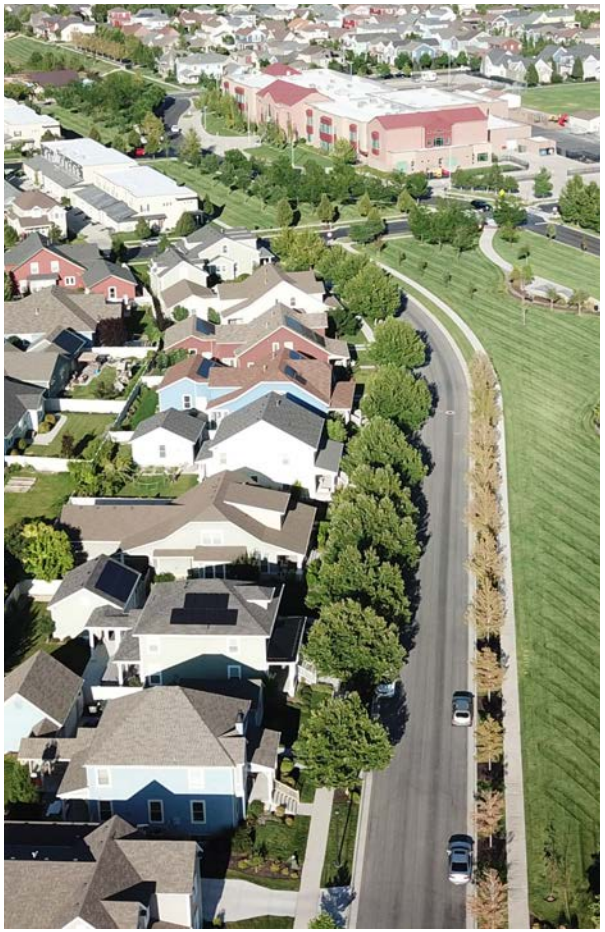
- Heber City is **capturing 145% of all taxable retail sales** as compared to average taxable sales for the State of Utah.
- **Significant Leakage:** clothing & accessories, furniture & home furnishings, and miscellaneous retail trade.
- **Significant Capture:** building materials & garden equipment, food & beverage, motor vehicle, and health care & social assistance

Strategies - Enhancing Long-Term Resiliency

1. Track business trends and promote a diversity of industries and professions to establish resiliency. Consider hiring an economic development professional.
2. Coordinate increased broadband services while helping to reduce costs within the City. This includes coordination of ditch digging and increasing speeds, which help to foster job opportunities, including home-based business.
3. Create more flexible home occupation ordinances to reflect work-from-home trends.
4. Establish ordinance changes to promote solar power and charging stations.
5. Work toward a partnership with Heber Light and Power to achieve greater emphasis on renewable energy sources.
6. Set the example for renewable energy through municipal purchases of electric vehicles, solar power installations, scooters, and on-site public charging stations.
7. Embrace transportation options that minimize pollution by reducing individual vehicle trips (see Chapter 8, Mobility and Streetscapes for more detail).
8. Improve the walkability and bikeability of Heber City.
9. Work with transit agencies to provide mass transit options.
10. Enhance the regional economy with supportive street design.
    - Provide for freight trucks on designated routes and at critical network connections.
    - Increase the economic value of business districts and neighborhoods through more transportation choices and community amenities; focus on cost savings through full utilization of existing infrastructure.



10: GENERAL PLAN PRIORITIES



Higher Priority Strategies

All of the strategies in the various chapters are important, but the sheer number of potential strategies becomes unwieldy for City staff to determine where to start and how to measure progress. Some strategies can be postponed and included in later initiatives, but there are priorities that should be addressed more quickly.

The Steering Committee helped set the priorities that follow, along with the City's staff and planning consultant. Higher priority strategies are those in which there is consensus about addressing the strategy as soon as possible. Lower priority strategies are important but have less consensus about their urgency.

Quality Neighborhoods

1. Consider areas for mixed use housing and mixed housing types, especially adjacent to the downtown and in emerging centers.
2. Consider land use changes to grow the connection between Historic Downtown the Recreation and Arts District along 100 South. Consider tourism-based businesses, and more flexible options for homeowners, such as more flexible home occupation ordinances, live/work opportunities, bed and breakfasts and other residence-based businesses.
3. Open space amenities should be a central feature in a neighborhood and may include parks, plazas, trails, community gardens, small plot farms or other space that can be used by residents. Quality open space amenities include long-term management and maintenance plans.
4. As part of a new zoning ordinance, create incentives or new zones to enable rural and mountain residential clusters that permanently designate open space for agricultural, natural, passive recreation or shared equestrian uses.
5. In new neighborhoods at Jordanelle Mountain, Lakeside, North Village, and Utah Valley University Village create walkable, compact

neighborhoods with significant natural open space and mountain-themed town centers.

6. Consider an incentive-based system with a base lot size that can be reduced by achieving city goals for open space, walkability, trails, views and stormwater reduction.
7. Support redevelopment and enhancement of existing homes in the Historic Core.
8. Include quality building materials and architectural standards as part of the new ordinances.
9. Explore ways to reduce air pollution from homes and businesses and improve efficiency.

Summary

These strategies reflect an emphasis on mixed use/infill, the Recreation and Arts District, open space, clustering, housing quality, clear skies and downtown.

2020 Moderate Income Housing Plan Work Efforts

1. Update the accessory apartment ordinance to eliminate barriers.
2. Continue to require deed restricted housing aimed at the 50% AMI and below category, and track City progress.
3. Track spending of the affordable housing fund and emphasize workforce housing.
4. Study the pros and cons of waiving building permit fees for qualifying projects or portions of projects. Track additional units produced.
5. Consider areas for mixed use housing and mixed housing types, especially adjacent to the downtown and in emerging centers.
6. Create a mixed housing types cluster subdivision ordinance.
7. Consider an update study of the fee-in-lieu program to assure that fees are reasonably commensurate with actual construction costs.

Centers and Gathering Places

1. Create a Downtown Development Authority, such as a Community Reinvestment Agency.
2. Increase activity downtown. Activate downtown through public spaces (streetscapes, alleys, and the three parks) that attract people, so that residents and visitors want to return over and over again.
3. Conduct a downtown placemaking and recreation branding study, and reinforce findings through City ordinances, programs and visible improvements.
4. In the South Town tech center, through ordinance revisions, incorporate more town center characteristics.
5. Create a parking plan and management strategy.
6. Promote historic architecture in the Historic Downtown District, and promote interesting “mountain modern” architectural building features at the four new centers.
7. Prevent standard strip commercial development through ordinance modifications.
8. Assure dark sky compliance for all lighting in all centers.
9. In the Recreation and Arts District, develop an economic development strategy to begin transitioning to more consistent uses.

Summary

These strategies reflect an emphasis on Downtown, South Town, architectural features, dark skies and the tecreation and Arts District.

Open Space and Rural Character

1. Consider bonding as an important open space preservation strategy.
2. Develop a system to purchase or transfer development rights (TDR) with implementation through the zoning ordinance. Consider crowd sourcing funding, density transfers, etc.
3. Review and update rural zoning ordinances. Rural zoning should have a minimum 20-acre

lot size.

4. Partner with non-profits, such as Utah Open Lands.
5. The City could explore ways tourism could financially support open space preservation through a hotel tax or recreation fee.

Summary

These strategies reflect an emphasis on preserving and creating open space through various techniques, including bonding and the use of tourism dollars.

Outdoor Recreation, Parks and Trails

1. Heber City will plan for providing usable and programmable parks for current and future populations at a ratio of 10 acres per 1,000 residents.
2. Plan and develop a lake-to-lake trails system, connecting Jordanelle Reservoir to Deer Creek Reservoir.
3. Continue to improve and connect trails to valley and mountain amenities. Trails provide access to the City's beautiful setting, including nearby canyons, mountains, lakes and the Provo River.
4. The three publicly owned open spaces (Tabernacle Square, Main Street Park, and the front lawn of the Police Station) on Main Street should be redesigned and improved to work synergistically to activate Main Street.
5. Parks design, signage and activities should help to promote the City "brand".

Summary

These strategies reflect an emphasis on creating new trails along the Provo River and to valley/mountain amenities, activating Main Street parks and providing more parks internal to the City.

Mobility and Streetscapes

1. Develop and adopt new Citywide street cross sections, with a focus on complete streets, 5-foot minimum sidewalks, larger park strips, narrower street widths and swales.
2. Begin recommended improvements to Main Street to slow traffic down.
3. Consider the use of roundabouts in certain studied locations.
4. Actively promote the completion of the western bypass study and lobby for construction dollars.

Summary

These strategies reflect an emphasis on new street cross sections that promote swales and adjacent trails, improving Main Street, considering roundabouts and completing the bypass.

Jobs and Economic Development

1. Create a Community Reinvestment Agency project area.
2. Activate Main Street public spaces so residents and visitors want to visit repeatedly.
3. Revise zoning ordinances to promote infill and redevelopment and incentivize a mixture of uses.
4. Promote a business center, including tech businesses, associated with Utah Valley University.
5. Promote opportunities in technology, research and development, professional/office and light manufacturing.
6. Create an economic incentive-based strategy.
7. Attract businesses that have reduced impacts on air and water quality and decreased noise pollution.

Summary

These strategies reflect an emphasis on Main Street by creating a new financing tool (CRA), mixing uses, providing more jobs in a coordinated manner with Utah Valley University, attracting clean jobs and developing an incentive-based economic development plan/strategy.

APPENDIX

Documents in the Appendix

The Appendix contains a series of documents listed below:

- Heber City Downtown Study (Downtown Redevelopment Service)
- General Plan Land Use Study (Lewis Young Robertson & Burningham)
- Moderate Income Housing Plan
- Presentation: Vision Celebration and General Plan Kick-Off (August 28, 2019)
- Presentation: Workshop Values Summary (March 20, 2019)

HEBER CITY
ENVISION
—2050—

ID 88

Envision Heber 2050.

Introduction: "What do people want and how will our city provide it"

Heber City Vision: Heber City is nestled in a green valley, brimming with historic agricultural uses, the beautiful Provo River, and unmatched views of the Wasatch Mountains. Our residents value this beautiful and unique setting and are committed to preserving its character while growing and nurturing our City. Together, we desire to: • preserve the beautiful open lands that surround us; • create friendly neighborhoods and centers that focus homes, jobs, shopping, and recreation into places where we gather and interact regularly; • enhance and strengthen downtown—the heart of our community; and • grow, promote and diversify our recreational opportunities. By focusing our growth in specific areas, we foster a vibrant community and a quiet countryside—a place residents and visitors alike will enjoy for generations to come.

Heber City Envision Doc:

Open Space & Rural Character

Heber City draws a clear distinction between what is city and what is country, maintaining a distinct city that is surrounded by open land, valuable for its beauty, ecology and agricultural function. Principles: 1. Heber actively works with neighboring communities and Wasatch County (and UDOT), on strategies to implement the permanent protection of farmlands, natural open spaces, and rural character, to keep the distinct separation between communities. 2. Heber City will work with the County and surrounding communities to create permanent farm and mountain land protection through such mechanisms as conservation easements and partnerships. 3. Heber actively clusters development to focus growth and protect remaining open land from dispersed development. Plan b connects the city to the county or farm land. There will be no clear distinction at all.

Voters approved an 10 million open space bond in 2018 to help preserve the natural beauty and heritage of our community. 623.00 acres are preserved or proposed to be preserved. Easement value of 66,179,350.00 from out 10 million bond. Now with the UDOT proposed bypass alternative b, that runs right through the North Fields, years of work will be erased protecting a key property, over 165 acres, that was ready to go until UDOT stepped in to put a highway through it.

Back to the envision 2050,

The most important thing the residences wanted to protect was the open space/rural character of the valley. 78% valued small town feel, 78% wanted goals for preserving open space, 77% wanted goals for preserving views and scenic beauty. I encourage you to read Item number 6: Open Space and Rural Character chapter. Particularly page 62. On the future land use map, they have all the North Fields as Agriculture Preservation status, with a (SB) scenic buffer zone, from the roads edge to the Agriculture Preservation line. The UDOT proposal of a major highway with on and off ramps through the crown jewel of the valley is a slap in the face to all the intelligence and desire of all the people in the community proven through the envision Heber city

Willie Holman

2050 study. Driving on Hwy 40 from river road to the city limits is prized for its view shed looking across the green fields to the snow capped Wasatch back. UDOT wants to take this away to save 1 minute of travel time?

From Envision Heber 2050:
Separation—maintaining open space between Heber and surrounding communities—is the second most important feature that defines "small town" for Heber residents (according to a recent survey completed as a part of the City's visioning process). Residents want to preserve larger open spaces that provide a rural feel and promote a distinct identity for each community in the Heber Valley. Plan B does the opposite.

I've witnessed several taker trunks going over into deer creek and the provo river over the years. What happens when a few tankers with toxic material turn over into our aquifers and wetlands of the North Fields contaminating our drinking water?

In 1858, New York's central park was created to provide urban dwellers an experience of the country side, a place to escape from the stresses of urban life and to commune with nature. Its over 800 acres. smack dab in the middle of the bustling city. Even they had foresight to preserve this space, we can do the same. Please do not go against the community by making a highway through the North Fields that we fought so hard to protect.

ID 170

Envision Heber 2050.

Introduction: "What do people want and how will our city provide it"

Heber City Vision: Heber City is nestled in a green valley, brimming with historic agricultural uses, the beautiful Provo River, and unmatched views of the Wasatch Mountains. Our residents value this beautiful and unique setting and are committed to preserving its character while growing and nurturing our City. Together, we desire to: • preserve the beautiful open lands that surround us; • create friendly neighborhoods and centers that focus homes, jobs, shopping, and recreation into places where we gather and interact regularly; • enhance and strengthen downtown—the heart of our community; and • grow, promote and diversify our recreational opportunities. By focusing our growth in specific areas, we foster a vibrant community and a quiet countryside—a place residents and visitors alike will enjoy for generations to come.

Heber City Envision Doc:

Open Space & Rural Character

Heber City draws a clear distinction between what is city and what is country, maintaining a distinct city that is surrounded by open land, valuable for its beauty, ecology and agricultural function. Principles: 1. Heber actively works with neighboring communities and Wasatch County (and UDOT), on strategies to implement the permanent protection of farmlands, natural open spaces, and rural character, to keep the distinct separation between communities. 2. Heber City will work with the County and surrounding communities to create permanent farm and mountain land protection through such mechanisms as conservation easements and partnerships. 3. Heber actively clusters development to focus growth and protect remaining open land from dispersed development. Plan b connects the city to the county or farm land. There will be no clear distinction at all.

Voters approved an 10 million open space bond in 2018 to help preserve the natural beauty and heritage of our community. 623.00 acres are preserved or proposed to be preserved. Easement value of 66,179,350.00 from out 10 million bond. Now with the UDOT proposed bypass alternative b, that runs right through the North Fields, years of work will be erased protecting a key property, over 165 acres, that was ready to go until UDOT stepped in to put a highway through it.

Back to the envision 2050,

The most important thing the residences wanted to protect was the open space/rural character of the valley. 78% valued small town feel, 78% wanted goals for preserving open space, 77% wanted goals for preserving views and scenic beauty. I encourage you to read Item number 6: Open Space and Rural Character chapter. Particularly page 62. On the future land use map, they have all the North Fields as Agriculture Preservation status, with a (SB) scenic buffer zone, from the roads edge to the Agriculture Preservation line. The UDOT proposal of a major highway with on and off ramps through the crown jewel of the valley is a slap in the face to all the intelligence and desire of all the people in the community proven through the envision Heber city

Willie Holman

2050 study. Driving on Hwy 40 from river road to the city limits is prized for its view shed looking across the green fields to the snow capped Wasatch back. UDOT wants to take this away to save 1 minute of travel time?

From Envision Heber 2050:
Separation—maintaining open space between Heber and surrounding communities—is the second most important feature that defines "small town" for Heber residents (according to a recent survey completed as a part of the City's visioning process). Residents want to preserve larger open spaces that provide a rural feel and promote a distinct identity for each community in the Heber Valley. Plan B does the opposite.

I've witnessed several taker trunks going over into deer creek and the provo river over the years. What happens when a few tankers with toxic material turn over into our aquifers and wetlands of the North Fields contaminating our drinking water?

In 1858, New York's central park was created to provide urban dwellers an experience of the country side, a place to escape from the stresses of urban life and to commune with nature. Its over 800 acres. smack dab in the middle of the bustling city. Even they had foresight to preserve this space, we can do the same. Please do not go against the community by making a highway through the North Fields that we fought so hard to protect.

UDOT PUBLIC HEARING & COMMENT PERIOD

Heber Valley Corridor Environmental Impact Statement

Taken on Wednesday, January 28, 2026

5:30 p.m. - 8:42 p.m. MT

Held at Wasatch High School

930 South 500 East

Heber City, Utah 84032

Reported by Brooke Simms, RPR, CCR, CSR

PUBLIC COMMENTS

* * *

ANNETTE McRAE ID 109

My name is Annette McRae. Chair and members of the panel, I want to thank you for the opportunity to speak. I am also running for -- I'm candidate -- I'm a candidate for the Utah Senate District 20 that covers this area, and it was just chance -- it just happened that I signed up first. They didn't pick me. I promise.

So why I'm here today is to speak about public safety and not ideology. If we plan transportation in isolation from air quality, water protection, housing, and emergency safety, then we are not planning for the future. We're exporting risk to the people who live here.

Right now, hazardous materials are being transported by truck through mountain highways that already carry commuters through mountain highways -- that already carry commuters, tourists, families. With -- in winter traffic, they have limited emergency access. This is not a hypothetical risk. This is a predictable one. By 2034, with the Olympic-level demand added to the corridor, the question is not if the system fails, but where.

My position is simple. Hazardous material should not be sharing mountain highways with families and visitors. We already have rail infrastructure in this region that can help solve this problem. The Uinta Basin Railway provides a path to move the hazardous freight out of the Uinta Basin by rail instead of by truck. The Heber Valley Rail -- Railroad corridor, often referred to as, that I loved from childhood, is the Heber Creeper. It isn't -- it has an existing right-of-way through Provo Canyon that can potentially hook into Orem and go all the way to Park City by widening that can be upgraded and hardened for modern use.

The Heber Valley Rail -- that's -- already read that part.

Before widening highways or assuming continued truck traffic through Heber valley, this EIS should fully analyze a rail-first hazardous materials diversion alternative using these existing and finishable rail corridors.

Passenger rail also matters for safety and congestion. A passenger rail connection through Heber Valley towards Park City would reduce pressure, not only on Highway 40, but on SR-248, cut daily congestion, reduce winter accident risk, and improve reliability for

residents and emergency services, especially during peak tourist time and Olympic-level demand.

Transportation decisions must reduce risk, not merely shift it from one neighborhood or watershed to another. Rail can be safer than trucking if it is engineered and governed correctly through hardened tracks, fill containment, emergency response integration, and clear operating railroad standards.

I'll hang around for a bit out there -- out yonder.

* * *

ATHINA KOUMARELA ID 110

Hi. Thank you all for giving me this opportunity to speak today. Thank you. It looks like we got a full house.

So I'm a long time resident in this valley. I've witnessed the rapid growth -- and I don't do good with public speaking. So I'm doing this -- rapid growth and its impact on our environment and community infrastructure.

One of your stated goals of the bypass was to help Heber achieve its vision of historic -- of a historic center. However, over time, Heber has made deliberate land use decisions to heavily develop along the collector roads that were originally planned to

support the bypass. So now we're here collectively trying to save some of those past decisions.

My focus tonight is to ask about the environmental impact statement that was compiled on -- in the first part of January, which I listened to the online portion last night, and several questions were directed to go to Chapter 3 of the report. And so today I did that, but I feel a lot of the questions were not answered for me in the Chapter 3. It only brought up more questions.

My questions and my concerns are with the wetland mitigation of ratio two to one or maybe higher. I mean, that still is a big question mark for me -- for me. Yesterday, somebody replied that that would be made with a -- by the Army Corps of Engineers; is that correct? Okay. And I think that part of it should already have been included in the analysis of the environmental impact statement.

The other part that concerned me is the mitigation land exchange for the wetlands, and that is also very vague to me. It was stated that, yeah, that could be mitigated somewhere in the north field again, or it could be even out of this county. That's the way the mitigation of lands can happen. So -- and that also will be provided by the Army Corps of Engineers -- I

think was stated yesterday. So my question is why is that the not part of -- already part of the impact statement that was just devised two weeks ago?

And then my second -- and I do believe that -- my second part of it is that -- the protection for the agricultural area protection, which is part of our Utah Code, and I would like to have more details in that environmental study about how that would be protected.

Besides that, I mean, it's a beautiful piece of land. We will never get it back. So --

* * *

LORI STONE ID 111

The route of Option B does not meet the purpose and need to remove the traffic from Heber Main. When you look at Chapter 1 of the EIS, Purpose and Need, it says, "Traffic on Main Street has grown to a point where a UDOT-sponsored western bypass alternatives study is underway. 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."

In August of 2025, the executive director, Carlos Braceras, of UDOT spoke at Wasatch County Council meeting, and he was asked about will these bypasses, A and B at the time, lift the traffic that has been

promised to the public.

