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Date July 29, 2019, rev September 18, 2019
To Sarah Karasz
From Nancy Shelton
Subject Revised Section 4(f) Review
Interstate 10, Junction Interstate 19 to Kolb Road and State Route 210, Golf Links Road to Interstate 10
Federal project number 010-E(210)A
ADOT TRACS number 010 PM 260 H7825 01L

Introduction

The purpose of this memorandum is to document resources recommended for protection under Section 4(f) of the Department of Transportation Act of 1966 (Section 4[f]), describe potential “use” of these resources, and identify additional steps necessary to obtain the appropriate concurrences needed for environmental clearance. This memorandum is not intended to provide a “clearance” of Section 4(f) resources, but rather to serve as a tool for Arizona Department of Transportation’s (ADOT’s) to determine additional measures necessary to fulfill the Section 4(f) review, coordination, and documentation.

ADOT is initiating a Design Concept Report and an Environmental Assessment (EA) study for proposed Interstate 10 (I-10) and State Route 210 (SR 210) planned improvements. The project limits on I-10 extend from the Interstate 19 (I-19) junction eastbound to Kolb Road, and the SR 210 limits extend from Golf Links Road to a future planned connection with I-10 (refer to Figures 1 and 2). The purpose of the proposed improvements to I-10 is to address deficiencies in the interstate highway system and develop improvements that will provide satisfactory service levels on the interstate through the 2040 design year.

The purpose of extending SR 210 to an interchange with I-10 is to provide traffic originating east and south of downtown Tucson an alternative route to access the city center. The purpose would be met through:

- Providing a direct connection between I-10 and SR 210
- Improving operational characteristics of the I-10 TIs between I-19 and Kolb Road
- Adding capacity to I-10 to meet future year 2040 traffic demands

The project scope of work includes:

- Widening I-10 to accommodate additional through lanes and/or collector-distributor roadway (a supplemental facility between the freeway main lanes and the frontage roads)
- Extending SR 210 to I-10 along the Alvernon Way alignment
- Eliminating the Palo Verde Road traffic interchange (TI)
- Adding a new TI at Country Club Road
- Replacing or widening the existing bridges along I-10
- Improving existing TIs and crossroads
- Widening Drexel bridge to accommodate the Julian Wash Greenway

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Section 4(f) of the United States Department of Transportation Act of 1966

As originally defined under Section 4(f) of the *Department of Transportation Act of 1966* (Public Law 89-670, 80 Stat. 931) and subsequently under 49 United States Code [U.S.C] 303, 23 U.S.C. 138, and 23 Code of Federal Regulations (CFR) 774, FHWA and other United States (U.S.) Department of Transportation agencies cannot approve the use of land from significant publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless there is no feasible and prudent alternative to the use of that land, and that the proposed action includes all possible planning to minimize harm to the property resulting from such use. No wildlife or waterfowl refuges occur within the study area. Recreational areas/parks and cultural resources occur within the study area.

The significance of a recreational area or park is determined by the authority with jurisdiction over the resource. A cultural site that is considered eligible or potentially eligible for listing on the National Register of Historic Places (NRHP) by the State Historic Preservation Office (SHPO) would be considered a significant resource. SHPO determines eligibility of cultural resources based on specific criteria that establish the resource's relationship to major historic and prehistoric themes in a community, state, or the nation. A property may be significant if it relates to any one or more of the following four aspects of American history:

- (A) Association with historic events or activities,
- (B) Association with an important person in history,
- (C) Distinctive design or physical character, or
- (D) Potential to provide important information about prehistory or history.

A property must also maintain enough of the original qualities that make it significant. These qualities of integrity include: location, design, setting, materials, workmanship, feeling, and association.

Cultural resources eligible for listing or listed on the NRHP under Criterion A, B, or C, and those listed under Criterion D that warrant protection in place (those resources that cannot be removed and studied elsewhere, such as a cemetery), may be afforded protection under Section 4(f).

Each resource potentially afforded protection under Section 4(f) was evaluated independently to determine if there would be a "use" of the resource. A "use" of a Section 4(f) resource, as defined in 23 CFR §774.17, occurs when:

- Land is permanently incorporated into a transportation facility (direct use);
- There is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose ...; or
- There is a "constructive use" of a Section 4(f) property ...

