
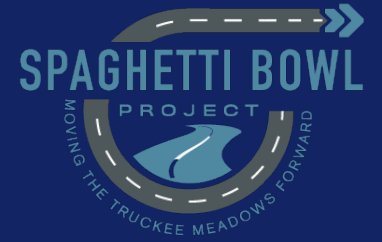


CHAPTER 6: 
FINAL SECTION 4(f)
EVALUATION AND
SECTION 6(f)
ASSESSMENT



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FINAL SECTION 4(f) EVALUATION AND SECTION 6(f) ASSESSMENT

6.1 Introduction

This document addresses federal statutes known generally as Section 4(f) and Section 6(f). Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 (49 United States Code [U.S.C.] 303(c)) protects certain parks, recreation areas, historic and cultural resources, and wildlife and waterfowl refuges. Section 6(f) protects properties that were acquired or developed using Land and Water Conservation Funds.



Section 4(f) applies to the Reno Spaghetti Bowl (I-80/I-580/US 395) Reconstruction Project (project) because eligible recreational resources and historic properties are present near the proposed project. Section 6(f) applies to the project because one alternative could affect parkland protected under Section 6(f).

6.2 Regulatory Background and Study Methodology

6.2.1 SECTION 4(f) OF USDOT ACT OF 1966

Section 4(f) of USDOT Act of 1966, 49 U.S.C. § 303(c), is a federal law that protects publicly owned parks, recreation areas, wildlife, and/or waterfowl refuges, as well as significant historic sites, whether publicly or privately owned. Section 4(f) requirements apply to all transportation projects that require funding or other approvals by the USDOT. As a USDOT agency, the Federal Highway Administration (FHWA) must comply with Section 4(f).

This document has been prepared in accordance with Section 4(f) and the joint FHWA/Federal Transit Administration regulations for Section 4(f) compliance codified at 23 Code of Federal Regulations (CFR) 774. Additional guidance was obtained from *FHWA Technical Advisory T6640.8A* (FHWA 1987) and the revised *FHWA Section 4(f) Policy Paper* (FHWA 2012).

For purposes of this evaluation, the Section 4(f) study area is defined as the area within 1,000 feet of the project centerline (i.e., center of the freeway) along Interstate 80 and Interstate 580/U.S. Highway 395 (I-80 and I 580/US 395). This study area conservatively accounts for potential noise impacts, which allows for identification of potential constructive uses of Section 4(f) resources. Maps, aerial photography, and local comprehensive plans were reviewed to determine the location of parks and recreational lands. Cultural resources studies of historical properties for the project have been completed under Section 106 of the National Historic Preservation Act (NHPA).

The City of Reno, the City of Sparks, Washoe County, and Nevada State Parks were consulted to verify the presence and significance of all Section 4(f) park and recreation resources in the project's Section 4(f) study area.

6.2.2 TYPES OF SECTION 4(f) PROPERTIES

Section 4(f) requires consideration of:

- Parks and recreational areas of national, state, or local significance that are both publicly owned and open to the public;
- Publicly owned wildlife and waterfowl refuges of national, state, or local significance that are open to the public; and
- Historic sites of national, state, or local significance in public or private ownership regardless of whether they are open to the public that are listed in, or eligible for, the National Register of Historic Places (NRHP).

6.2.3 SECTION 4(f) DETERMINATIONS

According to 23 CFR 774.3, FHWA cannot approve the use of a Section 4(f) resource, as defined in 23 CFR 774.17, unless FHWA determines that:

- There is no feasible and prudent avoidance alternative, as defined in 23 CFR 774.17, to the use of land from the property, and
- The action includes all possible planning, as defined in 23 CFR 774.17, to minimize harm to the property resulting from such use, or
- The use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures) committed to by the applicant, will have a *de minimis* impact, as defined in §774.17, on the property.

6.2.4 SECTION 4(f) EVALUATION PROCESS

After identifying the Section 4(f) properties in the project study area, FHWA determined whether and to what extent the project would use each property. The type of Section 4(f) use was then determined according to the following Section 4(f) use definitions:

- **Permanent Use.** Pursuant to 23 CFR 774.17, a permanent use occurs when land from a Section 4(f) property is permanently incorporated into a transportation project. This may occur as a result of partial or full acquisition of the Section 4(f) property, permanent easements, or temporary easements that exceed regulatory limits.
- **Temporary Use.** As defined in 23 CFR 774.13(d), a temporary use occurs when there is a temporary occupancy of land that is “adverse in terms of the statute’s preservation purpose as determined by the criteria in 23 CFR 774.13(d).” If the criteria in 23 CFR 774.13(d) are met, the “temporary use exception” applies, meaning that the

temporary occupancy of the land is so minimal that it does not constitute a “use” within the meaning of Section 4(f). If the criteria in 23 CFR 774.13(d) are not met, the use is evaluated as permanent. Temporary occupancy exceptions are discussed in Section 6.2.5.

- **Constructive Use.** As defined in 23 CFR 774.15(a), a constructive use occurs when a transportation project does not incorporate land from a Section 4(f) property, but the project’s proximity impacts are so severe that the protected activities, features, or attributes that qualify a property for protection under Section 4(f) are substantially impaired.

The primary steps in a Section 4(f) evaluation are described below:

- 1) Assess whether there are any potential uses of a Section 4(f)-protected resource: if so proceed to next step.**
- 2) Determine whether impacts are *de minimis* or whether one of the five programmatic Section 4(f) evaluations can be used.** *De minimis* impact determinations are described in Section 6.2.5. Programmatic Section 4(f) evaluations can be used in place of individual evaluations for highway projects where uses are considered minor and all criteria are met by the individual project. If impacts are greater than *de minimis* or no programmatic evaluation can be utilized proceed to next step (Individual Section 4(f) Evaluation).
- 3) Analyze Avoidance Alternatives:** In this step, FHWA considers alternatives that completely avoid the use of a Section 4(f) property. The avoidance analysis applies the Section 4(f) feasible and prudent criteria (23 CFR 774.17). An alternative is not feasible if it cannot be built as a matter of sound engineering judgment. An avoidance alternative is not considered prudent if any of the prudency factors in 23 CFR 774.17 apply. If there is no feasible and prudent avoidance alternative proceed to next step.
- 4) Determine alternative/s with least overall harm:** If no feasible and prudent alternatives are identified that would avoid using a Section 4(f) property, FHWA also determines which alternative would cause the least overall harm to Section 4(f) properties using the following factors (23 CFR 774.3(c)(1)) and the results of all possible planning to minimize harm:
 - i. The ability to mitigate adverse impacts to each Section 4(f) property;
 - ii. The relative severity of the remaining harm after mitigation;
 - iii. The relative significance of each Section 4(f) property;
 - iv. The views of the officials with jurisdiction over each property;
 - v. The degree to which each alternative meets the project purpose and need;
 - vi. The magnitude of adverse effects to resources not protected by Section 4(f); or
 - vii. Substantial cost differences among the alternatives.

Throughout the above steps the project proponent should coordinate with the applicable officials with jurisdiction. On this project, FHWA and the Nevada Department of Transportation (NDOT) have coordinated with the officials with jurisdiction over each of the protected properties for which a use determination is made in this Final Section 4(f) Evaluation.

Section 106 Assessment of Adverse Effects

Because use determinations for historic resources under Section 4(f) are closely linked to the finding of adverse effects made under Section 106, the following is a summary regarding how Section 106 findings are arrived at.

Adverse effects under Section 106 of the National Historic Preservation Act may include reasonably foreseeable effects caused by the undertaking that may occur later in time, or be further removed in distance, or effects that may be cumulative. Examples of adverse effects to historic properties provided in 36 CFR 800.5 include, but are not limited to:

- Physical destruction of, or damage to, all or part of the property;
- Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous materials remediation, and provision of handicapped access, that is not consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties (36 CFR 68) and applicable guidelines;
- Removal of the property from its historic location;
- Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features;
- Neglect of a property which causes deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to a Native American or native Hawaiian organization; and
- Transfer, lease, or sale of property out of federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

6.2.5 SECTION 4(f) USE DEFINITIONS AND REQUIREMENTS

This section provides definitions of types of potential Section 4(f) determinations that are used throughout Chapter 6 and their related requirements, including: individual Section 4(f) evaluation; temporary occupancy exception, *de minimis* impact determinations; and constructive use.

Individual Section 4(f) Evaluation

The term "individual Section 4(f) evaluation" is used in this section to refer to the process of assessing avoidance alternatives, determining the alternative with the least overall harm, and considering all possible planning to minimize harm for each property that would be used by the project, and where that use would not be *de minimis*. This analysis is required for all determinations of a Section 4(f) property, except in the case of a *de minimis* use determination (*de minimis* use determinations are described on the following page).

Temporary Occupancy Exception

Temporary occupancies are not subject to the provisions of Section 4(f) if they meet each of the following five criteria for a temporary occupancy exception found in 23 CFR 774.13(d):

- i. Duration of occupancy must be temporary; i.e. less than the time needed for construction of the project, and there can be no change in ownership of the land;
- ii. The scope of work must be minor, i.e., both the nature and magnitude of the changes to the Section 4(f) property are minimal;
- iii. There can be no anticipated permanent adverse physical impacts, nor can there be interference with the activities, features, or attributes of the property, on either a temporary or permanent basis;
- iv. The land being used must be fully restored, i.e. the property must be returned to a condition that is at least as good as that which existed prior to the project; and
- v. Written concurrence must be obtained from the officials with jurisdiction, documenting agreement with the above conditions. If the official with jurisdiction does not agree in writing with a temporary occupancy exception determination, an analysis of use must be conducted. If concurrence is obtained from the officials with jurisdiction over the properties, a final determination would be made by FHWA in the Final Section 4(f) Evaluation, which would be included in the Record of Decision.

De Minimis Determinations

A determination of *de minimis* use can be made only if the project would not adversely affect the features, attributes or activities that make the Section 4(f) property significant based on a consideration of impacts and mitigation measures. The *de minimis* determination can only be made after receipt and consideration of public comment, and after FHWA receives concurrence with the official(s) with jurisdiction. If the official with jurisdiction does not agree with a *de minimis* use determination in writing, an analysis of avoidance alternatives must be conducted. If the analysis concludes that there is no feasible and prudent alternative to use of the Section 4(f) property, FHWA may only approve the alternative or alternatives that cause the least overall harm. A least overall harm analysis is conducted to determine which alternative/s may proceed. A *de minimis* use determination is inappropriate where a project results in a constructive use (49 U.S.C. 303(d) 23 CFR 774.3(b) and 774.17).

Parks, recreation, and refuges. A *de minimis* use on a public parkland, recreational area, or wildlife and waterfowl refuge is defined as that which does not “adversely affect the features, attributes or activities qualifying the property for protection under Section 4(f)” (23 CFR 774.17). This determination can be made only with the concurrence of the official with jurisdiction, and can be made only after an opportunity for public review and comment on the proposed determination.

Historic properties. As defined in 23 CFR 774.5 and 774.17, a *de minimis* use determination is made for an historic site if FHWA makes a finding for a property of “No Adverse Effect” or “No Historic Properties Affected” through consultation under Section 106 of the NHPA, and the State Historic Preservation Office (SHPO) concurs with that finding.

Constructive Use

A constructive use involves no actual physical use of the Section 4(f) property via permanent incorporation of land or a temporary occupancy of land into a transportation facility. A constructive use occurs when the proximity impacts of a proposed project adjacent to, or nearby, a Section 4(f) property result in substantial impairment to the property’s activities, features, or attributes that qualify the property for protection under Section 4(f). Substantial impairment occurs only when the protected activities, features, and attributes of the 4(f) resource are substantially diminished (23 CFR 774.15(a)). The types of impacts that may qualify as constructive use are addressed in 23 CFR 774.15. A project’s proximity to a Section 4(f) property is not in itself an impact that results in constructive use. Also, the assessment for constructive use should be based upon the impact that is directly attributable to the project under review, not the overall combined impacts to a Section 4(f) property from multiple sources over time.

6.2.6 SECTION 6(f)

The Land and Water Conservation Fund (LWCF) State Assistance Program was established by the LWCF Act of 1965 (Section 6, Land and Water Conservation Fund Act of 1965, as amended; Public Law 88-578; 16 U.S.C. 4601-4 et seq.) to stimulate a nationwide action program “to assist in preserving, developing, and assuring to all citizens of the United States of present and future generations such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation.” The program provides matching grants to states and through states to local units of government, for the acquisition and development of public outdoor recreation sites and facilities.

Property acquired or developed with LWCF assistance must be retained and used for public outdoor recreation. Property so acquired and/or developed must not be wholly or partly converted to uses other than public outdoor recreation without the approval of the National Park Service (NPS) pursuant to Section 6(f)(3) of the LWCF Act and these regulations in coordination with Nevada State Parks. The conversion provisions of Section 6(f)(3), 36 CFR 59 apply to each area or facility for which LWCF assistance is obtained, regardless of the extent of participation of the program in the assisted area or facility and consistent with the contractual agreement between NPS and the state.

Section 6(f) directs the NPS to assure that replacement lands of equal value, location, and usefulness are provided as conditions to approval of land conversions. Therefore, where a Section 6(f) land conversion is proposed, replacement land would be necessary, and the NPS’s position on the land transfer must be documented. NPS’s approval of replacement land for a Section 6(f) land conversion results in the replacement land being placed under Section 6(f) protection. The converted land, once the conversion is approved by NPS, would be excluded from further protection within the LWCF-protected property.

Any proposed conversion of any Section 6(f)-protected parkland must be done in accordance with Section 6(f) requirements and regulations related to conversion of parkland to a non-park/recreational use. LWCF Act Section 6(f) regulations are codified in 36 CFR 59, Section 3.

6.3 Project Purpose and Need

The purpose of the project is to address the obsolete design of the study area freeway system and interchanges in order to:

- Improve traffic operations and
- Reduce fatal and injury crashes

A combination of the following factors demonstrates the need for improvements in and around the Spaghetti Bowl:

- **Reduce travel delay.** High traffic volumes and an outdated freeway design contribute to congestion and travel delays.
- **Improve safety.** The higher crash rates experienced along I-80 and I-580/US 395 in the study area, compared to similar urban freeways in Nevada, make safety improvement a key need.
- **Improve bridge conditions.** Most of the bridges in the study area are at or approaching the end of their planned service life. Furthermore, many are not wide enough to meet NDOT standards for traffic lane and shoulder widths.
- **Optimize system connectivity.** I-80, I 580, and US 395 are part of the National Highway System, providing important local and regional connectivity.



6.4 Description of Section 4(f) Resources in the Study Area

This section identifies Section 4(f) resources located within the project's Section 4(f) study area.

Per a review of all properties and right-of-way in the Section 4(f) study area, it was determined that there are no wildlife or waterfowl refuges located in the study area.

Per the Section 106 analysis performed for the project, no NRHP-eligible archaeological sites were identified in the project study area.

6.4.1 PARK AND RECREATION RESOURCES

Section 4(f) park and recreation resources in the project study area are listed and briefly described in Table 6-1 and their locations are illustrated on Figure 6-1.

The following properties in the project study area not considered Section 4(f) park/recreation resources:

- **Eighth Street Park.** The City of Reno leases the land at Eighth Street Park from NDOT for use as a park. The lease period began in January 1976, and the terms of the lease state that the duration of the lease is 25 years plus two extended terms of 25 years. The current lease period ends in December 2025, after which another 25-year lease period would go into effect and last until December 2050. The lease also states that either party may terminate the lease for good cause with 90-day written notice. With respect to this lease and its potential bearing on the applicability of Section 4(f) to the Eighth Street Park property, the lease was assessed to determine whether the below citation from the Section 4(f) statute was relevant to this situation:

Per 23 CFR 774.11(h):

(h) When a property formally reserved for a future transportation facility temporarily functions for a park, recreation, or wildlife and waterfowl refuge purposes in the interim, the interim activity, regardless of duration, would not subject the property to Section 4(f).

FHWA has determined, based on the lease noted above, that Section 4(f) does not apply to Eighth Street Park per 23 CFR 774.11(h). Moreover, in a project consultation meeting the City of Reno noted that it does not consider Eighth Street Park to be a "significant" public recreational resource; therefore, Section 4(f) would not apply to this property per 23 CFR 774.11(c), which states: "consideration under Section 4(f) is not required when the official(s) with jurisdiction over a park, recreation area, or wildlife and waterfowl refuge determine that the property, considered in its entirety, is not significant." Part of the City's reasoning is that NDOT is in the process of transferring ownership of this property to the University of Nevada, Reno for use as housing. This transfer of ownership is unrelated to the project.

Description of Section 4(f) Resources in the Study Area

- Governor’s Bowl Park.** The City of Reno leases the land at Governor’s Bowl Park from NDOT for use as a park. The lease period began in August 1972, and the terms of the lease state that the duration of the lease is 30 years plus two extended terms of 30 years. The current lease period ends in July 2032, after which another 30-year lease period would go into effect and last until July 2062. The lease also states that either party may terminate the lease for good cause with 90-day written notice.

FHWA has determined, based on the lease noted above, that Section 4(f) does not apply to Governor’s Bowl Park per 23 CFR 774.11(h).

- Sage Street Park (eastern parcel).** The City of Reno leases the eastern half of the land known as Sage Street Park from NDOT (the park consists of two parcels; the City of Reno owns the western parcel and leases the eastern

parcel). The 99-year lease period began in February 1971 and ends in January 2070. The lease also states that either party may terminate the lease for good cause with 90-day written notice.

FHWA has determined, based on the lease noted above, that Section 4(f) does not apply to the NDOT-owned eastern parcel of Sage Street Park per 23 CFR 774.11(h). Section 4(f) does apply to the western parcel of Sage Street Park and is assessed in this **Final** Section 4(f) Evaluation as “Sage Street Park.”

There is a segment of paved multi-use path/sidewalk on the north side of I-80 between Valley Road and Wells Avenue in Reno. This paved path is on transportation right-of-way and is not considered a significant recreational resource by the City of Reno.

Table 6-1. Section 4(f) Park and Recreation Resources in Project Study Area

Resource Name	Resource Type	Location	OWJ ^a	Section 4(f) Use Determination		
				Alt 1	Alt 2	Alt 3
Whitaker Park	8.2-acre park	550 University Terrace, Reno	City of Reno	No use	No use	No use
Evans Park	2.1-acre park	200 Ninth Street, Reno	City of Reno	No use	No use	No use
Sage Street Park	0.5-acre park	790 Sage Street, Reno	City of Reno	Use; Net Benefit^b	Use; Net Benefit^b	Use; Net Benefit^b
Fisherman's Park #1	5.6-acre park	495 Galletti Way, Reno	City of Reno	Use (de minimis)	No use	No use
Fisherman's Park #2	4.0-acre park	5 Kietzke Lane, Reno	City of Reno	Use	No use	No use
River Trail	12-mile-long recreational multi-use trail ^c	Reno; Sparks; Unincorporated Washoe County	City of Reno; City of Sparks	Use (de minimis)	No use	No use
Anderson Park	0.8-acre park	34 Reservation Road, Reno	Reno-Sparks Indian Colony	No use	No use	No use
Miguel Ribera Park	19.3-acre park	3905 Neil Road, Reno	City of Reno	No use	No use	No use
Bandstand Park	0.3-acre park	1519 Victorian Avenue, Sparks	City of Sparks	Use (de minimis)	No use	No use
Lillard Park	0.1-acre park	Pyramid Way & Victorian Ave, Sparks	City of Sparks	Use	No use	No use
Sparks Memorial Park	0.5-acre park	C St & Pyramid Way, Sparks	City of Sparks	Use (de minimis)	No use	No use
Poulakidas Park	3.5-acre park	530 Fourth Street, Sparks	City of Sparks	No use	No use	No use

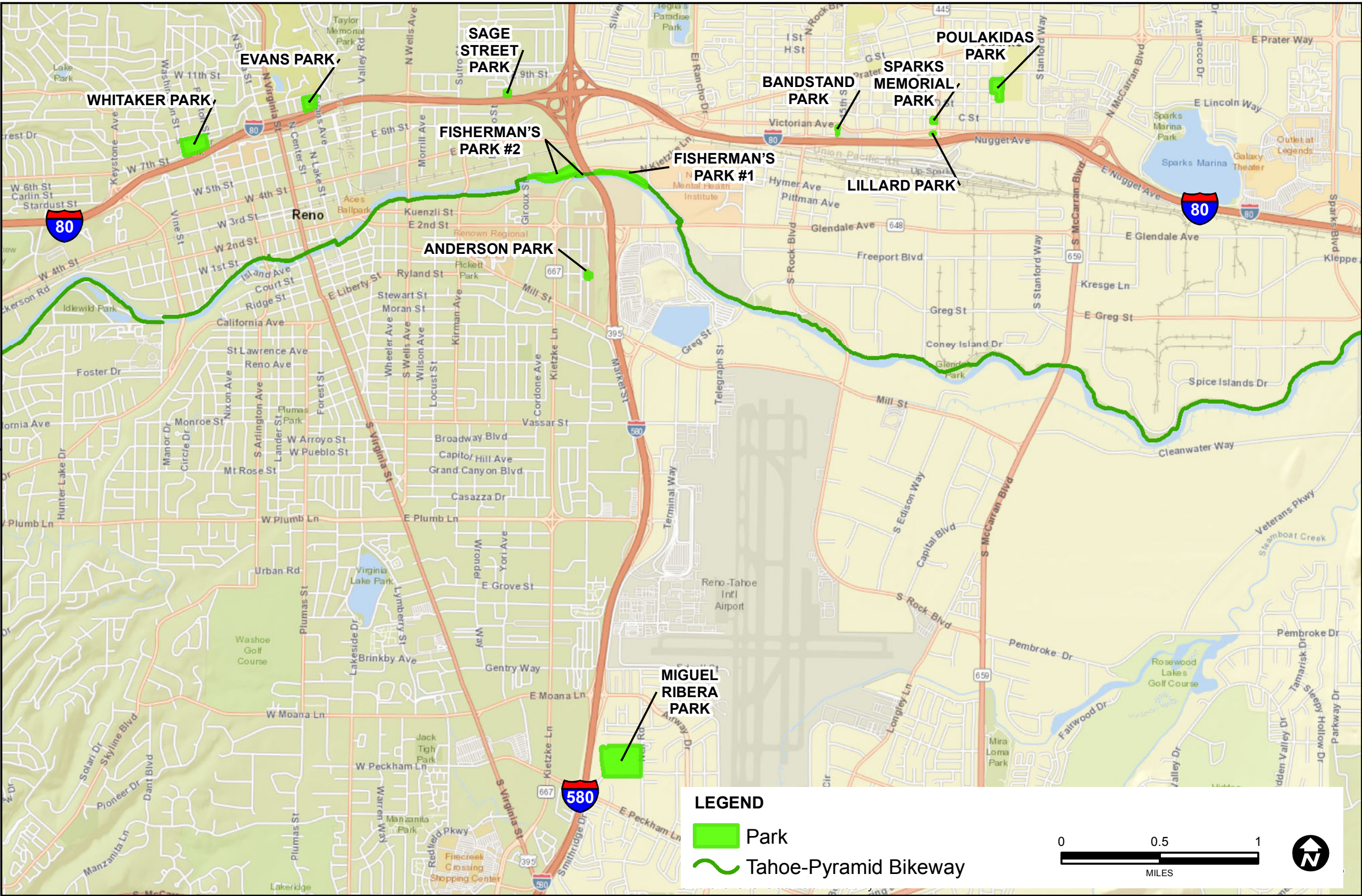
^a OWJ = official with jurisdiction

^b FHWA Net Benefit Programmatic

^c River Trail is the City of Reno section of the Tahoe-Pyramid Trail

Bolded text indicates that impact would result in a use.

Figure 6-1. Section 4(f) Park and Recreation Resources



Description of Section 4(f) Resources in the Study Area

The following properties in the project study area are considered Section 4(f) park/recreation resources.

Whitaker Park

Whitaker Park is 8.2 acres and is in Reno at 550 University Terrace. Whitaker Park is northwest of and adjacent to I-80. The City of Reno is the official with jurisdiction for the park, which is classified as a neighborhood park (City of Reno 2007). Existing park facilities include a playground, two tennis courts, paved walking paths, benches, and picnic tables.

Section 4(f) applies to Whitaker Park because it meets the definition of a publicly owned facility, is deemed significant by the official with jurisdiction, and was designed to function primarily for recreation. No LWCF funds were used to acquire or develop Whitaker Park; therefore, Section 6(f) does not apply to this resource.