His answer -- I will read it -- was -- "Will the bypass off Heber City Main Street traffic problem [sic]?" He said, "Probably not." He said, "75 percent of traffic is caused by local congestion." Keep in mind, this traffic report that they are working on on this EIS is from 2019. It could be up to 2021, but it is not current, and we've had almost a 30 percent growth in more people moving to this valley.

Option B bypass will induce growth impacts if it's built and will be built on sensitive lands that have APA protections, which is agricultural protection areas that our county council had forethought to put in place a few years ago to protect these aquifers and all the things that are sensitive on the North Fields.

When we look at the January 7th release of the EIS report, it seems negligent because it did not include any of the APAs, the agricultural protection areas, on their -- in their EIS. Why is that? The EIS fails to properly analyze the negative impacts to the wetlands that Alternative B and even A that this route will destroy.

One thing that they need is called the LEDPA, which is the least environmentally damaging and practical alternative. It's mandatory, and it's a

legally binding standard under the Clean Water Act, which is Section 404(b)(1) guidelines. It actually even prohibits the U.S. Army Corps of Engineers from issuing a permit for discharging different things of material on these lands.

This adds more concern to support this EIS that was put out because it did not truly abide by LEDPA and follow the guidelines for study under impact for the wetlands. They are wetlands, and the wetlands in the EIS study was done out of season when it was dry. That's when they gathered their data for this EIS. That appears to be another form of being not transparent, and also it feels negligent.

A clear contradiction is the EIS heavily weighs its decision to pick Route B over A on protecting three historic structures, houses, driveways, that Option A would then perhaps have to go around. So they said we cannot pick Option A.

Well, finish it off real fast with the big thing -- how they picked and they weighed heavily -- the EIS stating that these protective structures with SHPO, which is the state agency of historic preservation office, that they said that we have to pick B because these three historic structures have protection and we have them registered with the state historic

preservation office. And here's the catch -- is that the -- UDOT -- they are not registered with the historic society.

* * *

HOLLY BODILY ID 112

Okay. I'm not a public speaker either. My primary concern, to piggyback on to Lori's, is the impact that this Alternative B has on our water supply. It -- it is a highly valued resource here in our desert state, and under the Clean Water Act, Section 404(b)(1), UDOT is legally required to select the least environmentally damaging practical alternative, which Lori just referred to as the LEDPA. This is not discretionary. It is the controlling federal criteria for any project that impacts wetlands or waters of the United States.

Yet UDOT's own EIS states, and I quote, "The primary disadvantages of Alternative B are greater impacts to wetlands and farmlands." So this contradictory statement advancing Option B, despite acknowledging these impacts, is inconsistent with federal law and the Army Corps of Engineers requirements.

Utah Law Code -- it's called Code Title 17, Chapter 41 requires the protection of groundwater and

aquifers, particularly where they influence drinking water quality, flood risk, and long-term community health. These fields recharge Class 1 aquifers, which are designated as pristine and must be protected, and the code reads "to the maximum extent feasible."

A highway constructed across wetlands and recharge zones introduces contamination pathways for oil, fuel, road salt, and storm water runoff. These impacts directly conflict with Utah's groundwater protection standards.

Hindsight is going to be 20/20 if we destroy these irreplaceable aquifers. We will all look back, and I don't think anybody is going to say, "I wish we would have destroyed more wetlands." I think we're going to say, "I wish we did something to protect them while we had the chance." This is our only chance. Once they are developed, they are gone, and Option B does also put those at risk.

Really quickly, the EIS focus is on the impacts of the wetlands, but not on the aquifer, and that needs a lot more attention and study. Also, our current trends are showing already significant upward trends in contaminate levels, which this will only accelerate.

Boy, time goes fast.

The EIS -- couple of quick questions. The EIS maps are only showing Option A and B and then no action scenario, but there's no comparison of lower impact alternatives, such as maybe winding the highway or optimizing the traffic timing, adding turn lanes, creating one-way streets or a climbing lane, anything that would help currently with today's congestion, not in ten years which is this is going to take to build out. We need solutions now.

And, also, like we mentioned, the APA was not acknowledged, and that is a huge overlook, and we need to make sure that the mitigation process is a lot more streamlined and way more identifiable because it's just way too vague, and that's why we have all these questions.

* * *

ID 113

HEIDI FRANCO

Hello, neighbors. These are some of my comments to UDOT. There's so many reasons and questions and issues that I have with Route B. There is no perfect route. We understand that, and there's not going to be a perfect route because of the high density that -- for the last six years that the Heber City Council has approved. So we are stuck with traffic. But let me talk about some of the premises that UDOT is

saying in their EIS and I want to give other insights on.

I do not believe Route B is going to help Heber City's Main Street with traffic. It is not going to take diesels off of Main Street. UDOT admits that themselves in Chapter 3 of the EIS. Diesels will still be able to take Main Street. It still will be the shorter route, even with the lights. And, to me, that's the main reason that we want the bypass -- is to get the diesels off of Main Street. So that's a huge issue.

Next issue -- water quality. I want clean water for Heber citizens and for the valley for generations and generations to come. UDOT has not shown in the EIS to me about the groundwater study in the North Fields and the water flows that will go down to the Provo River and what will be the chloride, the nutrients, the petroleum effects into that groundwater with the wetlands because that is our drinking water source for this entire valley.

So I need to know what is happening with cumulative groundwater effects in sensitive lands, and that is, to me, the pivotal thing that has happened in our valley, everyone. We're now down to sensitive lands being developed.

And quick side note, where developers are

trying to come into sensitive lands with high water tables, they're bringing in fill. All right? Feet of fill so they can even get their utilities in the ground, and then they will build higher on top of that.

Okay. Another reason that supposedly Route B was chosen was for the cue up that's going to happen when traffic coming southbound is going to 500 North, and Route A is going to be over 2,000 cars, and Route B is supposed to be 700 cars.

Everyone, without Route A and having three lanes on each side going north from 900 North, that is the cue up that we're going to be facing with our city from College Way, the new light there, and then at the common, and then down to -- sorry -- Coyote and so forth. So we're going to have nothing but gridlock in Heber City from 1500 South on Highway 40 all the way up to the top of that bypass.

And then Route B is proposing bottlenecks for Heber City traffic on 1200 South, on 100 South, and on the 900 North. And that is the cue up that Heber City is going to be facing all the way up existing Highway 40 with bottlenecks to get over to the bypass.

There's many more things I can say, but I thought that those were important to address. Thank you.

* * *

JEFF PARKER ID 114

Hello, everybody. I am here today standing to express my firm support for the recommendation of Alternative B for the Heber Valley bypass.

And, look, I recognize that this is an incredibly complex decision. I believe that I represent a portion of the community that views this infrastructure as the only viable path preserving Heber's long-term character.

I know a lot of the opposition towards Alternative B centers around the North Fields, and, look, they are beautiful. Don't get me wrong. They're incredible vistas, and undeniably so. However, it's important to clarify the role that these North Fields play in our valley.

First of all, they're privately owned parcels. They're not public access parks, and there's also a misconception that these fields serve as the lungs of the valley or an aquifer. They're agricultural lands. They're irrigated. They're using water, and they're also using fertilizer.

There is modern infrastructure planned directly through Alternative B that can help manage the runoff and the environmental impact more predictably

than these agricultural practices.

But that's not the reason I support Alternative B. The reason I support Alternative B is to help bring back the small town feel that we have here in Heber. Yeah. Exactly. Right. Like, Heber's growing quickly. Our valley is growing quickly, and we need to plan for that. Right? We can either stick our heads in the sand and lock us into heavy traffic all on Main Street, or we can consider an alternative that boots some of the heavy traffic off and perhaps bring back, like, some walking storefronts and a more pedestrian friendly destination.

We cannot simply wish away the population increase. We must plan for it. Heber is on the trajectory now to mirror the congestion of Kimball Junction. I don't know if any of you have been to Kimball Junction, but, boy, that's rough; right? Stoplight after stoplight of unsynchronized red lights and miles and miles of backup.

In conclusion, this bypass is an investment in our daily quality of life, and it allows for a functional downtown and a sustainable future for the valley. I urge UDOT to move forward with Alternative B. Thank you.

* * *

WILLIAM GREENE ID 115

Hello. My name is William Greene. I am a Heber City full-time resident, and my background is over 42 years of real estate development, including very large scale regional community development.

I would like to start my comments with the fact that the majority obviously in here don't appear to want this new bypass and clearly are being misled by what the impacts will be as a result of the proposed bypass. UDOT is proposing to build a high-speed freeway through the Heber Valley equivalent in all ways to the stretch of US-40 to the River Road in Park City and I-80.

You may have -- you have manipulated the numbers on traffic improvement of designing a high-speed freeway to make those traffic flow times look better and then by only a few minutes. The Heber Valley will end up with a dramatic increase in noise pollution from trucks traveling at over 65 miles an hour on elevated right-of-way; visual pollution, including the overpasses; elevated roadways; 10- to 14-foot sound barrier walls everywhere; wetland impacts; and in the end, no real difference on Main Street after years of construction.

UDOT likes to state that the new freeway will,

quote/unquote, most likely attract commercial traffic away from Main Street. The real result is most likely will not. UDOT believes bypass is necessary to handle the growth that is anticipated through 2050. I believe it would be more impactful to have our local elected officials finally take responsibility and control over the growth and leave the Heber Valley absent of freeway.

At least reduce the bypass to an arterial-level roadway, lower the speed limit, lessen the variety of large-scale impacts to the valley. Commit to restricting any commercial truck traffic, including hundreds of daily super tankers, from using Main Street, and at the very least restricted during designated hours. Commit to restricting any commercial development from ever occurring at intersections created by a new bypass.

UDOT must commit now to removing the US-40 designation from Main Street and allow the city to gain full control over the desired improvements to Main Street. Residents must demand that city and county officials enact a responsible, long-term master plan for the Heber Valley. It's only so big. Right now there should be a documented and recorded Heber Valley master plan that sets in place a maximum lifetime cap on the number of residential-owned and commercial square

footage that can be developed in this valley.
There should be a thorough investigation into the potential water needs in Wasatch County based on current development and undeveloped planted parcels. All water usage numbers should be calculated as occupied space year round, not partial.
No additional development permits should be approved if those audited calculations show that the current water storage is inadequate to support the potential future use of development permits allowed under a real master plan. Limit future growth.

* * *

LEVI HENRIE ID 116

Good evening, everyone. Levi Henrie, as mentioned. We heard a lot of good stuff today about environmental concerns, historic concerns, and I'd like to voice my full support.
I'd also like to add a element of this of loss of enjoyment to your property, loss of property value, noise intrusion, and visibility in your property, and I'd like to do it by telling my story.
I'm an entrepreneur. I built my business. I'm not from the Heber Valley. I'm from nearby American Fork. Now, you know, with a little bit of success and immense personal cost achieved a little bit of success

and was able to put together enough money to build my family's dream home.
Now, as mentioned, I'm not from out of state, but I am from American Fork. I've done business in Heber City this whole time, but if you're a person with a job and a family and you're not part of the local rumor mill, you might not have known that such a thing as the Heber Valley Corridor was being talked about.
Now, I bought my lot apparently just right before when it would have had to be a disclosure. So, anyhow, we begin construction of, like I said, our dream home, invest the large portion of our life savings into the house just to have the displeasure about four days ago of learning that such a thing as the Heber Valley Corridor exists, and we'll have a bridge over the railroad and a road and a canal about 300 yards from my house. Now, these people, of course, will have downward visibility into, you know, house, lot, and pool, other things that don't give me a lot of comfort as a father of four children.
So at this point, I don't know if UDOT has done their due diligence in mitigating effects to property owners. When I look at the right-of-way, I do notice that it's 250 feet wide, including, of course, grass area, huge shoulders, two lanes, enormous median,

two more lanes, shoulder, grass area.
Now, this is where the quiet part that we don't say is that we're leaving room for expansion. I think that a lot of the time it's played off as a safety concern.
Again -- and I'm going to close early here -- I don't think we've done our due diligence to mitigate effects on property owners. I think the least we can do is push them together, use sound walls, reduce visibility, potentially reduce speed limits, and that goes, not just for me, but for lots of other people in the valley.

* * *

SARA KENNEY ID 117

I picked Heber to live in because I love the rural community and access to agricultural opportunities. I actually grew up in rural Virginia and have always lived in rural communities, and I used to have a bumper sticker on my car that says, "Farmland lost forever is farmland --" I mean, "Farmland lost is farmland lost forever."
So we all know what putting a freeway in the middle of the North Field is going to do, and I've personally seen it happen before.
According to the USDA, in five years between

2017 to 2022, we've lost 140,000 farms, or a 7 percent decline. And during the same time, we lost 20 million acres of farmland, which is the size of Maine.
The same goes for our wetlands. Each year we lose about 60,000 acres of wetland. We've lost 27 -- almost 20 million acres of wetlands just since the mid-20th century. So we're just losing land and water that we value most to development and data centers and foreign interests.
The North Fields are the heart of Heber Valley. It's the lifeblood of this community, and to destroy it for another highway would just be totally irresponsible in my opinion, along with destroying the environment for farmers who have planned for conservation easements on their properties. Many of them would likely be forced to sell their land because it will be unproductive, loud, and polluted.
I don't like either bypass option because both would impact the land and do little to address the real problem. I think we should be planning more for the future and thinking about other modes of transportation, especially since most of the traffic is caused by local vehicles.
So why not an expansion of Summit County's

free high valley transit bus system with more daily scheduled routes between Heber and Park City. A lot of young people these days don't even want to get a driver's license. So why not public transportation, like ridesharing and bikes and, you know, safety measures like skyways or protected bike lanes.

So the North and South Fields, to me, are not only invaluable farmland and wetlands, but they also are critical habitats to wildlife. People on Facebook are sharing pictures of deer and elk heards in the fields, and I just don't think I need to explain to you the importance of habitat for these animals.

So I ask UDOT to go back to the drawing board and find a better solution than destroying the land that we all love. Thank you.

* * *

GLENN ANDERSON ID 118

Hello, friends and neighbors. I am not Diann Anderson, as you can tell. I am her lovely husband, and so she asked me to do live comments.

With Alternative B seemingly moving forward as the option of choice for UDOT, we'd like to make a few comments related to the loss of North Fields lands under this alternative.

The North Fields is one of the last remaining

large tracts of open space nestled in the valley floor. For those of us who reside here, it is a refreshing drive into the valley with the expanse of North Fields greeting us after spending a day in the urbanized grass of Salt Lake and Utah Valley. If Alternative B or any alternative proceeds, we suggest the long-term preservation of as much of the remaining North Fields as possible -- more than UDOT may now be considering.

Please consider two ways to preserve more of the North Fields and prevent development in the vicinity of the new highway. First, we read the EIS material that wetlands mitigation might be at a ratio of two to one. One local municipal planner talked to us about a ratio of four to one. We ask for -- for the use of at least four to one or higher under Alternative B or any alternative.

Second, we would ask that $25 million in the project budget be allocated to the establishment of conservation easements with landowners in the areas adjacent to the proposed highway. Based upon past successes of the Wasatch Open Lands Board, they've averaged conserving 63 acres for every $1 million allocated. We are asking that only 3 percent of the budget for this project be allocated to preserve open space.

These are not only our suggestions, these are our hopes. Thank you.

* * *

TRACY TAYLOR ID 119

Hi, everyone. My name is Tracy Taylor with the Wasatch Taxpayers Association. I've had the benefit of listening to the conversations for the past ten years on this bypass, but there's many that know this has been discussed for 30 years plus. So I'm a little bit befuddled by what these plans -- these two plans ended up being after many, many comments and input by county council people, planners, you know, the people in our community that were trying to give input on what the community wants.

Bottom line, this is a billion-dollar project that does not fix the problem, and it's only saving 90 seconds in drive time. 25 percent of Main Street traffic is going to be affected. Carlos Braceras showed up to a county council meeting October 2024, and he said, "We failed with these five options we have," and it's in a public record on a public meeting.

And he said we need to bite the bullet and just widen 40, and let's just go around the city like we have been discussing for 25, 30 years of the original bypass that we unfortunately asked UDOT to help us with.

Okay?

The 404 Clean Water Act is a violation. The 4(f) historic buildings that they cite in Alternative A is a violation that is not even recognized at the state. The southwest corner and 13th South -- for those homeowners in that area, I feel your pain.

I looked up Logan City, and they've got 53,000 people in Logan City. I saw their bypass. There's no elevated cement walls out your back door. There's none of that. They have 53,000 people. Heber City has 19,000. Our whole county only has, like, 38,000 people right now.

I'm worried that they're cutting off connectivity. We're actually losing connectivity with this. It definitely affects our emergency response times. I am concerned about all our citizens being taken care of by fire emergency, EMS, ambulance. I -- I just -- I cannot believe this is the choice that we have.

And the aquifer, if it is destroyed, I want to know how anybody on Main Street can get a drinking water at a restaurant on Main Street when we have no drinkable water. Thank you.

* * *

ALEXANDRA FOLMER ID 120

Good evening, everyone. My name is Alexandra Folmer. I'm very passionate about the North Fields, and I wanted to say I also come from -- I also come from a 20-year background in tech and data. I have consulted for many state agencies.

And I've been running through the EIS, through the projections, through the traffic numbers, and they just don't make sense to me. I think they are overbloated. For those of you that are living in any of the new areas in Heber or close to, you know what I'm talking about -- empty homes, everything's for rent, you don't see your neighbors, your kids don't have anyone to play with. That's what all of our new developments look like here in Heber.

The developer at the slopes was just quoted this past January in the record saying, out of all of those units they will be building, they only expect 20 percent full-time residents. I'm going to say it again. I think the numbers are wrong.

Google Maps on the Chrome browser just did something very exciting this past week. Told you I'm in tech. I'm a total geek. Okay? I'm going to encourage everyone to open up your browser in Chrome to Maps.Google.com throughout the week, and they're now offering live traffic feeds for the Heber City Valley.

very concerned about both the intent of UDOT and Alternative B and the analysis that went into the EIS.

Mr. Hancock said that they used Heber City's general plan in guiding their decision, and he said that the general plan clearly states to protect the North Fields. This is because the North Fields provide multifactorial benefits to all residents of Heber City, this valley, the state of Utah, and, indeed, the nation.

The North Fields is the setting of the federal Provo River restoration corridor. The benefits of the North Fields are both economic and environmental. The North Fields also provide an aesthetic and lifestyle amenity because of this unique setting, which is why most want to live here.

I quote from the general plan: "Guiding Principles: One, Heber actively works with neighboring community and the county on strategies to implement the permit, protection of farmland, natural open spaces, and rural character to maintain distinct separation between communities. Two, Heber will work with the county and surrounding communities to create permanent farm and mountain land protection through such mechanisms as conservation easements and partnerships."

However, there are those who would profit from developing the North Fields, including those whose

We do not register for high traffic on the national stage. All right? They are getting realtime data from all of your phones, from all of our GPS locations. The algorithms are processing the data against the benchmarks across the country. There's no biases. There's no political interests. It's just straight data.

Yes, do we have some traffic. I agree we do. It is not worth a $1 billion project. We can take that money. We can be more effective. We can increase throughput on Main Street. It was already widened for what we are today.

So I'm committing to this -- to this community to continue to make GRAMA requests, pull the data, and get a different perspective on where we are today with this bypass. So I don't vote for Option B, Option A. I don't think they're needed. Thank you.

ID 122

* * *

UNIDENTIFIED SPEAKER (ON BEHALF OF DAN SIMMONS)

I'm not Christi Judd, but I am almost as radiant and brilliant. I'm reading a statement on behalf of Dan Simmons.

I wish to thank UDOT for responding to my questions last night. It is because of the responses to those questions and to the questions of others that I am

livelihood is tied to developers or business on Main Street and want Alternative B that breaks the current rural use of the North Fields, turns the current limited access US-40 highway into a road owned and controlled by Heber City through abandonment and allows the development from Heber City.

The answers to the questions last night seemed to indicate that was the likely scenario that would occur from Alternative B. Specifically, UDOT seems to indicate that the bypass could or would be renamed Highway 40, and you failed to affirm that the current Highway 40 would remain a limited access road.

Would UDOT support abandonment of present Highway 40 to Heber City so that the North Fields could be developed? If that is the case, relying on the Heber City general plan as justification for the project makes no sense, nor did the numbers and impacts discussed in the EIS study.

Specifically, they don't assess the traffic and environmental impacts of highly increased use of present Highway 40 by development of the North Fields, which, besides further clogging Highway 40, would require stoplights to be longer to accommodate entry traffic from the 600 acres of development of the North Fields split off by Alternative B.

The time needed to drive from River Road to Heber City would be interminable. This doesn't even take into account the environmental impact induced by UDOT on the North Fields by UDOT's actions on Alternative B.

* * *

MIMI NUELLE ID 123

Hi. I'm Mimi. I represent a group of horse owners at North Field Stables in the North Fields. We live in one of the most beautiful places in the country. We've seen bald eagles, deer, moose, foxes, cranes in the North Fields. We don't feel like it's a place for a freeway.

Just a note. We've seen the trail systems on either side of the freeway. We'll just say we know we're a small group of horse owners, but we wouldn't use a trail system right next to the freeway. Anybody who owns a horse knows that. And if we're going to do a trail system, we got to put some more thought into it.