A temporary occupancy is not considered a Section 4(f) "use" when all the conditions listed in 23 CFR §774.13(d) are satisfied:

- Duration is temporary and less than the time needed for construction of the project, and there is no change in ownership
- Scope of work is minor in nature and magnitude and changes to the Section 4(f) resource are minimal

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- No permanent adverse physical impacts or interference with protected activities, features, or attributes either temporarily or permanently
- The land is fully restored to a condition equal to or better than prior to construction
- There is a documented agreement with the official(s) with jurisdiction over the Section 4(f) resource regarding the above condition.

A “constructive use” of a Section 4(f) resource occurs when the transportation project does not incorporate land from the Section 4(f) resource, but the project’s proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired. For example, a constructive use can result when an increase in noise levels, restrictions in access, or other impacts that could substantially impair aesthetic features or attributes of the resource occur. Constructive uses do not apply to resources that are directly used.

In August 2005, Section 4(f) was revised to simplify the process and approval of projects with *de minimis* impacts to Section 4(f) resources. Under the revised provisions, projects determined to result in a *de minimis* impact are not required to undergo an analysis of avoidance alternatives, and once the project is determined to be *de minimis* and the officials with jurisdiction over the resource concur, the Section 4(f) evaluation process is complete.

An impact to a Section 4(f) resource may be determined to be *de minimis* if the transportation use of the resource does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f). The regulation has different requirements depending upon the type of Section 4(f) property that would be used. In the case of historic properties, there must also be a finding of no adverse effect/no historic properties affected, SHPO must concur with the finding of effect and not object to the *de minimis* determination, and the lead agency must consider the views of any consulting party for a *de minimis* finding to be appropriate. For parks or recreation areas, the official(s) with jurisdiction over the property must be informed of the intent to make a *de minimis* determination and the public must be provided an opportunity to review and comment. After considering the public comments, if the official(s) with jurisdiction concurs in writing that the project would not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection, then ADOT may finalize the *de minimis* impact determination.

Table 1 lists publicly-owned recreational facilities identified as occurring within 0.25 mile of the project limits and cultural resources that are eligible for listing on the NRHP within the cultural area of potential effects (includes the project area and 0.50-mile buffer). The table identifies the type and location of the resource, jurisdiction or owner, features of the resource, whether it is afforded protection under Section 4(f), and the anticipated use of the resource. Recreational resources that are afforded protection under Section 4(f) are depicted in Figures 3a – 3c (attached). Those resources identified as Section 4(f) resources warranting further analysis are then discussed in the subsequent section.

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Table 1. Potential Section 4(f) resources in the project area