Evans Park

Evans Park is in Reno at 200 Ninth Street, just north of, and adjacent to I-80. The City of Reno is the official with jurisdiction for the park, which is classified as a neighborhood park (City of Reno 2007). Evans Park is 2.1 acres and includes two separate, nonadjacent parcels, each of which is approximately 1 acre. The park is deed-restricted for park purposes only.

Evans Park has walking trails and 25 horseshoe pits for rent. The primary feature at Evans Park is the horseshoe pit area, but it also serves as a place for passive recreation and as urban greenspace near the University of Nevada, Reno campus. The Sigma Alpha Epsilon fraternity house is on a non-park parcel between the two park parcels.

Section 4(f) applies to Evans Park because it meets the definition of a publicly owned facility, is deemed significant by the official with jurisdiction, and was designed to function primarily for recreation. No LWCF funds were used to acquire or develop Evans Park; therefore, Section 6(f) does not apply to this resource.

Sage Street Park

As noted earlier, the City of Reno leases the eastern parcel of the existing Sage Street Park from NDOT; as such, only the western parcel of the park is subject to Section 4(f), and it is this 0.5-acre western parcel that is assessed in this section. Sage Street Park is in Reno at 790 Sage Street, north of and adjacent to I-80. The City of Reno is the official with jurisdiction for the park. Sage Street Park is classified as a neighborhood park (City of Reno 2007). There are no existing recreational improvements at the Section 4(f)-protected part of the park, but there is a grass open space, a park bench, and a picnic table. No LWCF funds were used to acquire or develop Sage Street Park; therefore, Section 6(f) does not apply to this resource.

Fisherman's Park #1

Fisherman's Park #1 is a 5.6-acre park in Reno at 495 Galletti Way/55 Galletti Way. The park is directly east of I-580 on the north shore of the Truckee River. The City of Reno classifies the park as neighborhood park (City of Reno 2007). Both the City of Reno and the City of Sparks are officials with jurisdiction for Fisherman's Park #1 (the western

half of the park is inside the City of Reno and the eastern half in the City of Sparks). The City of Sparks classifies Fisherman's Park #1 as a riverfront park. Fisherman's Park #1 has a parking lot that is accessible from Galletti Way. The park is also accessible via bicycle and foot from Galletti Way as well as via bicycle and foot from the River Trail.

The River Trail, described later in this section, is also located along the north side of the Truckee River and passes through Fisherman's Park #1. The primary users of the parks are bicyclists, runners, and walkers, as well as users of passive-use areas for picnicking and river access (for fishing and kayaking). An LWCF grant, awarded to the City of Reno in August 1984, was used to fund the development of the Fisherman's Park property.

Section 4(f) and Section 6(f) apply to Fisherman's Park #1 because it meets the definition of a publicly owned facility, is deemed significant by the official with jurisdiction, was designed to function primarily for recreation, and was partially funded with LWCF grants.

Fisherman's Park #2

Fisherman's Park #2 is a 4-acre park in Reno at 5 Kietzke Lane. The park is directly west of I-580 on the north shore of the Truckee River. The City of Reno classifies the park as a neighborhood park (City of Reno 2007). The City of Reno is the official with jurisdiction for Fisherman's Park #2. Fisherman's Park #2 has a parking lot that is accessible from westbound Kietzke Lane. The park is also accessible via bicycle from the bike lane on westbound Kietzke Lane as well as via bicycle and foot from the River Trail.



Kietzke Lane splits the Fisherman’s Park #2 property into two parcels, with the larger portion of the park on the northwest side of the street. The River Trail, described later in this section, is also along the north side of the Truckee River and passes through the park. The primary users of the parks are bicyclists, runners, and walkers, as well as users of passive-use areas for picnicking and river access (for fishing and kayaking). An LWCF grant, awarded to the City of Reno in August 1984, was used to fund the development of the Fisherman’s Park property.

Section 4(f) and Section 6(f) apply to Fisherman’s Park #2 because it meets the definition of a publicly owned facility, is deemed significant by the official with jurisdiction, was designed to function primarily for recreation, and was partially funded with LWCF grants.

River Trail

The River Trail (which is the City of Reno section of the greater Tahoe-Pyramid Bikeway) is a recreational trail along the north side of the Truckee River in the study area that passes through both Fisherman’s Park #1 and Fisherman’s Park #2. The segment of the trail in the study area is referred to as the Truckee River Trail. The part of the trail west of Galletti Way is inside the City of Reno, while east of Galletti Way the trail is in the City of Sparks; therefore, both the City of Reno and the City of Sparks are officials with jurisdiction for the River Trail in the study area. The segment of the trail underneath the existing I-580 bridge is subject to a permanent easement owned by NDOT.

When the River Trail is completed as proposed, it will extend 116 miles from Lake Pyramid to Lake Tahoe. The bikeway is completed within the study area. The portion of the River Trail in the study area is on the 12 mile Reno-to-Verdi section of the overall bikeway.

The River Trail does not meet any of the exceptions in 23 CFR 774.13(f) with respect to trails, paths, and bikeways:

- The trail was not a project funded under the Recreational Trails Program.
- The trail is not a designated National Historic Trail or Continental Divide National Scenic Trail.
- The trail does not occupy a transportation facility right-of-way.
- The trail is not a part of a local transportation system that functions primarily for transportation.

Section 4(f) applies to the River Trail because it meets the definition of a publicly owned facility, is deemed significant by the official with jurisdiction, and was designed to function primarily for recreation. No LWCF funds were used to acquire or develop the River Trail in the study area; therefore, Section 6(f) does not apply to this resource.

Anderson Park

Anderson Park is an 0.8-acre public park that is owned and maintained by the Reno-Sparks Indian Colony (RSIC). RSIC considers Anderson Park to be a significant public park. Anderson Park has playground equipment for older kids, a pre-kindergarten playground, picnic tables, and a landscaped grass play area.

Per RSIC staff, Anderson Park has provided open space, parks and recreational opportunities, and activities for enrolled members of the RSIC and members of the public. Anderson Park hosts many community and cultural activities throughout the year and is the only public park available for the 160 homes and apartments that comprise the RSIC. The RSIC provides funding from its general fund for the park’s annual maintenance and recreational programming costs.

Section 4(f) applies to Anderson Park because it meets the definition of a publicly owned facility, is deemed significant by the official with jurisdiction, and was designed to function primarily for recreation. No LWCF funds were used to acquire or develop Anderson Park; therefore, Section 6(f) does not apply to this resource.

Miguel Ribera Park

Miguel Ribera Park is 19.3 acres and is in the City of Reno at 3925 Neil Road, approximately 250 feet east of I-580. The City of Reno is the official with jurisdiction for the park. Miguel Ribera Park is classified as a community park (City of Reno 2007). Existing park facilities include a large shelter that is available for rent, three turf fields, a picnic shelter, a playground, two tennis courts, two full basketball courts, trails, benches, picnic tables, and a parking lot. The park also includes a community building that contains the Neil Road Recreation Center, and there is a police station within the park boundaries. Miguel Ribera Park is primarily used for active recreational use, although the park also functions as a place for passive recreational uses such as picnicking.

Section 4(f) applies to Miguel Ribera Park because it meets the definition of a publicly owned facility, is deemed significant by the official with jurisdiction, and was designed to function primarily for recreation. Per National Park Service staff, Miguel Ribera Park received LWCF funds in the past and as such Section 6(f) applies to this resource.

Bandstand Park

Bandstand Park (also known as Bandstand Plaza) is 0.3 acre and is in the City of Sparks at 1519 Victorian Avenue, north of I-80. The City of Sparks is the official with jurisdiction for the park, which is classified as a pocket park (City of Sparks 2013). Existing park facilities consist of a paved activity area, a shade shelter, and landscaped areas. Bandstand Park is west of the Regional Transportation Center (also identified as Centennial Plaza).

Section 4(f) applies to Bandstand Park because it meets the definition of a publicly owned facility, is deemed significant by the official with jurisdiction, and was designed to function primarily for recreation. No LWCF funds were used to acquire or develop Bandstand Park; therefore, Section 6(f) does not apply to this resource.

Lillard Park

Lillard Park is a 0.1-acre park in Sparks at 965 Victorian Avenue, just north of and adjacent to an I-80 entrance ramp. The City of Sparks is the official with jurisdiction for the park, which is designated as a pocket park (City of Sparks 2013).

Amenities at Lillard Park include paved walkways, signage, benches, and a parking lot. A sign in the park identifies the park as the “James G Lillard Railroad Park.” Google Maps shows a collection of historic railroad cars, a historic

Description of Section 4(f) Resources in the Study Area

train station and platform, historic schoolhouse, and Saint Mary’s Amphitheater adjacent to the park, but the City of Sparks Parks Department stated that they are not within Lillard Park. The Sparks Heritage Museum is to the north across Victorian Avenue.

Section 4(f) applies to Lillard Park because it meets the definition of a publicly owned facility, is deemed significant by the official with jurisdiction, and was designed to function primarily for recreation. No LWCF funds were used to acquire or develop Lillard Park; therefore, Section 6(f) does not apply to this resource.

Sparks Memorial Park

Sparks Memorial Park is a 0.5-acre park in Sparks at the southwest corner of C Street and Pyramid Way. The City of Sparks is the official with jurisdiction for the park. Sparks Memorial Park is classified as a pocket park (City of Sparks 2013) and is adjacent to the Sparks Heritage Museum and Cultural Center. The park features a walking path and plaza with veterans’ memorials and a fallen firefighter monument.

Section 4(f) applies to Sparks Memorial Park because it meets the definition of a publicly owned facility, is deemed significant by the official with jurisdiction, and was designed to function primarily for passive recreation (i.e., a place to walk through and observe the memorial features). No LWCF funds were used to acquire or develop Sparks Memorial Park; therefore, Section 6(f) does not apply to this resource.

Poulakidas Park

Poulakidas Park is a 3.5-acre park in Sparks at 530 Fourth Street, immediately west of and adjacent to Lincoln Elementary School. The State of Nevada is the official with jurisdiction for the park. Poulakidas Park is classified as a neighborhood park (City of Sparks 2013). Park amenities include trails, playground equipment, picnic benches, and barbeque stands.

Section 4(f) applies to Poulakidas Park because it meets the definition of a publicly owned facility, is deemed significant by the official with jurisdiction, and was designed to function primarily for recreation. No LWCF funds were used to acquire or develop Poulakidas Park; therefore, Section 6(f) does not apply to this resource.



6.4.2 HISTORIC RESOURCES IN THE STUDY AREA

Section 4(f) historic resources in the study area are listed and briefly described in Table 6-2. Section 106 findings of effect and Section 4(f) determinations of use are also noted in the table. The locations of historic resources in the study area are shown on Figure 6-2. Historic resources for which a determination of use has been made are described in greater detail in this section. More information about historical resources in the study area is found in the Cultural Resources Assessment of Effects Report in [Appendix D.13](#).

Per the archaeological investigation NDOT performed for the project, no NRHP-eligible archaeological sites were identified in the project study area.

Earl Wooster High School Historic District, Reno

Earl Wooster High School Historic District is located on 38 acres, bound by Villanova Drive to the north, Matley Lane to the east, Plumb Lane to the south, and Harvard Way to the west. The historic district is located west of the Plumb Lane and Villanova Street exit from I-580. Refer to Exhibit 9 in Attachment B of Appendix D.13, Cultural Resources Assessment of Effects Report, of the **Final** EIS for a map depicting the improvements near the historic district, and to Exhibits E-1 through E-3 of Attachment E to Appendix D.13 for photographs.

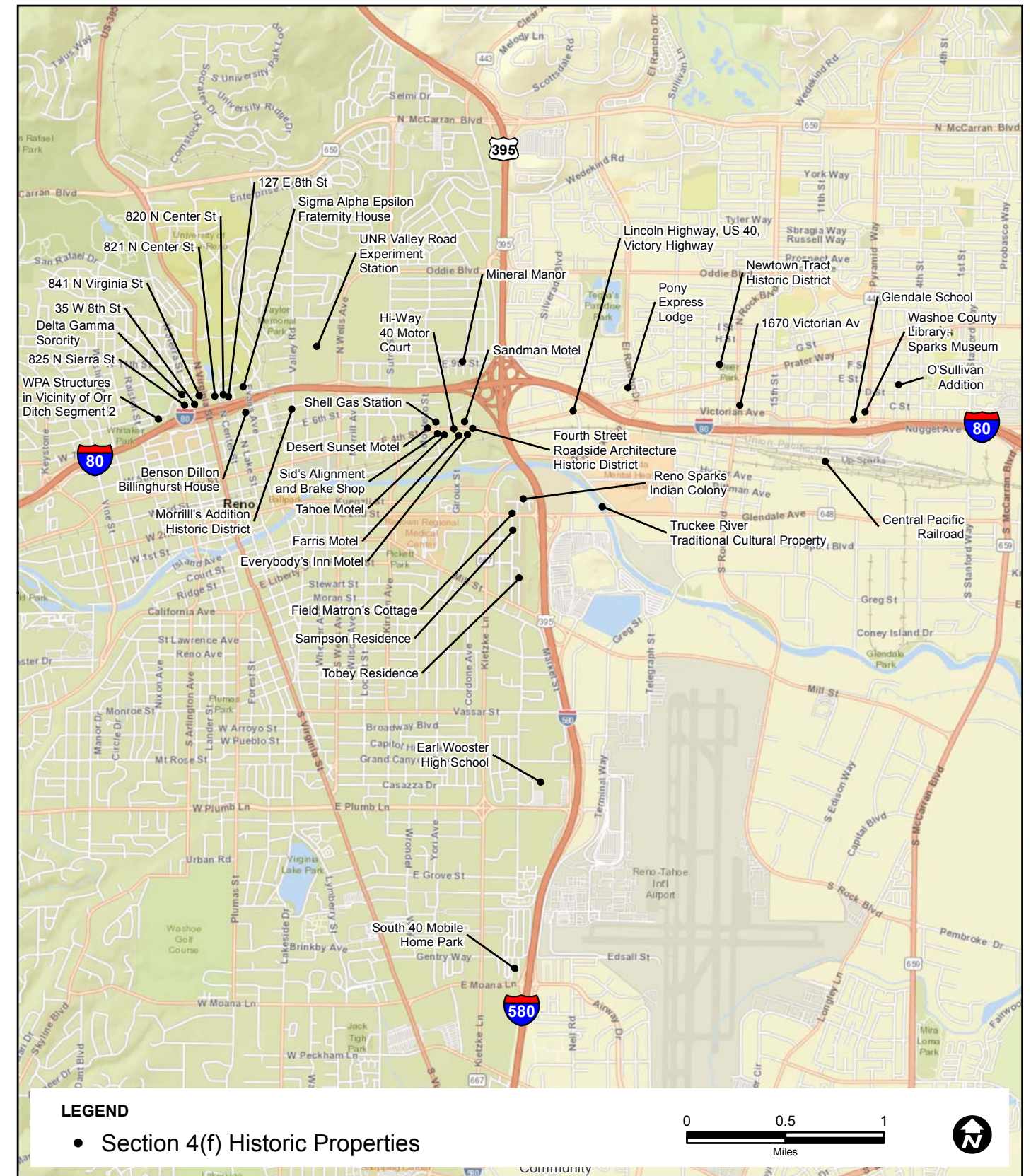
The historic district is eligible for listing in the National Register under Criterion A for its association with the expansion of Washoe County Schools, and under Criterion C for the campus's uniform architectural design and association with master architect Graham Erskine. The historic district is representative of design trends in multi-building educational complexes developed and built during the 1960s. Erskine was also the author of Nevada's licensing act for architects, founded the northern Nevada chapter of the American Institute of Architects, and taught architectural design at the University of Nevada, Reno (UNR). The period of significance for this property is the 1960s.

825 N Sierra Street, Reno

825 North Sierra Street is located 90 feet northwest of the Eighth Street/Sierra Street intersection, north of the new Sierra Street bridge above I-80 that is proposed as part of Alternative 1. Refer to Exhibit 1 in Attachment B of Appendix D.13 of the **Final** EIS for a map depicting the improvements near this historic property.

825 North Sierra Street, constructed in 1940, is eligible for listing in the National Register under Criterion C for its distinctive Tudor Revival design. The building's character-defining features include its clipped gable roof, rounded arches, decorative gable woodwork, entryway with a swooping asymmetrical gable roof with a steep pitch, and various windows (e.g., symmetrical multiple light windows, double-hung windows, windows with wood shutters). No landscape or hardscape elements or the detached garage were identified as contributing or character-defining features. The building has been minimally altered and retains its integrity of location, design, materials, workmanship, and association. Recent development surrounding the building has affected its integrity of setting and feeling; therefore, these aspects of integrity are no longer intact. The period of significance was not specifically identified; however, it appears to be 1940, signifying the year it was constructed.

Figure 6-2. Section 4(f) Historic Resources



Description of Section 4(f) Resources in the Study Area

Table 6-2. Section 4(f) Historic Resources in Study Area

Resource Name	Location	Section 4(f) Qualifying Description	Permanent Incorporation or Temporary Occupancy of Land? ^a			Section 106 Finding of Effect ^b			Section 4(f) Use Determination ^c		
			Alt 1	Alt 2	Alt 3	Alt 1	Alt 2	Alt 3	Alt 1	Alt 2	Alt 3
Earl Wooster High School Historic District	1331 E Plumb Lane, Reno	Individually eligible for NRHP (district)	Yes	Yes	Yes	No adverse	No adverse	No adverse	Use (de minimis)	Use (de minimis)	Use (de minimis)
Field Matron's Cottage	1995 E Second Street, Reno	Listed in NRHP	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Unnamed residence	825 N Sierra Street, Reno	Individually eligible for NRHP	Yes	No	No	No adverse	No adverse	No adverse	Use (de minimis)	No use	No use
Unnamed residence	821 N Center Street, Reno	Individually eligible for NRHP	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Reig House	820 N Center Street, Reno	Individually eligible for NRHP	Yes	No	No	No adverse	No adverse	No adverse	Use (de minimis)	No use	No use
Unnamed residence	127 E Eighth Street, Reno	Individually eligible for NRHP	Yes	No	No	Adverse	No adverse	No adverse	Use	No use	No use
Benson Dillion Billingham House	729 Evans Street, Reno	Listed in NRHP	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Farris Motel	1752 E Fourth Street, Reno	Individually eligible for NRHP; Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Sandman Motel	1755 E Fourth Street, Reno	Individually eligible for NRHP; Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Mineral Manor Historic District	Manhattan Street & E Ninth Street, Reno	Individually eligible for NRHP (district)	Yes	Yes	Yes	Adverse	Adverse	Adverse	Use	Use	Use
Reno-Sparks Indian Colony Historic District	E Second Street, Reno (multiple addresses)	Individually eligible for NRHP (district)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
South 40 Mobile Home Park	858 Gentry Way, Reno	Individually-eligible for NRHP (district)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use

^a **Bolded** text indicates that property would be permanently incorporated.

^b **Bolded** text indicates a Section 106 finding of adverse effect.

^c **Bolded** text indicates impact would result in a use.

Table 6-2. Section 4(f) Historic Resources in Study Area (continued)

Resource Name	Location	Section 4(f) Qualifying Description	Permanent Incorporation or Temporary Occupancy of Land? ^a			Section 106 Finding of Effect ^b			Section 4(f) Use Determination ^c		
			Alt 1	Alt 2	Alt 3	Alt 1	Alt 2	Alt 3	Alt 1	Alt 2	Alt 3
UNR Valley Road Experiment Station	Valley Road, Reno	Individually eligible for NRHP	Yes	Yes	Yes	No adverse	No adverse	No adverse	Use (de minimis)	Use (de minimis)	Use (de minimis)
Morrill's Addition Historic District	Historic district boundaries include Seventh and Eighth Street to the north, Eureka Avenue to the east, Sixth Street to the south, and Center Street to the west	Individually eligible for NRHP (district)	No	No	Yes	No adverse	No adverse	Adverse	No use	No use	Use
Unnamed residential building	841 N Virginia Street, Reno	Individually eligible for NRHP	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Unnamed residential building	35 W Eighth Street, Reno	Individually eligible for NRHP	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Delta Gamma Sorority House	869 N Sierra Street, Reno	Individually eligible for NRHP	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Sigma Alpha Epsilon Fraternity House	835 Evans Avenue, Reno	Individually eligible for NRHP	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Desert Sunset Motel	1435 E Fourth Street, Reno	Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Hi-Way 40 Motor Court	1750 E Fourth Street, Reno	Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Everybody's Inn Motel	1756 E Fourth Street, Reno	Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Tahoe Motel	1650 E Fourth Street, Reno	Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use

^a **Bolded** text indicates that property would be permanently incorporated.

^b **Bolded** text indicates a Section 106 finding of adverse effect.

^c **Bolded** text indicates impact would result in a use.

Description of Section 4(f) Resources in the Study Area

Table 6-2. Section 4(f) Historic Resources in Study Area (continued)

Resource Name	Location	Section 4(f) Qualifying Description	Permanent Incorporation or Temporary Occupancy of Land? ^a			Section 106 Finding of Effect ^b			Section 4(f) Use Determination ^c		
			Alt 1	Alt 2	Alt 3	Alt 1	Alt 2	Alt 3	Alt 1	Alt 2	Alt 3
Shell Gas Station	1505 E Fourth Street, Reno	Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Sid's Alignment and Brake Shop	1500 E Fourth Street, Reno	Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Sampson Residence	12 Reservation Road, Reno	Individually eligible for NRHP	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Tobey Residence	51 Reservation Road, Reno	Individually eligible for NRHP	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Washoe County Library; Sparks Museum	814 Victorian Avenue, Sparks	Listed in NRHP	Yes	No	No	No adverse	No adverse	No adverse	Use (de minimis)	No use	No use
Glendale School	905 Victorian Avenue, Sparks	Listed in NRHP	Yes	No	No	Adverse	No adverse	No adverse	Use	No use	No use
Unnamed commercial building	1670 Victorian Avenue, Sparks	Individually eligible for NRHP	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Pony Express Lodge	2406 Prater Way, Sparks	Individually eligible for NRHP	Yes	No	No	No adverse	No adverse	No adverse	Use (de minimis)	No use	No use
Lincoln Highway	Contributing segment between Toano Street and 16th Street	Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Victory Highway	Contributing segment between Toano Street and 16th Street	Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
US 40	Contributing segment between Toano Street and 16th Street	Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use

^a **Bolded** text indicates that property would be permanently incorporated.

^b **Bolded** text indicates a Section 106 finding of adverse effect.

^c **Bolded** text indicates impact would result in a use.

Table 6-2. Section 4(f) Historic Resources in Study Area (continued)

Resource Name	Location	Section 4(f) Qualifying Description	Permanent Incorporation or Temporary Occupancy of Land? ^a			Section 106 Finding of Effect ^b			Section 4(f) Use Determination ^c		
			Alt 1	Alt 2	Alt 3	Alt 1	Alt 2	Alt 3	Alt 1	Alt 2	Alt 3
Fourth Street Roadside Architecture Historic District	Fourth Street between Threlke Street and Montello Street	Individually-eligible for NRHP (district)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Central Pacific Railroad	Contributing segment located east of Sutro Street to Stanford Way	Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
O'Sullivan Addition Historic District	Historic district bound by Wright Way to the north, Pyramid Way to the west, Victorian Avenue to the south, and Fourth Street to the east in Sparks	Individually-eligible for NRHP (district)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
WPA Structures in Vicinity of Orr Ditch Segment 2	Located south of University Terrace and east of Nevada Street in Reno	Individually eligible for NRHP	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Newtown Tract Historic District	Historic district bound by Jessie Avenue to the north, Sullivan Lane to the west, a half-block south of Victorian Avenue to the south, and 15th Street to the east in Sparks	Individually-eligible for NRHP (district)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use
Truckee River Traditional Cultural Property	Contributing segment extends from Wells Avenue to Greg Street in Reno and Sparks	Eligible for NRHP (contributing)	No	No	No	No adverse	No adverse	No adverse	No use	No use	No use

^a **Bolded** text indicates that property would be permanently incorporated.

^b **Bolded** text indicates a Section 106 finding of adverse effect.

^c **Bolded** text indicates impact would result in a use.

Reig House (820 N Center Street, Reno)

The Reig House is located approximately 110 feet northeast of the Center Street/Eighth Street intersection. See Exhibit 1 in Attachment B of Appendix D.13 of the [Final](#) EIS for a map depicting the improvements near the historic property, and Exhibit E-7 of Attachment E for photographs of the property.