I would just say that I've lived in Utah for 25 years, and I've always felt that Utah has had a little bit of a underdog mentality, and as a result, it's been very pro-business and very pro-development. But, like, something that's changed in the last ten years, we're at the big kids table in Utah, and I

think it's, you know, a strength taken too far as a weakness. And I think we need to start thinking differently about -- about how -- the decisions that we make so that we will save what keeps this valley special for, you know, future generations and so that we can all continue to enjoy it as we do. So thank you.

* * *

DAVID MONTE NELSON ID 124

My name is David Nelson. I represent myself as well as our company, and we do have property that will be impacted dramatically, no matter what is done but -- adversely. But at the same time -- and because of that, I've been on -- somebody said they've been looking at this for 10 years. I've been on the committee for over 20 years just because our property was going to be affected no matter what happened.

I want to thank the people from UDOT for the professional manner in which they have conducted themselves and even when so many roadblocks were put in the way and actually having to do and start the -- the environmental impact study over twice.

They have analyzed, I believe, every possible solution to the inevitable. When people talk about a 90-second change, it's not a 90-second change during rush hour. Okay? Right now it takes me 12 to

15 minutes during rush hour with no change, and if you think that a trucker is not going to take a different route simply because of two minutes or three minutes, you're wrong. They're going to take the quicker route because they don't want to have to stop and go, and that will greatly improve our air quality because those truckers starting and stopping create more issues.

As I mentioned, we got substantial acreage that is going to be impacted and will be totally consumed in the process. But even besides that, I still believe as -- I've only lived here for 33 years, and by a lot of people, that's still a newcomer to the valley, but I believe what I've seen over time is -- and what the growth -- we're not going to stop the growth. The growth is going to be here. And I believe that over time, this will greatly enhance, especially the traffic that's coming from Denver all the way down to Provo. They will not even go through Main Street. Main Street won't be there again.

People talk about that only 70 percent of the traffic -- that 70 percent is local. Well, that's true, but the other 30 percent are four times the size. When a trucker goes through, that's the equivalent of four cars. When a truck and a trailer goes through, that's the equivalent of five cars. So the impact is great.

I -- I love the North Fields myself. It is private land. Those guys get to do what they want with it. And we can't stop what they want to do in the future, and I wouldn't want to because, overarching all of this, I believe in the right of personal property. Most of our freedoms that we enjoy in this country reside under personal property rights. Without them, none of the other rights would we have.

I believe that UDOT has done a tremendous job, and I believe, long term, the best solution for us is Option B. I would hate to see a flyover bypass or whatever you want to call it -- I'm sorry. My time is up -- right as you enter the city with a wonderful viaduct. That doesn't make sense to me. Thanks.

* * *

JOHN SCHEID ID 125

My name is John Scheid. I -- when I first heard about this bypass option, I brought up the scenario of using a tunnel under Main or some place else in the valley, and I keep getting pushback saying that it's too expensive, the water table is too high. Well, it's not too high. You can build tunnels under the Chesapeake Bay. You can build tunnels between France and England. So a tunnel and water table issue is not an issue.

The other scenario -- I asked a few weeks ago if they talked to a boring company, and I was told when I was out in the hall that you have talked to the boring company, but that was a while ago. And the boring company is evolving, and the cost to build a tunnel by the boring company initially was about $10 million for a mile. Now, we're talking about $750 million for this project, and I don't know how many miles of tunnel you can build for -- for that, but, you know, even if it's $50 million for a mile --

I know that the city of Nashville, for instance, is looking at doing 5 miles of tunnel, going from the center of their city to their airport to relieve the traffic congestion there. The city of Houston is looking to put in 100 and some odd miles of tunnels to -- and these are not for traffic. These are for flood, but that 100 and some odd miles of tunnels there is $750 million.

So I don't think that looking at the boring company is as not an option. It is the way to go. And I'm being told also that you can't put trucks through these tunnels. Well, okay. You can't put trucks through the tunnel. You can relieve a lot of the other traffic, and you don't have all of the environmental impact that you're going to have with the bypass the way

side of 6th West to the east side of 6th West. And because of the water problem, they said that they need to go up on the property as close to Highway 40 as they can.

Now, if they don't want to move the homes, and I can appreciate that, they can build it on the west side of those homes and still be on the block. But by moving the road east slightly, they can eliminate two of those overpasses and eliminate significant costs.

Now, the most important thing to focus on is the water in the North Fields. First of all, once CP was installed, everybody went to pressurized irrigation except the North Fields. In the North Fields, they flood irrigated in order to regenerate the wells. So in a recent discussion, we said how are you going to keep the 12- to 18-inch water table equal on both sides of the road without them making a dam, and how are you going to make sure you don't dry up the wells in the Heber City and other places?

I asked that question to Mr. Hancock, and he said we don't have -- you know, I asked, "What is your plan B?" And he said, "We don't have a plan B. We need to think about it." But if they dry up the wells, that's a significant problem.

The other thing is we asked for a hydrolysis

it currently is set up.

So I think, you know, realistically looking -- the boring company just got started in 2017, and they're constantly evolving. And we don't know when this bypass is going to actually be built, when it's going to be funded, but to take that tunnel option totally off the table at this point, in my mind, is very, very poor planning and very, very poor management. Thank you.

* * *

LAREN GERTSCH ID 126

We met with -- I'm going to address my comments first related to the road going north from 900 North. Irrigation company met with UDOT several months ago. And in that meeting, they promised us an overpass at 1200 North, 1600 North, and 2400 North to accommodate cattle moving across there or traffic moving across there and cattle moving underneath the equipment and the traffic. To my knowledge, these are not necessarily in the budget today, but each of those overpasses cost roughly $100 million to -- to build.

In the spirit of what was asked in last night's Zoom meeting, they asked for any suggestions on how this could be improved. One of the things that we suggested was the irrigation board -- was that they moved the road -- any option, any road -- from the west

study to demonstrate that they can keep the water table the same in both -- you know, once they build the road. We asked how far down they were going to dig the road, and we were told that they weren't going to dig down. They were going to put the road on top of the current ground. And, again, how do you keep the pressure from not draining down on one side and the water coming through equal on both sides.

We need to make sure that there are adequate studies that can demonstrate that the water is not being affected. Again, the irrigation board has asked that they move to the east side of 6th West and close to the highway as they can. I had more comments, but that's all.

* * *

MICHAEL DEVONAS ID 127

Good evening, everyone. I think I'm the youngest person in this room. Well, let me know if that's not true.

I've been in Heber for about five years with my family. So I'm not one of the long timers, but we moved here because of how beautiful the valley is.

And I, first off, want to say thank you to UDOT and the county and the city of Heber and everybody else who have given a lot of input. There's certainly

many perspectives, and it's a really complicated issue, and I appreciate all of that.

What I say reflects my opinion, and I'll tell you what I think reflects the opinion of many others, and I'll give you some empirical reasons to believe that, but I recognize that not everybody is going to be happy, and we're going to have to find a way to find consensus ground this.

I strongly believe we should choose Option A over Option B. The biggest reason for that -- well, there's a number of reasons I think that are important there. Number one is that we are impacting the viewshed and the watershed in a way that is irreversible. Once you build the highway through the North Fields, you can't change it. You made the decision to put it there. You paved the portion of the North Fields. You can never -- you can never undo that decision. If you choose Option A, you actually preserve optionality for the future, and I think that's a very important point to consider.

The number two is the watershed issue. I'm not an environmental engineer, but enough people have raised concerns around the level of studies that have been done and the potential impact on the water that I think is very material, and we need to do more work

there to understand it.

We supply -- a large portion of the water that goes into the Provo River is coming right through the North Fields, and it ends up in the Provo River. It ends up in Utah Lake, which then flows to the Jordan River. It flows to Salt Lake. It ends up in the lake. So anything that happens upstream of it is going to have a very material impact, and that needs to be considered in a way that I don't think has been adequate today.

And then number three, there -- you know, most of the time when I hear comments supporting Option B, it boils down to we don't believe the truckers are going to take the highway. UDOT's only own analysis is, yes, they are going to take the highway. It's continuous flow. It will be a junction flowing into the 40, and the trucks will keep moving that way. They're not going to choose a route that has them stop eight times at traffic lights going through Main Street. It will fix the problem, and I think that UDOT's own model has suggested that. I think we should trust it.

The last thing I'll say is Heber Valley is a beautiful place, and it's been made that way because people have crafted and curated farmland over 150 to 200 years and respecting and honoring that tradition, I think, is very important. Putting a highway right

through the middle of North Fields -- there's a reason that it hasn't been built out to date -- will -- will -- you know, it impacts that heritage, and that's something that's special that's common to all of us. We get to enjoy it. It's positive recreationality. It's something that we all benefit from, and I think that should also be taken into account.

So I realize that UDOT has settled on Option B as their preferred path. I put together a petition asking them to consider A. We have 500 signatures in less than a week. We're adding 500 to a hundred more signatures pretty consistently, and so I encourage you to sign as well. Thank you.

* * *

ID 128

WILLIE HOLDMAN

Well, some of the things that I was going to say have been said by previous people, but I love the valley like most of you do. I'm just going to kind of fashion my remarks to the Envision Heber. A lot of things it talks about there were already resolved, and a lot of people already chimed in on what they value about the valley. I'm going to go over a couple of those here.

It says, "The Heber City Vision. Heber City is nestled in a green valley, brimming with historic

agricultural uses, the beautiful Provo River, and unmatched views of the Wasatch Mountains. Our residents value this beautiful and unique setting and are committed to preserving its character while growing and nurturing our city.

"Together, we desire to preserve the beautiful open lands that surround us. By focusing our growth in specific areas, we foster a vibrant view and a quiet country side, a place for residents and visitors alike to enjoy for generations to come."

That's the vision statement. I think it's pretty obvious that putting a road through the North Field starting at Potter Lane will just kind of destroy that whole vision of Heber City. The whole city process was made for us. You know, we already chimed in on that.

"Heber City draws a clear distinction between what is city and what is country, maintaining a distinct city that is surrounded by open land, valuable for its beauty, ecology, and agricultural function."

Those three principles -- I just want to say, again, I think are so important.

"Heber actively works with neighboring communities and Wasatch County" -- and I'm going to add in UDOT -- "on strategies to implement the permanent

protection of farmlands, natural open spaces, and rural character, to keep the distinct separation between communities."

"Two, Heber City land protection through such mechanisms as conservation easements and partnerships. Heber actively clusters development to focus growth and protect remaining open land from dispersed development."

So Plan B connects the city to the country and the farmland. In my mind's eye, there's no clear distinction at all once you put that road through the North Fields. We have the Heber City and we have this beautiful county over here in the North Fields. That road connects them, and that gets rid of that whole feeling.

And we all know what happens when a highway goes through somewhere. They say there's not going to be development there. We all know there's going to be development there.

Guess what? Guess how big the walls are going to be on that? They're going to be about this tall. 30 feet. That's huge. And that's all the way across the North Fields. Going across halfway up the Provo River, what are you going to see? You're going to see this big cement wall right there. And that's our sacred land; right?

* * *

ROBERT JOHN HICKEN ID 130

Good evening. My name is Robert Hicken. I'm here representing the natives, the pioneers, the settlers of this valley, and the farmers.

This goes right down the middle of our property. And I want to lead a -- I want to read a letter from Ulysses S. Grant. This is a land patent that our family received, and we still have the original signature.

It says, "United States of America, to all who shall come, presents and it deposits in the general land office of the United States a certificate of register of the land office of the Salt Lake City, Utah territory. Whereby it appears that pursuant to the act of Congress approved May 20th, 1862, to secure homestead to actual settlers on the public domain."

This is how Heber Valley was started to many of us.

It goes on to say, "Know ye that there is, therefore, granted by the United States unto the said Thomas Todd to have and to hold this said tract of land with the -- said unto the Thomas Todd and to his heirs and assigns forever subject this land."

It goes on and it says, "In testimony of, I,

Ulysses S. Grant, President of the United States of America, have caused this letter to be patented."

This is the heart of our valley. This is what brought us all here. Please, please, please, let's do not sell our soul for sixty cents.

A little history -- when my great, great grandparents had this property, they dedicated some property to -- to Heber City, and that was where Main Street was going to be. And back in the day, in their wisdom, they realized that this was the heart of the valley. This is where wetlands are. This is -- this was not the place to put Main Street in Heber City. So let's remember to not do the same again today. Thank you.

* * *

SUSAN CORDONE ID 131

I'm short. I want -- I don't -- well, so many amazing people are in this community. So many smart people, people that have dedicated themselves to checking in, checking up, and checking on each other. Right now, tonight, I can see that happening as well. There's been a lot of talk about passion.

I am passionate about water conservation. This is something that if we do not have safe, reliable drinking water for our current generations, we will not

have it for our future generations. This is an imperative aspect of what folks are talking about tonight. There's so many different aspects that are going to affect us all.

This gentleman that was just here -- what -- what an incredible story. What an incredible thing for you to come out and say to all of us. You've touched my heart, and I'm sure many others.

But what I want to say is if there's no clean, fresh drinking water, there is no life. Thank you.

* * *

GEORGE HOLMES ID 132

Hello. I'm -- my family's relatively new to the valley compared to many families here. I'm third generation on the Holmes side. My mother's side is probably seventh generation.

One thing that I would like to remind people, this does not solve the problem of traffic on Main Street.

The other thing is the water in North Fields is very important, and the underground water is hugely important, for not only our valley, but other valleys and for wells and things.

I was on the Wasatch County Planning Commission from about '95 to 2007. In the late '90s, or

sometime in the '90s, we identified a bypass route. Chairman of the County Commission and Mayor Adams and somebody from UDOT, this area, signed in blood that that was going to be it. Now, things happened, a subdivision was planned right where the bypass was to be.

During my time on the Planning Commission, we identified three different bypass areas. Subdivisions clogged two of them. The third one is the one that's still available. Thank you. Which is A and getting around the city. Yes. Yes.

* * *

STEPHANIE POTEMPA ID 133

I'm Stephanie Potempa. I just want to first say I'm super heartened to see all of you and hear all of these comments. I'm trying not to cry. Like, I am so sad about the possibility of what could happen here. So here we go.

First of all, I'm here to respectfully oppose the chosen bypass route through the North Fields. The North Fields are not vacant land. They're living, working, agricultural ground and one of the last continuous open landscapes that define who we are as a community. These fields represent our history, our real character, our wildlife habitat, and the sense of space that makes Heber Valley feel like home rather than just

anywhere else.

Once a highway cuts through this land, it's permanently altered. No amount of landscaping or mitigation can restore farmland, uninterrupted views, dark skies, or the beauty that defines this place.

Roads don't simply move traffic. They bring long-term consequences, sprawl pressure, more development, and a gradual erosion of the very qualities that draw people here in the first place.

So while building within the established corridors may cost more initially, those costs must be weighed against the long-term expenses of sprawl, loss of farmland, reduced tourism appeal, environmental degradation, and the irreversible loss of community character. When those factors are considered, preserving the North Fields is not the expensive option. It's the prudent one.

I understand the need to improve traffic flow and safety. That's not in question. What is in question is whether we're willing to sacrifice our most irreplaceable land because it appears easier or less expensive in the short-term. Infrastructure investment should strengthen transportation systems, not carve through our most irreplaceable landscapes.

This choice is about more than traffic. It's

about stewardship. It's about whether we value open space enough to protect it when it matters the most.

Once we allow a highway through the North Fields, we can't get them back. I urge you to reconsider the route and to pursue an alternative that preserves what makes Heber Valley unique, honors long-term community values, utilizes existing development pattern, and reflects long-term stewardship rather than short-term convenience.

* * *

NICK LOPEZ ID 134

Good evening. My name is Nick Lopez. I'm a Heber City resident. I want to thank UDOT for this opportunity to speak and share my concerns and make some constructive suggestions. Unfortunately, this is not always the case with public meetings in Heber City where some elected officials attempt to silence residents' comments. So thank you for letting the residents voices be heard.

I have three items I would like to address. Number one, nothing about Alternative B is good for this community, Wasatch County, or the state of Utah. A billion-dollar price tag for a route that will permanently destroy vital wetlands, historical agricultural farms, beautiful wildlife habitat, and the

life source of peace and tranquility for all who have experienced our valley home.

Two, in both Alternative A and B, there is nothing good that comes out of the planned 1300 South section of the bypass. This planned route will adversely impact two residential developments and business properties. It will destroy the peace and lives of 28 families whose backyards will share a common fence line. Those 28 families and their neighbors will have their quality of life and health detrimentally impacted by poor air quality, consistent loud trucks, and the use of compression brake noise.

These -- these family homes will not benefit from our valley's cool, healthy air. They will be replaced with vehicle exhaust, brake dust, fuel, oil, antifreeze contaminants that will overwhelm their homes. They will need to worry about fully loaded trucks carrying hazardous materials that could potentially slide off an icy elevated highway and into their backyards day and night.

All of this can be avoided if UDOT scraps the planned 1300 South section and return to the drawing board, utilizing the talents of UDOT engineers, making Highway 189 the route. The lives or our residents are as important as the preservation of the North Fields,

and, without a doubt, more important than shaving a few minutes off a commute.

Finally, this project is dedicated -- or is a decade away, and this community and those who travel through our county deserve some serious changes to US-40 and Highway 189 now. Traffic lights are -- need to be safely timed with fully functional left-turn signals. Safer crosswalks, dedicated right-turn lanes, especially on Center Street and 100 South, and additional travel lanes on U.S. 40 and Highway 199. These changes were needed yesterday.

I would ask you to please consider all comments from the residents first. Our voices have value. This is our home. Everyone else are warmly welcomed visitors. Thank you.

* * *

DENNIS VAN LEEUWEN ID 135

Good evening. I'm Dennis Van Leeuwen. I can't tell you how many of these meetings I've been in over years and years and years. There are others in this room here that have been in these types of meetings for decades, and in all of those meetings, what I hear is the same thing that we're hearing tonight -- that this community understands that there are issues, but you don't solve them by destroying the very fabric of

the community.

UDOT, I understand you have a job to do. Your burden of proof and the background to where -- the reason that you've gotten to this decision -- you haven't met that. There are other people that speak far more eloquently to the individual items that have not been addressed -- the ag protection zones, the water table. We can go on and on.

The Olympics? I'm sorry. That's not an excuse. We had the Olympics. They're going to bus people in anyway. They're not going to drive them up to the front door in their individual cars.

Personally, what has upset me about all of this after sitting in this meeting is UDOT seems to think since they work for the state, they can do whatever they want. This is our community. We've built this town. The ranchers have built it. We go back to Ulysses Grant. This is our community. We are the people, and what upsets me is it doesn't matter what any of you say. If you think the comments tonight are going to change UDOT's mind, you're mistaken. They're going to do whatever the -- they want. That's just the way it is because they know better.

And what I am asking is -- this is our community. Find a different way. Every time these

pictures come out, they get worse and worse and worse. I notice that there's not a picture going from Potter Lane to 12th tonight, but it's -- it's over there somewhere; right? It's over there somewhere. You can draw that picture and show everybody where that is.

And then putting up 25-foot walls? This isn't Layton. This isn't Centerville. This isn't the spaghetti bowl up at Lagoon, but that's what they want to turn this into, and it cannot happen. There are other ways to do it. I think going from Potter Lane to 12th North was straight up lazy. That could have been shifted up onto the bench like Laren was saying instead of cutting the thing 25 percent into the east-west alignment of the North Fields. It's lazy.

I know you have a job to do. You haven't done it in my opinion. Try harder.

* * *

DAVID GEORGE ID 137

Thank you very much. I'm David George. I have a small farm on the south fields. Thanks for the time. I want to address just two of the issues that I have identified reviewing the EIS.

Let's remember the Main Street is normally not a problem. The focus on UDOT's study over short periods of time when traffic growth combined with no

improvements on US-40, Main Street corridors are projecting to cause traffic.

First, the bad news. People have talked about the cost -- 760 million for the preferred option. The bad news is it's going to be much more than that. I don't know what UDOT uses for contingencies. I come from a background of major projects. Probably at this stage of development, at least 20 percent. If we apply that on top of that, that's 910 million.

But, wait, there's more. We also got escalation, interest, inflation. A major project like this, we've seen year-to-year inflation 20 percent a year in some parts of the U.S. Averages over the last five years have been around 10 percent.

UDOT in their project documents have spoken about a seven-year typical cycle to go ahead and seek funding to construction. Legal challenges and delays in funding could extend that time by several years. We could be talking a decade.

If we assume the base cost of 912 million, apply 7 percent inflation for seven years, guess what the number is? It's one and a half billion dollars. It's untenable. It means that the funding will be in jeopardy. It will be very difficult to get.

Second issue, base case was poorly structured,

and alternatives were dismissed too early. UDOT did evaluate many alternatives, but they didn't consider many that should have been obvious. They placed too much value on satisfying the many external demands like the Heber vision, making this walkable. They made bold statements that Main Street was already optimized. This I doubt.

I recommend UDOT to spend further work on this project until the city and county can evaluate how to improve traffic flow through Heber at a much lower cost and sooner and without the destruction to the environment and to the citizens.

We need an independent traffic engineering firm, preferably from outside the state, to explore alternatives to the current bypass design. We need outside traffic expertise because I don't think our planners have the requisite skill.

It isn't all about Main Street either. Other surface roots need to be evaluated that lead traffic off of Main Street. I've already prepared a list of some of these for this purpose.

To promote transparency, I recommend we should form a citizens advisory group to work with the government and the consultants. I'd be happy to participate. UDOT would, of course, be resourced to

bridge any findings this group may identify with the current bypass design.