The Reig House, constructed circa 1906, is eligible for listing in the National Register under Criterion C for its distinctive Dutch Colonial Revival design. The building's character-defining features include a gambrel roof, accentuated front door, slender columns, shingle siding, and decorative windows. An unattached garage and a small two-story building (822½ North Center Street, which was evaluated as individually ineligible for listing in the National Register) are located within the parcel but have not been identified as contributing resources to the property. The building faces west towards Center Street, and a vacant gravel lot used for parking is located south of the building (which makes the building visible from Eighth Street to the south). West of the parcel is a sidewalk with a landscaped strip and mature trees; however, these elements were not identified as contributing resources or character-defining features. The building retains its historic integrity aspects of location, design, materials, workmanship, and association. Due to recently completed development in the neighborhood, the earlier construction of I-80, and the removal of nearby buildings (like the property immediately south), the building no longer retains its integrity of setting and feeling. The period of significance was not identified; however, it can be inferred to be circa 1906, reflecting its year of construction.



127 E Eighth Street, Reno

127 East Eighth Street faces south towards the I-80 exit ramp that connects to Eighth Street; however, access to the historic property is from the alley located east of Center Street and west of Lake Street. See Exhibit 1 in Attachment B of Appendix D.13 of the [Final](#) EIS for a map depicting the improvements near the historic property, and Exhibit E-8 of Attachment E for photographs of the property.

127 East Eighth Street is eligible for listing in the National Register under Criterion C for its distinctive characteristics of the Craftsman style. The building features an Asian-influenced design, and its character-defining features include its low-pitched flared roofline, shed-style dormers, and wide overhanging eaves with exposed rafter tails. The historic property's original parcel boundaries have been modified with the front yard removed (now fronting a sidewalk and the I-80 off-ramp that connects to Eighth Street), the west side of the property converted into an alley, and the rear yard (north end of the parcel) converted into a paved parking area. At the northern parcel boundary is a detached garage, which is not a contributing resource to the historic property. A vacant gravel parcel used for parking is located west of the building. There is no landscaping, and an iron fence is located on the west and south sides of the property (which is not a character-defining feature). The building possesses its integrity aspects of location, design, materials, workmanship, and association; however, it no longer retains its integrity of setting and feeling, due to changes to the original parcel boundaries, recent development, and the earlier construction of I-80. The period of significance was not identified; however, it can be inferred to be circa 1912, signifying its year of construction.

Mineral Manor Historic District, Reno

The Mineral Manor Historic District includes 74 contributing resources located on Ninth Street, Andesite Avenue, Fluorite Circle, Graphite Circle, Erbium Circle, Dolomite Circle, Calcite Circle, Borite Circle, and Sage Street. The 74 contributing resources include 72 residential buildings, consisting of four different property types, and an Administrative Building and Childcare Center (there are no non-contributing resources within the historic district's boundaries/complex). The Mineral Manor Historic District is located immediately northwest of the existing Spaghetti Bowl. See Exhibit 2 in Attachment B of Appendix D.13 of the [Final](#) EIS for a map depicting the improvements to the historic district, and Exhibit E-22 of Attachment E for photographs of the historic district.

The historic district is eligible for listing in the National Register under Criterion A for its association with the modern public housing movement and Criterion C for its planning and design. The period of significance for the historic district is 1959 to 1964, which spans the complex's construction through the passing of the Civil Rights Act that required public housing to be desegregated. The historic district was one of the first public housing complexes in the Reno area to not be racially segregated, reflecting a progressive approach to public housing, and a level of planning, permanency, and compliance with the 1949 Housing Act, and Housing Acts from 1954 and 1956 that were not often followed by other developments.

The historic district is 18.9 acres and designed around a curvilinear and cul-de-sac pattern with parking areas and sidewalks throughout the complex. The four different residential property types are composed of the following:

- Type A: 35 buildings, each with a one-bedroom and three-bedroom units
- Type B: 14 buildings, each with a two-bedroom and four-bedroom units
- Type C: 8 buildings, each with a two-bedroom and three-bedroom unit
- Type D: 15 buildings, each with two two-bedroom units

None of individual buildings were identified as individually significant. Building Types A and B are scattered throughout the complex, and Building Types C and D are located south of Ninth Street. The Administrative Building and Childcare Center are located at the northeast and southeast parts of the Ninth Street/Sage Street intersection. The residences in the historic district are one-story, side-gabled Ranch-style buildings with broad eaves and street-facing entrances. The original asbestos shingle siding was replaced with steel siding in the 1980s, and the original metal sliding windows were replaced with aluminum and vinyl sliding windows in the 1980s and 2009. The historic district has diminished integrity of materials, workmanship, and feeling from alterations made to the buildings and landscaping; however, the historic district retains its integrity of location, design, setting, and association. The overall site design and layout, spatial relationships of the buildings to each other, uniform volumes and forms, standardized floor plans and configurations of the duplexes, and layout and materials of roadways and sidewalks are important character-defining features that contribute to its retention of integrity.

UNR Valley Road Experiment Station, Reno

The UNR Valley Road Experiment Station is a 47-acre historic district, bound by Valley Road to the west, Sadleir Way to the north, Wells Avenue to the east, and the I-80 on ramp to the south. The historic district consists of 48 elements built between 1940 and 2013, but it was unevaluated and assumed eligible for purposes of Section 106 of the NHPA with Nevada SHPO concurrence. None of the buildings was determined individually eligible for listing in the National Register. See Exhibit 1 in Attachment B of Appendix D.13 for a map depicting the improvements to the historic district, and Exhibits E-33 and E-34 of Attachment E for photographs of the historic district.

Morrill's Addition Historic District, Reno

Morrill's Addition Historic District is eligible for the NRHP under Criteria A and C. The historic district comprises approximately 173 properties constructed between 1890 and 2008. See Exhibits 1 and 2 in Attachment B of Appendix D.13 of the Final EIS for a map depicting the improvements to the historic district, and Exhibit E-44 of Attachment E to Appendix D.13 for additional photographs of the historic district. Of the 173 total properties, there are 99 contributing resources and 74 non-contributing resources.

Fifty-two properties within the historic district are located within the area of potential effects (APE) of the Spaghetti Bowl Project. Of the 52 properties within the APE, 32 are contributing resources to the district and 20 are non-contributing resources (including 3 that are not historic-age). Properties within the APE are located on Center Street, Eighth Street, Eureka Avenue, Lake Street, and Seventh Street. Period of significance is 1890 through 1932, and the district is significant as a distinctive example of Reno's early residential development and its early twentieth century architecture.

The historic district boundaries include Seventh and Eighth Street to the north, Eureka Avenue to the east, Sixth Street to the south, and Center Street to the west. The historic district is comprised primarily of residences, with some commercial buildings located at the northern and eastern limits. The historic district has a rectilinear layout.

Washoe County Library, Sparks

The Washoe County Library is located northwest of the Victorian Avenue/Pyramid Way intersection, immediately east of the Sparks Memorial Park, and approximately 215 feet north of I-80. See Exhibit 6 in Attachment B of Appendix D.13 for a map depicting the improvements near the historic property, and Exhibits E-13 through E-17 of Attachment E for additional photographs of the historic property.

The Washoe County Library is listed in the National Register under Criterion A for its role as the first public library in Sparks and under Criterion C for its distinctive Mediterranean Revival design by master architect Frederick Joseph DeLongchamps. The building was listed in the National Register in 1992, and its period of significance extends from 1931 through 1942, which spans its construction to 50 years prior to its listing (therefore, the period of significance is not tied to a specific event that occurred in 1942). The historic property was first used as a public library, and in 1965 was converted into use as a courthouse after a new library was constructed. Shortly after its listing in the National Register, it was rehabilitated for use as a museum.

The building was one of the first civic properties constructed in Sparks and was used by many local groups and organizations in the community as a meeting place. The parcels were originally purchased by Washoe County for construction of a courthouse, but the Board of Library Trustees decided to construct the library in this location (though a portion of the basement floor was originally used by the Constable and Justice of Peace). DeLongchamps was a prominent Nevada architect, who constructed several other schools and religious buildings in the Reno area.

The building is highly ornate; however, the character-defining features were not specifically identified in the National Register nomination. Based on the architectural description in the nomination, these features likely include its rectangular plan, Flemish bond brick exterior with alternating colors, brick quoins, wide beltcourses separating the basement from the first story, symmetrical façade arrangement, central gabled pavilion, red tile roof cladding, semi-circular arched entry, and small paned windows. The surrounding hardscape, consisting of concrete and brick pavers and the Sparks Memorial Park located east of the property (all of which have been heavily altered recently), were not identified as character-defining features or contributing resources to the property, and there have been several alterations to the property, including a rear addition and a canopy over the basement.

The nomination does not include an integrity analysis; however, the building retains its integrity of location, design, materials, workmanship, and association. It no longer possesses integrity of setting or feeling due to changes to its surroundings along Victorian Avenue and Pyramid Way, the previous construction of I-80, and extensive commercial development surrounding the building have degraded its integrity of setting and feeling.

Glendale School, Sparks

The Glendale School is south of Victorian Avenue and north of the existing I-80 on ramp. See Exhibits 5 and 6 in Attachment B of Appendix D.13 for a map depicting the improvements to the historic property, and Exhibit E-18 of Attachment E for photographs of the historic property.

The Glendale School is listed in the National Register under Criterion A for its significance as the first school in the Truckee Meadows area when it was located in the community of Glendale. The historic property was relocated to its current site in 1976, and the period of significance is 1864, which is when the property was erected in its original location. The character-defining features were not identified in the National Register nomination; however, based on the architectural description in the nomination, it likely includes the school's rectangular plan, wood-framing, shiplap siding, entry vestibule, cupola, and gabled roof. An integrity analysis was not included in the nomination; however, it appears to retain its integrity of design, materials, and workmanship. Since the building has been relocated, it no longer possesses its integrity of location, setting, feeling, and association.



Pony Express Lodge, Sparks

The Pony Express Lodge is located on an irregular-shaped parcel bound by D Street to the north, El Rancho Drive to the east, Prater Way to the south, and View Street to the west. The property is located approximately 580 feet east of I-80. See Exhibit 4 in Attachment B of Appendix D.13 for a map depicting the improvements to the historic property, and Exhibit E-21 of Attachment E for additional photographs of the historic property.

The motel consists of four contributing resources, Buildings 1, 2, 3, and the neon sign, arranged around a central courtyard. It's period of significance is from 1952 to 1967, and it is eligible for listing in the National Register under Criterion A for its association with Reno's gambling and automobile tourism industry.

Though the motel has a Prater Way address, access to the property is from El Rancho Road through a porte-cochere. Building 1 contains the offices and lobby to the motel and also some motel rooms, and Buildings 2 and 3 contain motel rooms. Buildings 1 and 2 are two stories and have more motel rooms compared to Building 3, while Building 3 is primarily one story, except for a small two-story addition at the south end of the building, likely used as an apartment for the motel operators (this two-story addition would be removed as part of Alternative 1). While the entirety of Building 3 is a contributing resource to the larger property, the two-story addition at its south end lacks any architectural cohesion with the rest of the property, possessing different windows, cladding materials, and roof forms than the rest of the Building 3. This suggests it was constructed at a later period than other parts of the building or has been heavily altered. Character-defining features for the property were not identified; however, based on the architectural description in its determination of eligibility, the character-defining features likely include the arrangement and form of Buildings 1, 2, and 3; the neon sign; central courtyard; door and window bay locations; porte-cochere; and, office and lobby area. The surrounding sidewalk was not identified as a contributing element or character-defining feature.

The property retains its integrity of location, design, materials, workmanship, feeling, and association; however, due to changes south of the historic property from the construction of I 80, the building no longer retains its integrity of setting.

6.5 Section 4(f) Resources Where No Use Would Occur

This section identifies Section 4(f) resources that would not incur a use as a result of specific project alternative actions.

6.5.1 PARK AND RECREATION RESOURCES

Whitaker Park

Alternative 1

As illustrated in Figure 6-3, Alternative 1 would not result in a permanent incorporation of land from Whitaker Park—modifications to I-80 near this park would not entail any actions outside the existing highway right-of-way. As such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Whitaker Park during construction is anticipated under Alternative 1.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Whitaker Park under Alternative 1; see [Section 3.7](#) (Visual Character/Aesthetics) for more detail.

With respect to assessing whether noise impacts under a project alternative constitute a constructive use under Section 4(f), the following excerpt from 23 CFR 774.15(f) is utilized in this report for all resources:

(f) The Administration has reviewed the following situations and determined that a constructive use does not occur when:

- (1) Compliance with the requirements of 36 CFR 800.5 for proximity impacts of the proposed action, on a site listed on or eligible for the National Register, results in an agreement of “no historic properties affected” or “no adverse effect;”
- (2) The impact of projected traffic noise levels of the proposed highway project on a noise-sensitive activity do not exceed the FHWA noise abatement criteria as contained in Table 1 in Part 772 of this chapter, or the projected operational noise levels of the proposed transit project do not exceed the noise impact criteria for a Section 4(f) activity in the FTA guidelines for transit noise and vibration impact assessment;
- (3) The projected noise levels exceed the relevant threshold in paragraph (f)(2) of this section because of high existing noise, but the increase in the projected noise levels if the proposed project is constructed, when compared with the projected noise levels if the project is not built, is barely perceptible (3 dBA or less);

(4) There are proximity impacts to a Section 4(f) property, but a governmental agency's right-of-way acquisition or adoption of project location, or the Administration's approval of a final environmental document, established the location for the proposed transportation project before the designation, establishment, or change in the significance of the property. However, if it is reasonably foreseeable that a property would qualify as eligible for the National Register prior to the start of construction, then the property should be treated as a historic site for the purposes of this section; or

Figure 6-3. Impacts to Whitaker Park under Alternative 1



Section 4(f) Resources Where No Use Would Occur

(5) Overall (combined) proximity impacts caused by a proposed project do not substantially impair the activities, features, or attributes that qualify a property for protection under Section 4(f);

(6) Proximity impacts will be mitigated to a condition equivalent to, or better than, that which would occur if the project were not built, as determined after consultation with the official(s) with jurisdiction;

(7) Change in accessibility will not substantially diminish the utilization of the Section 4(f) property; or

(8) Vibration levels from project construction activities are mitigated, through advance planning and monitoring of the activities, to levels that do not cause a substantial impairment of protected activities, features, or attributes of the Section 4(f) property.

Per 23 774.15(f)(3) there would be no noise-related constructive use at Whitaker Park under Alternative 1 because although projected noise levels would be 71 dBA, which exceeds the 70-dBA FHWA noise abatement criterion for parks listed in Table 1 in Part 772, this noise level would be *less* than the projected 72-dBA noise level associated with the No Build Alternative. See [Final EIS Appendix D.5B](#) for more detail; Whitaker Park is assessed at noise receiver W7.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Whitaker Park under Alternative 1. In summary, Alternative 1 would not include proximity impacts that would substantially impair the qualifying activities, features, or attributes of the park.

Alternative 2

As illustrated in Figure 6-4, Alternative 2 would not result in a permanent incorporation of land from Whitaker Park—modifications to I-80 near this park would not entail any actions outside the existing highway right-of-way. As such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Whitaker Park during construction is anticipated under Alternative 2.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Whitaker Park under Alternative 2; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(3) there would be no noise-related constructive use at Whitaker Park under Alternative 2 because although projected noise levels would be 71 dBA, which exceeds the 70-dBA FHWA noise abatement criterion for parks listed in Table 1 in Part 772, this noise level would be *less* than the projected 72-dBA noise level associated with the No Build Alternative. See [Final EIS Appendix D.5B](#) for more detail; Whitaker Park is assessed at noise receiver W7.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Whitaker Park under Alternative 2. In summary, Alternative 2 would not include proximity impacts that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-4. Impacts to Whitaker Park under Alternative 2



Alternative 3

As illustrated in Figure 6-5, Alternative 3 would not result in a permanent incorporation of land from Whitaker Park—modifications to I-80 near this park would not entail any actions outside the existing highway right-of-way. As such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Whitaker Park during construction is anticipated under Alternative 3.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Whitaker Park under Alternative 3; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(3) there would be no noise-related constructive use at Whitaker Park under Alternative 3 because although projected noise levels would be 72 dBA, which exceeds the 70-dBA FHWA noise abatement criterion for parks listed in Table 1 in Part 772, this noise level would be *the same as* the projected 72-dBA noise level associated with the No Build Alternative. See [Final EIS Appendix D.5B](#) for more detail; Whitaker Park is assessed at noise receiver W7.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Whitaker Park under Alternative 3. In summary, Alternative 3 would not include proximity impacts that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-5. Impacts to Whitaker Park under Alternative 3



Evans Park

Alternative 1

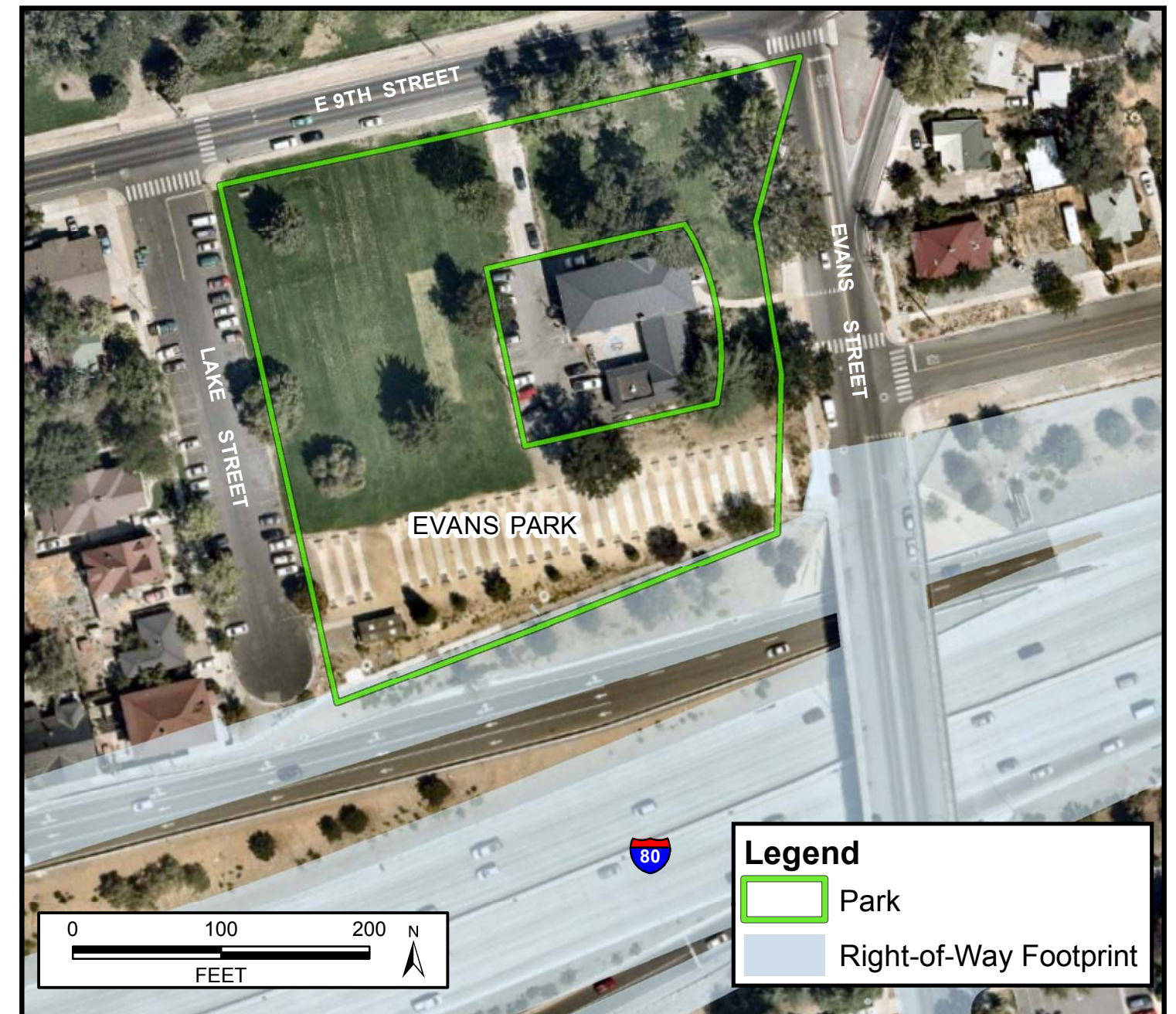
As illustrated in Figure 6-6, Alternative 1 would not result in a permanent incorporation of land from Evans Park—modifications to I-80 near this park would not entail any actions outside the existing highway right-of-way. As such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Evans Park during construction is anticipated under Alternative 1.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Evans Park under Alternative 1; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Evans Park under Alternative 1 because projected noise levels (67 dBA) would not exceed the 70-dBA FHWA noise abatement criterion for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Evans Park is assessed at noise receiver W22.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Evans Park under Alternative 1. In summary, Alternative 1 would not include proximity impacts that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-6. Impacts to Evans Park under Alternative 1



Alternative 2

As illustrated in Figure 6-7, Alternative 2 would not result in a permanent incorporation of land from Evans Park—modifications to I-80 near this park would not entail any actions outside the existing highway right-of-way. As such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Evans Park during construction is anticipated under Alternative 2.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Evans Park under Alternative 2; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Evans Park under Alternative 2 because projected noise levels (67 dBA) would not exceed the 70-dBA FHWA noise abatement criterion for parks listed in Table 1 in Part 772. See Final EIS Appendix D.5B for more detail; Evans Park is assessed at noise receiver W22.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Evans Park under Alternative 2. In summary, Alternative 2 would not include proximity impacts that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-7. Impacts to Evans Park under Alternative 2



Section 4(f) Resources Where No Use Would Occur

Alternative 3

As illustrated in Figure 6-8, Alternative 3 would not result in a permanent incorporation of land from Evans Park – modifications to I-80 near this park would not entail any actions outside the existing highway right-of-way. As such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Evans Park during construction is anticipated under Alternative 3.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Evans Park under Alternative 3; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Evans Park under Alternative 3 because projected noise levels (67 dBA) would not exceed the 70-dBA FHWA noise abatement criterion for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Evans Park is assessed at noise receiver W22.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Evans Park under Alternative 3. In summary, Alternative 3 would not include proximity impacts that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-8. Impacts to Evans Park under Alternative 3



Fisherman's Park #1

Alternative 2

As illustrated in Figure 6-9, Alternative 2 would not result in a permanent incorporation of land from Fisherman's Park #1; as such, there would not be a Section 4(f) permanent use of the property.

Alternative 2 may result in the need to occupy land at the Fisherman's Park #1 property during construction for the purpose of establishing a detour route for the River Trail along the north edge of the park parcel adjacent to Kietzke Lane.

The specific details for the River Trail detour route would be determined during the project's design phase; it is possible that the Fisherman's Park #1 property would not be temporarily used for the trail detour, but for the purposes of conservatively addressing potential impacts in the Final 4(f) Evaluation, it is assumed that Fisherman's Park #1 parkland would be utilized for the detour route. To that end, the discussion below addresses how such a temporary occupancy would meet the five exception criteria in 23 CFR 774.13(d):

(1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land.

Response: The temporary occupancy of land at Fisherman's Park #1 for providing a temporary detour for River Trail users during construction would last for approximately 10 months. This would be considerably shorter than the overall timeframe of the entire project, which would be phased over several years. There would be no change in ownership of the parkland, which would continue to be owned by the City of Reno.

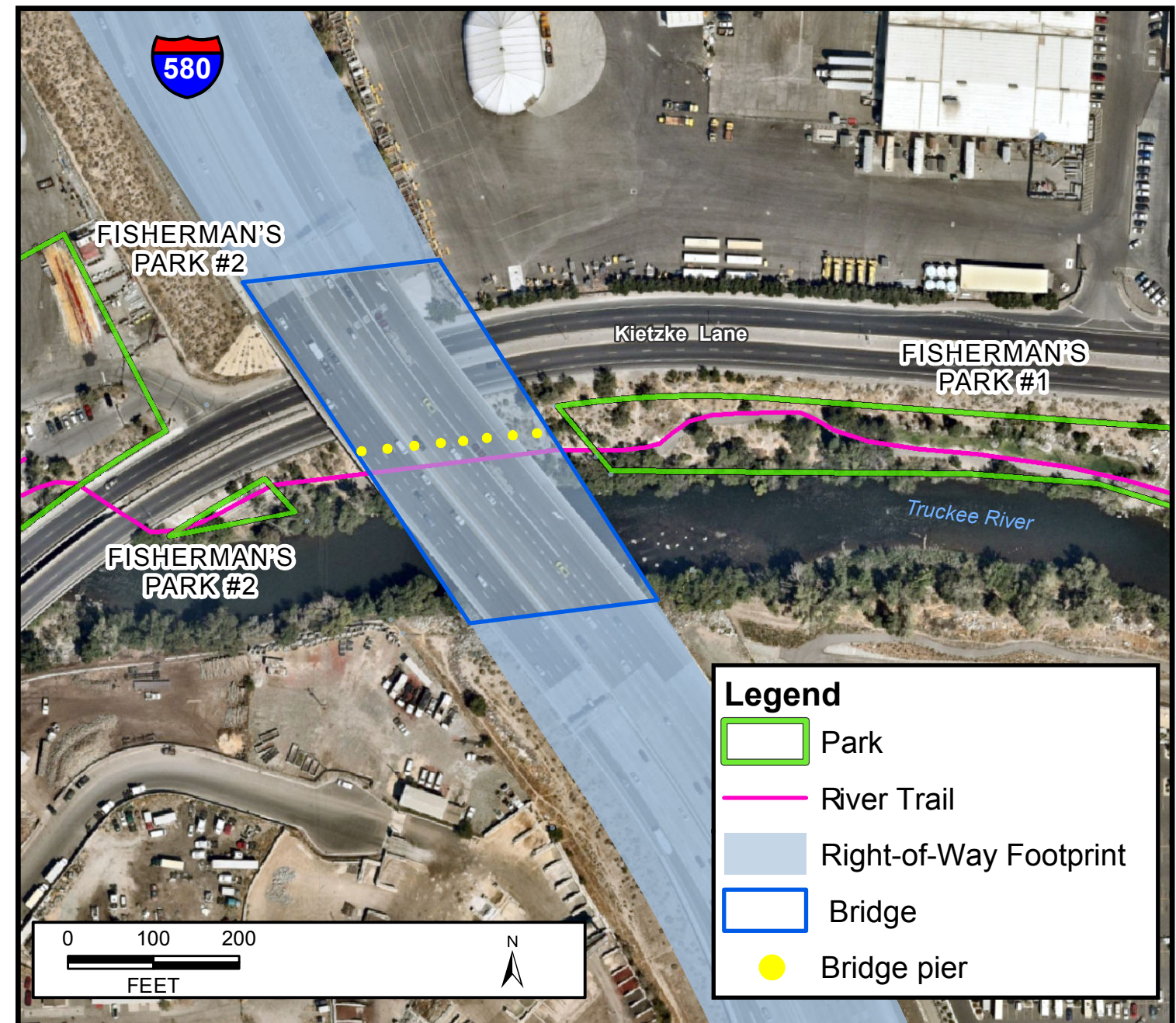
(2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal.

Response: The park property where the temporary detour trail would be constructed is landscaped but does not contain any recreational amenities. After the completion of construction, the existing River Trail would re-open to users and the parkland on which the temporary detour trail would be located would be restored to a condition equal to, or better than, existing conditions.

(3) There are no anticipated permanent adverse physical impacts, nor would there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis.

Response: Alternative 2 would not result in any permanent adverse impacts to Fisherman's Park #1. The parkland on which the temporary detour trail would be located would be re-landscaped to a condition equal to or better than existing conditions. No temporary interference with recreational activities, features, or attributes would occur. The two primary recreational activities at the park (fishing/river access and recreational use of the trail) would be maintained during construction.

Figure 6-9. Impacts to Fisherman's Park #1 and #2, and River Trail under Alternative 2



Section 4(f) Resources Where No Use Would Occur

(4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project.

Response: The parkland on which the temporary detour trail would be located would be restored to a condition equal to or better than existing conditions.

(5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

Response: The City of Reno has provided written concurrence that the above temporary occupation exception criteria would be met under Alternative 2 with respect to the potential impacts to Fisherman's Park #1 as described in this document (see [Appendix F.1](#)).

Per the visual analysis conducted for the project, there would be no adverse visual impact to Fisherman's Park #1 under Alternative 2; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Fisherman's Park #1 under Alternative 2 because projected noise levels (68 dBA) would not exceed the 70-dBA FHWA noise abatement criterion for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Fisherman's Park #1 is assessed at noise receiver S2.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Fisherman's Park #1 under Alternative 2. In summary, Alternative 2 would not have proximity impacts that would substantially impair the qualifying activities, features, or attributes of the park.

Alternative 3

As shown in Figure 6-10, Alternative 3 would not result in a permanent incorporation of land from Fisherman's Park #1; as such, there would not be a Section 4(f) permanent use of the property. The difference between Alternative 3 and Alternative 2 at this resource is that Alternative 3 has a slightly wider I-580 bridge deck.

Like Alternative 2, Alternative 3 might result in the need to occupy land at the Fisherman's Park #1 property during construction for the purpose of establishing a detour route for the River Trail along the north edge of the park parcel adjacent to Kietzke Lane. Alternative 3 would meet the temporary occupancy criteria in 23 CFR 774.13(d) with respect to temporary impacts at Fisherman's Park #1 for the same reasons described for Alternative 2. The City of Reno has provided written concurrence that the above temporary occupation exception criteria would be met under Alternative 3 with respect to the potential impacts to Fisherman's Park #1 as described in this document (see [Appendix F.1](#)).

Per the visual analysis conducted for the project, there would be no adverse visual impact to Fisherman's Park #1 under Alternative 3; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Fisherman's Park #1 under Alternative 3 because projected noise levels (68 dBA) would not exceed the 70-dBA FHWA noise abatement criterion for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Fisherman's Park #1 is assessed at noise receiver S2.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Fisherman's Park #1 under Alternative 3. In summary, Alternative 3 would not include proximity impacts that would substantially impair the qualifying activities, features, or attributes of the park.

Fisherman’s Park #2

Alternative 2

As illustrated in Figure 6-9, Alternative 2 would not result in a permanent incorporation of land from Fisherman’s Park #2; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Fisherman’s Park #2 during construction is anticipated under Alternative 2.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Fisherman’s Park #2 under Alternative 2; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Fisherman’s Park #2 under Alternative 2 because projected noise levels (70 dBA) would not exceed the 70-dBA FHWA noise abatement criterion for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Fisherman’s Park #2 is assessed at noise receiver S3.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Fisherman’s Park #2 under Alternative 2. In summary, Alternative 2 would not include proximity impacts that would substantially impair the qualifying activities, features, or attributes of the park.

Alternative 3

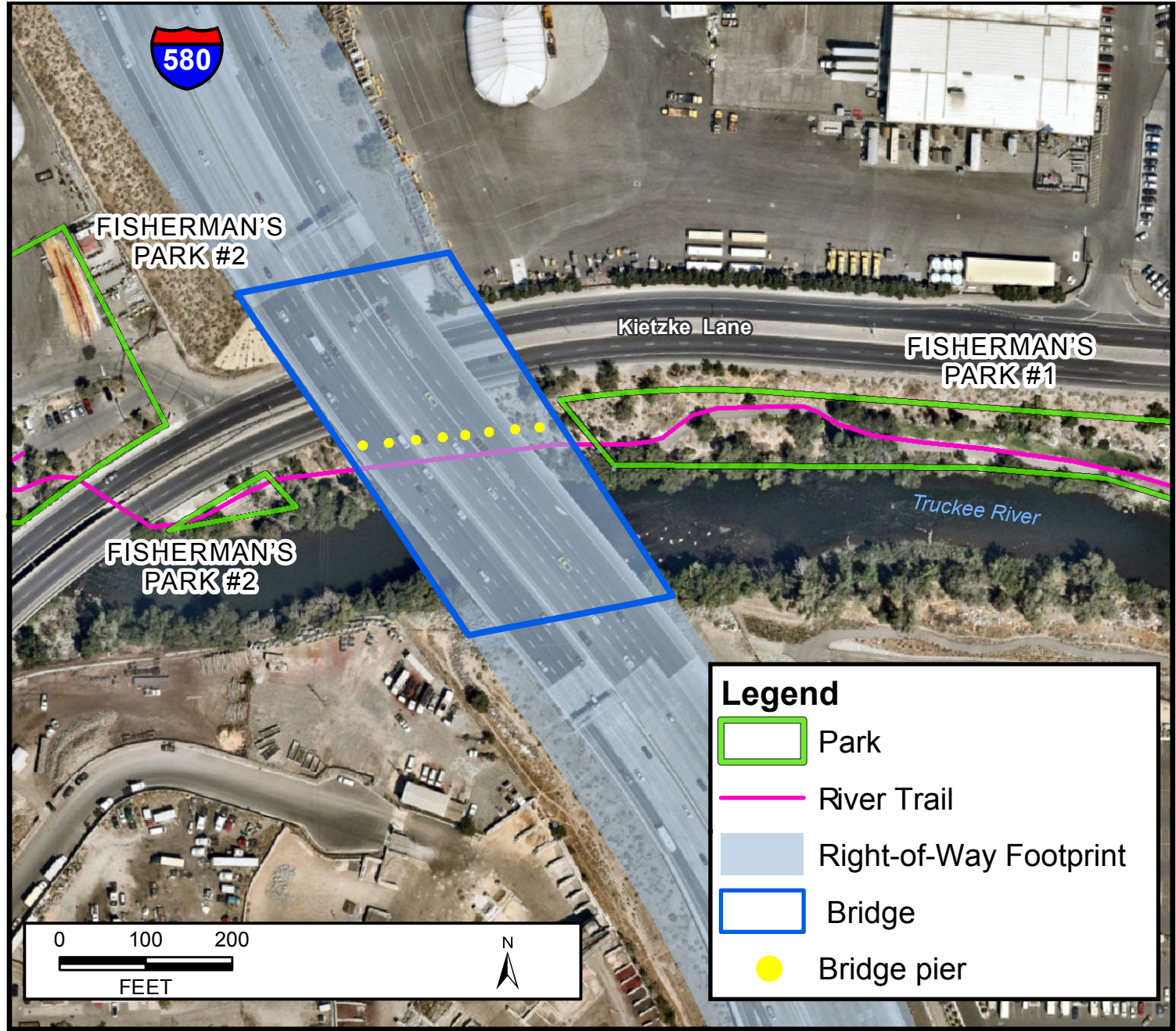
As illustrated in Figure 6-10, Alternative 3 would not result in a permanent incorporation of land from Fisherman’s Park #2; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Fisherman’s Park #2 during construction is anticipated under Alternative 3. The difference between Alternative 3 and Alternative 2 at this resource is that Alternative 3 has a slightly wider I-580 bridge deck.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Fisherman’s Park #2 under Alternative 3; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Fisherman’s Park #2 under Alternative 3 because projected noise levels (69 dBA) would not exceed the 70-dBA FHWA noise abatement criterion for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Fisherman’s Park #2 is assessed at noise receiver S3.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Fisherman’s Park #2 under Alternative 3. In summary, Alternative 3 would not include proximity impacts that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-10. Impacts to Fisherman’s Park #1 and #2, and River Trail under Alternative 3



River Trail

Alternative 2

As illustrated in Figure 6-9, Alternative 2 would not result in a permanent incorporation of land from the River Trail outside of that part of the trail already underneath the I-580 bridge (and therefore already subject to permanent easement ownership by NDOT); as such, there would not be a Section 4(f) permanent incorporation of the trail resource.

Alternative 2 would require closure of the segment of the River Trail under the I-580 bridge crossing during construction. The project would provide a detour route for trail users during construction so that the trail could continue to be used and provide the same connectivity as it does currently. The specific details for the River Trail detour route would be developed during the design phase. The below discussion addresses how such a temporary occupancy would meet the five exception criteria in 23 CFR 774.13(d):

(1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land.

Response: The temporary occupancy of the segment of the River Trail under the I-580 corridor during construction would last approximately 10 months. This would be considerably shorter than the overall timeframe of the entire project, which would be phased over several years. There would be no change in ownership of the trail—the overall trail would still be owned by the City of Reno, and the segment of the trail underneath the I-580 bridge corridor would continue to be subject to a permanent easement owned by NDOT.

(2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal.

Response: After the completion of construction necessitating the closure of the segment of the River Trail, the existing River Trail segment would re-open.

(3) There are no anticipated permanent adverse physical impacts, nor would there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis.

Response: Alternative 2 would not result in any permanent adverse impacts to the River Trail. The trail segment that would be closed to the users would be re-opened in a condition equal to or better than existing conditions. No temporary interference with recreational activities, features, or attributes would occur. The installation of a temporary detour trail would provide trail users continuous, unimpeded use of the trail with the same trail connectivity that exists today.

(4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project.

Response: The segment of the trail that would be closed during construction of Alternative 2 would re-open after completion of construction in a condition equal to or better than existing conditions.

(5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

Response: The City of Reno has provided written concurrence that the above temporary occupancy exception criteria would be met under Alternative 2 with respect to potential impacts to the River Trail described in this document (see Appendix F.1).

The River Trail is not considered a sensitive noise receiver as it is an active recreation area and it is not part of a sensitive visual landscape unit. There would be no additional noise or visual impacts to this resource under Alternative 2.

There would be no change in bicycle or pedestrian access to the River Trail under Alternative 2. In summary, there would be no proximity impacts that would substantially impair the recreational activities, features, and attributes of the trail.

Alternative 3

As shown in Figure 6-10, Alternative 3 would not result in a permanent incorporation of land from the River Trail outside of that part of the trail already underneath the existing I-580 bridge (and therefore already subject to permanent easement ownership by NDOT); as such, there would not be a Section 4(f) permanent use of the trail resource. The difference between Alternative 3 and Alternative 2 at this resource is that Alternative 3 has a slightly wider I-580 bridge deck.

Like Alternative 2, Alternative 3 would require closure of the segment of the River Trail under the I-580 bridge during construction. The project would provide a detour route for trail users during construction so that the trail could continue to be used and provide the same connectivity it does currently. The specific details for the River Trail detour route would be developed during the design phase. Alternative 3 would meet the temporary occupancy criteria in 23 CFR 774.13(d) with respect to temporary impacts to the River Trail for the same reasons described for Alternative 2. The City of Reno has provided written concurrence that the above temporary occupancy exception criteria would be met under Alternative 3 with respect to the potential impacts described in this document (see Appendix F.1).

The River Trail is not considered a sensitive noise receiver as it is an active recreation area and it is not part of a sensitive visual landscape unit. There would be no additional noise or visual impacts to this resource under Alternative 3. There would be no change in bicycle or pedestrian access to the River Trail under Alternative 3. As such, there would be no proximity impacts that would substantially impair the recreational activities, features, and attributes of the trail.

Anderson Park

Alternative 1

As illustrated in Figure 6-11, Alternative 1 would not result in a permanent incorporation of land from Anderson Park; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Anderson Park during construction is anticipated under Alternative 1.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Anderson Park under Alternative 1; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Anderson Park under Alternative 1 because projected noise levels (67 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Anderson Park is assessed at noise receiver S12.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Anderson Park under Alternative 1. In summary, Alternative 1 would not include any actions that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-11. Impacts to Anderson Park under Alternative 1



Section 4(f) Resources Where No Use Would Occur

Alternative 2

As illustrated in Figure 6-12, Alternative 2 would not result in a permanent incorporation of land from Anderson Park; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Anderson Park during construction is anticipated under Alternative 2.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Anderson Park under Alternative 2; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Anderson Park under Alternative 2 because projected noise levels (65 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Anderson Park is assessed at noise receiver S12.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Anderson Park under Alternative 2. In summary, Alternative 2 would not include any actions that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-12. Impacts to Anderson Park under Alternative 2



Alternative 3

As illustrated in Figure 6-13, Alternative 3 would not result in a permanent incorporation of land from Anderson Park; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Anderson Park during construction is anticipated under Alternative 3.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Anderson Park under Alternative 3; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Anderson Park under Alternative 3 because projected noise levels (69 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See Final EIS Appendix D.5B for more detail; Anderson Park is assessed at noise receiver S12.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Anderson Park under Alternative 3. In summary, Alternative 3 would not include any actions that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-13. Impacts to Anderson Park under Alternative 3



Miguel Ribera Park

Alternative 1

As illustrated in Figure 6-14, Alternative 1 would not result in a permanent incorporation of land from Miguel Ribera Park; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Miguel Ribera Park during construction is anticipated under Alternative 1.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Miguel Ribera Park under Alternative 1; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Miguel Ribera Park under Alternative 1 because projected noise levels (67 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Miguel Ribera Park is assessed at noise receiver S45.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Miguel Ribera Park under Alternative 1. In summary, Alternative 1 would not include any actions that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-14. Impacts to Miguel Ribera Park under Alternative 1



Alternative 2

As illustrated in Figure 6-15, Alternative 2 would not result in a permanent incorporation of land from Miguel Ribera Park – as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Miguel Ribera Park during construction is anticipated under Alternative 2.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Miguel Ribera Park under Alternative 2; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Miguel Ribera Park under Alternative 2 because projected noise levels (66 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See Final EIS Appendix D.5B for more detail; Miguel Ribera Park is assessed at noise receiver S45.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Miguel Ribera Park under Alternative 2. In summary, Alternative 2 would not include any actions that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-15. Impacts to Miguel Ribera Park under Alternative 2



Section 4(f) Resources Where No Use Would Occur

Alternative 3

As illustrated in Figure 6-16, Alternative 3 would not result in a permanent incorporation of land from Miguel Ribera Park; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Miguel Ribera Park during construction is anticipated under Alternative 3.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Miguel Ribera Park under Alternative 3; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Miguel Ribera Park under Alternative 3 because projected noise levels (67 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Miguel Ribera Park is assessed at noise receiver S45.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Miguel Ribera Park under Alternative 3. In summary, Alternative 3 would not include any actions that would substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-16. Impacts to Miguel Ribera Park under Alternative 3



Bandstand Park

Alternative 2

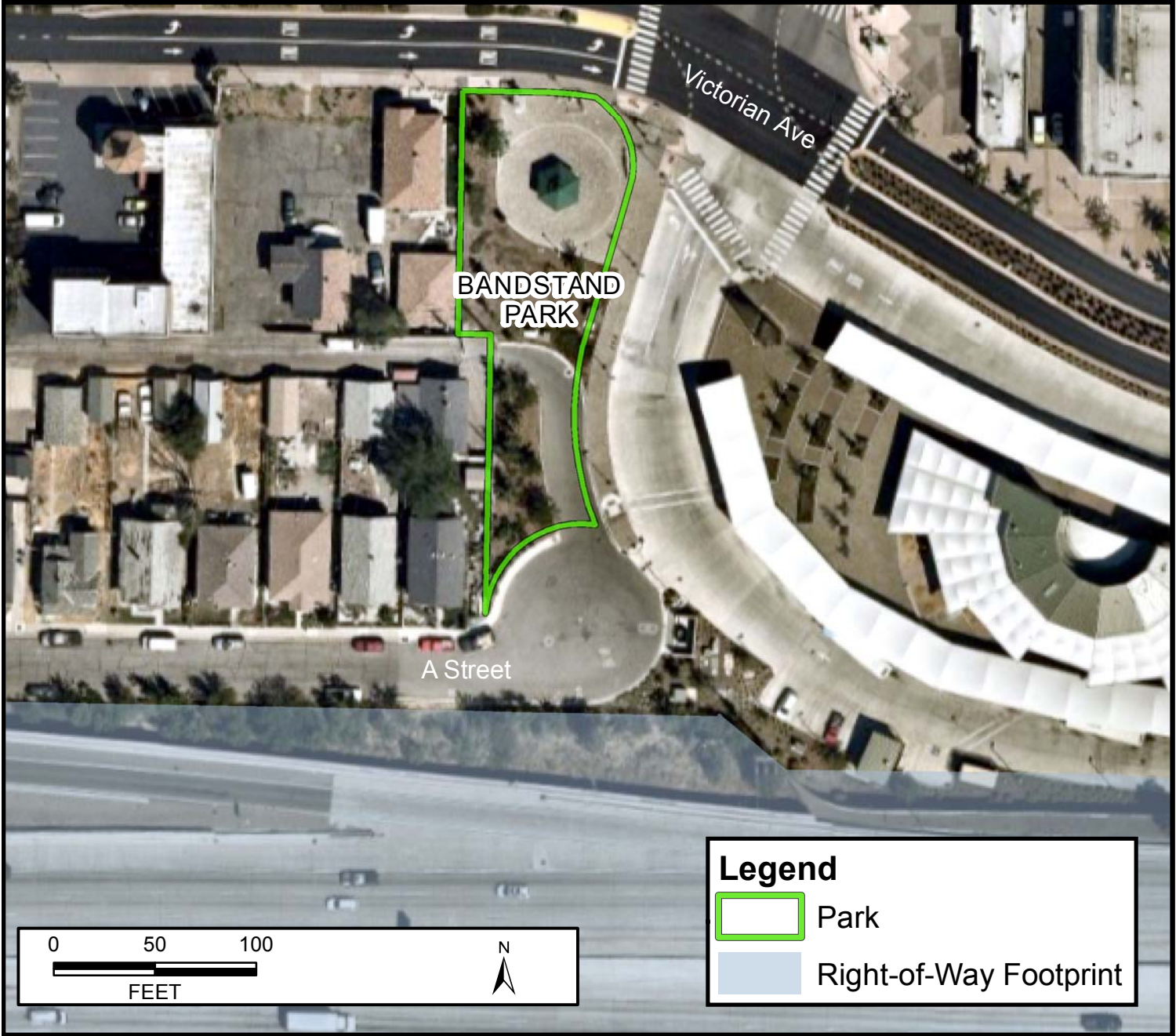
As illustrated in Figure 6-17, Alternative 2 would not result in a permanent incorporation of land from Bandstand Park; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Bandstand Park during construction is anticipated under Alternative 2.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Bandstand Park under Alternative 2; see Section 3.7 (Visual Character/Aesthetics) for more detail.

There would be no noise-related constructive use at Bandstand Park under Alternative 2. The receiver at Bandstand Park is located outside the boundary of the noise impact assessment study area; no noise-related impacts are anticipated. See Final EIS Appendix D.5B for more detail; Bandstand Park is assessed at noise receiver E59.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Bandstand Park under Alternative 2. In summary, there would be no proximity impacts on Bandstand Park under Alternative 2 and thus Alternative 2 would not substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-17. Impacts to Bandstand Park under Alternative 2



Section 4(f) Resources Where No Use Would Occur

Alternative 3

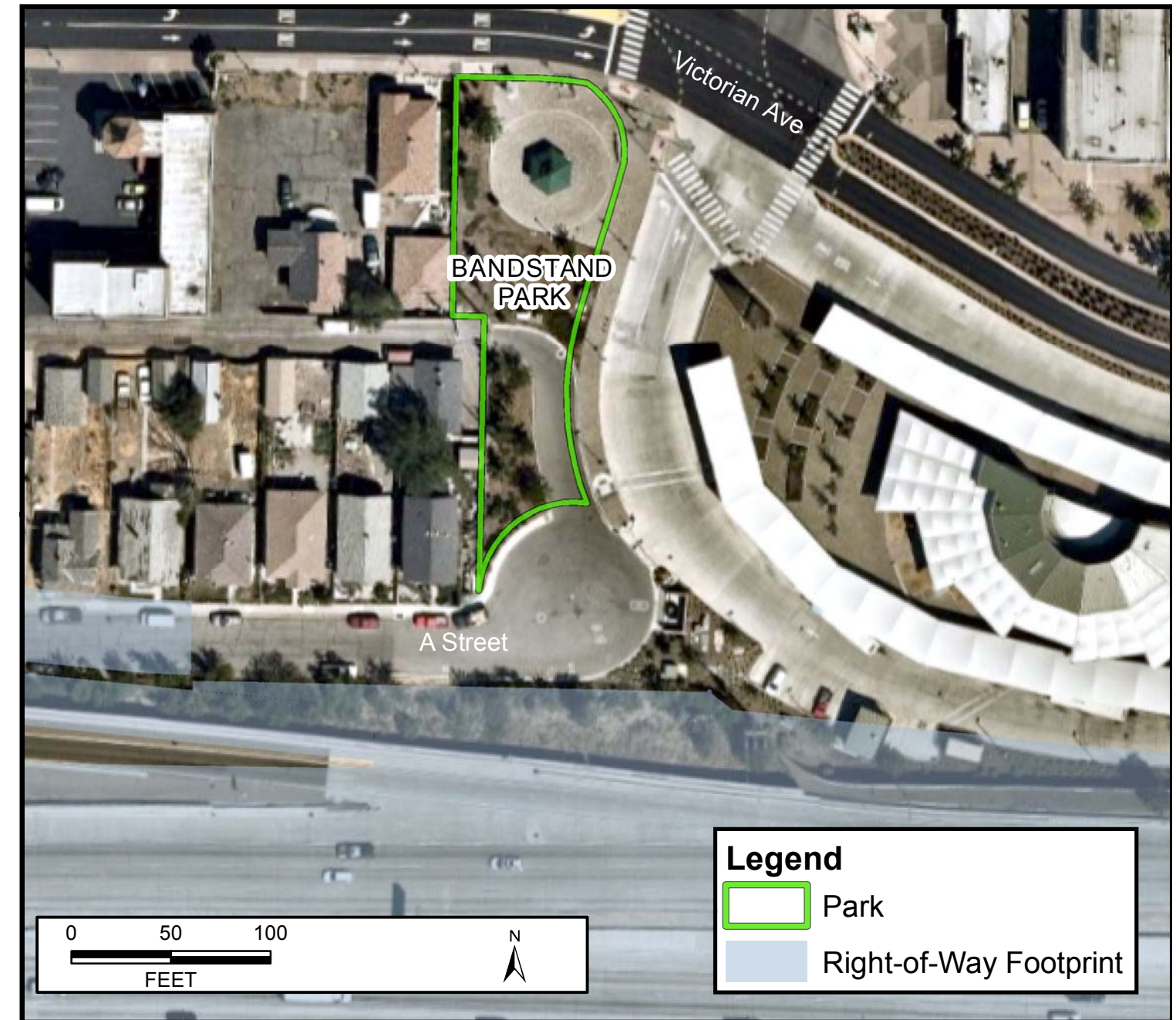
As illustrated in Figure 6-18, Alternative 3 would not result in a permanent incorporation of land from Bandstand Park; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Bandstand Park during construction is anticipated under Alternative 3.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Bandstand Park under Alternative 3; see Section 3.7 (Visual Character/Aesthetics) for more detail.