We need to preserve the character of the valley while adapting to increase traffic. To make this successful as a community, we may have to make changes in some of our longstanding goals.

* * *

ID 138

ROBERT K SIMONS

Well, I've only been here a couple of decades, but I've had the opportunity to walk all over the North Fields summer, winter, fall, spring, dry years, wet years. And the North Fields is an area that is a complex interaction between natural streams, irrigation, ditches, laterals, and groundwater, and this is a very complicated situation.

When -- if and when they build Alternative B, you're basically going to create a dam that cuts across the valley. The water flows from northeast to southwest. It's going to stop and -- and irreversibly change that flow of water. The -- when you build a road, you're going to compact the ground immensely. The hydraulic conductivity is going to radically change, and water is just not going to move the way it used to, and that will cause irreversible damages.

Now, I'm probably the only one in this room

other than UDOT who has conducted EISes all over the country and internationally. I've submitted comments to these effects, but I have not seen any response by UDOT. In my opinion, the -- these water issues are very important, and in my opinion, again, the EIS is fatally flawed.

* * *

ID 139

CHRISTIAN HEIMBURGER

Hi, I'm Christian. I'm a historian. I've lived here nearly 50 years. Today I want to speak for the North Fields.

Heber Valley's biggest asset is not outdoor recreation, tourism, or access to ski resorts, although these are very important parts of our economy. It is the North Fields.

Here's how the State of Utah markets Heber Valley to visitors. Quote, "Verdant farmland and towering peaks may remind you of the Swiss Alps, but Heber Valley offers the same alpine beauty right here in the American West. Broad meadows, fresh water lakes, and meandering hillside trails greet travelers in search of more natural comforts.

"Visitors, whether day trippers from Salt Lake or tourists from Asia, come here because its represents an ideal that no longer exists for them at home. A

postcard place with wide open spaces, clean air, and lost charm."

If these spaces are developed, we will most certainly lose that quaintness. For long-time residents, we risk losing something even greater than tourist dollars or aesthetics. We lose a sacred space that has long defined our character.

After reading the EIS, I don't think that UDOT fully appreciates how important the North Fields are to the residents of this valley. They aren't just fields to us. They are our Yosemite Valley. They are our Notre Dame.

If the bypass bisects the North Fields, it will break up a large swath of idyllic land that has served as a barrier to urban development for generations. Once that taboo is lifted, the flood gates will surely open. Businesses -- especially gas stations, fast food restaurants, and hotels -- will flock to the interchanges. Urban planners and transportation experts describe this phenomenon as axial growth or leapfrog development, which is generally defined as the tendency of a town to expand along primary transportation corridors.

By building a bypass in a largely undeveloped area, the state is, unwittingly or not, building a

powerful magnet for new development. In time, this will create additional ribbon developments that will fill in the space between the city and the bypass.

UDOT stated that they will, quote, "limit any associated development pressures by capping the number of interchanges." Many people have interpreted this to mean that UDOT will proactively prohibit development along the highway, but I see no evidence of this in the EIS. There does not appear to be any legally binding mechanisms in place to ensure this. So such statements are somewhat misleading.

I'm not opposed to a bypass. We certainly need thoughtful solutions to mitigate the Valley's congestion, and I applaud UDOT for offering some solutions to this end. But there are good, better, and best solutions, and Alternative B is neither better nor best. In the end, I question whether we are sacrificing expediency for something much, much greater.

* * *

ALICE HICKEN ID 140

I'm glad to be here tonight, and I want to tell you this is about the third UDOT meeting that I have attended since I have lived in Heber City. There has been -- there has been proposals in the past to provide a bypass, and this is my third one. So let's

hope something can be done.

I'm going to give you a little history lesson. Thomas Todd traveled to Heber Valley in 1860 with his family and lived in a log cabin for many years. He homestead -- he homesteaded 150 acres of ground, and he was given a deed to the property, as mentioned before -- my son said this -- when Utah was a territory, and the deed was signed by Ulysses S. Grant.

The North Fields is a special spot of ground. The water table is close to the surface, and it is called a wetland. Cattails grow there. Cranes feed there. As far as we know, the meadow hay was not planted. It's just always been there.

Thomas Todd lived in newly formed Heber City. He had to ride a horse to his field and drive a team of workhorses to work the land. He was fortunate to have a stream run through his piece of ground.

Over the years, he harvested using horses, cutting with sieves, pulling hay cutters and hay rakes. Derricks were used to stack the loose hay into big piles. Pitch forks were handy tools. He put up fences. Probably some of the posts and bailing twine still exists today. It took days to harvest the hay. Then, in winter, he fed his cattle in the field using the sleigh pulled by two workhorses.

Thomas Todd's daughter married my husband's grandfather. Got to hurry here. Anyway, our family still own this piece of property today. The proposed highway basically runs through this Todd field.

There used to be a sign coming into the valley from Salt Lake saying "Beautiful Heber Valley." We are proud to live here. We look at the valley and see Timpanogos towering in the distance, and we pass beautiful green fields before reaching the town.

Yes, our valley is being filled with homes and apartments. We welcome these good people.

Please do not destroy these beautiful fields with a superhighway that will basically destroy the fields.

* * *

SUELLEN GREGORY WINEGAR ID 141

I really wanted to say I appreciate everything UDOT has done. We're lucky to have UDOT. They take good care of us in the winter. They have great signs on the highway that make me laugh, and I appreciate the work that's gone into this. However, I just feel that neither A nor B is the way to go.

If there has to be a compromise, then I would vote in favor of Option A, but I feel it is a huge mistake to sacrifice the crown jewel of the valley, the

icon of our valley.

I sat through a lot of Heber council meetings where they struggled with "What's our identity? Who are we?" The identity of Heber Valley -- of Heber City is the Heber Valley and the North Fields. I feel like to sacrifice that to try to have a walkable downtown is honestly a little bit of a joke because I don't want to walk from Labrum Ford to Karl Malone Dodge. That doesn't work for me.

And to just -- there might be two or maybe three blocks of Main Street that are still remaining that have some of the original charm and could be walkable, but an idea to float is switching Main Street walkability to, say, 100 West where they already have access to some of those shops from the back. But I don't think we're going to be able to resurrect and go back in time and recreate a walkable Main Street. And so to destroy the one thing that is precious to everyone does not make sense to me.

I -- I know, from what I've understood from other people that say that the Legacy Highway, that when it was built, it had restricted access points just like this -- the EIS says the bypass would have, but there was a finite time period. We have now exceeded that time period, and the -- they are creating off-ramps and

development along the Legacy Highway. That will come to the North Fields.

The Logan bypass is newer, and it has not addressed the traffic. Main Street Logan traffic is -- has not been addressed. It is still bad. The West Valley Bangerter Highway was supposed to relieve traffic in West Valley. It did not. In fact, it's even worse. So what might be the best route for the road is not the best route for the valley. It might say five to ten minutes, but we have sold our souls.

I also just want to address the fact that they say it will eliminate maybe 30 percent of the traffic, but we have to remember 8,000 homes have been approved. So whatever is today's 30 percent savings of traffic, you have to build into your mind that we're going to have 8,000 homes which will have two to three more cars. So Main Street traffic is not going to be addressed. I'll leave it at that. Thank you.

* * *

BECKY RAMBO ID 142

Okay. First of all, let me just say you guys are between a rock and a hard place, and I appreciate all the things that UDOT has done, try to get something going here, being requested to build a bypass and then we say, no, not here, and, no, not there, and we don't

want it here either.

However, I agree with almost everything people before me have said about the environmental impacts of Plan B, and I just feel like this is an opportunity for us, as a community, as a county, as a region, as a valley, to come up with something completely different that utilizes public transportation, rapid bus lanes, things that might be a model to other counties in Utah that might, you know, help other people not end up with just building another road that's going to end up having to have additional lanes built onto it.

And as much as we like to say that things won't get developed, we all know that, given the right circumstances, things will get developed. And so, you know, not -- not now, but future generations of county planners and city managers -- they're going to have to look at things completely different from us, and they will have to say I think we're going to have to sacrifice this other little place now and build something there.

So I see this as an opportunity for -- for us to, you know, think big. And instead of just building more roads, which is the traditional answer for everything, let's look at how can we get cars off the road by -- by making easy access, frequent bus routes,

frequent shuttles to the ski areas, frequent ways to get fishing gear and -- and hiking gear and dogs and bikes to our trail heads that might help get just some of the local traffic off the road too.

So, you know, I've really been watching the Park City -- they're having to rebuild a lane onto Highway 224 to get a rapid bus system in down there. We could do that from the start and have something already built in to get a rapid bus system that goes from our valley to Quinn's Junction or our valley to Soldier Hollow or all kinds of places. So we could do something like that and then have shuttles -- local shuttles and things like that that will actually get people off the roads instead of just building more and more highways. Thank you.

* * *

LAURIE GAGAN ID 143

Hello, everyone. Thanks for the opportunity to speak. I'm going to first talk about legal does not necessarily equal safe. But for the people who are left in this room, can I have a show of hands who have children or grandchildren that live in our valley?

Okay. So I'm the founder of stopsprayingglyphosate.com. Glyphosate is the active ingredient in Roundup that is known as a class 1

carcinogen, meaning it can cause cancer. The last guilty verdict by Roundup was a $2 billion guilty verdict that was awarded to a farming couple in central California.

So I am passionate about heavy metals and chemicals, but if you go to EWG.org, the Environmental Working Group, the passion is on the aquifers, which a lot of people in this room tonight have talked about the safety of the water, which I don't believe Utah, UDOT, have actually provided us with a mitigation -- how they're going to mitigate it or even what's going to happen with the contaminates.

So let me just read you what currently is in Heber's water report. And I have personally tested city water in many of the towns, and I can say that there is minimum amount of glyphosate -- again, a carcinogen, cancer causing -- in our water systems that our children and our grandchildren are drinking.

So here's a couple of the contaminates: Arsenic. What's the legal limit? There is no legal limit. And what's the potential hazard -- potential effect? Cancer.

Chloroform. Potential effect, cancer. No legal limit.

Dibromoethane. No legal limit. And what's

the potential effect? Cancer.
We get into nitrate. Possible effect, cancer.
There's a whole slew of this in what is already in the Heber Valley water system.
Dichloroacetic acid. Potential effect, cancer. Haloacetic acid. Potential effect, cancer.
Now, think about the children and our grandchildren that are drinking the water, and where is the research that UDOT has provided us? With the bypass that's going to go over, think about all the chemicals in the gasoline. Think about how sick our children and grandchildren is, and there's not enough doctors talking about root cause -- environmental chemicals, environmental toxins.
I don't support the Option B, and I think there's a better solution. I don't even know if we've honestly have checked the -- you know, the traffic lights to see if we can time them better, but I can tell you sending trucks and cars over where people live -- and I have not had the honor to meet Laren and all or any of the ranchers, but I think that we need to stand for each other, not only to protect the farmers and the ranchers, but also to protect our children and grandchildren from the chemical poisoning that is what to come.

* * *

KEVIN PAYNE ID 144

Real quickly, by way of background and experience, my degree is in architecture. I've been developing housing, primarily affordable housing. Helped create what became the largest and oversaw the entire development operations of the largest affordable housing venture in the western half of the United States.
The bypass will never be a real solution for traffic on Main Street Heber. Why? Because over 75, if not 80 percent, of all the traffic is local traffic, and this percentage will only increase as Heber Valley, and, more importantly, as Heber City grows.
So, in reality, neither Option A or B will ever solve the traffic issue on Main Street. Building a bypass will waste billion dollars to save 90 seconds, if even that, on Main Street.
Option A is the lesser of two evils. While Option B is a developer's dream, it will only result in full development of the land long term from Highway 40 to the bypass in the North Fields. Contrary to others' claims, no one can guarantee that development will never happen unless an open space easement in perpetuity is recorded against such properties and held by a land

trust.
Some have asked then what is the solution? It's next to impossible, in my opinion, to really come up with a good viable solution at this stage due to the lack of planning and foresight for this over several decades and the massive unchecked development that Heber City has approved. This wasn't UDOT's problem to solve, in my opinion, but Heber City's problem to solve and plan for it in its master plan for roads.
Again, over 75 to 80 percent of all the traffic on Main Street is local and will continue to increase over time as Heber City grows. And where does the by far majority of local residents live in Heber Valley? That would be east of Main Street/Highway 40. And where's all of the new residential growth going to occur? That would be east of Main Street/Highway 40.
Does UDOT's Option A or B adequately address this problem? Absolutely not. Why? Well, for example, how would a local resident who is coming down East Center Street or six -- East 600 Street or East 1200 Street drive to, say, Walmart or the baseball fields, O'Reilly Auto Parts store, or to Park City or Provo? They'll be using Main Street.
Where will all the new development east of Highway 40 and north of the new Smith's go to shop for

their groceries? They will shop at Smith's, Lee's, Natural Grocers, and will they take the bypass to get there? No, of course, not. They'll use Main Street. These are but a couple simple examples that demonstrate that the proposed bypass will never solve this local traffic problem.
As I mentioned my degree in architecture, I learned a quote that goes "A camel is a horse designed by committee." Well, Option A and B are both way, way worse than a camel. Thank you.

* * *

SCOTT BRUBAKER ID 145

Hello, I'm Scott Brubaker, and this has been a great meeting. I think if it were something we could vote on, it's pretty obvious what we'd been voting on, but sometimes UDOT doesn't listen to us, and sometimes UDOT might accidentally get lost because they're a big bureaucracy.
Just a little note. I've dealt with -- you know, I'm a developer, and so don't -- don't throw eggs, but I'm no longer acting as a developer, but I do sit on the planning commission for the county. I don't represent the planning commission in my remarks, but I can say that the county, over the last decade, has gone to extreme measures to promote and save the North

Fields. There have been easements. There have been changes in the zoning law that will allow for these easements for the farmers to be able to stay on their land for them to be able to put perpetuity agreements in place.

Okay. I think a lot of this has been said, but yet, when it really boils down to it, the parts that we can't really adequately address is the value of the North Fields to us. The value to the North Fields can't be calculated by the UDOT taking appraisals, and there will be appraisals made if they do takings.

And it's been mentioned that the Option A is actually less expensive, and that includes taking businesses, homes, et cetera, but what does that mean to an administrator? Lots of work. You got to fight with homeowners. You got to fight with, you know, all these people. So there's all these takings that have to be taken care of.

Now, if it were just me trying to get out of some work or not have the hassle, I'd just want to zip right through that clear patch of land where I don't have to deal with all those people, meaning maybe 8 or 10, but not 20 or 40 or whatever. So, you know, I would probably take -- want to that route if I were UDOT.

Sometimes we forget -- in our business-like

sense, we say, "This is business. It's worth X." This is open ground. It's not worth nearly as much as we got -- an appraiser would say there's the land value and there's the building value, but, in reality, we know where the value is for us. And to put a road that goes around -- around the value -- skip the North Field.

* * *

ROB BOUWHUIS ID 171

Okay. So I just think -- I think we all need to realize that this needs to happen, as far as a bypass. I think to say it's not going to impact Main Street at all, we're kidding ourselves. If we look at the times and the projections that they have, it's not going from, you know, 90 seconds. It's saving -- if we do no action, it's talking about a 20-minute commute across Main Street to that area -- down to a 10 minute or 11 minute, whichever kind of scheme you choose. I think it's something that needs to happen.

I do think that part of the -- there's a lot of negatives to some of the -- to both of the schemes they have here that are kind of getting over a little bit by the North Fields as well. That's been addressed a lot tonight.

But the 1300 South area -- if you look at the renderings that they have out there, basically all the

way from where, you know, you have the big wide intersection there, all the way down through, you know, past Walmart and America First, all those kind of areas -- it's all an elevated freeway, which is not something I think is appropriate for Heber Valley. I think that needs to change. It creates a massive wall between those two areas of the community, which I think is getting overlooked a little bit because of the North Fields issue.

Also, I'd like to say -- you look at some of the renderings. You have some of the renderings of, like, from Muirfield Park. It looks like a great, you know, road. Open space around it on both sides. It looks great. I think more of the corridor needs to have that.

And as you've all probably traveled through Park City from Kimball Junction to Main Street, you probably also have traveled from the intersection by the -- just up here closer and into there kind of by the high school and that kind of stuff. But you notice when you come in on that corridor, you have a lot of congestion there at the beginning by Kimball Junction, but then when you get down by the -- by the white barn and stuff like that, you have a lot of open space that's open to you.

After you pass that a little farther, there's still a lot of open space on both sides of the road that makes it -- you do not realize how much development is actually close to you. And so -- but then that was done because they preserved the land and did what was necessary to preserve land along the corridor where which you're traveling.

I think we need to basically learn from that. And whether it's Option A or Option B, honestly, both of them, we need to do the efforts to preserve the land around it. If we maintain area open along that corridor on either option, then it's going to be a lot nicer feeling than if we just let it go and happen whatever happens because it's going to become like a lot of the roads down on Wasatch Front and other things like that. Some said it's like a magnet, you know, bringing development on there.

I think we need to make sure we open -- we create the open space and protect it in perpetuity, because when we want to drive along that corridor, we want to see the views. We want to see everything else. We don't want to just see a bunch of big boxes and stuff like that.

So this -- and, also, it's needed, I think, to have the bypass, but it's also an opportunity to make

sure we have smart growth and maintain some of that field that we can have if we protect that area for that. So I call on UDOT to do what they can do to do that, on the county, as well as Heber City to make the efforts to protect those areas along the corridor.

* * *

TODD HICKEN ID 172

My name is Todd Hicken, and you've heard from my mom, and you've heard from my brother. North Fields have been sacred in our family for years forever.

And as I listen -- you know, I have a business on Main Street, and I hate the traffic. And -- and I always thought I wanted a bypass, but now after listening, I don't think we need it because the only people that are going to benefit from this bypass are people that don't live here. And why are we spending a billion dollars on someone that we don't even know?

You know, we hate the trucks. You know, maybe there ought to be some way to say you can only bring trucks through Heber Valley from 10:00 p.m. to 5:00 a.m. and open up the -- the congestion. I mean, that -- that right there would do it, but I think there's other solutions. I don't think that, after listening to what's been said, that it's really going to fix the problem because it's just going to attract more people,

more -- and we've got a city council that are -- that they love to develop. There's developers and bankers on --

UNIDENTIFIED COMMENTER: This one doesn't like to develop, just so you know.

MR. HICKEN: All right. But -- but they just want to make money, and, you know, who doesn't?

But as we go forward, I mean, we just need to kind of put the reigns on this valley and say enough is enough. And if you want to live here -- we've already ruined the Red Ledges area and a lot of the farmland that's been -- and open spaces up there that's completely private and -- and that's okay. We don't -- you know, you would never put it through Red Ledges because there's too much money up there and we'd have to fight it, and we don't have the money to fight it.

So I would just encourage you to maybe just scrap the whole thing. Figure out how to get some surface streets without parking -- parallel parking on them that we can drive up and down and just continue with our lives.

* * *

MATTHEW RESCHKE ID 173

Hi, there. My name is Matt Reschke. I am a small business owner. I have a tiny little pizzeria in

Midway, and I had no intention of speaking when I came here tonight, and I had no intention of being the grand finale. So you're welcome.

But I came here tonight with my daughters who -- I had them stay until Athina talked because we love everything that Athina says and then let them get out of here.

But I started to think of my seven-year-old who begged me a few months ago, when she was wanting to walk home from school by herself -- she -- she asked if I -- if I knew the mayor of Midway and if I could ask if she could get -- if they could work more on getting crosswalks built.

And so I said, "You should go talk." And so she went to a meeting and talked. And I was like, okay, and as I start to -- as I started to think of her in ten years as this project is being built and starting to think about just, like, activist Francis being so mad at her dad for just letting this land just be given away, taken, abused, and misused.

I moved here six years ago -- well, seven years ago, and -- and that was just kind of at the -- at the peak, when everything just, like, exploded, and it's been shocking to see what has happened to the whole valley. And -- and the feeling

that I'm left with above all is that -- that we're giving away -- we're selling our birthright. We're -- we're not asking for enough for what we've given away.

We live in the most beautiful place, and people love this place, and they would pay anything to come live here. And for some reason, we've just let them just have it. We've let developers buy the land for cheap and sell it for gobs of money instead of requiring them to -- to ask for all of these things that they could ask for.

You know, if I had to choose one, obviously I would be against Option B because of the North Fields, but I think both plans are garbage. It feels like -- like just this hodgepodge of trying to solve everything by making the most messy plans available.

There's so many more options out there. There's so many more things that we could do. Why -- why -- I love the idea of -- of giving a time for trucks to come down Main Street. Why don't we charge them so much money to use the road and to -- I would pay a dollar more per gas if it meant that they had to -- they would always find another way. But thank you. We can do better.

(Conclusion of verbal comments.)

* * * * *

REPORTER'S CERTIFICATE

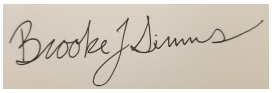
STATE OF UTAH)
)
COUNTY OF UTAH)

I, BROOKE SIMMS, an Idaho Certified Shorthand Reporter, Utah State Certified Court Reporter, and Registered Professional Reporter, hereby certify:

THAT the foregoing public comments were taken before me at the time and place set forth in the caption hereof; that the comments were taken down by me in shorthand and thereafter my notes were transcribed through computer-aided transcription; and the foregoing transcript constitutes an accurate record of such oral comments had to the best of my ability.