There would be no noise-related constructive use at Bandstand Park under Alternative 3. The receiver at Bandstand Park is located outside the boundary of the noise impact assessment study area; no noise-related impacts are anticipated. See [Final EIS Appendix D.5B](#) for more detail; Bandstand Park is assessed at noise receiver E59.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Bandstand Park under Alternative 3. In summary, there would be no proximity impacts on Bandstand Park under Alternative 3 and thus Alternative 3 would not substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-18. Impacts to Bandstand Park under Alternative 3



Lillard Park

Alternative 2

As illustrated in Figure 6-19, Alternative 2 would not result in a permanent incorporation of land from Lillard Park; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Lillard Park during construction is anticipated under Alternative 2.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Lillard Park under Alternative 2; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Lillard Park under Alternative 2 because projected noise levels (69 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See Final EIS Appendix D.5B for more detail; Lillard Park is assessed at noise receiver E35.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Lillard Park under Alternative 2. In summary, there would be no proximity impacts on Lillard Park under Alternative 2 and thus Alternative 2 would not substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-19. Impacts to Lillard Park under Alternative 2



Section 4(f) Resources Where No Use Would Occur

Alternative 3

As illustrated in Figure 6-20, Alternative 3 would not result in a permanent incorporation of land from Lillard Park; as such, there would not be a Section 4(f) permanent use of the resource. No temporary occupancy of Lillard Park during construction is anticipated under Alternative 3.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Lillard Park under Alternative 3; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Lillard Park under Alternative 3 because projected noise levels (69 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Lillard Park is assessed at noise receiver E35.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Lillard Park under Alternative 3. In summary, there would be no proximity impacts on Lillard Park under Alternative 3, and thus Alternative 3 would not substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-20. Impacts to Lillard Park under Alternative 3



Sparks Memorial Park

Alternative 2

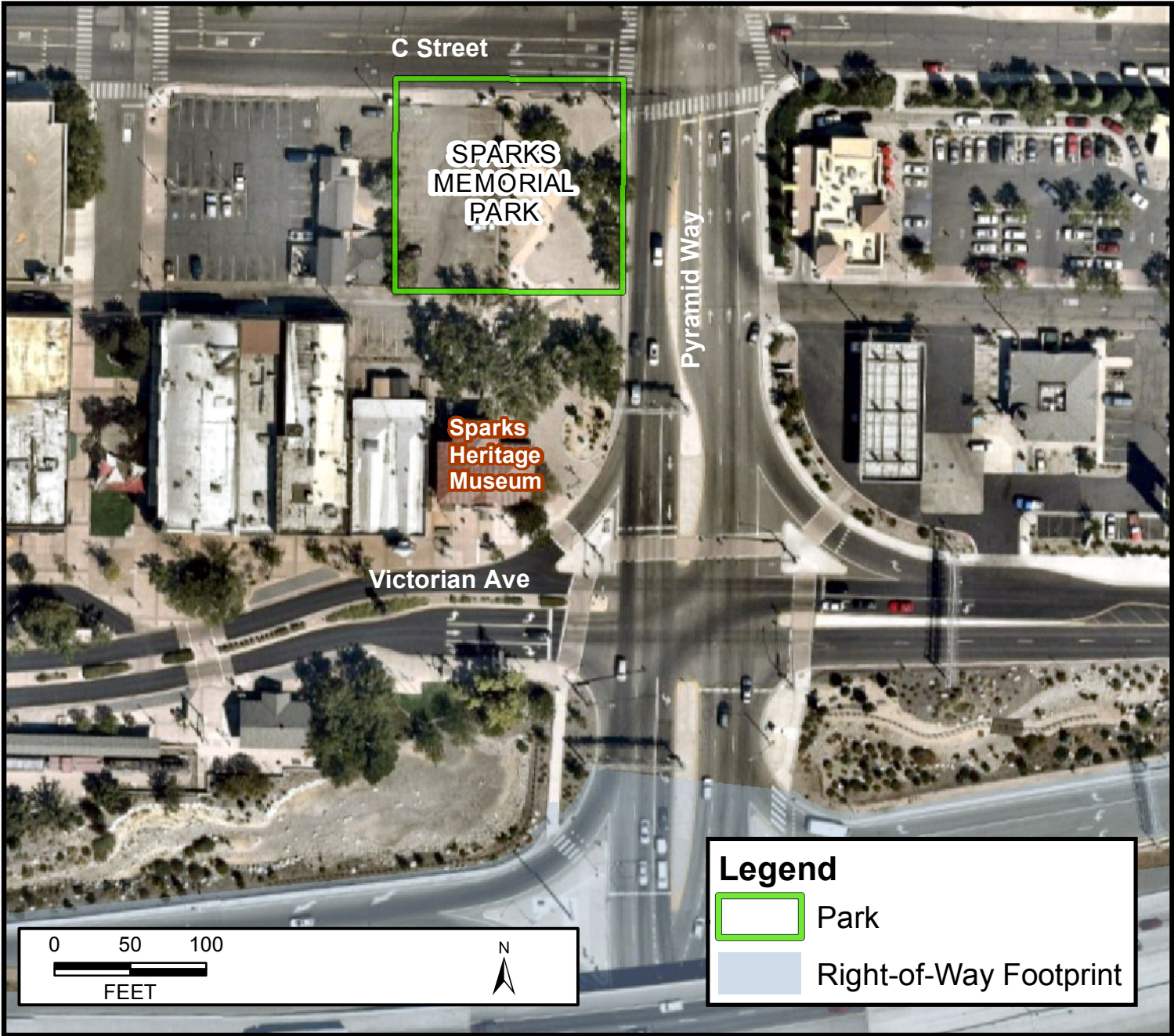
As illustrated in Figure 6-21, Alternative 2 would not result in a permanent incorporation of land from Sparks Memorial Park – as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Sparks Memorial Park during construction is anticipated under Alternative 2.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Sparks Memorial Park under Alternative 2; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Sparks Memorial Park under Alternative 2 because projected noise levels (66 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Sparks Memorial Park is assessed at noise receiver E61.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Sparks Memorial Park under Alternative 2. In summary, there would be no proximity impacts on Sparks Memorial Park under Alternative 2 and thus Alternative 2 would not substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-21. Impacts to Sparks Memorial Park under Alternative 2



Section 4(f) Resources Where No Use Would Occur

Alternative 3

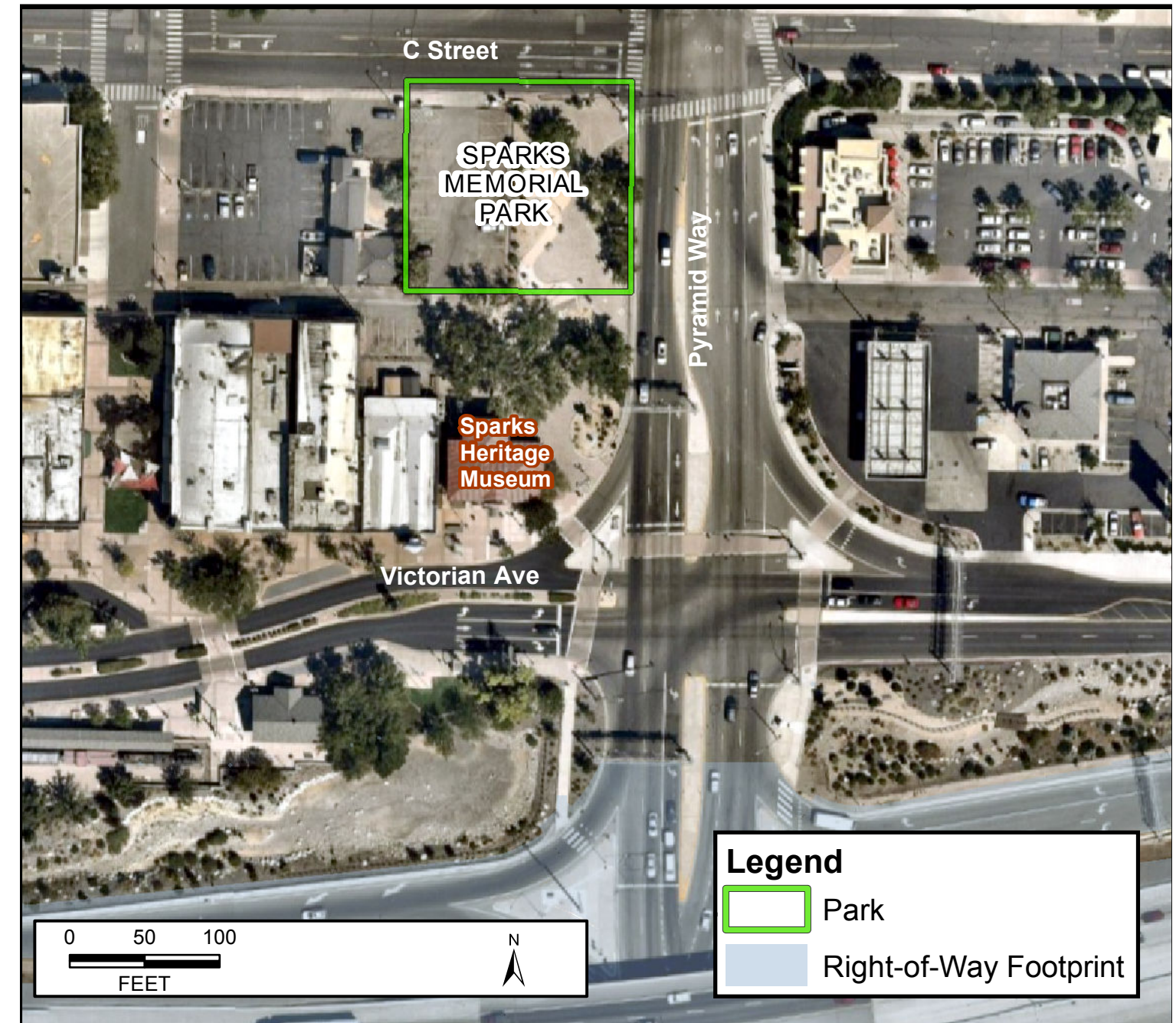
As illustrated in Figure 6-22, Alternative 3 would not result in a permanent incorporation of land from Sparks Memorial Park – as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Sparks Memorial Park during construction is anticipated under Alternative 3.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Sparks Memorial Park under Alternative 3; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Sparks Memorial Park under Alternative 3 because projected noise levels (67 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Sparks Memorial Park is assessed at noise receiver E61.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Sparks Memorial Park under Alternative 3. In summary, there would be no proximity impacts on Sparks Memorial Park under Alternative 3 and thus Alternative 3 would not substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-22. Impacts to Sparks Memorial Park under Alternative 3



Poulakidas Park

Alternative 1

As illustrated in Figure 6-23, Alternative 1 would not result in a permanent incorporation of land from Poulakidas Park; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Poulakidas Park during construction is anticipated under Alternative 1.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Poulakidas Park under Alternative 1; see Section 3.7 (Visual Character/Aesthetics) for more detail.

There would be no noise-related constructive use at Poulakidas Park under Alternative 1. Poulakidas Park is located outside the boundary of the noise impact assessment study area; no noise-related impacts are anticipated.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Poulakidas Park under Alternative 1. In summary, there would be no proximity impacts on Poulakidas Park under Alternative 1 and thus Alternative 1 would not substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-23. Impacts to Poulakidas Park under Alternative 1



Section 4(f) Resources Where No Use Would Occur

Alternative 2

As illustrated in Figure 6-24, Alternative 2 would not result in a permanent incorporation of land from Poulakidas Park; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Poulakidas Park during construction is anticipated under Alternative 2.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Poulakidas Park under Alternative 2; see Section 3.7 (Visual Character/Aesthetics) for more detail.

There would be no noise-related constructive use at Poulakidas Park under Alternative 2. Poulakidas Park is located outside the boundary of the noise impact assessment study area; no noise-related impacts are anticipated.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Poulakidas Park under Alternative 2. In summary, there would be no proximity impacts on Poulakidas Park under Alternative 2 and thus Alternative 2 would not substantially impair the qualifying activities, features, or attributes of the park.

Figure 6-24. Impacts to Poulakidas Park under Alternative 2



Alternative 3

As illustrated in Figure 6-25, Alternative 3 would not result in a permanent incorporation of land from Poulakidas Park; as such, there would not be a Section 4(f) permanent use of the property. No temporary occupancy of Poulakidas Park during construction is anticipated under Alternative 3.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Poulakidas Park under Alternative 3; see Section 3.7 (Visual Character/Aesthetics) for more detail.

There would be no noise-related constructive use at Poulakidas Park under Alternative 3. Poulakidas Park is located outside the boundary of the noise impact assessment study area; no noise-related impacts are anticipated.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Poulakidas Park under Alternative 3. In summary, there would be no proximity impacts on Poulakidas Park under Alternative 3 and thus Alternative 3 would not substantially impair the qualifying activities, features, or attributes of the park.

6.5.2 HISTORIC RESOURCES

Historic resources listed in Table 6-2 that do not have any permanent or temporary incorporations of land under specific project alternatives (and were found to not have a Section 106 adverse effect under those specific project alternatives) would not result in a use per Section 4(f) and, as such, are not discussed further in this document regarding potential impacts under those specific alternatives. With regard to the Reno-Sparks Indian Colony Historic District, it should be noted that Alternative 1 would necessitate the acquisition of land from the Walmart parking lot on the east of I-580 (which is located within the historic district), but because the Walmart property is non-historic and is a non-contributing property to the Reno-Sparks Indian Colony Historic District this does not represent the acquisition of property from a Section 4(f) historic resource (see FHWA Section 4(f) Policy Paper Question 7C) (FHWA, 2012); as such, no further discussion regarding potential Section 4(f) use at the Reno-Sparks Indian Colony Historic District is necessary.

Detailed descriptions of all historic resources are provided in Section 3.11 and in Appendix D.13.

Figure 6-25. Impacts to Poulakidas Park under Alternative 3



6.6 Section 4(f) Resources Where a Use Would Occur

This section describes Section 4(f) resources that would incur a use as a result of specific project alternative actions. Alternatives 1, 2, and 3 would each result in the use of Section 4(f) resources. A discussion of avoidance alternatives and a least harm analysis is provided in Section 6.8.

The proximity of the historic resources discussed in this section to project alternatives can be seen on the exhibits in [Appendix F.2](#). Detailed descriptions of impacts to the below resources are provided in Section 3.11 and in Appendix D.13; because the detailed impacts to historic properties are documented in these two sections, the descriptions of impacts in this section are brief.

Under Section 106, mitigation is required when a project adversely affects historic properties. Appropriate mitigation measures to address the adverse effects of project alternatives were established through the Section 106 consultation process that involved FHWA, NDOT, the State Historic Preservation Office, the RSIC, and the RSIC Tribal Historic Preservation Officer. Throughout the design process, the design team has recognized the importance of the historic properties within the APE. Efforts have been made to reduce impacts to historic properties. The following are ways in which FHWA and NDOT have minimized effects to historic properties in the APE for Alternatives 1, 2, and 3:

- Maintaining overall appearance, materials, massing, and grade of existing and replaced roadways, bridges, when feasible.
- Minimizing new visual and atmospheric intrusions and shadow effects from new elements near the location of historic properties.
- Replacing sidewalks in-kind to match their existing appearance.
- Minimizing construction of new screening walls and traffic noise barriers in areas where these elements do not exist, unless design conditions require their addition to avoid additional effects.
- Limiting and minimizing changes to roadways outside the right-of-way.
- Avoiding major roadway realignments and shifts, and changes in traffic patterns and circulation for existing roadways near historic properties.
- Maintaining noise levels consistent with existing conditions.
- Avoiding full demolition or full acquisition of historic districts.
- Avoiding placement of any project elements within the Truckee River or below the ordinary high-water mark, and removing the existing bridge pier from the river (new bridges would clear-span the river and be a beneficial impact).

- Maintaining historic property orientation and setbacks, and the spatial relationships of historic properties to roadways and other key features.

Mitigation measures for all impacted historic resources have been stipulated in a Memorandum of Agreement document signed by the entities with responsibilities under the agreement (see [Appendix F.4](#)).

6.6.1 RESOURCES WITH A *DE MINIMIS* USE DETERMINATION

Fisherman's Park #1

As shown in Figure 6-26, Alternative 1 would construct elevated bridges over Fisherman's Park #1. Under this alternative, NDOT would acquire a permanent easement for the approximately 0.6 acre of parkland that would be underneath the elevated freeway ramp and would install piers along the riverfront on park property. This would be a permanent incorporation under Section 4(f) and therefore a use.

The land to be acquired by NDOT represents approximately 10 percent of the total area of Fisherman's Park #1. Under the permanent easement agreement, NDOT would permit all current recreational use of Fisherman's Park #1 to continue the land underneath the new elevated bridges, so there would be no permanent change to the way the park is currently used for recreational purposes by visitors (i.e., river access for fishing, walking/biking on the trail through the park, and picnicking).

Alternative 1 would result in the occupation of approximately 0.6 acre of parkland underneath the proposed new elevated bridge/ramps, resulting in a closure of this part of the park during construction. However, the other 90 percent of the park would still be open to the public; therefore, the recreational use of the park could continue during construction.

Under Alternative 1, the introduction of new overhead bridges would result in visual impacts and an increase in noise at Fisherman's Park #1 for the area of the park underneath the new overhead bridges. However, this impact would only occur at approximately 10 percent of the existing park and the Section 4(f)-protected activities, features, and attributes of the park would not be substantially impaired.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Fisherman's Park #1 under Alternative 1; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Fisherman's Park #1 under Alternative 1 because projected noise levels (67 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Fisherman's Park #1 is assessed at noise receiver S2.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Fisherman’s Park #1 under Alternative 1. In summary, Alternative 1 would not include proximity impacts that would substantially impair the qualifying activities, features, or attributes of the park.

NDOT would mitigate park property acquisition through compensation to the City of Reno under the Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act).

Based on the above discussion, FHWA has concluded that Alternative 1 would not adversely affect the features, attributes, or activities qualifying the trail for protection under Section 4(f), and as such has made a finding of *de minimis* with respect to Alternative 1 impacts at the Fisherman’s Park #1.

River Trail

As shown in Figure 6-26, Alternative 1 would construct bridges over approximately 320 linear feet of the River Trail (both west and east of the I-580 corridor) that is currently not underneath the I-580 bridges (and therefore not already subject to permanent easement ownership by NDOT). Under this alternative, NDOT would acquire a permanent easement for the trail that would be underneath the new bridges. This would be a permanent incorporation under Section 4(f) and therefore a use. Under the permanent easement agreement, NDOT would permit all current recreational use of the River Trail underneath the new bridges. As such, there would be no permanent change to the way the trail is currently used for recreational purposes by visitors (i.e., walking, running, and bicycling).

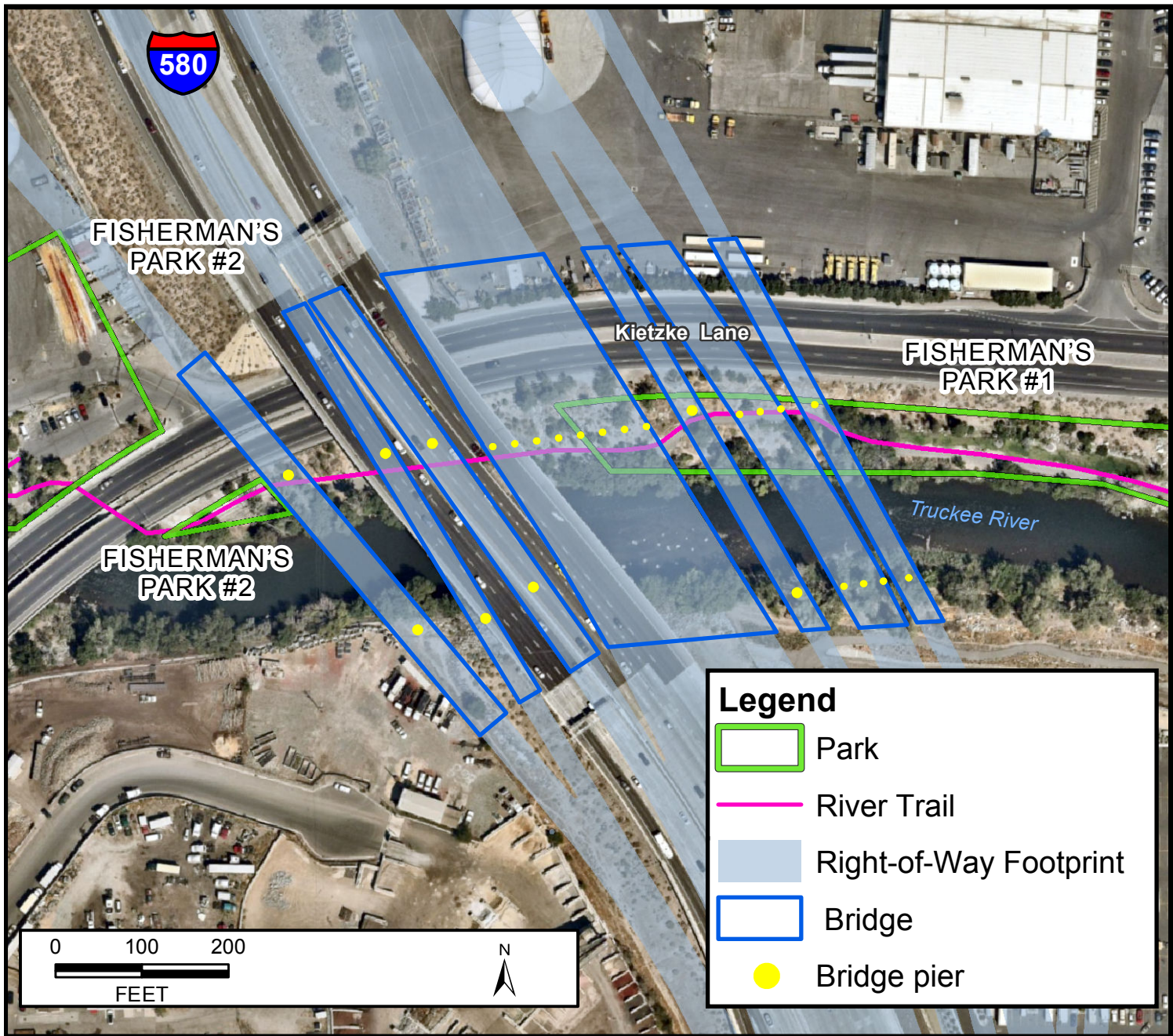
Alternative 1 would require closure of the segment of the River Trail under the new bridges during construction. The project would provide a detour route for trail users during construction so that the trail could continue to be used and provide the same connectivity as it does currently. The specific details for the River Trail detour route would be developed during the project’s design phase.

The River Trail is not considered a sensitive noise receiver because it is an active recreation area and not part of a sensitive visual landscape unit. Noise and visual impacts would increase on the trail under Alternative 1 because of the introduction of new bridges over parts of the trail that currently are not underneath the I-580 bridge; however, these proximity impacts would not substantially impair the recreational activities, features, and attributes of the trail. There would be no change in bicycle or pedestrian access to the River Trail under Alternative 1.

As necessary, NDOT would mitigate park property easement acquisition through compensation to the City of Reno under the Uniform Act.

Based on the above, FHWA has concluded that Alternative 1 would not adversely affect the features, attributes, or activities qualifying the trail for protection under Section 4(f), and as such has made a finding of *de minimis* with respect to Alternative 1 impacts at the River Trail.

Figure 6-26. Impacts to Fisherman’s Park #1 and #2, and River Trail under Alternative 1



Bandstand Park

As shown in Figure 6-27, Alternative 1 would result in the permanent incorporation of approximately 0.1 acre of land from Bandstand Park. The impacted part of the park is on the landscaped island between A Street and the alley that runs behind the houses on A Street. This part of the park has no recreational features or attributes. Because the permanent incorporation of land under Alternative 1 would not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f), FHWA has made a finding of *de minimis* with respect to Alternative 1 impacts at Bandstand Park.

NDOT would mitigate park property acquisition through compensation to the City of Reno under the Uniform Act.

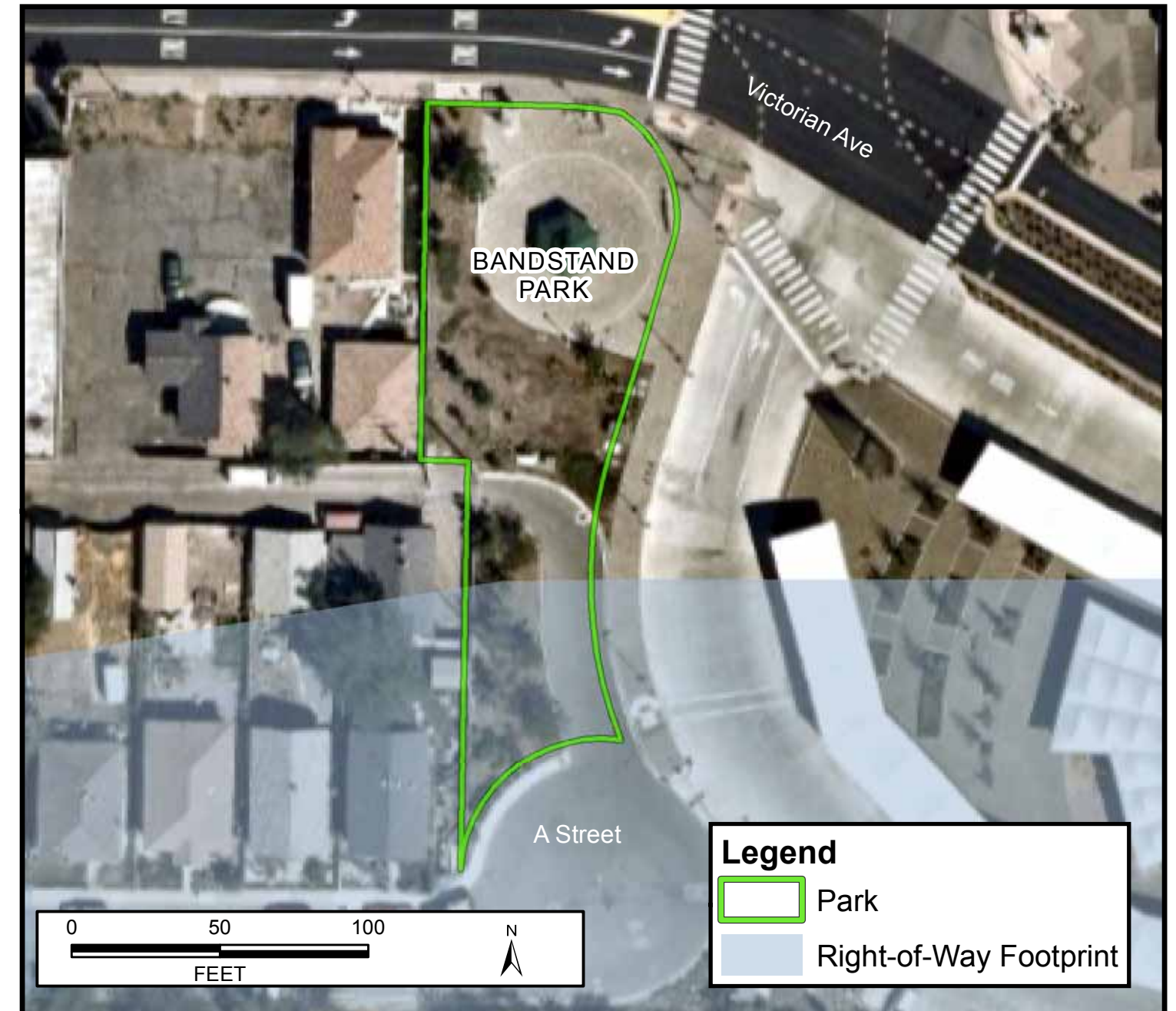
Alternative 1 would result in the temporary occupancy of Bandstand Park during construction. However, the area to be temporarily occupied is the previously noted landscaped island, which does not contain any recreational features or attributes. Therefore, the temporary occupancy impacts are *de minimis* in nature.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Bandstand Park under Alternative 1; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Bandstand Park under Alternative 1 because projected noise levels (70 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Bandstand Park is assessed at noise receiver E59.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Bandstand Park under Alternative 1. As such, there would be no proximity impacts that would substantially impair the recreational activities, features, and attributes of the park.

Figure 6-27. Impacts to Bandstand Park under Alternative 1



Sparks Memorial Park

As shown in Figure 6-28, Alternative 1 would result in the permanent incorporation of approximately 0.1 acre of land at Sparks Memorial Park associated with the realignment of Pyramid Way. The land to be acquired by NDOT represents approximately 20 percent of the total area of the park. This impact would partially disturb the existing curvilinear pathway and landscaping at the park; however, this part of the park has no recreational features or attributes.

Sparks Memorial Park was designed to function primarily for passive recreation (i.e., a place to walk through and observe the memorial features) – since the project would not affect the ability for visitors to continue passively recreating at the park in the same manner they do currently, and the existing monuments and adjacent sitting areas would not be impacted, it is concluded that the project would not permanently adversely affect the activities, features, or attributes qualifying this park for protection under Section 4(f).

Mitigation for project impacts would include coordinating with the Sparks Parks Department to re-landscape and redesign the park to the City's satisfaction. Additionally, NDOT would mitigate park property acquisition through compensation to the City of Sparks under the Uniform Act.

Per the visual analysis conducted for the project, there would be no adverse visual impact to Sparks Memorial Park under Alternative 1; see Section 3.7 (Visual Character/Aesthetics) for more detail.

Per 23 774.15(f)(2) there would be no noise-related constructive use at Sparks Memorial Park under Alternative 1 because projected noise levels (68 dBA) would not exceed the 70 dBA FHWA noise abatement criteria for parks listed in Table 1 in Part 772. See [Final EIS Appendix D.5B](#) for more detail; Sparks Memorial Park #1 is assessed at noise receiver E61.

There would be no change in transit, vehicle, bicycle, or pedestrian access to Sparks Memorial Park under Alternative 1. In summary, there would be no proximity impacts to Sparks Memorial Park under Alternative 1 and thus Alternative 1 would not substantially impair the qualifying activities, features, or attributes of the park.

Because the permanent incorporation of land under Alternative 1 would not adversely affect any recreational features, attributes, or activities qualifying the property for protection under Section 4(f), FHWA has made a finding of *de minimis* with respect to Alternative 1 impacts at Sparks Memorial Park.

Figure 6-28. Impacts to Sparks Memorial Park under Alternative 1



Earl Wooster High School

Alternative 1

Alternative 1 would result in the permanent incorporation of property from Earl Wooster High School Historic District as a result of realigning Matley Avenue and the construction of new curb ramp and cul-de-sac at the north end of the high school's east parking lot (see Exhibit 9 in Appendix F.2). All of the existing contributing resources and their character-defining features would remain intact, and project improvements would be outside of the boundaries of the historic district (except for improvements to the edge of the school's driveways); therefore, there would be no changes to the district's location, design, setting, feeling, materials, or workmanship. The district would retain its historic association with its master architect's design, and still convey its association with the expansion of Washoe County Public Schools.

There would be no physical impact to the character-defining features of the historic resource. There would be no physical impact to the character-defining features of the historic resource.

As defined in 23 CFR 774.5 and 774.17, a *de minimis* use determination is made for an historic site if FHWA makes a determination for a resource of "No Adverse Effect" or "No Historic Properties Affected" through consultation under Section 106 of the National Historic Preservation Act, and the SHPO concurs with that determination. Because a Section 106 Finding of No Adverse Effect has been made with respect to Alternative 1 actions at Earl Wooster High School Historic District (see Appendix D.13 of the [Final EIS](#)) in tandem with consultation performed with the Nevada SHPO, this impact **results in a *de minimis* determination.**

Alternative 2

Alternative 2 would result in the permanent incorporation of property from Earl Wooster High School Historic District as a result of the realignment and slight widening of E Plumb Lane, new curb ramps and cul-de-sac at the north end of the high school's parking lot, and new curb ramps at the north and center sections of the parking lot (see Exhibit 9 in Appendix F.2). All of the existing contributing resources and their character-defining features would remain intact, and project improvements would be outside of the boundaries of the historic district (except for improvements to the edge of the school's driveways); therefore, there would be no changes to the district's location, design, setting, feeling, materials, or workmanship. The district would retain its historic association with its master architect's design, and still convey its association with the expansion of Washoe County Public Schools.

There would be no physical impact to the character-defining features of the historic resource. There would be no change in feeling or setting from the anticipated increase in traffic.

As defined in 23 CFR 774.5 and 774.17, a *de minimis* use determination is made for an historic site if FHWA makes a determination for a resource of "No Adverse Effect" or "No Historic Properties Affected" through consultation under Section 106 of the National Historic Preservation Act, and the SHPO concurs with that determination. Because a Section 106 Finding of No Adverse Effect has been made with respect to Alternative 2 actions at Earl Wooster High School Historic District (see Appendix D.13 of the [Final EIS](#)) in tandem with consultation performed with the Nevada SHPO, this impact **results in a *de minimis* determination.**

Alternative 3

Alternative 3 would result in the permanent incorporation of property from Earl Wooster High School Historic District as a result of improvements to the E Plumb Lane/Matley Avenue intersection and the slight realignment of Matley Avenue (see Exhibit 9 in Appendix F.2). Alternative 3 would introduce a new elevated freeway section near the property (to be located slightly west of the existing freeway). All of the existing contributing resources and their character-defining features would remain intact, and project improvements would be outside of the boundaries of the historic district (except for improvements to the edge of the school's driveways); therefore, there would be no changes to the district's location, design, setting, feeling, materials, or workmanship. The district would retain its historic association with its master architect's design, and still convey its association with the expansion of Washoe County Public Schools.

There would be no physical impact to the character-defining features of the historic resource. There would be no change in existing viewsheds or overall setting; post-construction conditions would be similar to existing conditions.

As defined in 23 CFR 774.5 and 774.17, a *de minimis* use determination is made for an historic site if FHWA makes a determination for a resource of "No Adverse Effect" or "No Historic Properties Affected" through consultation under Section 106 of the National Historic Preservation Act, and the SHPO concurs with that determination. Because a Section 106 Finding of No Adverse Effect has been made with respect to Alternative 3 actions at Earl Wooster High School Historic District (see Appendix D.13 of the [Final EIS](#)) in tandem with consultation performed with the Nevada SHPO, this impact **results in a *de minimis* determination.**



825 N Sierra Street

Alternative 1 would result in the permanent incorporation of property from the 825 N Sierra Street historic resource as a result of slight widening of Sierra Street in front of this property. Sierra Street would be widened under Alternative 1 to accommodate the addition of turn lanes at its intersection with W Eighth Street and the construction of a new sidewalk (see Exhibit 1 in Appendix F.2). However, there would be no physical impact to the character-defining features of the historic resource.

As defined in 23 CFR 774.5 and 774.17, a *de minimis* use determination is made for an historic site if FHWA makes a determination for a resource of “No Adverse Effect” or “No Historic Properties Affected” through consultation under Section 106 of the National Historic Preservation Act, and the SHPO concurs with that determination. Because a Section 106 Finding of No Adverse Effect has been made with respect to Alternative 1 actions at 825 N Sierra Street (see Appendix D.13 of the [Final EIS](#)) in tandem with consultation performed with the Nevada SHPO, this impact **results in a *de minimis* determination.**

Reig House (820 N Center Street)

Alternative 1 would result in the permanent incorporation of property from the Reig House as a result of the widening of existing N Center Street; the widening of Center Street would require a 2-foot partial acquisition along this resource’s west property line.

N Center Street would be widened to accommodate the addition of turn lanes at its intersection with E Eighth Street as well as the construction of a new sidewalk (see Exhibit 1 in Appendix F.2). However, there would be no physical impact to the character-defining features of the historic property. Historical setting and feeling has already been lost at this property and Alternative 1 actions would not cause new impacts to setting and feeling.

As defined in 23 CFR 774.5 and 774.17, a *de minimis* use determination is made for an historic site if FHWA makes a determination for a resource of “No Adverse Effect” or “No Historic Properties Affected” through consultation under Section 106 of the National Historic Preservation Act, and the SHPO concurs with that determination. Because a Section 106 Finding of No Adverse Effect has been made with respect to Alternative 1 actions at the Reig House (see Appendix D.13 of the [Final EIS](#)) in tandem with consultation performed with the Nevada SHPO, this impact **results in a *de minimis* determination.**

UNR Valley Road Experiment Station

Alternative 1

Alternative 1 would result in the permanent incorporation of a 100-foot-wide strip of property from the southern edge of the UNR Valley Road Experiment Station associated with the realignment of the I-80 westbound freeway entrance ramp from Wells Avenue (see Exhibit 2 in Appendix F.2). Alternative 1 would also remove two existing buildings from the southern portion of the property to accommodate the on-ramp improvements. The buildings that would be removed were constructed between 1999 and 2006, based on a review of historic aerials.

The UNR Valley Road Experiment Station is a large historic district, comprising nearly 47 acres, and the improvements associated with Alternative 1 would not remove any buildings that would diminish the setting or feeling of the historic district, or its association with the interrelationship between education and agriculture championed by the University of Nevada.

There would be no physical impact to the character-defining features of the historic resource or change in feeling or setting.

As defined in 23 CFR 774.5 and 774.17, a *de minimis* use determination is made for an historic site if FHWA makes a determination for a resource of “No Adverse Effect” or “No Historic Properties Affected” through consultation under Section 106 of the National Historic Preservation Act, and the SHPO concurs with that determination. Because a Section 106 Finding of No Adverse Effect has been made with respect to Alternative 1 actions at the UNR Valley Road Experiment Station (see Appendix D.13 of the [Final EIS](#)) in tandem with consultation performed with the Nevada SHPO, this impact **results in a *de minimis* determination.**

Alternative 2

Alternative 2 would result in the permanent incorporation of 40-foot-wide strip of property from the southern edge of the UNR Valley Road Experiment Station associated with the realignment of the I-80 freeway entrance ramp (see Exhibit 2 in Appendix F.2). No buildings would be removed as part of Alternative 2.

The UNR Valley Road Experiment Station is a large historic district, comprising nearly 47 acres, and the improvements associated with Alternative 2 would not remove any buildings that would diminish the setting or feeling of the historic district, or its association with the interrelationship between education and agriculture championed by the University of Nevada.

There would be no physical impact to the character-defining features of the historic resource or change in feeling or setting.

As defined in 23 CFR 774.5 and 774.17, a *de minimis* use determination is made for an historic site if FHWA makes a determination for a resource of “No Adverse Effect” or “No Historic Properties Affected” through consultation under Section 106 of the National Historic Preservation Act, and the SHPO concurs with that determination. Because a Section 106 Finding of No Adverse Effect has been made with respect to Alternative 2 actions at the UNR Valley Road Experiment Station (see Appendix D.13 of the [Final EIS](#)) in tandem with consultation performed with the Nevada SHPO, this impact **results in a *de minimis* determination.**

Alternative 3

Alternative 3 would result in the permanent incorporation of property from the southeast corner of the UNR Valley Road Experiment Station associated with the realignment of the I-80 freeway entrance ramp and the construction of a new freeway exit ramp (see Exhibit 2 in Appendix F.2). Under Alternative 3, relocating up to six recently constructed greenhouses (built within the past 15 years) would not change the overall feeling or form of the historic district, maintaining all of its older and original buildings important to the district’s past. The character and setting of

Section 4(f) Resources Where a Use Would Occur

the district, as well as the design and major visual relationships between its buildings and structures, would remain in place, preserving the property's past uses and relationship to its surroundings.

As defined in 23 CFR 774.5 and 774.17, a *de minimis* use determination is made for an historic site if FHWA makes a determination for a resource of “No Adverse Effect” or “No Historic Properties Affected” through consultation under Section 106 of the National Historic Preservation Act, and the SHPO concurs with that determination. Because a Section 106 Finding of No Adverse Effect has been made with respect to Alternative 3 actions at the UNR Valley Road Experiment Station (see Appendix D.13 of the [Final EIS](#)) in tandem with consultation performed with the Nevada SHPO, this impact [results in a *de minimis* determination](#).

Washoe County Library

Alternative 1 would reconstruct the interchange that provides access from Pyramid Way to I-80. As a result, the Pyramid Way/Victorian Avenue intersection would be removed, and Victorian Avenue would be modified to terminate in a cul-de-sac immediately south of the historic property. The sidewalk would be replaced and Pyramid Way would also be widened and shifted approximately 20 feet closer to the historic property's east boundary through a partial acquisition on the east side of Sparks Memorial Park, located east of the Washoe County Library (see Exhibit 6 in Appendix F.2).

Alternative 1 was found to have No Adverse Effect to the historic property from changes to the Pyramid Way/Victorian Avenue intersection since the improvements are located over 200 feet from the historic property. The improvements on Pyramid Way and Victorian Avenue from the Pyramid Way/I-80 interchange under Alternative 1 would have no physical effects to the historic property, since no improvements are proposed to any of its character-defining features, such as its symmetrical façade, brick quoins, imposing form, red-tiled hipped roof, and arched entry. The building's design, form, materials, and workmanship would remain intact. Since there would be no changes to the building's exterior appearance, it would retain its association as the oldest extant government building in Sparks and as a Frederick Joseph DeLongchamps-designed building.

While Victorian Avenue would be reconfigured as a cul-de-sac and Pyramid Way would be shifted closer to the historic property, the property's historic location at the corner of those two roads would not be modified and the only change would be a slight modification of the traffic patterns and circulation near it. Sparks Memorial Park, located east of the historic property, is not a character-defining feature or contributing resource associated with the historic property and provides a small buffer between the Pyramid Way improvements and the historic property. The historic property would maintain its character and not experience a further diminishment in setting or feeling; these aspects were already impacted by the recent commercial development in the area, and from the initial freeway construction.

As defined in 23 CFR 774.5 and 774.17, a *de minimis* use determination is made for an historic site if FHWA makes a determination for a resource of “No Adverse Effect” or “No Historic Properties Affected” through consultation under Section 106 of the National Historic Preservation Act, and the SHPO concurs with that determination. Because a Section 106 Finding of No Adverse Effect has been made with respect to Alternative 1 actions at the Washoe County Library (see Appendix D.13 of the [Final EIS](#)) in tandem with consultation performed with the Nevada SHPO, this impact [results in a *de minimis* determination](#).

Pony Express Lodge

Alternative 1 would result in the permanent incorporation of land at 2406 Prater Way at the southwest part of the property, resulting in the demolition of a small two-story building that abuts Prater Way (Building 3) (see Exhibit 4 in Appendix F.2). However, even though a portion of the property that contributes to its significance would be demolished, it would not be an adverse effect because the other major components that contribute to its significance would remain (specifically the property's U-shaped footprint and arrangement, neon sign, form, massing, and architectural character), and this resource's eligibility is based on its association with significant people and events (not architecture). Therefore, the loss of one small component would not affect its integrity in a way that it would no longer be eligible.

As defined in 23 CFR 774.5 and 774.17, a *de minimis* use determination is made for an historic site if FHWA makes a determination for a resource of “No Adverse Effect” or “No Historic Properties Affected” through consultation under Section 106 of the National Historic Preservation Act, and the SHPO concurs with that determination. Because a Section 106 Finding of No Adverse Effect has been made with respect to Alternative 1 actions at the Pony Express Lodge (see Appendix D.13 of the [Final EIS](#)) in tandem with consultation performed with the Nevada SHPO, this impact [results in a *de minimis* determination](#).



6.6.2 RESOURCES WITH A PROGRAMMATIC USE DETERMINATION

Sage Street Park

Alternative 1

Alternative 1 would construct at-grade ramps that would directly impact this park as shown in Figure 6-29, requiring the acquisition of the entire Sage Street Park parcel that is Section 4(f)-protected.

Although this impact would result in the permanent incorporation of the entirety of the existing Section 4(f)-protected park parcel, the project would commit to mitigating the impact by constructing recreational improvements on the parcel adjacent to it; as such, the project would process the Section 4(f) use at Sage Street Park with a Net Benefit Programmatic. This type of programmatic can be utilized when the use of a Section 4(f) property will result in a net benefit to the Section 4(f) property (FHWA 2005). The Net Benefit Programmatic would apply in this case because the existing Section 4(f)-protected Sage Street Park parcel does not contain any recreational improvements; therefore, not constructing the project (with the definition of the "project" including the installation of new park amenities) would be "a substantial missed opportunity to benefit a Section 4(f) property." The Net Benefit Programmatic findings and concurrence documentation is provided in [Appendix F.3](#).

Figure 6-29. Impacts to Sage Street Park under Alternative 1



Alternative 2

Alternative 2 would construct freeway-to-freeway system ramps that would directly impact this park as shown in Figure 6-30, necessitating the acquisition of approximately 0.4 acre of Section 4(f)-protected parkland. This impact would be a permanent incorporation under Section 4(f) and therefore a use.

Although this impact would result in the permanent incorporation of approximately 80 percent of the existing Section 4(f)-protected park parcel, the project would commit to mitigating the impact by constructing recreational improvements on the remainder of the park parcel and also on the adjacent parcel, thereby resulting in a net benefit for the park; as such the project would process the Section 4(f) impact to Sage Street Park with a Net Benefit Programmatic. The Net Benefit Programmatic would apply in this case because the existing Section 4(f)-protected Sage Street Park parcel does not contain any recreational improvements; therefore, not constructing the project (with the definition of the "project" including the installation of new park amenities) would be "a substantial missed opportunity to benefit a Section 4(f) property." The Net Benefit Programmatic findings and concurrence documentation is provided in Appendix F.3.

Figure 6-30. Impacts to Sage Street Park under Alternative 2



Alternative 3

As shown in Figure 6-31, Alternative 3 would widen the existing I-80 footprint along the southern edge of the park. This impact would result in the permanent incorporation of approximately 0.2 acre of the Sage Street Park parcel that is Section 4(f)-protected. Although this impact would result in the incorporation of approximately 50 percent of the existing Section 4(f)-protected park parcel, the project would commit to mitigating the impact by constructing recreational improvements on the remainder of the park parcel and also on the adjacent parcel, thereby resulting in a net benefit for the park; as such the project would process the Section 4(f) impact to Sage Street Park with a Net Benefit Programmatic. The Net Benefit Programmatic is applicable in this case because the existing Section 4(f)-protected Sage Street Park parcel does not contain any recreational improvements; therefore, not constructing the project (with the definition of the “project” including the installation of new park amenities) would be “a substantial missed opportunity to benefit a Section 4(f) property.” The Net Benefit Programmatic findings and concurrence documentation is provided in Appendix F.3.