I further certify that I am not a relative or employee of an attorney or party, nor am I financially interested in the action.

I have subscribed my name on this 19th day of February, 2026.



Brooke Simms, RPR, CCR, CSR
Idaho CSR No. 1174
Utah CCR No. 12335391-780

[& - 8:42]

&

& 1:10

1

1 6:15 8:2 9:10 10:3 23:22 27:9 64:25
10 16:21 31:14 34:6 53:14 70:23 71:16
100 13:19 34:15,17 35:20 50:9 61:14
10:00 74:20
11 71:17
1174 78:23
12 31:25 36:16
1200 13:19 35:15 68:20
12335391-780 78:23
12th 52:3,11
1300 49:4,22 71:24
13th 25:5
14 16:21
140,000 21:1
15 32:1
150 39:23 59:5
1500 13:16
1600 35:15
17 9:24
18 36:16
1860 59:3
1862 43:16
189 49:24 50:6
19,000 25:11
199 50:10
19th 78:19

2

2 65:2
2,000 13:8
20 2:7 21:3,7 26:4,18 31:15 53:8,12 70:23 71:15
20/20 10:11
200 39:24
2007 45:25
2017 21:1 35:3
2019 7:7
2021 7:7
2022 21:1
2024 24:19
2025 6:22
2026 1:14 78:19
2034 2:23
2050 17:4
20th 21:8 43:16
224 64:7
2400 35:15
248 3:24
25 23:17 24:17 24:24 30:21 52:6,13
250 19:24
27 21:6
28 1:14 49:8,9
28936 78:21

3

3 5:7,9 12:6 23:23
30 7:8 24:9,24 32:22 42:21 62:12,14
300 19:16
33 32:11
38,000 25:11

4

4 25:3
40 3:24 13:16 13:21 16:12 17:17 24:23 29:4,11,12,14 29:21,22 36:3 39:15 50:5,10 53:1 67:21 68:14,16,25 70:23
404 8:2 9:10 25:2
41 9:25
42 16:4

5

5 34:12
50 34:10 56:10
500 1:18 13:7 40:10,11
53,000 25:7,10
5:00 74:20
5:30 1:15

6

60,000 21:6
600 29:24 68:20
63 23:22
65 16:19
6th 36:1,1 37:12

7

7 21:1 53:21
70 32:20,21
700 13:9
75 7:4 67:11 68:10
750 34:7,18
760 53:4
7th 7:16

8

8 70:22
8,000 62:13,16
80 16:13 67:12 68:10
84032 1:19
8:42 1:15

[90 - alignment]

9

90 24:16 31:24 31:24 67:17 71:14
900 13:11,20 35:12
90s 45:25 46:1
910 53:9
912 53:20
930 1:18
95 45:25

a

a.m. 74:20
abandonment 29:5,13
abide 8:7
ability 78:14
able 12:7 19:1 61:16 70:3,4
above 77:1
absent 17:7
absolutely 68:18
abused 76:20
accelerate 10:24
access 2:22 14:18 20:16 29:4,12 56:13 61:15,22 63:25
accident 3:25
accidentally 69:17
accommodate 29:23 35:15
account 30:3 40:7
accurate 78:13
achieve 4:22
achieved 18:25
acid 66:5,6
acknowledged 11:11
acknowledging 9:21
acreage 32:8
acres 21:3,6,7 23:22 29:24 59:5
act 8:1 9:10 25:2 43:15
acting 69:21
action 11:2 71:15 78:17
actions 30:4
active 64:24
actively 28:16 41:23 42:6
activist 76:18
actual 43:16
actually 8:2 20:17 25:14 31:20 35:5 38:18 64:13 65:10 70:13 73:4
adams 46:2
adapting 55:4
add 18:18 41:24
added 2:24
adding 11:5 40:11
additional 18:7 50:9 58:2 63:11
address 13:24 21:20 35:11 48:20 52:21 62:11 68:17 70:8
addressed 51:7 62:4,5,17 71:22
adds 8:6
adequate 37:9 39:9
adequately 68:17 70:8
adjacent 23:20
administrator 70:15
admits 12:5
advancing 9:20
adversely 31:12 49:6
advisory 54:23
aesthetic 28:12
aesthetics 57:6
affect 45:4
affected 24:18 31:16 37:11
affects 25:15
affirm 29:11
affordable 67:5 67:7
ag 51:7
agencies 26:5
agency 8:22
ago 6:3 7:14 19:14 34:1,4 35:14 76:9,21 76:22
agree 27:8 63:2
agreements 70:4
agricultural 6:6 7:12,18 14:20 15:1 20:16 41:1,20 46:21 48:25
ahead 53:16
aided 78:12
air 2:13 32:6 49:11,14 57:1
airport 34:13
alexandra 25:25 26:1
algorithms 27:4
alice 58:20
alignment 52:14

[alike - auto]

alike 41:9
allocated 23:18 23:23,24
allow 17:18 48:3 70:2
allowed 18:10
allows 15:21 29:5
alpine 56:19
alps 56:18
altered 47:3
alternative 3:19 7:21,25 9:8,12,18 14:5 14:12,24 15:3 15:3,9,23 22:21,24 23:5 23:6,15,16 25:3 28:2 29:2 29:9,25 30:5 48:5,21 49:3 55:16 58:16
alternatives 6:17 11:4 54:1 54:2,15
amazing 44:18
ambulance 25:17
amenity 28:13
america 43:11 44:2 72:3
american 18:23 19:4 56:20
amount 47:3 65:16
analysis 5:17 28:2 39:13
analyze 3:18 7:20
analyzed 31:22
anderson 22:17 22:19
animals 22:12
annette 2:3,4
answer 7:2 63:23
answered 5:9
answers 29:7
anticipated 17:4
antifreeze 49:16
anybody 10:13 25:21 30:17
anyway 51:11 60:2
apa 7:12 11:10
apartments 60:11
apas 7:18
apparently 19:9
appeal 47:13
appear 16:7 58:9
appears 8:12 43:15 47:21
applaud 58:14
apply 53:8,21
appraisals 70:10,11
appraiser 71:3
appreciate 36:6 38:2 60:17,20 62:22
appreciates 57:9
appropriate 72:5
approved 11:24 18:8 43:16 62:13 68:7
aquifer 10:20 14:20 25:20
aquifers 7:14 10:1,3,12 65:7
architecture 67:4 69:7
area 2:8 6:6 19:25 20:1 25:6 46:3 55:12 57:25 71:16,24 73:11 74:2 75:11
areas 7:13,19 23:19 26:10 41:8 46:7 64:1 72:4,7 74:5
army 5:15,25 8:3 9:22
arsenic 65:20
arterial 17:9
asia 56:24
asked 6:24 22:20 24:25 34:1 35:21,22 36:20,21,25 37:3,11 68:2 76:10
asking 23:23 40:10 51:24 77:3
aspect 45:2
aspects 45:3
assess 29:19
asset 56:12
assigns 43:24
associated 58:5
association 24:6
assume 53:20
assuming 3:16
athina 4:12 76:5,6
attempt 48:17
attended 58:23
attention 10:21
attorney 78:16
attract 17:1 74:25
audited 18:8
august 6:22
auto 68:22

[available - bottom]

available 46:9 77:15
averaged 23:22
averages 53:13
avoided 49:21
awarded 65:3
axial 57:20

b

b 6:13,25 7:10 7:21 8:2,15,23 9:8,10,18,20 10:17 11:2,20 12:3 13:5,8,18 14:5,12,24 15:3,3,23 22:21 23:5,15 27:16 28:2 29:2,9,25 30:5 33:11 36:22,22 38:10 39:11 40:8 42:8 48:21 49:3 55:16 58:16 60:22 63:4 66:15 67:15,20 68:17 69:9 73:9 77:12
back 6:10 10:12 15:4,10 22:13 25:9 44:9 48:4 51:17 61:15,17
background 16:3 26:4 51:3 53:7 67:3
backup 15:19
backyards 49:8 49:20
bad 53:3,5 62:5
bailing 59:22
bald 30:11
bangerter 62:6
bankers 75:2
barn 72:23
barrier 16:22 57:15
base 53:20,25
baseball 68:21
based 18:3 23:20
basically 55:17 60:4,13 71:25 73:8
basin 3:5,6
bay 33:23
beautiful 6:9 14:13 30:10 37:22 39:22 41:1,3,6 42:12 48:25 60:6,9 60:12 77:4
beauty 41:20 47:5 56:19
becky 62:20
befuddled 24:10
begged 76:9
beginning 72:22
behalf 27:19,22
believe 6:4 12:3 14:7 17:4 25:18 31:22 32:11,13,15 33:5,9,10 38:5 38:9 39:12 65:9
believes 17:3
bench 52:12
benchmarks 27:5
benefit 24:6 40:6 49:13 74:15
benefits 28:7 28:10
best 33:10 58:16,17 62:8 62:9 78:14
better 16:16 22:14 51:23 58:15,16 66:16 66:18 77:23
biases 27:6
big 5:13 8:19 17:22 30:25 42:19,24 59:20 63:22 69:17 72:1 73:22
biggest 38:10 56:12
bike 22:6
bikes 22:5 64:2
billion 24:15 27:9 48:23 53:22 65:2 67:17 74:17
binding 8:1 58:9
birthright 77:2
bisects 57:13
bit 4:9 18:24,25 24:9 30:22 61:7 71:22 72:8
bite 24:22
block 36:7
blocks 61:11
blood 46:3
board 22:13 23:21 35:24 37:11 49:23
bodily 9:5
boils 39:12 70:7
bold 54:5
boots 15:9
boring 34:2,3,4 34:6,19 35:3
bottlenecks 13:18,22
bottom 24:15

[bought - cement]

bought 19:9
bouwhuis 71:8
bowl 52:8
boxes 73:22
boy 10:25 15:17
braceras 6:23 24:18
brake 49:12,15
break 57:14
breaks 29:2
bridge 19:15 55:1
brilliant 27:21
brimming 40:25
bring 15:4,10 47:6 74:19
bringing 13:2 73:16
broad 56:20
brooke 1:25 78:5,22
brother 74:9
brought 5:9 33:18 44:4
browser 26:20 26:23
brubaker 69:12,13
budget 23:18 23:24 35:19
build 11:8 13:4 16:10 19:1 33:22,23 34:5 34:9 35:20 36:6 37:2 38:14 55:16,20 62:15,24 63:19
building 26:17 47:10 57:24,25 63:10,22 64:14 67:16 71:4
buildings 25:3
built 7:11,11 18:22 35:5 40:2 51:16,17 61:22 63:11 64:9 76:13,17
bullet 24:22
bumper 20:19
bunch 73:22
burden 51:3
bureaucracy 69:18
bus 22:1 51:10 63:7,25 64:7,9
business 18:22 19:4 29:1 30:23 49:7 70:25 71:1 74:11 75:25
businesses 57:17 70:14
buy 77:7
bypass 4:21 5:1 6:17,18 7:3,10 12:9 13:17,22 14:5 15:20 16:8,10 17:3,8 17:16 21:19 24:8,25 25:8 27:16 29:10 33:11,18 34:25 35:4 46:1,5,7 46:19 49:5 54:15 55:2 57:13,24 58:3 58:12,25 61:23 62:3,24 66:9 67:10,17,22 69:2,5 71:11 73:25 74:13,15
bypasses 6:24

c

cabin 59:4
calculated 18:5 70:10
calculations 18:8
california 65:4
call 33:12 74:3
called 7:23 9:24 59:11
camel 69:8,10
canal 19:16
cancer 65:1,17 65:22,23 66:1 66:2,6,6
candidate 2:6,7
canyon 3:10
cap 17:24
capping 58:5
caption 78:9
car 20:19
carcinogen 65:1,16
care 25:17 60:19 70:18
carlos 6:23 24:18
carry 2:19,20
carrying 49:18
cars 13:8,9 32:24,25 51:12 62:16 63:24 66:19
carve 47:23
case 29:15 48:16 53:25
catch 9:1
cattails 59:11
cattle 35:16,17 59:24
cause 53:2 55:24 65:1 66:13
caused 7:5 21:23 44:2
causing 65:17
ccr 1:25 78:22 78:23
cement 25:9 42:24

[center - come]

center 4:23 34:13 50:9 68:20
centers 14:12 21:9
centerville 52:7
central 65:3
cents 44:5
century 21:8
certainly 37:25 57:4 58:12
certificate 43:13 78:2
certified 78:5,6
certify 78:7,15
cetera 70:14
chair 2:4
chairman 46:2
challenges 53:17
chance 2:8 10:16,16
change 31:24 31:24 32:1 38:15 51:21 55:20,22 72:6
changed 30:24
changes 50:5 50:10 55:5 70:2
chapter 5:7,9 6:15 9:25 12:6
character 14:10 28:19 41:4 42:2 46:24 47:15 55:3 57:7
charge 77:19
charm 57:2 61:12
cheap 77:8
checked 66:17
checking 44:20 44:20,20
chemical 66:24
chemicals 65:6 66:10,13
chesapeake 33:23
childhood 3:8
children 19:20 64:22 65:17 66:7,11,23
chimed 40:21 41:15
chloride 12:16
chloroform 65:23
choice 22:22 25:18 47:25
choose 38:9,18 39:17 71:17 77:11
chosen 13:6 46:19
christi 27:20
christian 56:8,9
chrome 26:20 26:23
circumstances 63:14
cite 25:3
citizens 12:12 25:16 54:12,23
city 1:19 3:11 3:23 7:3 11:23 13:12,16,19,20 16:3,12 17:18 17:20 19:5 22:2 24:23 25:7,8,10 26:25 28:7 29:5,6,14,16 30:2 33:13 34:11,13,14 36:19 37:24 40:24,24 41:5 41:14,14,17,18 41:19 42:4,8 42:11 43:14 44:8,12 46:10 48:13,16 54:9 58:3,23 59:14 61:4 63:16 64:6 65:14 67:14 68:7,12 68:22 72:17 74:4 75:1
city's 12:4 28:3 68:8
claims 67:23
clarify 14:15
class 10:3 64:25
clean 8:1 9:10 12:11 25:2 45:9 57:1
clear 4:8 8:14 41:17 42:9 70:21
clearly 16:8 28:5
climbing 11:6
clogged 46:8
clogging 29:22
close 20:6 26:10 36:3 37:12 59:10 73:4
closer 72:19
clusters 42:6
code 6:7 9:24 9:24 10:5
collectively 5:1
collector 4:25
college 13:13
combined 52:25
come 12:13 13:1 26:3,3 41:10 43:12 45:7 52:1 53:6 56:24 62:1 63:6 66:25

[come - consulted]

68:3 72:21 77:6,19
comes 49:4
comfort 19:19
comforts 56:22
coming 13:7 32:17 37:7 39:3 60:5 68:19
comment 1:10
commenter 75:4
comments 2:1 11:19 16:6 22:20,23 24:11 35:12 37:13 39:11 46:15 48:18 50:13 51:20 56:2 77:24 78:8,10 78:14
commercial 17:1,11,14,25
commission 45:25 46:2,6 69:22,23
commit 17:11 17:14,17
committed 41:4
committee 31:15 69:9
committing 27:13
common 13:14 40:4 49:8
communities 20:18 28:20,21 41:24 42:3
community 4:19 10:2 14:8 16:5 20:16 21:12 24:13,14 27:13 28:17 44:18 46:23 47:14 48:7,22 50:4,24 51:1 51:16,18,25 55:5 63:5 72:7
commute 50:2 71:15
commuters 2:19,20
compact 55:21
company 31:10 34:2,4,5,6,20 35:3,13
compared 45:14
comparison 11:3
compiled 5:4
completely 63:6,17 75:13
complex 14:7 55:13
complicated 38:1 55:15
compression 49:12
compromise 60:23
computer 78:12
concern 8:6 9:7 20:5
concerned 5:19 25:16 28:1
concerns 5:11 18:16,16 38:23 48:14
conclusion 15:20 77:24
conducted 31:18 56:1
conductivity 55:22
conflict 10:9
congestion 3:22 3:24 7:5 11:7 15:15 34:14 58:14 72:22 74:21
congress 43:15
connection 3:22
connectivity 25:14,14
connects 42:8 42:13
consensus 38:8
consequences 47:7
conservation 21:16 23:19 28:23 42:5 44:23
conserving 23:22
consider 15:9 23:9 38:20 40:10 50:12 54:2
considered 39:8 47:15
considering 23:8
consistent 49:11
consistently 40:12
constantly 35:4
constitutes 78:13
constructed 6:19 10:6
construction 16:24 19:11 53:17
constructive 48:15
consultants 54:24
consulted 26:4

[consumed - dan]

consumed 32:10
containment 4:7
contaminants 49:16
contaminate 10:23
contaminates 65:12,19
contamination 10:7
contingencies 53:6
continue 27:14 31:6 68:11 75:20
continued 3:16
continuous 39:14 46:22
contradiction 8:14
contradictory 9:20
contrary 67:22
control 17:6,19
controlled 29:4
controlling 9:14
convenience 48:9
conversations 24:7
cool 49:14
cordone 44:16
corner 25:5
corps 5:15,25 8:3 9:22
correct 5:16
correctly 4:6
corridor 1:11 2:24 3:7 19:8 19:15 28:10 72:14,21 73:6 73:11,20 74:5
corridors 3:20 47:11 53:1 57:23
cost 18:25 34:5 35:19 47:11 53:4,20 54:10
costs 36:9 47:11
council 6:23 7:13 11:24 24:12,19 61:2 75:1
counties 63:8
country 27:5 30:10 33:6 41:9,18 42:8 56:2
county 5:23 6:23 7:13 17:20 18:3 24:11,19 25:11 28:17,20 37:24 41:24 42:12 45:24 46:2 48:22 50:5 54:9 63:5,15 69:22,24 74:4 78:4
county's 21:25
couple 11:1 40:22 55:9 65:3,19 69:4
course 19:17,24 54:25 69:3
court 78:6
covers 2:7
coyote 13:14
cp 36:11
crafted 39:23
cranes 30:11 59:11
create 28:21 32:7 55:17 58:2 67:6 73:19
created 17:15
creates 72:6
creating 11:6 61:25
creeper 3:9
criteria 9:14
critical 22:9
crosswalks 50:8 76:13
crown 60:25
cry 46:15
csr 1:25 78:22 78:23
cue 13:6,12,20
cumulative 12:21
curated 39:23
current 7:8 10:22 18:4,9 29:2,3,11 37:5 44:25 54:15 55:2
currently 11:7 35:1 65:13
cut 3:24
cuts 47:2 55:17
cutters 59:19
cutting 25:13 52:13 59:19
cycle 53:16

d

dad 76:19
daily 3:24 15:21 17:12 22:1
dam 36:17 55:17
damages 55:24
damaging 7:24 9:12
dame 57:12
dan 27:19,22

[dark - dig]

dark 47:5
data 8:11 21:9 26:4 27:3,4,7 27:14
date 40:2
daughter 60:1
daughters 76:4
david 31:8,9 52:18,19
day 23:4 44:9 49:20 56:23 78:19
days 19:13 22:3 59:23
deal 70:22
dealt 69:19
decade 50:4 53:19 69:24
decades 50:22 55:9 68:6
decision 8:15 14:7 28:4 38:15,17 51:4
decisions 4:3 4:24 5:2 31:3
decline 21:2
dedicated 44:7 44:19 50:3,8
deed 59:6,8
deer 22:10 30:11
define 46:22
defined 57:7,22
defines 47:5
definitely 25:15
degradation 47:14
degree 67:4 69:7
delays 53:17
deliberate 4:24
demand 2:23 4:2 17:20
demands 54:4
demonstrate 37:1,10 69:4
dennis 50:17 50:18
density 11:22
denver 32:17
deposits 43:12
derricks 59:20
describe 57:20
desert 9:9
deserve 50:5
design 54:15 55:2
designated 10:4 17:14
designation 17:18
designed 69:8
designing 16:15
desire 41:6
desired 17:19
despite 9:20
destination 15:12
destroy 7:22 10:11 21:13 41:13 48:24 49:7 60:12,13 61:18
destroyed 10:14 25:20
destroying 21:14 22:14 50:25
destruction 54:11
details 6:7
detrimentally 49:10
develop 4:24 75:2,5
developed 10:17 12:24 18:1 29:15 57:3 63:13,14
developer 26:15 69:20,21
developer's 67:20
developers 12:25 29:1 75:2 77:7
developing 28:25 67:5
development 16:4,5 17:15 18:4,7,10 21:9 23:10 29:6,21 29:24 30:23 42:6,7,17,18 47:8 48:8 53:8 57:15,21 58:1 58:5,7 62:1 67:7,21,23 68:6,24 73:3 73:17
developments 26:13 49:6 58:2
devised 6:3
devonas 37:16
diann 22:18
dibromoethane 65:25
dichloroacetic 66:5
diesels 12:5,6 12:10
difference 16:23
different 8:4 27:15 32:2 45:3 46:7 51:25 63:6,17
differently 31:3
difficult 53:24
dig 37:3,4