Figure 6-31. Impacts to Sage Street Park under Alternative 3



6.6.3 RESOURCES WITH AN INDIVIDUAL SECTION 4(f) EVALUATION USE DETERMINATION

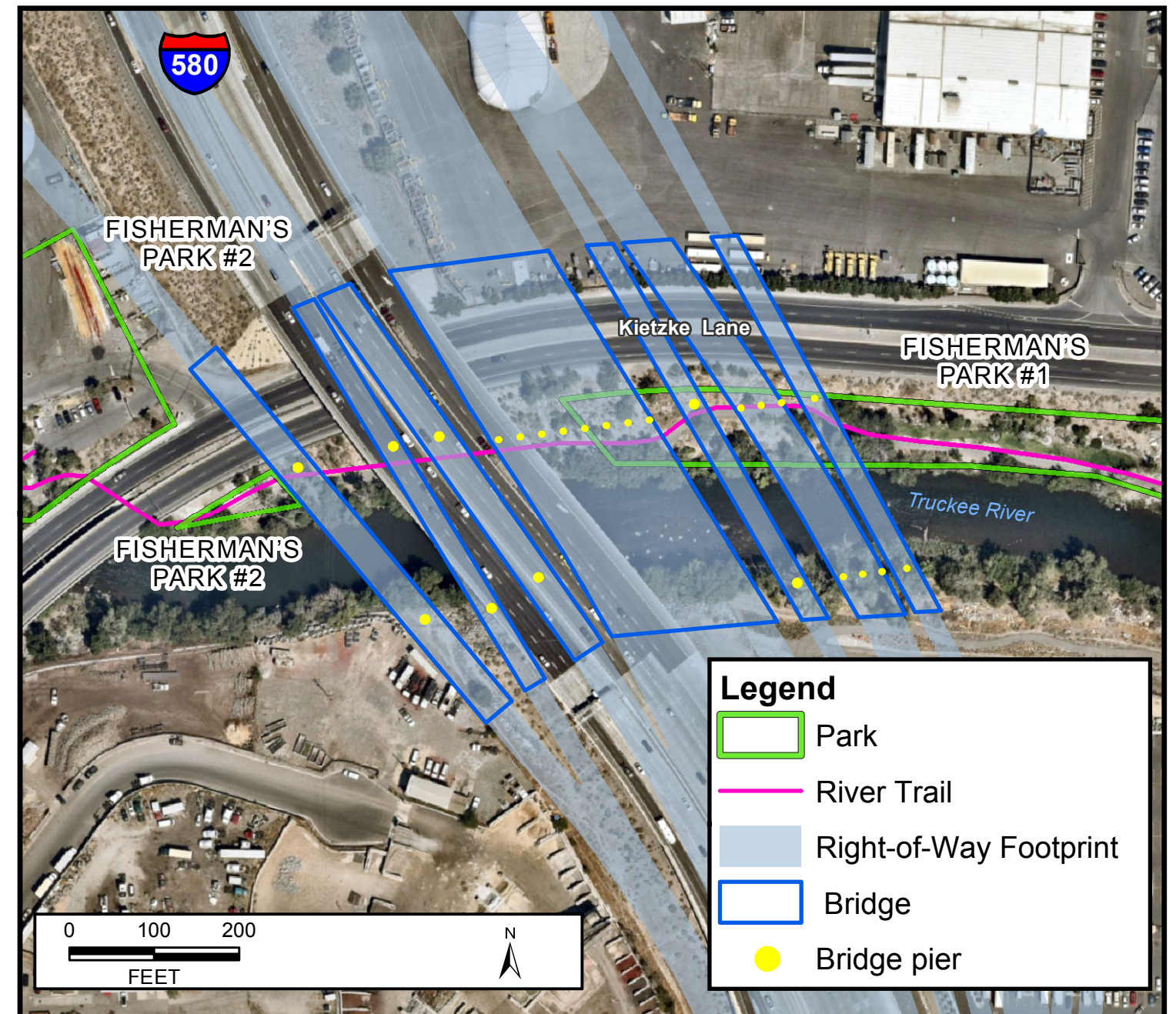
Fisherman's Park #2

As shown in Figure 6-32, Alternative 1 would construct elevated bridges over Fisherman's Park #2. Under this alternative, NDOT would acquire a permanent easement for the approximately 0.3 acre of parkland that would be underneath the bridges. This would be a permanent incorporation under Section 4(f) and therefore a use. The parkland to be acquired by NDOT would be located both north and south of Kietzke Lane. The land south of Kietzke Lane is riverfront park area, while the land north of Kietzke Lane is the site of the parking lot entrance; both parts of the park to be acquired would be clear-spanned by the new bridges. Under the permanent easement agreement, NDOT would permit all current recreational use of Fisherman's Park #2 to continue on the land underneath the new bridges. Visitors would still be able to access the park's parking lot from Kietzke Lane.

Alternative 1 would result in the need to temporarily occupy all of Fisherman's Park #2 south of Kietzke Lane, resulting in a closure of this part of the park during construction. A portion of the paved part of the park north of Kietzke Lane would also be occupied during construction. This impact would result in a temporary interference to the recreational activities, features, and attributes of the park. There would be no change in transit, vehicle, bicycle, or pedestrian access to Fisherman's Park #2 under Alternative 1; however, the introduction of new bridges directly over the riverside part of the park would result in adverse visual and noise impacts for park users.

Based on the above discussion Alternative 1 would result in an individual Section 4(f) Evaluation (greater-than-*de minimis*) use under Section 4(f).

Figure 6-32. Impacts to Fisherman's Park #1 and #2, and River Trail under Alternative 1



Lillard Park

As shown in Figure 6-33, Alternative 1 would result in the use of the entire park by the project.

127 E Eighth Street

The historic residential building at 127 E Eighth Street would be demolished under Alternative 1 as a result of the widening of E Eighth Street (see Exhibit 1 in Appendix F.2). This would result in an adverse effect under Section 106 and an individual Section 4(f) Evaluation (greater-than-*de minimis*) use of this historic resource.

Mineral Manor Historic District

Alternative 1

Alternative 1 would result in the permanent incorporation of property from the Mineral Manor Historic District as a result of the construction of new elevated and at-grade freeways through the eastern half of this historic housing complex, which would necessitate the demolition of approximately 43 buildings in the complex (see Exhibit 2 in Appendix F.2). This impact would change the historical setting, feeling, circulation, visual context, and overall cohesiveness of the Mineral Manor Historic District. This impact would result in an adverse effect under Section 106 and an individual Section 4(f) Evaluation (greater-than-*de minimis*) use of this historic resource.

Alternative 2

Alternative 2 would result in the permanent incorporation of property from Mineral Manor Historic District as a result of the construction of new elevated and at-grade freeways through the eastern third of this historic housing complex, which would necessitate the demolition of 21 buildings in the complex (see Exhibit 2 in Appendix F.2). This impact would change the historical setting, feeling, circulation, visual context, and overall cohesiveness of the Mineral Manor Historic District. This impact would result in an adverse effect under Section 106 and an individual Section 4(f) Evaluation (greater-than-*de minimis*) use of this historic resource.

Alternative 3

Alternative 3 would result in the permanent incorporation of property from Mineral Manor Historic District as a result of the modification and realignment of the freeway along the southeastern edge of this historic housing complex (see Exhibit 2 in Appendix F.2). While Alternative 3 would not alter the historic boundaries of the historic district or its circulation patterns, the alternative would still demolish one of the contributing resources. Following the demolition of 821-823 Fluorite Circle, there would still be seven examples of Property Type C; however, removing this single contributing resource would diminish the significance of the historic district and impact the district's character, setting, and feeling. This impact would result in an adverse effect under Section 106 and an individual Section 4(f) Evaluation (greater-than-*de minimis*) use of this historic resource.

Figure 6-33. Impacts to Lillard Park under Alternative 1



Summary of Section 4(f) Uses by Alternative

Glendale School

The Glendale School historic building would be relocated or demolished under Alternative 1 as a result of the widening and realignment of I-80 and the construction of new freeway exit and entrance ramps to Pyramid Way (see Exhibit 6 in Appendix F.2). The existing Victorian Avenue in front of this resource would be realigned northward. This would result in an adverse effect under Section 106 and an individual Section 4(f) Evaluation (greater-than-*de minimis*) use of this historic resource.

Morrill’s Addition Historic District

Alternative 3 would demolish up to five buildings within the historic district boundaries, including two contributing resources (662 Eureka Avenue and 720 East Seventh Street), as well as modify traffic patterns within the northeast part of the historic district. Removing these two contributing resources, which are two of the oldest buildings within the historic district, would affect the overall setting, design, arrangement, location, and association of the district.

This result is that Alternative 3 would have an adverse effect on Morrill’s Addition Historic District under Section 106 and an individual Section 4(f) Evaluation (greater-than-*de minimis*) use of this historic resource.



6.7 Summary of Section 4(f) Uses by Alternative

Table 6-3 summarizes the Section 4(f) resources determined to be incurring a use under project alternatives.

Table 6-3. Summary of Section 4(f) Use Determinations

Resource Name	Use Determination		
	Alt 1	Alt 2	Alt 3
Sage Street Park	Net Benefit Programmatic	Net Benefit Programmatic	Net Benefit Programmatic
Fisherman’s Park #1	<i>de minimis</i>	none	none
Fisherman’s Park #2	Individual Use	none	none
River Trail	<i>de minimis</i>	none	none
Lillard Park	Individual Use	none	none
Bandstand Park	<i>de minimis</i>	none	none
Sparks Memorial Park	<i>de minimis</i>	none	none
Earl Wooster High School Historic District	<i>de minimis</i>	<i>de minimis</i>	<i>de minimis</i>
825 N Sierra Street	<i>de minimis</i>	none	none
Reig House (820 N Center Street)	<i>de minimis</i>	none	none
UNR Valley Road Experiment Station	<i>de minimis</i>	<i>de minimis</i>	<i>de minimis</i>
Morrill’s Addition Historic District	none	none	Individual Use
Washoe County Library	<i>de minimis</i>	none	none
Pony Express Lodge	<i>de minimis</i>	none	none
127 E Eighth Street	Individual Use	none	none
Mineral Manor Historic District	Individual Use	Individual Use	Individual Use
Glendale School	Individual Use	none	none

Table 6-4 summarizes the number and type of use determinations by project alternative.

Table 6-4. Number of Use Determinations by Alternative

Alternative	# of Section 4(f) Resource Uses
Alternative 1	16 total (7 park; 9 historic): <ul style="list-style-type: none"> • 1 Net Benefit Programmatic • 10 <i>de minimis</i> • 5 Individual Use
Alternative 2	4 total (1 park; 3 historic) <ul style="list-style-type: none"> • 1 Net Benefit Programmatic • 2 <i>de minimis</i> • 1 Individual Use
Alternative 3	5 total (1 park; 4 historic) <ul style="list-style-type: none"> • 1 Net Benefit Programmatic • 2 <i>de minimis</i> • 2 Individual Use



6.8 Avoidance Alternatives/Least Harm Analysis

As described in this chapter and summarized in Table 6-3, Alternatives 1, 2, and 3 would each result in the “use” of a Section 4(f) resource. Only the No Build Alternative, which does not address the purpose and need for this project, avoids the use of any Section 4(f) resources.

In accordance with 23 CFR 774.3, this section examines whether there is a feasible and prudent avoidance alternative, as defined in 23 CFR 774.17, to the use of land from a Section 4(f) resource.

6.8.1 AVOIDANCE ALTERNATIVES ANALYSIS

The Section 4(f) regulations refer to an alternative that would not require the use of any Section 4(f) property as an avoidance alternative. Feasible and prudent avoidance alternatives are those that avoid using any Section 4(f) property and do not cause other severe problems of a magnitude that substantially outweigh the importance of protecting the Section 4(f) property (23 CFR 774.17).

As detailed in [Appendix B](#) of the **Final** EIS, NDOT evaluated a wide range of initial concepts and preliminary alternatives before identifying Alternatives 1, 2, and 3 as the project’s reasonable alternatives. The *Section 4(f) Policy Paper* (FHWA, 2012) notes that, along with the No Build Alternative, potential alternatives to avoid the use of Section 4(f) property may include one or more of the following, depending on project context:

- **Location Alternatives** - A location alternative refers to re-routing the entire project along a different alignment.
- **Alternative Actions** - An alternative action could be a different mode of transportation, such as rail transit or bus service, or some other action that does not involve construction such as the implementation of transportation management systems or similar measures.
- **Alignment Shifts** - An alignment shift is re-routing a portion of the project to a different alignment to avoid a specific resource. An example of an alignment shift alternative would be redesigning a proposed freeway exit ramp so that it loops around a Section 4(f) resource (such as a park) on a revised alignment footprint rather than intersecting with the park itself as a way of attempting to avoid a Section 4(f) use of the park.
- **Design Changes** - A design change is a modification of the proposed design in a manner that would avoid impacts, such as reducing the planned median width, building a retaining wall, or incorporating design exceptions. To differentiate from the alignment shift alternative while using the previous freeway exit ramp example, a design change alternative would stay in the same proposed exit ramp footprint but would fly over the park (via an elevated structure) as a way of attempting to avoid a Section 4(f) use of the park.

Avoidance Alternatives/Least Harm Analysis

The remainder of this section discusses these avoidance alternative concepts with respect to the definition of feasible and prudent avoidance alternatives provided in 23 CFR 774.17, which states that an alternative is not feasible if it cannot be built as a matter of sound engineering judgment. It further states that an avoidance alternative is not considered prudent if any of the following factors apply:

- i. It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;
- ii. It results in unacceptable safety or operational problems;
- iii. After reasonable mitigation, it still causes:
 - (a) severe social, economic, or environmental impacts;
 - (b) severe disruption to established communities;
 - (c) severe disproportionate impacts to minority or low-income populations, or
 - (d) severe impacts to environmental resources protected under other Federal statutes;
- iv. It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;
- v. It causes other unique problems or unusual factors; or
- vi. It involves multiple factors in paragraphs (i) through (v) of this definition, that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.

No Build Alternative

The No Build Alternative would avoid a use of any Section 4(f) resource, but is deemed not prudent based on factor (i) – it neither addresses nor corrects the transportation problems that prompted the proposed project. The No Build Alternative does not address the stated project purpose: “to improve the operations, capacity, and safety of the freeways, system interchange and service interchanges that comprise the transportation system”. The No Build Alternative would not address substandard and deficient features of the freeway system like lane drops and low-speed loop ramps with tight curves, nor would it address the need for increased capacity on some of the Spaghetti Bowl system ramps.

Location Alternative

The purpose of the project is to address the obsolete design of the study area freeway system and interchanges. This stated purpose infers that the decision to conduct this project was to improve the **existing** freeway corridors to the greatest extent possible rather than to examine the possibility of building **new** freeway infrastructure in a different location to meet the transportation needs of the Reno-Sparks metropolitan area. “The purpose of the project is to address the obsolete design of the study area freeway system and interchanges.”

Based on this, any alternative concept that re-routed I-80 and I-580/US 395 along a different alignment (and therefore consisted of building new freeways away from the freeway system right-of-way) would not be prudent based on factor (i) – it would not address the needs of the **existing** freeway system. A Location Alternative would leave in place the obsolete design issues of the existing freeway system that this project was initiated to address.

Additionally, this avoidance concept would cause a substantially greater impact on socioeconomic and environmental resources since it would require converting non-transportation land (unimproved or currently being used for other purposes) to a new freeway corridor and therefore would either disrupt existing communities and/or have environmental impacts far in exceedance of an alternative that improves the existing freeway infrastructure; as such, the Location Alternative would also not be prudent per factor (iii) above.



Alternative Action Alternative

As discussed in [Chapter 1](#), an alternative action such as a transportation system management and/or transportation demand management alternative would not address the stated purpose and need of the project, which is to address the obsolete design of the study area freeway system and interchanges; as such this avoidance concept would not be prudent per factor (i) above.

Alignment Shift Alternative

NDOT developed Alternatives 2 and 3 to address the need for freeway improvements in and around the Spaghetti Bowl while minimizing impacts to Section 4(f) resources. As such, alignment shifts throughout the project area that could avoid and minimize impacts to Section 4(f) resources while still meeting purpose and need have already been included in the alternatives' design (see [Final EIS Appendix B](#)); this was done primarily by designing Alternatives 2 and 3 so that all improvements and modifications were kept contained within existing transportation right-of-way in the immediate vicinity of historic properties whenever practical to do so (and still meet the purpose and need of the project). As such, any further alignment shifts that would completely avoid all Section 4(f) resources would compromise the alternatives to a degree that it would be unreasonable to proceed with that alternative in light of the stated purpose and need of the project, and would therefore not be prudent per factor (i) above.

Design Change Alternative

NDOT developed Alternatives 2 and 3 to address the need for freeway improvements in and around the Spaghetti Bowl while minimizing impacts to Section 4(f) resources. As such, all possible design changes throughout the large project area that could avoid and minimize impacts to Section 4(f) resources while still meeting purpose and need have already been included in the alternative's design (see [Final EIS Appendix B](#)). As such, any further design changes that would completely avoid all Section 4(f) resources would compromise the alternatives to a degree that it would be unreasonable to proceed with that alternative in light of the stated purpose and need of the project, and would therefore not be prudent per factor (i) above.

Conclusion

Based on the above analysis and discussion, the FHWA has determined that there is no feasible and prudent alternative that would completely avoid the use of resources protected by Section 4(f).

6.8.2 LEAST HARM ANALYSIS

Per 23 CFR Part 774.3(c), if the Section 4(f) analysis for a resource that will be used by a project concludes that there is no feasible and prudent avoidance alternative, then FHWA may approve, from among the remaining alternatives that use a Section 4(f) resource, only the alternative that causes the least overall harm in light of the statute's preservation purpose. If the assessment of least overall harm finds that two or more alternatives are substantially equal, FHWA can approve any of those alternatives. To determine which of the alternatives would cause the least overall harm, FHWA must compare the alternative using the seven factors set forth in 23 CFR 774.3(c)(1):

- 1) The ability to mitigate adverse impacts to each Section 4(f) resource
- 2) The relative severity of the remaining harm after mitigation
- 3) The relative significance of each Section 4(f) resource
- 4) The views of the officials with jurisdiction over each resource
- 5) The degree to which each alternative meets the project purpose and need;
- 6) The magnitude of adverse effects to resources not protected by Section 4(f)
- 7) Substantial cost differences among the alternatives

The least harm analysis for Alternatives 1, 2, and 3 is provided in Table 6-5.

Table 6-5. Least Harm Analysis per 23 CFR 774.3(c) Factors

Factor 1: The ability to mitigate adverse impacts to each Section 4(f) resource

Discussion:

The differences among Alternatives 1, 2, and 3 regarding Factor 1 (considering earlier descriptions of mitigation measures) are summarized below.

Alternative 1 would have a *de minimis* impact on 10 Section 4(f) properties and a Section 4(f) use of the following 5 properties:

- Fisherman’s Park #2
- Lillard Park
- 127 E Eighth Street
- Mineral Manor Historic District
- Glendale School

Alternative 2 would have a *de minimis* impact on two Section 4(f) properties and a Section 4(f) use of one property (Mineral Manor Historic District).

Alternative 3 would have a *de minimis* impact on two Section 4(f) properties and would have a Section 4(f) use of two historic resources (Mineral Manor and Morrill’s Addition Historic District). Of the 48 total resources in the study area (12 park/recreation; 36 historic), there is no difference between the three alternatives regarding Factor 1 for 33 of the resources.

Alternative 1 would have more extensive impacts on the Mineral Manor Historic District than Alternative 2, with similar mitigation. The complete removal of Lillard Park under Alternative 1 would require establishing a completely new location for the park in a different area of Sparks. Given the park’s relatively small size, it may be possible to replace the park on a remnant parcel created by the extensive displacement impacts of Alternative 1. Glendale School could be moved to a new site, given that it has already been moved from its original location to its current location. Impacts to Fisherman’s Park #2 under Alternative 1 would be difficult to mitigate, given the park’s location on the banks of the Truckee River in the heart of Reno and Sparks. Riverfront property of a comparable size is rarely available in the two cities. Mitigation for 127 E Eighth Street under Alternative 1 would be addressed through additional consultation with the SHPO, FHWA, NDOT, and other consulting parties and execution of the Memorandum of Agreement; it is anticipated that mitigation will consist of completion of Historic American Building Survey documentation of the impacted historic properties, and development of public interpretative materials, such as a website, pamphlet, signage, or exhibit/displays.

Of the resources where there is a difference in impacts among the three alternatives, there is no difference between Alternatives 2 and 3 for all those resources except for two:

- Alternative 3 would change access to the Reno-Sparks Indian Colony Historic District but neither Alternative 2 or 3 would result in a Section 4(f) use of the Reno-Sparks Indian Colony Historic District, as described below.
- Alternative 3 would result in a Section 4(f) use of the Morrill’s Addition Historic District whereas Alternative 2 would have no effect.

Alternative 2 would demolish about 20 percent of contributing resources within the Mineral Manor Historic District, substantially change its circulation patterns, affect the spatial relationship of the contributing resources, and cause a major modification to its boundaries. These changes would affect its integrity of design, materials, workmanship, setting, feeling, and association. The district would no longer convey its significance as the first permanent public housing complex in Reno completed under the 1949 Housing Act. **Alternative 3 would have a lesser impact to the Mineral Manor Historic District, but would diminish the significance of the historic district’s character, setting, and feeling due to the removal of one of the district’s contributing resources.** Mitigation measures for Alternative 2 and Alternative 3’s impacts on Mineral Manor Historic District are being developed and are likely to include Historic American Buildings Survey documentation and possibly an interpretive website and/or exhibit. If the buildings that will be removed from the district are replaced (as opposed to using vouchers to provide replacement housing) it will either be off-site or in new multi-story buildings within the district. No mitigation measures are required for Alternative 2 with respect to the Reno-Sparks Indian Colony Historic District.

Although Alternative 3 would not result in an adverse effect or Section 4(f) use of the Reno-Sparks Indian Colony Historic District, it would have greater impacts overall to the Colony. Alternative 3 has been deemed by the Reno-Sparks Indian Colony to be incompatible with the Reno-Sparks Indian Colony Master Plan/Land Use Plan because eliminating the Second Street/Glendale Avenue and Mill Street interchanges and replacing them with one new interchange located about half-way between Second Street/Glendale Avenue and Mill Street is not compatible with, and does not support, the adopted master plan policies and land use goals in this area of the RSIC. Because Alternative 3 would combine the Second Street/Glendale Avenue and the Mill Street interchanges into one new interchange between them, Alternative 3 has been determined to cause a “...disproportionate adverse impact to the quality of life, economy, employment, and existing and future revenue potential of the Reno-Sparks Indian Colony” according to the RSIC tribal chairman. Mitigation measures for Alternative 3’s changes in access to RSIC were not developed because there is no Section 106 adverse effect of the RSIC under Alternative 3. It would be problematic for NDOT and FHWA to mitigate reduction in revenue to RSIC from businesses on the RSIC. First, it would be difficult to accurately assess whether and to what extent a reduction in revenue is related to freeway access changes. Secondly, from a regulatory standpoint, neither NDOT nor FHWA mitigate for loss of business unless access is completely removed.

Alternative 3 would demolish up to five buildings within the Morrill’s Addition Historic District boundaries, including two contributing resources (662 Eureka Avenue and 720 East Seventh Street), as well as modify traffic patterns within the northeast part of the historic district. Removing these two contributing resources, which are two of the oldest buildings within the historic district, would affect the overall setting, design, arrangement, location, and association of the district and result in an adverse effect under Section 106 and a use under Section 4(f).

Table 6-5. Least Harm Analysis per 23 CFR 774.3(c) Factors (continued)**Factor 1: The ability to mitigate adverse impacts to each Section 4(f) resource (continued)**

Mitigation measures for all impacted historic resources have been stipulated in a Memorandum of Agreement document signed by the entities with responsibilities under the agreement July 11, 2019 (see Appendix F.4). Mitigation measures include photographic and historical report documentation as well as public interpretation materials.

Conclusion:

Based on the above discussion with respect to Factor 1:

- Section 4(f) impacts of Alternatives 2 and 3 would be easier to mitigate than Alternative 1's impacts partly due to the larger number of impacts under Alternative 1 but also because of the difficulty in finding replacement park parcels and the difficulty in mitigating Mineral Manor impacts.
- Mitigating impacts to Mineral Manor would be much easier under Alternative 3 than Alternative 1 or 2.
- Mitigating impacts related to change in access to the Reno-Sparks Indian Colony would be more difficult under Alternative 3.
- **Alternative 3 would require mitigation for the Morrill's Addition Historic District (per the Section 106 finding of adverse effect), whereas Alternatives 1 and 2 would not have an adverse effect on this historic resource.**
- Alternatives 2 and 3 are roughly equal in terms of their ability to mitigate overall impacts to Section 4(f) resources; see also more related discussion under Factor 2.

Factor 2: The relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) resource for protection**Discussion:**

The Mineral Manor housing development will continue to operate under Alternative 2 **and Alternative 3**, despite the adverse effect on the Mineral Manor Historic District under Section 106. The Mineral Manor's owner, the Reno Housing Authority, would continue to maintain the remaining buildings. Because none of the buildings are individually eligible for the NRHP under Section 106, no individually eligible buildings would be removed under Alternative 2 **or Alternative 3**. The Mineral Manor Historic District would have diminished integrity of materials, workmanship, and feeling from alterations made to the buildings and landscaping; however, the historic district would retain its integrity of location, design, setting and association.

Alternative 3 would result in a Section 106 adverse effect to the Morrill's Addition Historic District, whereas Alternatives 1 and 2 would not impact this historic resource.

The RSIC relies on income from businesses on RSIC property to fund 40 percent of its budget, with Walmart being the most important of these businesses. The Walmart was designed to rely on close freeway access provided currently from I-580 via the Second Street/Glendale Avenue interchange. Alternative 3 would remove the Second Street/Glendale Avenue interchange which, according to RSIC and Walmart, would reduce Walmart's customers and lead to less revenue for the RSIC. The RSIC uses revenue generated by Walmart and its other businesses to provide services to its members and to make a \$500,000 annual payment to the Washoe County School District. As such, the economic impact that would affect the RSIC under Alternative 3 could directly result in an associated impact to essential educational, parks, senior, planning, and police services to the Reno-Sparks Indian Colony and its residents. More so than other non-tribal residential displacements, RSIC members have a high degree of community cohesion from their shared tribal membership, which forms a key part of their cultural identity at this historic resource. As documented in the Traditional Cultural Property report (Statistical Research, Inc. 2018), the RSIC's location on the Truckee River is very important to tribal members because the Truckee River is also a key part of the tribal members' cultural identity.

Alternative 2 was redesigned in late 2017 to avoid impacts to the Reno-Sparks Indian Colony Historic District by including a loop ramp in the northwest quadrant of the Spaghetti Bowl interchange which would impact Mineral Manor. The redesign of Alternative 2 avoids property acquisition from Reno-Sparks Indian Colony. Colony residents and the Tribal Council were strongly opposed to property acquisition from RSIC, pointing out that the RSIC is land-locked and would have great difficulty relocating displaced residents within the RSIC. Keeping RSIC members living on RSIC is very important. As noted earlier, more so than other non-tribal residential displacements, RSIC members have a high degree of community cohesion from their shared tribal membership which forms a key part of their cultural identity. As documented in the Traditional Cultural Property report, the RSIC's location on the Truckee River is very important to tribal members because the Truckee River is also a key part of the tribal members' cultural identity.

Alternative 1 would either demolish the historic Glendale School and 127 E Eighth Street properties or move them out of their existing setting. Also, two parks would either move to new locations or be completely removed in the case of Lillard Park or continue to operate in its current location with a much smaller footprint in the case of Fisherman's Park #2.

Conclusion:

Alternatives 2 and 3 would result in significantly less harm than Alternative 1 in terms of the severity of the remaining harm, after mitigation.

Alternative 2 **would result in less harm than Alternative 3 under this factor due to Alternative 3 impacting a greater number of Section 4(f) resources.**

Table 6-5. Least Harm Analysis per 23 CFR 774.3(c) Factors (continued)

Factor 3: The relative significance of each Section 4(f) resource

Discussion:

There are four Section 4(f) resources that would be affected by Alternative 1 but not affected by Alternatives 2 and 3:

- Fisherman’s Park #2
- Lillard Park
- 127 E Eighth Street
- Glendale School

Alternative 3 would result in an individual Section 4(f) use to two resources (Mineral Manor and Morrill’s Addition historic districts); Alternative 2 would result in an individual Section 4(f) use to one resource (Mineral Manor Historic District).

Fisherman’s Park #2 is a 4-acre park in Reno that is classified as a neighborhood park (City of Reno 2007). Fisherman’s Park #2 has a parking lot that is accessible from westbound Kietzke Lane. The park is also accessible via bicycle from the bike lane on westbound Kietzke Lane as well as via bicycle and foot from the River Trail. The City of Reno is the official with jurisdiction for Fisherman’s Park #2 and considers it a significant recreational resource.

Lillard Park is a 0.1-acre park in Sparks that includes paved walkways, signage, benches, and a parking lot. A sign in the park identifies the park as the “James G Lillard Railroad Park. The City of Sparks is the official with jurisdiction for the park and considers it a significant recreational resource.

127 East Eighth Street is eligible for listing in the National Register under Criterion C for its distinctive characteristics of the Craftsman style. The building features an Asian-influenced design, and its character-defining features include its low-pitched flared roofline, shed-style dormers, and wide overhanging eaves with exposed rafter tails.

The Glendale School is listed in the National Register under Criterion A for its significance as the first school in the Truckee Meadows area when it was located in the community of Glendale. The historic property was relocated to its current site in 1976, and the period of significance is 1864, which is when the property was erected in its original location.

As noted in Factors 1 and 2, Alternative 1 falls behind Alternatives 2 and 3 with respect to a comparison of least harm to Section 4(f) resources, so the remainder of this discussion focuses primarily on differences in the significance of Section 4(f) resources affected by Alternatives 2 and/or 3.

Mineral Manor Historic District is eligible for listing on the NRHP under Criterion A for its association with the modern public housing movement and Criterion C for its planning and design. The period of significance is 1959 to 1964, which spans the complex’s construction through the passage of the Civil Rights Act that required public housing to be desegregated. Mineral Manor was one of the first public housing complexes in Reno to be racially desegregated, reflecting a progressive approach to public housing and a level of planning, permanency and compliance with the federal housing legislation.

The Reno-Sparks Indian Colony Historic District is eligible for the National Register under Criterion A and contains a contributing property that is individually listed on the NRHP and two properties individually eligible for the NRHP (whereas the Mineral Manor Historic District does not contain any contributing properties that are individually listed on the NRHP). The Reno-Sparks Indian Colony Historic District is significant for its association with the Indian Reorganization Act of 1934 and is an important example of a tribe establishing a council, adopting a constitution, and drafting a charter for Native American-run businesses. Additionally, the district is associated with public housing in the Reno area and the Tribal Self-Determination movement, allowing tribes to be self-governing despite federal support. Its period of significance is from 1917 through 1977. RSIC has a longer period of significance than Mineral Manor and is associated with more historic themes and rarer historic themes like Native American self-determination, the Indian Reorganization Act of 1934 and a tribe establishing its own council and constitution.

Morrill’s Addition Historic District is eligible for the NRHP under Criteria A and C. The historic district comprises approximately 173 properties constructed between 1890 and 2008. Fifty-two properties within the historic district are located within the APE; 32 of these properties are contributing resources to the district and 20 are non-contributing resources. Properties within the APE are located on Center Street, Eighth Street, Eureka Avenue, Lake Street, and Seventh Street. Period of significance is 1890 through 1932, and the district is significant as a distinctive example of Reno’s early residential development and its early twentieth century architecture.

Conclusion:

Based on the above discussion, Alternative 1 would have the greatest harm because it would use more significant Section 4(f) resources compared to Alternatives 2 and 3. The Reno-Sparks Indian Colony is roughly equal to the Mineral Manor Historic District with respect to historical significance. As compared to Alternative 2, Alternative 3 would result in an additional adverse effect (to Morrill’s Manor Historic District); as such, Alternative 2 would result in less harm than Alternative 3 per this factor due to Alternative 3 impacting a greater number of Section 4(f) resources that are all of equivalent historic significance.

Table 6-5. Least Harm Analysis per 23 CFR 774.3(c) Factors (continued)**Factor 4: The views of the official(s) with jurisdiction over each Section 4(f) resource**

Based on their respective reviews of project benefits and impacts to Section 4(f) and non-Section 4(f) resources, three officials with jurisdiction involved in the project (City of Reno, City of Sparks, and the Reno-Sparks Indian Colony) have all indicated their preference for Alternative 2. The fourth, Nevada SHPO, has not stated a preference for one alternative over another.

Conclusion:

Based on the above discussion, Alternative 2 would be the least harm alternative as it relates to Factor 4.

Factor 5: The degree to which each alternative meets the purpose and need for the project**Discussion:**

The purpose of the project is to: “address the obsolete design of the study area freeway system and interchanges in order to:

- Improve traffic operations
- Reduce fatal injury crashes

A combination of the following four factors demonstrates the need for the project:

- 1)** Reduce travel delay. High traffic volumes and an outdated freeway design contribute to congestion and travel delays.
- 2)** Improve safety. The higher crash rates experienced along I-80 and I-580/ US 395 in the study area, compared to similar urban freeways in Nevada, make safety improvement a key need.
- 3)** Bridge condition. Most of the bridges in the study area are at or approaching the end of their planned service life. Furthermore, many are not wide enough to meet NDOT standards for traffic lane and shoulder widths.
- 4)** Optimize system connectivity. I-80, I-580, and US 395 are part of the National Highway System, providing important local and regional connectivity.

Alternatives 1, 2 and 3 would each address the obsolete design of the study-area freeway system and interchanges. NDOT and FHWA used the need factors above to compare the alternatives’ ability to meet the project purpose and need. The results of the comparison are found below.

Reduce travel delay

With respect to freeway operations, Alternative 2 would perform the best, with more than 90 percent of the freeways in the study area operating at 50 miles per hour during both the morning and evening rush hours. Under Alternatives 1 and 3, about 87% of the freeways would operate at 50 miles per hour or better during the morning rush hour, and about 90% during the evening rush hour.

With respect to local streets, all three alternatives would reduce intersection delays to a similar extent (compared to the No Build Alternative).

Improve safety

All three alternatives would improve safety by reducing the amount of weaving traffic, provide for steadier traffic flows, and widen the freeway lanes and shoulders to standard widths. All three alternatives would reduce the number of vehicles that are forced to weave over short distances between ramps, with Alternative 1 providing the greatest overall reduction in the number of weaving vehicles, and Alternative 3 the least reduction.

Bridge condition

Each of the alternatives would improve study area bridge conditions to the same extent.

Optimize system connectivity

Each of the alternatives would improve freeway system connectivity to the same extent.

Conclusion:

Based on the above discussion, Alternatives 1 and 2 are roughly equal regarding a consideration of least harm as it relates to Factor 5 (the degree to which each alternative meets the purpose and need for the project).

Alternative 3 would not meet purpose and need to the same extent as Alternatives 1 and 2 because it would not address safety and travel delay to the same extent as Alternative 2 (see [Chapter 2](#) for greater detail).

Table 6-5. Least Harm Analysis per 23 CFR 774.3(c) Factors (continued)

Factor 6: After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f)

Discussion:

To evaluate the magnitude of the alternatives' non-Section 4(f) resources, the project team used the impact analyses in [Chapter 3](#) of this [Final EIS](#).

Park and historic resources have already been addressed under the Section 4(f)-related factors in this table (Factors 1 through 4) and so are not included as part of this assessment for Factor 6. Additionally, under all alternatives, the project has been found to result in disproportionately high and adverse impacts on minority and/or low-income populations under Executive Order 12898, U.S. Department of Transportation Order 5610.2(a), and FHWA Order 6640.23A; as such environmental justice is also not included as part of this assessment for Factor 6.

Because Alternatives 1, 2, and 3 would have similar impacts on the four resources below, they are not included as part of this assessment for Factor 6.

- Air Quality
- Wetlands
- Threatened and Endangered Species
- Visual Effects

Community Impacts

Residential displacements:

Alternative 1: 938

Alternative 2: 326

Alternative 3: 233

Business displacements:

Alternative 1: 59

Alternative 2: 22

Alternative 3: 26

Publicly-owned buildings and social service agency displacements:

Alternative 1: 24

Alternative 2: 16

Alternative 3: 20

Noise Impacts

Noise receptors affected:

Alternative 1: 187

Alternative 2: 186

Alternative 3: 210

Hazardous Materials Impacts

Potential contaminated sites:

Alternative 1: 34

Alternative 2: 19

Alternative 3: 25

Table 6-5. Least Harm Analysis per 23 CFR 774.3(c) Factors (continued)

Factor 6: After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f) (continued)

Water Resources

Increased amount of impervious area (compared to No Build Alternative):

Alternative 1: 114.5

Alternative 2: 61.0

Alternative 3: 49.3

(Note: all run-off from freeway would be treated prior to entering Truckee River and smaller streams)

Stream impacts (acres):

Alternative 1: 0.43

Alternative 2: 0.22

Alternative 3: 0.29

100-year floodplain filled (square feet):

Alternative 1: 1,000

Alternative 2: 100

Alternative 3: 100

Transportation System Impacts

In the ranking table below, a ranking of the three alternatives is provided with respect to changes to the transportation system. In this table, the best-performing alternative is ranked 1 and shaded green. The second-best performing alternative is ranked 2 and shaded yellow. Alternative 2 is ranked the best or second best in every category. Overall Alternative 2 ranks the best, Alternative 1 second best, and Alternative 3 the worst. Details of each alternative's changes to the transportation system are as follows:

Access: connection points provided:

Alternative 1: 72

Alternative 2: 67

Alternative 3: 62

Safety: percent reduction in daily weaving vehicles (compared to No Build Alternative):

Alternative 1: 38% reduction

Alternative 2: 33% reduction

Alternative 3: 10% reduction

Traffic Operations: total vehicle miles traveled (2040):

Alternative 1: 320,730 (AM); 391,753 (PM)

Alternative 2: 333,452 (AM); 402,488 (PM)

Alternative 3: 320,291 (AM); 393,221 (PM)

Traffic Operations: travel speed >50 mph (2040):

Alternative 1: 91% (AM); 89% (PM)

Alternative 2: 95% (AM); 96% (PM)

Alternative 3: 89% (AM); 81% (PM)

Avoidance Alternatives/Least Harm Analysis

Table 6-5. Least Harm Analysis per 23 CFR 774.3(c) Factors (continued)

Factor 6: After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f) (continued)

Traffic Operations: average intersection delay (in seconds; PM 2040):

Alternative 1: 26

Alternative 2: 28

Alternative 3: 30

Ranking of Alternatives by Level of Improvement and Change to the Transportation System

	Ranking ^a		
	Alternative 1	Alternative 2	Alternative 3
Freeway operations	2	1	3
Freeway access	1	2	3
Local street closures	3	2	1
Local street delays around freeway interchanges	1	2	3
Safety	1	2	3
Airport access impacts ^b	2	1	1
Pedestrians and bicycles	3	1	2
Bus transit	3	2	1
Overall Ranking	2	1	3

^a Ranking:

1 = most improvement/least impact

2 = impact in the mid-range, similar to other alternatives

3 = least improvement/most impact

^b Alternatives 2 and 3 include the same modifications to the airport access, and so are ranked equally.

Conclusion:

Based on the above discussion, Alternative 2 performs better with regard to certain non-Section 4(f) resource areas while Alternative 3 performs better with regard to other non-Section 4(f) resources resource areas, but on balance the two alternatives are roughly equal regarding a consideration of least harm as it relates to Factor 6 (the magnitude of any adverse impacts to resources not protected by Section 4(f)). Alternative 1 would result in the most harm as it relates to Factor 6.

- Community impacts are roughly equal: Alternative 3 has fewer residential displacements but Alternative 2 has fewer business displacements and publicly owned/social service provider displacements (which may have a larger effect on the community than residential displacements).
- Alternative 2 would have less noise impacts than Alternative 3.
- Alternative 2 would have fewer impacts to known hazardous materials sites than Alternative 3.
- Impacts to water resources are roughly equal between Alternative 2 and 3.
- Alternative 2 is superior to Alternative 3 with respect to transportation system changes/benefits based on travel delay and safety (see ranking table above).

Table 6-5. Least Harm Analysis per 23 CFR 774.3(c) Factors (continued)**Factor 7: Substantial differences in costs among the alternatives****Discussion:**

Cost estimates for the three alternatives are as follows:

Alternative 1: \$4.1 billion

Alternative 2: \$2.4 billion

Alternative 3: \$2.4 billion

Conclusion:

Based on the above discussion, Alternatives 2 and 3 are equal regarding a consideration of least harm as it relates to Factor 7. Alternative 1 would result in the most harm as it relates to Factor 7.

Conclusion

Based on an overall assessment of the seven factors in CFR 774.3, Alternative 1 would result in a greater amount of harm than both Alternative 2 and Alternative 3.

A [summary comparison between Alternative 2 and 3 is provided below](#):

- Alternatives 2 and 3 have roughly equal impacts to Section 4(f) resources per Factor 1. Impacts associated with Alternative 1 would be most difficult to mitigate, whereas the impacts to Section 4(f) resources under Alternatives 2 and 3 would be more easily mitigated and roughly equal. The difficulty with mitigating impacts to Section 4(f) resources under Alternative 2 is related to the effects on the Mineral Manor [Historic District](#). [The difficulty with mitigating impacts under Alternative 3 is due to the effects on the Morrill's Addition Historic District in addition to the economic-related impacts to the RSIC historic resource.](#)
- Alternative 2 [is the least harm alternative](#) per Factors 2 and 3 (as described in detail in Table 6-5).
- Alternative 2 is the least harm alternative per Factor 4 because, based on their respective reviews of project benefits and impacts to Section 4(f) and non-Section 4(f) resources, the officials with jurisdiction involved in the project (City of Reno, City of Sparks, and the Reno-Sparks Indian Colony) have all indicated their preference for Alternative 2.
- Alternatives 1 and 2 are roughly equal per Factor 5 and are superior to Alternative 3 per Factor 5 because they better meet purpose and need due to lower travel delays, higher operating speeds, and much greater reduction in weaving compared to Alternative 3.
- Alternatives 2 and 3 are roughly equal per Factor 6 (as described in detail in Table 6-5).

- Alternatives 2 and 3 are equal with respect to Factor 7 because overall project cost is estimated to be approximately the same.

[Based on the discussion presented in this section, a review of all environmental impacts, and consideration of all agency and public comments received during the Draft EIS/Draft Section 4\(f\) comment period, FHWA has determined that Alternative 2 is the alternative which would result in the least overall harm per CFR 774.3.](#)

Coordination

Table 6-6. Section 4(f)/Section 6(f) Coordination Meetings

Date	Location	Attendee Agencies	Meeting Topic(s)
10/30/2017	FHWA Nevada Division Offices; Carson City, NV	City of Reno Parks Department; NDOT; FHWA; Jacobs Engineering	Overview of Section 4(f) regulations and Section 4(f) resources in the project study area; Section 4(f) status of NDOT-owned parks leased to City of Reno
11/22/2017	NDOT Offices; Carson City, NV	NDOT; FHWA; Jacobs Engineering	Follow-up on Section 4(f) status of NDOT-owned parks leased to City of Reno
12/18/2017	Reno City Hall; Reno, NV	City of Reno Parks Department; NDOT; FHWA; Jacobs Engineering	Follow-up on legal opinion regarding Section 4(f) status of NDOT-owned parks leased to City of Reno.
2/13/2018	Reno City Hall; Reno, NV	City of Reno Parks Department; NDOT; FHWA; Jacobs Engineering	Discussion of potential mitigation for impacts to Section 4(f)-protected part of Sage Street Park
3/1/2018	Phone conference	City of Reno Parks Department; NDOT; FHWA; Jacobs Engineering	Potential impacts from Alternative 1 to Section 6(f)-protected Fisherman’s Park #1 and #2
5/11/2018	Reno City Hall; Reno, NV	City of Reno Parks Department; NDOT; FHWA; Jacobs Engineering	Discussion of mitigation for impacts to Section 4(f)-protected part of Sage Street Park; discussion of Net Benefit finding for Sage Street Park (under all alternatives) and temporary occupancy exception at Fisherman’s Park #1 and River Trail (under alternatives 2 and 3)
2/28/2019	Conference call	National Park Service, Nevada State Parks, Jacobs Engineering	Clarified NPS comments on Draft Section 4(f) Evaluation related to Section 6(f) applicability to Truckee River Trail.

6.9 Coordination

The development of this Final Section 4(f) Evaluation has involved input and guidance from a variety of governmental agencies. The descriptions of all Section 4(f) park and recreational resources were prepared in coordination with, and reviewed by, staff at the City of Reno Parks, Recreation & Community Development, City of Sparks Parks & Community Facilities Department, Nevada State Parks, and the National Park Service (as applicable for each resource). All correspondence and meetings regarding Section 4(f) matters have been coordinated with NDOT project management. FHWA staff has been consulted regarding Section 4(f) issues throughout the course of the Section 4(f) Evaluation process.

Regarding cultural resources, a summary of coordination with Nevada SHPO and the Reno-Sparks Indian Colony Tribal Historic Preservation Officer is provided in Section 3.11 and Appendix D.13.

Table 6-6 lists the Section 4(f) and Section 6(f) coordination meetings that were undertaken with agencies over the course of the project in addition to the regular transmission of project-related communication between the consultant, NDOT, FHWA as well as various email and phone communication between the project team and applicable parks agencies (City of Reno, City of Sparks, Nevada State Parks, National Park Service). *Regarding coordination with the Department of the Interior (DOI), the DOI provided a letter acknowledging they have no objection to Section 4(f) approval of the proposed project (see Appendix F.5).*

6.10 Section 6(f) Assessment

Section 6(f) of the LWCF Act requires that replacement property be acquired for conversions of recreational lands where LWCF grant funds have been used. As noted earlier in this document, an LWCF grant (LWCF Agreement# 32-00-00188G) was awarded to the City of Reno in August 1984. The grant was for a consolidated project for several park and recreation facilities (the grant dollar amount was \$489,225). Of the total amount, \$55,000 was used to fund the development of the Fisherman’s Park property, which later came to be named Fisherman’s Park #1 and Fisherman’s Park #2; therefore, both Fisherman’s Park #1 and Fisherman’s Park #2 are subject to Section 6(f) regulations.

Miguel Ribera Park in Reno also received LWCF grant funds but is not impacted by any project alternative.

6.10.1 SECTION 6(f) IMPACT

Only one alternative (Alternative 1) would result in the conversion of parkland from either Fisherman’s Park #1 or Fisherman’s Park #2. Therefore, under Alternatives 2 and 3 there would be no Section 6(f) impacts.

Under Alternative 1, NDOT would acquire a permanent easement for the parkland that would be underneath the new wider I-580 bridge. Approximately 0.6 acre would be acquired at Fisherman’s Park #1, and approximately

0.3 acre would be acquired at Fisherman's Park #2. In total, Alternative 1 would result in the acquisition of approximately 0.9 acre of parkland protected under Section 6(f). The Section 6(f) parkland that would be acquired by NDOT via a permanent easement would be allowed to function in the same manner it does currently; therefore, the existing recreational activities would continue after construction.

Under Alternatives 2 and 3, construction would potentially result in the need to occupy land at the Fisherman's Park #1 property to establish a detour route for the River Trail along the north edge of the park parcel adjacent to Kietzke Lane. However, even if this is necessary, NDOT does not anticipate the temporary occupancy of Fisherman's Park to exceed 180 days; as such, this temporary occupancy of parkland would not constitute a "conversion" under Section 6(f).

Based on coordination with Nevada State Parks (acting on authority delegated from the National Park Service), a permanent easement equates to a conversion of use. Also, temporary construction impacts not requiring permanent property acquisition but lasting over 180 consecutive days would constitute additional conversions of use per Section 6(f)(3) of the LWCF Act.

6.10.2 SECTION 6(f) MITIGATION OR REPLACEMENT

If Alternative 1 were identified as the project's Preferred Alternative, NDOT would need to coordinate with the City of Reno (the local park sponsor) and Nevada State Parks to develop a Section 6(f) Conversion Proposal. NPS would need to review the proposal.

The Conversion Proposal would demonstrate that the proposed strategy for replacing existing protected Section 6(f) land with new land was in full accordance with both the prerequisites for conversion approval and the criteria for determining "equivalent usefulness and location" of a replacement property, as described in 36 CFR 59.3. Replacement property must meet the following requirements in addition to matching the current fair market value and recreation utility of the property:

- Be part of a viable public outdoor recreation area
- Not be land currently owned by another public agency unless selling agency is required by law to receive payment for the land
- Not be land originally acquired by the sponsor or selling agency for recreation purposes
- Not have previously been dedicated to or managed for recreation purposes while in public ownership
- Not have been initially acquired with federal assistance

NDOT has coordinated, and would continue to coordinate, with Nevada State Parks and the National Park Service regarding potential Section 6(f) impacts from the project.

6.11 References

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