[diligence - eloquently]

diligence 19:22 20:7
directed 5:7
directly 10:9 14:24
director 6:22
disadvantages 9:18
discharging 8:4
disclosure 19:10
discretionary 9:14
discussed 24:9 29:17
discussing 24:24
discussion 36:15
dismissed 54:1
dispersed 42:7
displeasure 19:13
distance 60:8
distinct 28:19 41:18 42:2
distinction 41:17 42:10
district 2:7
ditches 55:14
diversion 3:18
doctors 66:12
documented 17:23
documents 53:15
dodge 61:8
dogs 64:2
doing 4:18 34:12
dollar 24:15 48:23 77:21
dollars 53:22 57:6 67:17 74:17
domain 43:17
door 25:9 51:12
doubt 50:1 54:7
downtown 15:22 61:6
downward 19:17
draining 37:7
dramatic 16:18
dramatically 31:11
draw 47:9 52:5
drawing 22:13 49:22
draws 41:17
dream 19:2,11 67:20
drinkable 25:22
drinking 10:1 12:18 25:21 44:25 45:10 65:18 66:8
drive 23:3 24:17 30:1 51:11 59:15 68:21 73:20 75:20
driver's 22:4
driveways 8:16
dry 8:10 36:18 36:23 55:11
due 19:22 20:7 68:4
dust 49:15

e

eagles 30:11
early 20:6 54:1
easement 67:24
easements 21:16 23:19 28:23 42:5 70:1,3
easier 47:21
east 1:18 36:1,8 37:12 52:13 68:14,16,19,20 68:20,24
easy 63:25
ecology 41:20
economic 28:11
economy 56:14
effect 65:22,23 66:1,2,5,6
effective 27:10
effects 12:17,21 19:22 20:8 56:3
efforts 73:10 74:4
eggs 69:20
eight 39:17
eis 3:17 6:15 7:7,17,19,19 8:6,10,11,14,21 9:17 10:19 11:1,1 12:1,6 12:14 23:11 26:6 28:2 29:18 52:22 56:5 57:8 58:9 61:23
eises 56:1
either 9:6 15:7 21:19 30:15 54:18 63:1 73:12
elected 17:5 48:17
element 18:18
elevated 16:19 16:21 25:9 49:19 72:4
eliminate 36:8 36:9 62:12
elk 22:10
eloquently 51:6

[emergency - factors]

emergency 2:14,21 4:1,7 25:15,17
empirical 38:5
employee 78:16
empty 26:11
ems 25:17
enact 17:21
encourage 26:22 40:12 75:17
ended 24:10
ends 39:4,5,6
engineer 38:22
engineered 4:6
engineering 54:13
engineers 5:15 5:25 8:3 9:22 49:23
england 33:24
enhance 32:16
enjoy 31:6 33:6 40:5 41:10
enjoyment 18:19
enormous 19:25
ensure 58:10
enter 33:13
entire 12:19 67:7
entrepreneur 18:22
entry 29:23
environment 4:19 21:15 54:12
environmental 1:11 5:4,18 6:8 14:25 18:16 28:11 29:20 30:3 31:21 34:24 38:22 47:13 63:3 65:6 66:13,14
environment... 7:24 9:12
envision 40:19
equal 36:16 37:8 64:20
equipment 35:17
equivalent 16:11 32:23,25
erosion 47:8
escalation 53:11
especially 4:1 21:23 32:16 50:8 57:17
established 47:10
establishment 23:18
estate 16:4
et 70:14
evaluate 54:2,9
evaluated 54:19
evening 18:14 26:1 37:17 43:3 48:12 50:18
everybody 14:3 36:12 37:24 38:6 52:5
everything's 26:11
evidence 58:8
evils 67:19
evolving 34:5 35:4
ewg.org 65:6
exactly 15:5
example 68:18
examples 69:4
exceeded 61:24
except 36:13
exchange 5:20
exciting 26:21
excuse 51:10
executive 6:22
exhaust 49:15
existing 3:9,19 13:21 48:7
exists 19:15 56:25 59:23
expand 57:22
expanse 23:3
expansion 20:3 21:25
expect 26:17
expediency 58:18
expenses 47:12
expensive 33:21 47:16,22 70:13
experience 67:4
experienced 49:2
expertise 54:16
experts 57:20
explain 22:11
exploded 76:24
explore 54:14
exporting 2:15
express 14:4
extend 53:18
extent 10:5
external 54:4
extreme 69:25
eye 42:9

f

f 25:3
fabric 50:25
facebook 22:9
facing 13:12,21
fact 16:7 62:7 62:11
factors 47:15

[failed - flow]

failed 24:20 29:11
fails 2:25 7:20
fall 55:11
families 2:20 3:2 45:14 49:8 49:9
family 19:6 37:21 43:9 49:13 59:4 60:2 74:10
family's 19:2 45:13
far 31:1 37:3 51:5 59:12 68:13 71:10
farm 28:21 52:20
farmers 21:15 43:5 66:22 70:3
farming 65:3
farmland 20:19 20:20,20,21 21:3 22:8 28:18 39:23 42:9 47:4,13 56:17 75:11
farmlands 9:19 42:1
farms 21:1 48:25
farther 73:1
fashion 40:19
fast 8:19 10:25 57:18
fatally 56:5
father 19:19
favor 60:24
feasible 10:5
february 78:19
fed 59:24
federal 9:14,22 28:9
feed 59:11
feeds 26:25
feel 5:8 15:4 25:6 30:12 46:25 60:21,24 61:5 63:4
feeling 42:14 73:13 76:25
feels 8:13 77:13
feet 13:2 19:24 42:21
felt 30:21
fence 49:9
fences 59:21
fertilizer 14:22
field 5:22 20:23 30:9 41:13 59:15,24 60:4 71:6 74:2
fields 7:15 10:3 12:15 14:12,15 14:19 21:11 22:7,10,23,25 23:3,7,10 26:2 28:6,6,9,11,12 28:25 29:3,14 29:21,25 30:4 30:9,12 33:1 36:11,13,13 38:14,16 39:4 40:1 42:11,12 42:22 45:20 46:19,20,23 47:16 48:4 49:25 52:14,20 55:11,12 56:11 56:15 57:9,10 57:13 59:9 60:9,12,14 61:5 62:2 67:22 68:21 70:1,9,9 71:22 72:9 74:9 77:12
fight 70:15,16 75:16,16
figure 75:18
fill 4:7 13:2,3 58:2
filled 60:10
finale 76:3
finalized 6:18
finally 17:6 50:3
financially 78:16
find 22:14 38:7 38:7 51:25 77:22
findings 55:1
finish 8:19
finishable 3:19
finite 61:24
fire 25:17
firm 14:4 54:14
first 2:9 3:18 5:5 14:17 23:11 33:17 35:12 36:11 37:23 46:13,18 47:9 50:13 53:3 62:21 64:19 72:3
fishing 64:2
five 20:25 24:20 32:25 37:20 53:14 62:9
fix 24:16 39:18 74:24
flawed 56:6
float 61:13
flock 57:19
flood 10:2 34:17 36:14 57:16
floor 23:1
flow 16:16 39:15 47:18 54:10 55:20

[flowing - goals]

flowing 39:15
flows 12:15 39:5,6 55:18
flyover 33:11
focus 5:3 10:19 36:10 42:6 52:24
focusing 41:7
folks 45:2
follow 8:8
folmer 25:25 26:2
food 57:18
foot 16:21 52:6
footage 18:1
forced 21:17
ford 61:8
foregoing 78:8 78:12
foreign 21:10
foresight 68:5
forethought 7:13
forever 20:20 20:21 43:24 74:10
forget 70:25
fork 18:24 19:4
forks 59:21
form 8:12 54:23
formed 59:14
forth 13:15 78:9
fortunate 59:16
forward 15:23 22:21 75:8
foster 41:8
founder 64:23
four 19:13,20 23:14,15 32:22 32:23
foxes 30:11
france 33:23
francis 76:18
franco 11:17
free 22:1
freedoms 33:6
freeway 16:10 16:16,25 17:7 20:22 30:13,15 30:17 72:4
freight 3:6
frequent 63:25 64:1,1
fresh 45:10 56:20
friendly 15:12
friends 22:18
front 51:12 73:15
fuel 10:8 49:15
full 4:15 16:3 17:19 18:17 26:18 67:21
fully 3:18 49:17 50:7 57:9
function 41:20
functional 15:22 50:7
funded 35:6
funding 53:17 53:18,23
further 29:22 54:8 78:15
future 2:15 15:22 18:10,11 21:22 31:5 33:4 38:19 45:1 63:15

g

gagan 64:17
gain 17:18
garbage 77:13
gas 57:17 77:21
gasoline 66:11
gates 57:16
gathered 8:11
gear 64:2,2
geek 26:22
general 28:4,5 28:15 29:16 43:12
generally 57:21
generation 45:15,16
generations 12:13,13 31:5 41:10 44:25 45:1 57:16 63:15
gentleman 45:5
george 45:12 52:18,19
gertsch 35:10
getting 27:2 33:20 46:9 71:21 72:8 76:12
give 12:1 19:19 24:13 38:5 59:2
given 37:25 59:6 63:13 76:19 77:3
giving 4:13 77:2,18
glad 58:21
glenn 22:17
glyphosate 64:24 65:16
go 3:11 5:7 8:17 12:15 22:13 24:23 32:5,18 34:20 36:3 40:22 46:17 51:8,17 53:16 60:22 61:16 65:6 66:10 68:25 73:13 75:8 76:14
goals 4:21 55:6

[gobs - happening]

gobs 77:8
goes 10:25 20:11 21:5 32:23,24 39:3 42:16 43:6,20 43:25 64:9 69:8 71:5
going 10:11,13 10:15 11:8,22 12:3,4 13:6,7,8 13:11,12,15,21 20:6,23 24:18 26:18,22 30:18 31:16 32:2,4,9 32:14,15 34:12 34:25 35:5,5 35:11,12 36:15 36:18 37:3,4,5 38:6,7 39:7,12 39:14,16,18 40:16,18,22 41:24 42:16,17 42:19,20,22,23 42:23 44:9 45:4 46:4 51:10,11,20,21 52:2,10 53:5 55:17,19,21,22 55:23 59:2 61:16 62:15,17 62:24 63:10,16 63:18 64:19 65:11,11 66:10 68:15 71:11,14 73:12,14 74:15 74:24,25
good 4:17 18:14,15 26:1 37:17 43:3 48:12,21 49:4 50:18 58:15 60:11,19 68:4
google 26:20
gotten 51:4
governed 4:6
government 54:24
gps 27:3
gradual 47:8
grama 27:14
grand 76:2
grandchildren 64:22 65:18 66:8,12,24
grandfather 60:2
grandparents 44:7
grant 43:8 44:1 51:18 59:8
granted 43:21
grass 19:25 20:1 23:4
great 32:25 44:6,6 60:19 69:14 72:12,14
greater 9:18 57:5 58:18
greatly 32:6,16
green 40:25 60:9
greene 16:1,2
greet 56:21
greeting 23:4
gregory 60:16
grew 20:17
gridlock 13:15
groceries 69:1
grocers 69:2
ground 13:3 37:6 38:8 46:21 55:21 59:5,9,17 71:2
groundwater 9:25 10:9 12:14,17,21 55:14
group 30:8,16 54:23 55:1 65:7
grow 59:11
growing 15:5,6 41:4
grown 6:16
grows 67:14 68:12
growth 4:17,18 7:8,10 17:4,7 18:11 32:14,14 32:15 41:7 42:6 52:25 57:21 68:15 74:1
guarantee 67:23
guess 42:19,19 53:21
guidelines 8:2,8
guiding 28:4,15
guilty 65:2,2
guys 33:2 62:21

h

habitat 22:12 46:24 48:25
habitats 22:9
half 53:22 67:8
halfway 42:22
hall 34:3
haloacetic 66:6
hancock 28:3 36:20
handle 17:3
hands 64:21
handy 59:21
hang 4:9
happen 5:24 13:6 20:24 46:16 52:9 65:12 67:24 71:10,18 73:13
happened 2:8 12:22 31:16 46:4 76:25
happening 12:20 44:21

[happens - hodgepodge]

happens 39:7 42:15 73:14
happy 38:7 54:24
hard 62:22
hardened 3:12 4:6
harder 52:16
harvest 59:23
harvested 59:18
hassle 70:20
hate 33:11 74:12,18
hay 59:12,19 59:19,20,23
hazard 65:21
hazardous 2:17 3:1,5,18 49:18
heads 15:7 64:3
health 10:3 49:10
healthy 49:14
hear 39:11 46:14 50:22
heard 18:15 33:18 48:19 74:8,9
heards 22:10
hearing 1:10 50:23
heart 21:11 44:3,10 45:8
heartened 46:14
heavily 4:24 8:14,20
heavy 15:8,10 65:5
heber 1:11,19 3:7,9,14,17,22 4:22,23 6:14 7:3 11:23 12:4 12:12 13:16,19 13:20 14:5 15:5,14 16:3 16:11,17 17:7 17:22,23 18:23 19:5,8,14 20:15 21:11 22:2 25:10 26:10,14,25 28:3,7,16,20 29:5,6,14,15 30:2 36:19 37:20,24 39:21 40:19,24,24 41:14,17,23 42:4,6,11 43:18 44:8,12 46:25 48:6,13 48:16 54:5,10 56:12,16,19 58:23 59:3,14 60:6 61:2,4,4,5 66:4 67:11,13 67:14 68:6,8 68:12,13 72:5 74:4,20
heber's 14:10 15:5 65:14
heidi 11:17
heimburger 56:8
heirs 43:23
held 1:17 67:25
hello 11:18 14:3 16:2 22:18 45:13 64:18 69:13
help 3:4 4:22 11:7 12:3 14:24 15:4 24:25 63:9 64:3
helped 67:6
henrie 18:13,14
hereof 78:10
heritage 40:3
hi 4:13 24:5 30:8 56:9 75:24
hicken 43:2,3 58:20 74:7,8 75:6
high 1:17 11:22 13:1 16:10,15 22:1 27:1 33:21,22 72:20
higher 5:12 13:4 23:15
highly 9:9 29:20
highway 3:24 10:6 11:4 13:16,21 21:13 23:11,20 29:4 29:11,12,14,21 29:22 36:3 37:13 38:14 39:13,14,25 42:15 47:2 48:3 49:19,24 50:6,10 58:8 60:4,20 61:21 62:1,6 64:7 67:21 68:14,16 68:25
highways 2:18 2:19 3:2,16 64:14
hiking 64:2
hillside 56:21
hindsight 10:11
historian 56:9
historic 4:22,23 8:16,22,24,25 9:2 18:16 25:3 40:25
historical 48:24
history 44:6 46:23 59:2
hodgepodge 77:14

[hold - increase]

hold 43:22
holdman 40:15
hollow 64:11
holly 9:5
holmes 45:12 45:15
home 19:2,12 46:25 49:2 50:14 56:25 76:10
homeowners 25:6 70:16
homes 26:11 36:5,7 49:13 49:16 60:10 62:13,16 70:14
homestead 43:16 59:5
homesteaded 59:5
honestly 61:7 66:17 73:9
honor 66:20
honoring 39:24
honors 48:6
hook 3:11
hope 59:1
hopes 24:2
horse 30:8,16 30:18 59:15 69:8
horses 59:18
hotels 57:18
hour 16:19 31:25 32:1
hours 17:14
house 4:15 19:13,17,18
houses 8:16
housing 2:13 67:5,5,8
houston 34:15
huge 11:11 12:10 19:25 42:21 60:24
hugely 45:21
hundred 40:11
hundreds 17:12
hurry 60:2
husband 22:19
husband's 60:1
hydraulic 55:22
hydrolysis 36:25
hypothetical 2:22

i

icon 61:1
icy 49:19
idaho 78:5,23
idea 61:13 77:18
ideal 56:25
identifiable 11:13
identified 46:1 46:7 52:22
identify 55:1
identity 61:3,4
ideology 2:12
idyllic 57:14
immense 18:25
immensely 55:21
impact 1:11 4:19 5:4,18 6:2 8:8 9:8 11:3 14:25 21:20 30:3 31:21 32:25 34:25 38:24 39:8 49:6 71:11
impacted 31:11 32:9 49:11
impactful 17:5
impacting 38:12
impacts 7:10 7:20 9:15,19 9:21 10:9,20 16:9,22 17:10 29:17,20 40:3 63:3
imperative 45:2
implement 28:17 41:25
importance 22:12
important 13:24 14:15 36:10 38:11,19 39:25 41:22 45:21,22 49:25 50:1 56:5,14 57:9
importantly 67:14
impossible 68:3
improve 3:25 32:6 47:18 54:10
improved 35:23
improvement 16:15
improvements 17:19 53:1
inadequate 18:9
inch 36:16
include 7:18
included 5:17
includes 70:13
including 16:4 16:20 17:12 19:24 28:25
inconsistent 9:21
increase 15:14 16:18 27:10

55:4 67:13 68:12
increased 29:20
incredible 14:14 45:6,6
incredibly 14:7
independent 54:13
indicate 29:8 29:10
individual 51:6 51:12
induce 7:10
induced 30:3
inevitable 31:23
inflation 53:11 53:12,21
influence 10:1
infrastructure 3:3 4:20 14:9 14:23 47:22
ingredient 64:25
initially 34:6 47:11
input 24:11,13 37:25
insights 12:1
installed 36:12
instance 34:12
integration 4:8
intent 28:1
intention 76:1 76:2
interaction 55:13
interchanges 57:19 58:6
interest 53:11
interested 78:17
interests 21:10 27:6
interminable 30:2
internationally 56:2
interpreted 58:6
intersection 72:2,18
intersections 17:15
introduces 10:7
intrusion 18:20
invaluable 22:8
invest 19:12
investigation 18:2
investment 15:20 47:22
irreplaceable 10:12 47:21,24
irresponsible 21:14
irreversible 38:13 47:14 55:24
irreversibly 55:19
irrigated 14:21 36:14
irrigation 35:13,24 36:12 37:11 55:13
isolation 2:13
issue 12:10,11 33:24,25 38:1 38:21 53:25 67:16 72:9
issues 11:20 32:7 50:24 52:21 56:4
issuing 8:3
items 48:20 51:6

j

january 1:14 5:5 7:16 26:16
jeff 14:2
jeopardy 53:24
jewel 60:25
job 19:6 33:9 51:2 52:15
john 33:16,17 43:2
joke 61:7
jordan 39:5
judd 27:20
junction 15:16 15:17 39:15 64:10 72:17,22
justification 29:16

k

k 55:8
karl 61:8
keep 7:5 33:20 36:15 37:1,6 39:16 42:2
keeps 31:4
kenney 20:14
kevin 67:2
kidding 71:12
kids 26:12 30:25
kimball 15:15 15:17 72:17,22
kind 40:18 41:13 71:17,21 72:3,19,20 75:9 76:22
kinds 64:11
knew 76:11
know 12:20 14:11 15:16 18:24 19:18,21 20:22 22:5 24:8,12 25:21 26:10 30:15

31:1,5 34:8,9 34:11 35:2,4 36:21 37:2,18 39:10 40:3 41:15 42:15,17 43:20 51:23 52:15 53:6 59:12 61:20 63:9,13,15,22 64:5 66:16,17 69:20 70:16,23 71:4,14 72:1,2 72:13 73:16 74:11,17,18,18 75:5,7,14 77:11
knowledge 35:18
known 19:7 64:25
knows 30:18
koumarela 4:12

l

labrum 61:8
lack 68:5
lagoon 52:8
lake 23:5 39:5 39:6,6 43:14 56:23 60:6
lakes 56:20
land 4:24 5:20 6:10 21:8,17 21:20 22:14 28:22 33:2 41:19 42:4,7 42:25 43:8,12 43:14,22,24 46:20 47:2,21 57:14 59:16 67:21,25 70:4 70:21 71:3 73:5,6,10 76:19 77:7
landowners 23:19
lands 5:24 7:11 8:5 12:21,23 13:1 14:20 22:23 23:21 41:7
landscapes 46:22 47:24
landscaping 47:3
lane 11:6 41:13 52:3,10 64:6
lanes 11:5 13:11 19:25 20:1 22:6 50:8 50:10 63:7,11
laren 35:10 52:12 66:20
large 6:20 16:5 17:10 19:12 23:1 39:2 57:14
largely 57:24
largest 67:6,7
late 45:25
laterals 55:14
laugh 60:20
laurie 64:17
law 9:22,24 70:2
layton 52:7
lazy 52:11,14
lead 43:7 54:19
leapfrog 57:21
learn 73:8
learned 69:8
learning 19:14
leave 17:7 62:18
leaving 20:3
ledges 75:11,14
ledpa 7:23 8:7 9:13
lee's 69:1
leeuwen 50:17 50:18
left 50:7 64:20 77:1
legacy 61:21 62:1
legal 53:17 64:19 65:20,20 65:24,25
legally 8:1 9:11 58:9
lessen 17:9
lesser 67:19
lesson 59:2
letter 43:8 44:2
letting 48:18 76:19
level 2:23 4:2 17:9 38:23
levels 10:23
levi 18:13,14
license 22:4
life 15:21 19:12 45:10 49:1,10
lifeblood 21:12
lifestyle 28:12
lifetime 17:24
lift 6:25
lifted 57:16
light 13:13
lights 12:8 15:18 39:18 50:6 66:18
likely 17:1,2 21:17 29:8
likes 16:25
limit 17:9 18:11 58:4 65:20,21 65:24,25
limited 2:21 29:3,12
limits 20:10
line 24:15 49:9
list 54:20

[listen - major]

listen 69:16 74:11
listened 5:5
listening 24:7 74:14,23
little 18:24,25 21:20 24:9 30:22 44:6 59:2 61:7 63:19 69:19 71:21 72:8 73:1 75:25
live 2:15 20:15 22:20 26:25 28:14 30:10 60:7 64:22 66:19 68:13 74:16 75:10 77:4,6
lived 20:18 30:20 32:11 56:10 58:23 59:4,14
livelihood 29:1
lives 49:8,24 75:21
living 26:9 46:20
loaded 49:17
local 7:5 17:5 19:6 21:23 23:13 32:21 64:4,12 67:12 68:11,13,19 69:5
locations 27:4
lock 15:8
log 59:4
logan 25:7,8 62:3,4
long 4:16 10:2 14:10 17:21 23:6 33:10 37:21 47:7,12 48:7,8 57:4,7 67:21
longer 29:23 56:25 69:21
longstanding 55:6
look 6:15 7:16 10:12 14:6,13 16:16 19:23 26:13 60:7 63:17,24 71:12 71:24 72:10
looked 25:7
looking 31:14 34:12,15,19 35:2
looks 4:14 72:12,14
loose 59:20
lopez 48:11,12
lori 6:12 9:13
lori's 9:7
lose 21:6 57:4,6
losing 21:8 25:14 57:5
loss 18:18,19 22:23 47:12,14
lost 20:20,20,21 21:1,2,6 57:2 69:17
lot 5:8 10:21 11:12 14:11 18:15 19:9,18 19:19 20:4 22:2 32:12 34:23 37:25 40:19,21 44:22 61:2 65:8 70:6 71:19,23 72:21 72:24 73:2,12 73:14 75:11
lots 20:11 70:15
loud 21:18 49:11
love 20:15 22:15 33:1 40:17 75:2 76:6 77:5,18
loved 3:8
lovely 22:19
lower 11:3 17:9 54:10
lucky 60:18
lungs 14:19

m

mad 76:18
made 4:23 5:14 38:15 39:22 41:15 54:5 70:11
magnet 58:1 73:16
main 6:14,16 6:19 7:3 12:4,5 12:7,9,10 15:8 16:23 17:2,13 17:18,19 24:17 25:21,22 27:11 29:1 32:18,18 33:19 39:18 44:8,12 45:18 52:23 53:1 54:6,18,20 61:11,13,17 62:4,17 67:11 67:16,18 68:11 68:14,16,23 69:3 71:11,16 72:17 74:12 77:19
maine 21:4
maintain 28:19 73:11 74:1
maintaining 41:18
major 53:7,11

[majority - mitigate]

majority 16:7 68:13
make 11:12 16:16 22:22 26:8 27:14 31:4 33:14 36:18 37:9 48:14 55:4,5 60:20 61:19 73:18,25 74:4 75:7
makes 29:16 46:25 48:6 73:3
making 36:17 49:23 54:5 63:25 77:15
malone 61:8
manage 14:24
management 35:8
managers 63:16
mandatory 7:25
manipulated 16:14
manner 31:18
maps 11:2 26:20
maps.google.... 26:24
mark 5:13
markets 56:16
married 60:1
massive 68:6 72:6
master 17:21 17:23 18:11 68:9
material 3:1 8:4 23:11 38:25 39:8
materials 2:17 3:18 49:18
matt 75:24
matter 31:11 31:16 51:19
matters 3:21 48:2
matthew 75:23
maximum 10:5 17:24
mayor 46:2 76:11
mcrae 2:3,4
meadow 59:12
meadows 56:20
mean 5:13 6:9 20:20 58:7 70:14 74:21 75:8
meandering 56:21
meaning 65:1 70:22
means 53:23
meant 77:21
measures 22:6 69:25
mechanisms 28:22 42:5 58:10
median 19:25
meet 6:13 66:20
meeting 6:24 24:19,21 35:14 35:22 51:14 58:22 69:14 76:15
meetings 48:16 50:19,21,22 61:2
members 2:4
mentality 30:22
mentioned 11:10 18:15 19:3 32:8 59:6 69:7 70:12
merely 4:4
messy 77:15
met 35:11,13 51:5
metals 65:5
michael 37:16
mid 21:8
middle 20:23 40:1 43:6
midway 76:1 76:11
mile 34:7,10
miles 15:19,19 16:19 34:8,12 34:15,17
mill 19:7
million 21:3,7 23:17,22 34:6 34:7,10,18 35:20 53:4,9 53:20
mimi 30:7,8
mind 7:6 35:7 51:21 62:15
mind's 42:9
minimum 65:16
minute 71:15 71:16,17
minutes 16:17 32:1,3,3 50:2 62:10
mirror 15:15
misconception 14:19
misleading 58:11
misled 16:8
mistake 60:25
mistaken 51:21
misused 76:20
mitigate 20:7 58:13 65:11

mitigated 5:22
mitigating 19:22
mitigation 5:12 5:20,24 11:12 23:12 47:4 65:10
model 39:19 63:8
modern 3:12 14:23
modes 21:22
mom 74:9
money 19:1 27:10 75:7,15 75:16 77:8,20
monte 31:8
months 35:13 76:9
moose 30:11
mother's 45:15
mountain 2:18 2:19 3:2 28:22
mountains 41:2
move 3:5 15:23 36:5 37:12 47:6 55:23
moved 35:25 37:22 76:21
moving 7:9 22:21 35:16,16 35:17 36:8 39:16
mt 1:15
muirfield 72:12
multifactorial 28:7
municipal 23:13

n

name 2:4 16:2 24:5 26:1 31:9 33:17 43:3 48:12 74:8 75:24 78:18
nashville 34:11
nation 28:8
national 27:2
natives 43:4
natural 28:18 42:1 55:13 56:22 69:2
nearby 18:23
nearly 56:10 71:2
necessarily 35:18 64:20
necessary 17:3 73:6
need 6:14,15 7:23 11:9,11 12:20 15:6 22:11 24:22 31:2 36:2,22 37:9 38:25 47:18 49:17 50:6 54:13,15 54:19 55:3 58:13 66:21 71:9 73:8,10 73:18 74:14 75:8
needed 27:17 30:1 50:11 73:24
needs 10:21 18:3 39:8 71:10,18 72:6 72:14
negative 7:20
negatives 71:20
negligent 7:17 8:13
neighborhood 4:4
neighboring 28:16 41:23
neighbors 11:18 22:18 26:12 49:9
neither 58:16 60:22 67:15
nelson 31:8,9
nestled 23:1 40:25
never 6:10 38:17,17 67:10 67:23 69:5 75:14
new 13:13 16:8 16:25 17:16 23:11 26:10,13 45:13 58:1 68:15,24,25
newcomer 32:12
newer 62:3
newly 59:14
news 53:3,5
nicer 73:12
nick 48:11,12
night 5:6 27:24 29:7 49:20
night's 35:22
nitrate 66:2
noise 16:18 18:20 49:12
normally 52:23
north 5:22 7:15 12:15 13:7,11 13:11,20 14:12 14:15 20:23 21:11 22:7,23 22:25 23:3,7 23:10 26:2 28:5,6,9,11,12 28:25 29:3,14 29:21,24 30:4 30:9,9,12 33:1 35:12,13,15,15 35:15 36:11,13 36:13 38:14,16 39:4 40:1

[north - overpass]

41:12 42:11,12 42:22 45:20 46:19,20 47:16 48:3 49:25 52:11,14 55:10 55:12 56:11,15 57:9,13 59:9 61:5 62:2 67:22 68:25 69:25 70:9,9 71:6,22 72:8 74:9 77:12
northeast 55:18
note 12:25 30:14 69:19
notes 78:11
notice 19:24 52:2 72:20
notre 57:12
nuelle 30:7
number 17:25 38:11,12,21 39:10 48:21 53:22 58:5
numbers 16:15 18:5 26:7,19 29:17
nurturing 41:5
nutrients 12:17

o

o'reilly 68:22
obvious 41:12 54:3 69:15
obviously 16:7 77:11
occupied 18:5
occur 29:9 68:16
occurring 17:15
october 24:19
odd 34:15,17
offering 26:25 58:14
offers 56:19
office 8:23 9:1 43:13,14
officials 17:6 17:21 48:17
oil 10:8 49:15
okay 5:16 9:6 13:5 25:1 26:22 31:25 34:22 62:21 64:23 70:6 71:9 75:13 76:15
old 76:8
olympic 2:23 4:2
olympics 51:9 51:10
once 10:17 36:11 37:2 38:13 42:10 47:2 48:3 57:16
online 5:6
open 23:1,21 23:24 26:23 28:18 41:7,19 42:1,7 46:22 48:1 57:1,17 67:24 71:2 72:13,24,25 73:2,11,18,19 74:21 75:12
operating 4:8
operations 67:7
opinion 21:14 38:3,4 52:16 56:4,5 68:3,8
opportunities 20:17
opportunity 2:5 4:14 48:14 55:10 63:4,21 64:18 73:25
oppose 46:18
opposed 58:12
opposition 14:11
optimized 54:6
optimizing 11:5
option 6:13 7:10 8:17,18 9:20 10:17 11:2 21:19 22:22 27:16,16 33:11,18 34:20 35:6,25 38:9 38:10,18 39:11 40:8 47:16 53:4 60:24 66:15 67:15,19 67:20 68:17 69:9 70:12 73:9,9,12 77:12
optionality 38:18
options 24:20 77:16
oral 78:13
order 36:14
orem 3:11
original 24:24 43:9 61:12
originally 4:25
ought 74:19
outdoor 56:12
outside 54:14 54:16
overarching 33:4
overbloated 26:9
overlook 11:11
overlooked 72:8
overpass 35:14

[overpasses - picked]

overpasses 16:21 35:19 36:9
oversaw 67:6
overwhelm 49:16
own 9:17 39:13 39:19 60:3
owned 14:17 17:25 29:4
owner 75:25
owners 19:23 20:8 30:9,16
owns 30:18

p

p.m. 1:15,15 74:20
pain 25:6
panel 2:5
parallel 75:19
parcels 14:17 18:4
park 3:11,23 16:12 22:2 64:6 68:22 72:12,17
parker 14:2
parking 75:19 75:19
parks 14:18
part 3:15 5:5 5:16,19 6:2,2,5 6:6 19:6 20:2 71:19
partial 18:6
participate 54:25
particularly 10:1
partnerships 28:23 42:5
parts 53:13 56:14 68:22 70:7
party 78:16
pass 60:8 73:1
passenger 3:21 3:22
passion 44:22 65:7
passionate 26:2 44:23 65:5
past 5:2 23:20 24:7 26:16,21 58:24 72:3
patch 70:21
patent 43:8
patented 44:2
path 3:5 14:9 40:9
pathways 10:7
pattern 48:8
paved 38:16
pay 77:5,20
payne 67:2
peace 49:1,7
peak 4:1 76:23
peaks 56:18
pedestrian 15:11
people 2:15 7:9 19:17 20:11 22:3,9 24:12 24:12 25:8,10 25:11 31:17,23 32:12,20 38:22 39:23 40:17,21 44:18,19,19 45:17 47:9 51:5,11,19 53:3 58:6 60:11 61:21 63:2,9 64:13 64:20 65:8 66:19 70:17,22 74:15,16,25 77:5
percent 7:4,8 21:1 23:23 24:17 26:18 32:20,21,22 52:13 53:8,12 53:14,21 62:12 62:14 67:12 68:10
percentage 67:13
perfect 11:21 11:22
period 1:10 61:24,25
periods 52:24
permanent 28:21 41:25
permanently 47:3 48:24
permit 8:4 28:18
permits 18:7,10
perpetuity 67:24 70:4 73:19
person 19:5 37:18
personal 18:25 33:5,7
personally 20:24 51:13 65:14
perspective 27:15
perspectives 38:1
petition 40:9
petroleum 12:17
phenomenon 57:20
phones 27:3
pick 2:9 8:15 8:18,23
picked 8:20 20:15

[picture - principles]

picture 52:2,5
pictures 22:10 52:1
piece 6:9 59:17 60:3
piggyback 9:7
piles 59:21
pioneers 43:4
pitch 59:21
pivotal 12:22
pizzeria 75:25
place 7:14 17:24 30:12 33:19 39:22 41:9 44:12 47:5,9 57:1 58:10 62:22 63:19 70:5 77:4,5 78:9
placed 54:3
places 30:10 36:19 64:11
plan 2:12 15:7 15:14 17:21,24 18:11 28:4,5 28:15 29:16 36:22,22 42:8 63:4 68:9,9
planned 4:25 14:23 21:15 46:5 49:4,5,22
planner 23:13
planners 24:12 54:17 57:19 63:16
planning 2:14 21:21 35:8 45:24 46:6 68:5 69:22,23
plans 24:10,10 77:13,15
planted 18:4 59:13
play 14:16 26:13
played 20:4
please 23:9 44:4,4,4 50:12 60:12
plus 24:9
point 6:16 19:21 35:7 38:19
points 61:22
poisoning 66:24
political 27:6
polluted 21:18
pollution 16:18 16:20
pool 19:18
poor 35:7,8 49:11
poorly 53:25
population 15:13
portion 5:6 14:8 19:12 38:16 39:2
position 3:1
positive 40:5
possibility 46:16
possible 23:8 31:22 66:2
postcard 57:1
posts 59:22
potempa 46:12 46:13
potential 18:3 18:10 38:24 65:21,21,23 66:1,5,6
potentially 3:10 20:10 49:18
potter 41:13 52:2,10
powerful 58:1
practical 7:25 9:12
practices 15:1
precious 61:18
predictable 2:23
predictably 14:25
preferably 54:14
preferred 40:9 53:4
premises 11:25
prepared 54:20
present 29:13 29:21
presents 43:12
preservation 8:22 9:1 23:7 49:25
preserve 23:9 23:24 38:18 41:6 55:3 73:6 73:10
preserved 73:5
preserves 48:6
preserving 14:9 41:4 47:16
president 44:1
pressure 3:23 37:6 47:7
pressures 58:5
pressurized 36:12
pretty 40:12 41:12 69:15
prevent 23:10
previous 40:17
price 48:23
primarily 67:5
primary 9:7,18 57:23
principles 28:16 41:21

[pristine - quick]

pristine 10:4
private 33:2 75:13
privately 14:17
pro 30:23,23
proactively 58:7
probably 7:4 45:16 53:7 55:25 59:22 70:24 72:16,18
problem 3:4 7:3 21:21 24:16 36:2,24 39:19 45:18 52:24 68:7,8 68:18 69:6 74:25
proceeds 23:6
process 11:12 32:10 41:14
processing 27:4
professional 31:18 78:7
profit 28:24
prohibit 58:7
prohibits 8:3
project 9:15 23:18,24 24:15 27:9 29:16 34:8 50:3 53:11,15 54:9 76:17
projecting 53:2
projections 26:7 71:13
projects 53:7
promise 2:10
promised 7:1 35:14
promote 54:22 69:25
proof 51:3
properly 7:20
properties 21:16 49:7 67:25
property 18:19 18:19,20 19:23 20:8 31:10,15 33:5,7 36:3 43:7 44:7,8 59:6 60:3
proposals 58:24
proposed 16:9 23:20 60:3 69:5
proposing 13:18 16:10
protect 7:14 10:15 28:5 42:7 48:2 66:22,23 73:19 74:2,5
protected 6:8 10:4 22:6
protecting 8:15
protection 2:13 6:5,6 7:12,18 8:24 9:25 10:10 28:18,22 42:1,4 51:7
protections 7:12
protective 8:21
proud 60:7
provide 28:6,12 58:25
provided 5:25 65:10 66:9
provides 3:5
provo 3:10 12:16 28:10 32:17 39:3,4 41:1 42:22 68:22
prudent 47:17
public 1:10 2:1 2:11 4:18 7:1 9:6 14:18 22:4 24:21,21 43:17 48:16 63:7 78:8
pull 27:14
pulled 59:25
pulling 59:19
purpose 6:14 6:15 54:21
pursuant 43:15
pursue 48:5
push 20:9
pushback 33:20
put 7:13 8:7 10:18 19:1 30:19 31:19 34:15,21,22 37:5 38:15 40:9 42:10 44:12 59:21 70:4 71:5 75:9 75:14
putting 20:22 39:25 41:12 52:6

q

quaintness 57:4
qualities 47:8
quality 2:13 10:2 12:11 15:21 32:6 49:10,11
question 2:24 5:13 6:1 36:20 47:19,20 58:17
questions 5:6,8 5:10,11 11:1 11:15,19 27:24 27:25,25 29:7
quick 11:1 12:25

[quicker - replied]

quicker 32:4
quickly 10:19 15:6,6 67:3
quiet 20:2 41:8
quinn's 64:10
quote 9:17 17:1 28:15 56:17 58:4 69:8
quoted 26:15

r

radiant 27:21
radically 55:22
rail 3:3,6,7,14 3:18,19,21,22 4:5
railroad 3:7 4:8 19:16
railway 3:5
raised 38:23
rakes 59:19
rambo 62:20
ramps 61:25
ranchers 51:17 66:21,23
rapid 4:17,18 63:7 64:7,9
rather 46:25 48:9
ratio 5:12 23:12,14
reaching 60:9
read 3:15 7:2 23:11 43:7 65:13
reading 27:21 57:8
reads 10:5
real 8:19 16:4 16:23 17:2 18:11 21:20 46:23 67:3,10
realistically 35:2
reality 67:15 71:4
realize 40:8 71:10 73:3
realized 44:10
really 10:19 38:1 60:17 64:5 68:3 70:7 70:8 74:24
realtime 27:2
reason 12:9 13:5 15:2,3 38:10 40:1 51:4 77:6
reasons 11:19 38:5,11
rebuild 64:6
received 43:9
recent 36:15
recharge 10:3,7
recognize 14:6 38:6
recognized 25:4
recommend 54:8,22
recommendat... 14:4
reconsider 48:5
record 24:21 26:16 78:13
recorded 17:23 67:25
recreate 61:17
recreation 56:13
recreationality 40:5
red 15:18 75:11 75:14
reduce 3:23,25 4:3 17:8 20:9 20:10
reduced 47:13
reduction 6:20 6:20
referred 3:8 9:13
reflects 38:3,4 48:8
refreshing 23:2
regenerate 36:14
region 3:4 63:5
regional 16:5
register 27:1 43:13
registered 8:25 9:2 78:7
reigns 75:9
related 22:23 35:12
relative 78:15
relatively 45:13
release 7:16
reliability 3:25
reliable 44:24
relieve 34:14 34:23 62:6
relying 29:15
remain 29:12
remaining 22:25 23:7 42:7 61:11
remarks 40:19 69:23
remember 44:13 52:23 62:13
remind 45:17 56:18
remove 6:14
removing 17:17
renamed 29:10
renderings 71:25 72:11,11
rent 26:11
replaced 49:15
replied 5:14

[report - round]

report 5:7 7:6 7:17 65:14
reported 1:25
reporter 78:6,6 78:7
reporter's 78:2
represent 14:7 30:8 31:9 46:23 69:23
representing 43:4
represents 56:24
requested 62:24
requests 27:14
require 29:23
required 9:11
requirements 9:23
requires 9:25
requiring 77:9
requisite 54:17
reschke 75:23 75:24
research 66:9
reside 23:2 33:7
resident 4:16 16:3 48:13 68:19
residential 17:25 49:6 68:15
residents 4:1 17:20 26:18 28:7 41:2,9 48:17,18 49:24 50:13 57:5,10 68:13
resolved 40:20
resorts 56:13
resource 9:9
resourced 54:25
respectfully 46:18
respecting 39:24
responding 27:23
response 4:7 25:15 56:3
responses 27:24
responsibility 17:6
responsible 17:21
restaurant 25:22
restaurants 57:18
restoration 28:10
restore 47:4
restricted 17:13 61:22
restricting 17:11,14
result 16:9 17:2 30:22 67:20
resurrect 61:16
return 49:22
reviewing 52:22
ribbon 58:2
rid 42:13
ride 59:15
ridesharing 22:5
right 2:17 3:10 13:2 15:5,7,17 16:20 17:22 19:9,23 25:12 27:2 30:17 31:25 33:5,13 39:3,25 42:24 42:25 43:6 44:21 46:5 50:8 52:4 56:19 63:13 70:21 74:22 75:6
rights 33:7,8
risk 2:15,22 3:25 4:3 10:2 10:18 57:5
river 12:16 16:12 28:10 30:1 39:3,4,6 41:1 42:23
road 10:8 16:12 19:16 29:4,12 30:1 35:12,25,25 36:8,17 37:2,3 37:5 41:12 42:10,13 55:21 62:8 63:10,25 64:4 71:5 72:13 73:2 77:20
roadblocks 31:19
roads 4:25 47:6 63:23 64:14 68:9 73:15
roadway 17:9
roadways 16:21
rob 71:8
robert 43:2,3 55:8
rock 62:22
role 14:15
room 20:3 37:18 50:21 55:25 64:21 65:8
root 66:13
roots 54:19
rough 15:17
roughly 35:20
round 18:6

[roundup - several]

roundup 64:25 65:2
route 6:13,18 7:21 8:15 11:20,21,22 12:3,8 13:5,8,8 13:10,18 32:3 32:4 39:17 46:1,19 48:5 48:23 49:5,24 62:8,9 70:24
routes 22:2 63:25
rpr 1:25 78:22
ruined 75:11
rumor 19:7
run 59:17
running 2:6 26:6
runoff 10:8 14:25
runs 60:4
rural 20:16,17 20:18 28:19 29:3 42:1
rush 31:25 32:1

s

s 43:8 44:1 59:8
sacred 42:24 57:6 74:10
sacrifice 47:20 60:25 61:6 63:19
sacrificing 58:17
sad 46:16
safe 44:24 64:20
safely 50:7
safer 4:5 50:8
safety 2:12,14 3:21 20:4 22:5 47:19 65:9
salt 10:8 23:5 39:6 43:14 56:23 60:6
sand 15:8
sara 20:14
sat 61:2
satisfying 54:4
save 5:2 31:4 67:17 69:25
saving 24:16 71:14
savings 19:12 62:14
saw 25:8
saying 12:1 26:16 33:20 52:12 60:6
says 6:16 20:19 40:24 43:11,25 61:23 76:6
scale 16:5 17:10
scenario 11:3 29:8 33:19 34:1
scheduled 22:2
scheid 33:16,17
scheme 71:17
schemes 71:20
school 1:17 72:20 76:10
scott 69:12,13
scrap 75:18
scraps 49:21
search 56:21
season 8:10
second 6:4,5 23:17 31:24,24 53:25
seconds 24:17 67:17 71:14
section 8:2 9:10 49:5,22
secure 43:16
see 6:19 26:12 33:11 42:23,23 44:21 46:14 58:8 60:7 63:21 66:18 73:21,21,22 76:24
seek 53:16
seemed 29:7
seemingly 22:21
seems 7:17 29:9 51:14
seen 20:24 30:11,14 32:13 53:12 56:3
select 9:11
sell 21:17 44:5 77:8
selling 77:2
senate 2:7
sending 66:19
sense 26:8 29:17 33:14 46:24 61:19 71:1
sensitive 7:11 7:15 12:21,23 13:1
separation 28:19 42:2
serious 50:5
serve 14:19
served 57:15
services 4:1
set 35:1 78:9
sets 17:24
setting 28:9,13 41:3
settled 40:8
settlers 43:5,17
seven 53:16,21 76:8,22
seventh 45:16
several 5:6 35:13 53:18 68:5

[share - speak]

share 48:14 49:8
sharing 3:2 22:10
shaving 50:1
shift 4:4
shifted 52:12
shocking 76:24
shop 68:25 69:1
shops 61:15
short 44:17 47:22 48:9 52:24
shorter 12:8
shorthand 78:5 78:11
shoulder 20:1
shoulders 19:25
show 18:8 52:5 64:21
showed 24:18
showing 10:22 11:2
shown 12:13
shpo 8:21
shuttles 64:1 64:12,12
sic 7:4
sick 66:11
side 12:25 13:11 30:15 36:1,1,7 37:7 37:12 41:9 45:15,15
sides 36:16 37:8 72:13 73:2
sieves 59:19
sign 40:13 60:5
signals 50:7
signature 43:10 78:21
signatures 40:10,12
signed 2:9 46:3 59:8
significant 6:19 10:22 36:9,24
signs 60:19
silence 48:17
simmons 27:19 27:22
simms 1:25 78:5,22
simons 55:8
simple 3:1 69:4
simply 15:13 32:3 47:6
sit 69:21
sitting 51:14
situation 55:15
six 11:23 68:20 76:21
sixty 44:5
size 21:3 32:22
ski 56:13 64:1
skies 47:5
skill 54:17
skip 71:6
skyways 22:6
sleigh 59:25
slew 66:3
slide 49:19
slightly 36:8
slopes 26:15
small 15:4 30:16 52:20 75:25
smart 44:18 74:1
smith's 68:25 69:1
society 9:3
sold 62:10
soldier 64:10
solution 22:14 31:23 33:10 66:16 67:10 68:2,4
solutions 11:9 58:13,15,16 74:23
solve 3:4 45:18 50:25 67:16 68:7,8 69:5 77:14
somebody 5:14 31:13 46:3
somewhat 58:11
son 59:7
sooner 54:11
sorry 13:14 33:12 51:9
soul 44:5
souls 62:10
sound 16:21 20:9
source 12:19 49:1
south 1:18 13:16,19,19 22:7 25:5 49:4 49:22 50:9 52:20 71:24
southbound 13:7
southwest 25:5 55:19
space 18:6 23:1 23:25 46:24 48:2 57:6 58:3 67:24 72:13,24 73:2,19
spaces 28:18 42:1 57:1,3 75:12
spaghetti 52:8
speak 2:6,11 4:14 48:14 51:5 56:10 64:19

[speaker - stuff]

speaker 9:6 27:19
speaking 4:18 76:1
special 31:4 40:4 59:9
specific 41:8
specifically 29:9,19
speed 16:10,15 17:9 20:10
spend 54:8
spending 23:4 74:16
spirit 35:21
split 29:25
spoke 6:23
spoken 53:15
sponsored 6:17
spot 59:9
sprawl 47:7,12
spring 55:11
square 17:25
sr 3:24
stables 30:9
stack 59:20
stage 27:2 53:8 68:4
stand 66:21
standard 8:1
standards 4:8 10:10
standing 14:3
start 16:6 31:2 31:20 64:8 76:16
started 35:3 43:18 76:8,16
starting 32:7 41:13 76:17
state 8:22,25 9:10 16:25 19:3 25:4 26:5 28:8 48:22 51:15 54:14 56:16 57:25 78:3,6
stated 4:21 5:21 6:1 58:4
statement 1:11 5:4,18 6:3 9:20 27:21 41:11
statements 54:6 58:10
states 9:16,17 28:5 43:11,13 43:21 44:1 67:9
stating 8:21
stations 57:18
stay 70:3 76:5
stephanie 46:12,13
stewardship 48:1,8
stick 15:7
sticker 20:19
stone 6:12
stop 32:5,14 33:3 39:17 55:19
stoplight 15:18 15:18
stoplights 29:23
stopping 32:7
stopspraying... 64:24
storage 18:9
store 68:22
storefronts 15:11
storm 10:8
story 18:21 45:6
straight 27:7 52:11
strategies 28:17 41:25
stream 59:17
streamlined 11:13
streams 55:13
street 6:16,19 7:3 12:4,5,7,10 15:9 16:23 17:2,13,18,20 24:17 25:21,22 27:11 29:2 32:18,18 39:18 44:9,12 45:19 50:9 52:23 53:1 54:6,18 54:20 61:11,13 61:17 62:4,17 67:11,16,18 68:11,14,16,20 68:20,21,23 69:3 71:12,16 72:17 74:12 77:19
streets 11:6 75:19
strength 31:1
strengthen 47:23
stretch 16:12
strongly 38:9
structured 53:25
structures 8:16 8:21,24
struggled 61:3
stuck 11:24
studies 37:10 38:23
study 6:8,17 8:8,10 10:21 12:14 29:18 31:21 37:1 52:24
stuff 18:15 72:20,24 73:22

[subdivision - thank]

subdivision 46:4
subdivisions 46:7
subject 43:24
submitted 56:2
subscribed 78:18
substantial 32:8
success 18:24 18:25
successes 23:21
successful 55:5
suellen 60:16
suggest 23:6
suggested 35:24 39:20
suggestions 24:1 35:22 48:15
summer 55:11
summit 21:25
super 17:12 46:14
superhighway 60:13
supply 9:8 39:2
support 5:1 8:6 14:4 15:2,3 18:9,17 29:13 66:15
supporting 39:11
supposed 13:9 62:6
supposedly 13:5
sure 11:12 36:18 37:9 45:8 73:18 74:1
surely 57:17
surface 54:19 59:10 75:19
surround 41:7
surrounded 41:19
surrounding 28:21
susan 44:16
sustainable 15:22
swath 57:14
swiss 56:18
switching 61:13
system 2:24 22:1 30:17,19 64:7,9 66:4
systems 30:14 47:23 65:17

t

table 30:25 33:21,24 35:7 36:16 37:1 51:8 59:10
tables 13:2
taboo 57:16
tag 48:23
take 11:8 12:5 12:7 17:6 27:9 30:3 32:2,4 35:6 39:13,14 60:18 69:2 70:24
taken 1:14 25:17 31:1 40:7 70:18 76:20 78:8,10
takes 31:25
takings 70:11 70:17
talents 49:23
talk 11:25 31:23 32:20 44:22 64:19 76:14
talked 19:8 23:13 34:2,3 53:3 65:8 76:5 76:15
talking 26:11 34:7 45:2 53:19 66:12 71:15
talks 40:20
tall 42:20
tankers 17:12
taxpayers 24:6
taylor 24:4,5
team 59:15
tech 26:4,22
tell 22:19 38:3 50:19 58:22 66:18
telling 18:21
ten 11:8 24:7 30:25 62:10 76:17
tendency 57:22
term 10:2 14:10 17:21 23:6 33:10 47:7,12,22 48:7,8,9 67:21
territory 43:14 59:7
tested 65:14
testimony 43:25
thank 2:5 4:13 4:14 13:24 15:24 22:15 24:2 25:23 27:17,23 31:6 31:17 35:8 37:23 40:13 44:13 45:10 46:9 48:13,18 50:15 52:19 62:18 64:15 69:10 77:22

[thanks - traffic]

thanks 33:14 52:20 64:18
thing 7:23 8:20 12:22 19:7,14 36:10,25 39:21 45:6,17,20 50:23 52:13 61:18 75:18
things 7:15 8:4 13:23 19:19 35:23 40:16,20 45:23 46:4 62:23 63:8,12 63:14,17 64:13 73:15 77:9,17
think 5:16 6:1 10:13,14 20:4 20:7,8 21:21 22:11 26:8,19 27:17 31:1,2 32:2 34:19 35:2 36:23 37:17 38:4,11 38:19,25 39:9 39:19,20,25 40:6 41:11,22 51:15,20 52:10 54:16 57:8 61:16 63:18,22 66:7,10,11,15 66:21 69:14 70:6 71:9,9,11 71:18,19 72:5 72:6,7,14 73:8 73:18,24 74:14 74:22,23 76:8 76:16,18 77:13
thinking 21:22 31:2
third 45:14 46:8 58:22,25
thomas 43:22 43:23 59:3,14 60:1
thorough 18:2
thought 13:24 30:19 74:13
thoughtful 58:13
three 8:16,24 13:10 32:3 39:10 41:21 46:7 48:20 61:11 62:16
throughput 27:11
throw 69:20
tied 29:1
time 4:2,16,23 6:25 10:25 16:3 19:5 20:4 21:2 24:17 26:18 30:1 31:12 32:13,16 33:12 39:11 46:6 51:25 52:21,25 53:18 57:4 58:1 61:17,24,25 66:18 68:12 77:18 78:9
timed 50:7
timers 37:21
times 16:16 25:16 32:22 39:17 71:13
timing 11:5
timpanogos 60:8
tiny 75:25
title 9:24
today 2:11 4:14 5:7 14:3 18:15 27:12,15 35:19 39:9 44:13 56:10 59:23 60:3
today's 11:7 62:14
todd 43:22,23 59:3,14 60:4 74:7,8
todd's 60:1
together 19:1 20:9 40:9 41:6
told 26:21 34:2 34:21 37:4
tonight 5:3 44:21 45:3 50:23 51:20 52:3 58:21 65:8 71:23
took 59:23
tools 59:21
top 13:4,17 37:5 53:9
total 26:22
totally 21:13 32:9 35:6
touched 45:7
tourism 47:13 56:13
tourist 4:2 57:6
tourists 2:20 56:24
towards 3:23 14:11
towering 56:18 60:8
town 15:4 51:17 57:22 60:9
towns 65:15
toxins 66:14
tracks 4:7
tract 43:22
tracts 23:1
tracy 24:4,5
tradition 39:24
traditional 63:23
traffic 2:21 3:17 6:14,16 6:21,25 7:3,5,6 11:5,24 12:4 76:2,4

[traffic - ulysses]

13:7,19 15:8 15:10 16:15,16 17:1,11 21:23 24:18 26:7,25 27:1,8 29:19 29:24 32:16,21 34:14,16,24 35:16,18 39:18 45:18 47:6,18 47:25 50:6 52:25 53:2 54:10,13,16,19 55:4 62:4,4,7 62:12,14,17 64:4 66:17 67:11,12,12,16 68:11 69:6 74:12

trail 30:14,17 30:19 64:3

trailer 32:24

trails 56:21

trajectory 15:15

tranquility 49:1

transcribed 78:11

transcript 78:13

transcription 78:12

transit 22:1

transparency 54:22

transparent 8:12

transportation 2:12 4:3 21:22 22:4 47:23 57:20,23 63:7

transported 2:18

travel 50:4,9

traveled 59:3 72:16,18

travelers 56:21

traveling 16:19 73:7

tremendous 33:9

trends 10:22,23

trippers 56:23

truck 2:18 3:7 3:17 17:11 32:24

trucker 32:2,23

truckers 32:7 39:12

trucking 4:5

trucks 6:20 16:19 34:21,22 39:16 49:11,17 66:19 74:18,20 77:18

true 32:21 37:19

truly 8:7

trust 39:20 68:1

try 52:16 61:6 62:23

trying 5:2 13:1 24:13 46:15 70:19 77:14

tunnel 33:19,24 34:5,8,12,23 35:6

tunnels 33:22 33:23 34:16,17 34:22

turn 11:5 50:7 50:8 52:9

turns 29:3

twice 31:21

twine 59:22

two 5:12 6:3 19:25 20:1 23:9,12 24:10 28:20 32:3 36:8 38:21 42:4 46:8 49:3 49:6 52:21 59:25 61:10 62:16 67:19 72:7

types 50:21

typical 53:16

u

u.s. 8:3 50:10 53:13

udot 1:10 6:17 6:23 9:2,11 11:19,25 12:5 12:13 15:23 16:10,25 17:3 17:17 19:21 22:13,22 23:8 24:25 27:23 28:1 29:9,13 30:4 31:17 33:9 35:13 37:24 40:8 41:25 46:3 48:13 49:21,23 51:2,14 53:6 53:15 54:1,8 54:25 56:1,3 57:8 58:4,7,14 58:22 60:18,18 62:23 65:9 66:9 69:16,17 70:10,24 74:3

udot's 9:17 30:4 39:13,19 51:21 52:24 68:7,17

uinta 3:4,6

ulysses 43:8 44:1 51:18 59:8

unchecked 68:6
undeniably 14:14
under 8:1,8 9:10 18:11 22:23 23:15 33:7,19,22
underdog 30:22
underground 45:21
underneath 35:17
understand 11:21 39:1 47:18 51:2
understands 50:24
understood 61:20
underway 6:18
undeveloped 18:4 57:24
undo 38:17
unfortunately 24:25 48:15
unidentified 27:19 75:4
uninterrupted 47:4
unique 28:13 41:3 48:6
united 9:16 43:11,13,21 44:1 67:8
units 26:17
unmatched 41:2
unproductive 21:18
unquote 17:1
unsynchroniz... 15:18
untenable 53:23
unwittingly 57:25
upgraded 3:12
upset 51:13
upsets 51:19
upstream 39:7
upward 10:22
urban 57:15,19
urbanized 23:4
urge 15:23 48:4
usage 18:5
usda 20:25
use 3:13 4:24 18:10 20:9 23:14 29:3,20 30:16 49:12 69:3 77:20
used 20:18 28:3 55:23 59:20 60:5
uses 41:1 53:6
using 3:19 14:21,22 17:12 33:19 59:18,24 68:23
utah 1:19 2:7 6:6 9:24 23:5 28:8 30:20,21 30:25 39:5 43:14 48:22 56:16 59:7 63:8 65:9 78:3 78:4,6,23
utah's 10:9
utilities 13:3
utilizes 48:7 63:7
utilizing 49:23

v

vacant 46:20
vague 5:21 11:14
valley 1:11 3:7 3:14,17,23 4:16 7:9 12:12 12:19,23 14:5 14:16,20 15:6 15:23 16:11,17 17:7,10,22,23 18:1,23 19:8 19:14 20:12 21:12 22:1 23:1,3,5 26:25 28:8 31:4 32:12 33:20 37:22 39:21 40:18,22,25 43:5,18 44:3 44:11 45:14,22 46:25 48:6 49:2 55:4,18 56:17,19 57:10 57:11 59:3 60:5,6,7,10,25 61:1,4,5 62:6,7 62:9 63:6 64:10,10,22 66:4 67:13 68:14 72:5 74:20 75:9 76:25
valley's 49:14 56:12 58:13
valleys 45:22
valuable 41:19
value 18:19 21:9 40:21 41:3 48:1 50:14 54:4 70:8,9 71:3,4,5 71:6
valued 9:9
values 48:7
van 50:17,18
variety 17:10
vehicle 6:20 49:15
vehicles 21:24
venture 67:8

verbal 77:24
verdant 56:17
verdict 65:2,3
viable 14:9 68:4
viaduct 33:14
vibrant 41:8
vicinity 23:10
view 41:8
views 14:8 41:2 47:4 73:21
viewshed 38:12
violation 25:2,4
virginia 20:17
visibility 18:20 19:18 20:10
vision 4:22 40:24 41:11,14 54:5
visitors 3:3 41:9 50:15 56:17,23
vistas 14:14
visual 16:20
vital 48:24
voice 18:17
voices 48:18 50:13
vote 27:16 60:24 69:15
voting 69:15

w

wait 53:10
walk 55:10 61:8 76:10
walkability 61:14
walkable 54:5 61:6,13,17
walking 15:11
wall 42:24 72:6
walls 16:22 20:9 25:9 42:19 52:6
walmart 68:21 72:3
want 2:5 12:1,9 12:11 16:8 22:3 25:20 28:14 29:2 31:17 32:5 33:2,3,4,12 36:5 37:23 41:21 43:7,7 44:17 45:9 46:13 48:13 51:16,22 52:8 52:21 56:10 58:21 61:7 62:11 63:1 70:20,24 73:20 73:21,21,22 75:7,10
wanted 26:3 60:17 74:13
wanting 76:9
wants 24:14
warmly 50:14
wasatch 1:17 6:23 18:3 23:21 24:6 41:2,24 45:24 48:22 73:15
waste 67:17
watching 64:5
water 2:13 8:1 9:8,10 10:2,8 12:11,12,15,18 13:1 14:21 18:3,5,9 21:8 25:2,21,23 33:21,24 36:2 36:11,16 37:1 37:7,10 38:24 39:2 44:23,25 45:10,20,21 51:7 55:18,20 55:23 56:4,20 59:10 65:9,14 65:15,17 66:4 66:8
waters 9:15
watershed 4:4 38:13,21
way 3:10,11 5:23 11:6,13 11:14 13:13,16 13:21 16:20 19:23 31:20 32:17 34:20,25 38:7,13 39:9 39:16,22 42:21 51:22,25 55:23 60:22 67:3 69:9,9 72:1,2 74:19 77:22
ways 16:11 23:9 52:10 64:1
we've 7:8 20:7 21:1,6 30:11 30:14 51:16 53:12 66:16 75:1,10 77:3,6 77:7
weakness 31:2
wednesday 1:14
week 26:21,24 40:11
weeks 6:3 34:1
weighed 8:20 47:12
weighs 8:15
welcome 60:11 76:3
welcomed 50:15
wells 36:14,18 36:23 45:23

[went - zoom]

went 28:2 36:12 76:15
west 35:25 36:1 36:1,6 37:12 52:13 56:20 61:14 62:6,7
western 6:17 6:18 67:8
wet 55:12
wetland 5:12 16:22 21:6 59:11
wetlands 5:20 7:21 8:9,9,9 9:15,19 10:6 10:14,20 12:18 21:5,7 22:8 23:12 44:11 48:24
whichever 71:17
white 72:23
wide 19:24 57:1 72:1
widen 24:23
widened 27:11
widening 3:12 3:16
wildlife 22:9 46:24 48:25
william 16:1,2
willie 40:15
willing 47:20
winding 11:4
winegar 60:16
winter 2:21 3:25 55:11 59:24 60:19
wisdom 44:10
wish 10:13,15 15:13 27:23
witnessed 4:17
wonderful 33:13
work 28:20 38:25 51:15 54:8,23 59:16 60:21 61:9 70:15,20 76:12
workhorses 59:16,25
working 7:6 46:21 65:7
works 28:16 41:23
worried 25:13
worry 49:17
worse 52:1,1,1 62:8 69:10
worth 27:9 71:1,2
wrong 14:13 26:19 32:4

x

x 71:1

y

yards 19:16
ye 43:20
yeah 5:21 15:5
year 18:6 21:5 26:4 53:12,12 53:13,16 76:8
years 7:14 11:8 11:23 16:4,23 20:25 24:7,9 24:24 30:21,25 31:14,15 32:11 37:20 39:24 50:20,20,20 53:14,18,21 55:11,12 56:10 59:4,18 74:10 76:17,21,22
yesterday 5:14 6:1 50:11
yonder 4:10
yosemite 57:11
young 22:3
youngest 37:18

z

zip 70:20
zones 10:7 51:7
zoning 70:2
zoom 35:22

Utah Rules of Civil Procedure

Part V. Depositions and Discovery

Rule 30

(E) Submission to Witness; Changes; Signing. Within 28 days after being notified by the officer that the transcript or recording is available, a witness may sign a statement of changes to the form or substance of the transcript or recording and the reasons for the changes. The officer shall append any changes timely made by the witness.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored

in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.