Map ID	Resource	Location/Proximity	Jurisdiction or Owner	Features	Section 4(f) Resource	Anticipated Use
1	Julian Wash Trail and Greenway/The Loop Trail	From the Santa Cruz River to the Houghton Greenway; traverses study area	PCPR and TPR	Part of Tucson's Urban Loop; includes a path and a trail; the overall path is in various stages of planning and completion	Portions of trail fall under 4(f)	<p>No – Two portions of The Loop Trail that occur within the project footprint are primarily recreational in use, 44th St/6th Avenue and Drexel Road. The portions that cross Kino Boulevard, Country Club Road, and Alvernon Way are primarily drainage control structures, and thus are not afforded protection under Section 4(f). The Loop along 6th Avenue would not be directly used by the project. The project would extend into the 6th Avenue intersection where the loop crosses but trail users would be able to use the southern crosswalk at that intersection. No constructive use would occur. While it is anticipated that the culvert under the Drexel Road bridges will remain in use during construction, The Loop Trail segments that pass under the road may potentially be closed temporarily while the bridges are reconstructed. Attributes of this resource include the trail crossings under the roadways and trailhead ramps. Surface streets can be used during the detour to bypass the construction zone. If closure is needed, the duration of the closure will be approximately 4 months per crossing, which is shorter than the duration of the overall project. The trail will be of the same condition or better following construction. Potential impacts to Julian Wash Greenway/The Loop would qualify as a Temporary Occupancy, which is not considered a "use" of the resource. The project would not affect the activities, features or attributes of the trail/trailheads adjacent to construction. Coordination with Pima County, the official with jurisdiction, will be undertaken and the public afforded an opportunity to comment on the temporary occupancy during the public review of the EA being prepared for this project.</p> <p>Yes – A new road across the Julian Wash Greenway/Loop Trail will be constructed at either Treat Avenue or Bentley Avenue to provide access for vehicles from the neighborhood north of Irvington Road, since the project will eliminate the current access to Country Club. This would result in a <i>de minimis</i> direct use of the resource.</p>
2	Julian Wash Archaeological Park	Southern quadrant of the I-10/1-19 interchange; within study area	City of South Tucson Parks	Interpretive site with walking path, benches, displays, parking, bike racks, trash cans, shade structures, public art	Yes	<p>No – No direct or constructive use would occur. Park is located west of the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).</p>
3	12 th Avenue Trailhead for the Julian Wash Greenway	SE of South 12 th Avenue and West 39 th Street; within study area	PCPR and TPR	Bike racks, playground, picnic ramada, water fountain, restrooms, parking	Yes	<p>No – No direct or constructive use would occur. Trailhead is located west of the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).</p>
4	Carmelin Castro Itom Usim Children's Park	South of West 39 th Street between 10 th and 12 th Avenues; within study area	City of South Tucson Parks	Playgrounds, basketball court; multi-use path; lighting; pedestrian bridge, ramadas, picnic tables, grills, trash cans, public art	Yes	<p>No – No direct or constructive use would occur. Park is located west of the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).</p>
5	10 th Avenue/12 th Avenue Enhanced Bicycle/Pedestrian Corridor	Along the 10 th and 12 th Avenue alignments; traverses study area	TPR	Planned, undeveloped – pedestrian/bicycle corridors,	Portions of trail fall under 4(f)	<p>No – No direct or constructive use would occur. Enhanced corridor is located west of the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).</p>
6	Mission View Elementary School	2600 South 8th Avenue; within study area	Tucson Unified School District	Ramadas, picnic tables, basketball court, playgrounds; softball/baseball diamond, open fields; fenced	Yes	<p>No – No direct or constructive use would occur. The school fields/playground are located north of the project area. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).</p>
7	El Paso & Southwestern Greenway	From north of downtown Tucson to the Kino Sports Complex; traverses study area	PCPR	Planned, partially developed, rails-to-trails greenway within the former El Paso & Southwestern Railroad right-of-way; portion within the study area not yet developed	Yes	<p>No – No direct or constructive use would occur. The greenway is located north of the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).</p>
8	Wakefield Middle School/Higher Ground Community Center	101 West 44th Street; within study area	Tucson Unified School District 1	Soccer field, softball/baseball diamond, basketball court, outdoor track, ramada, picnic tables, grill; fenced	Yes	<p>No – No direct or constructive use would occur. The school fields/playgrounds are located west of the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).</p>

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Table 1. Potential Section 4(f) resources in the project area

Map ID	Resource	Location/Proximity	Jurisdiction or Owner	Features	Section 4(f) Resource	Anticipated Use
9	Wakefield Park	101 West 44th Street; within study area	Tucson Unified School District 1/TPR	Ramada, picnic tables, grill, playground, basketball court; open to public on weekends	Yes	No – No direct or constructive use would occur. The school fields/playgrounds are located west of the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
10	Twin Buttes Railroad (AZ EE:1:300 [ASM])	Between South Fair Avenue and the existing UPRR alignment; traverses study area	Private	Historic railroad determined eligible for the NRHP under criteria A and D	Yes	No - No direct use of any railroads in the project vicinity will occur. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
11	Street Scene Park	744 East 39 th Street; within 0.25-mile buffer around study area	TPR	Picnic tables, playground, water fountain, grill, trash cans	Yes	No – No direct or constructive use would occur. Park is located north and west of the project area. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
12	The Bridges Trails	Tucson Marketplace along Tucson Marketplace Parkway, by Costco and along Park Avenue	TPR	Multiuse paths	Yes	No – Park Avenue will be widened to the east and consequently the sidewalk will be shifted approximately 20 feet to the east. This shift will result in the sidewalk crossing the trail approximately 25 feet before it terminates at the sidewalk. Approximately 13 feet of the existing trail would be incorporated into the road facility. The change would not impede the function, features, or attributes of or the access to the rest of the trail, and trail users could continue along the sidewalk. However, the portion of the trail that will be incorporated into Park Avenue is within the Park Avenue right-of-way. The primary purpose of the right-of-way is a transportation corridor; therefore, this portion of the trail would not be afforded protection under Section 4(f). For the other two portions of the trail, no constructive or direct use would occur. While the design would occur immediately adjacent to the trail that is located south of Costco or the trail located on the north side of Tucson Marketplace Boulevard, the trail is already exposed to the noise of I-10 and the offramp. The offramp will move closer to the trail by approximately 30 feet. This will increase noise of the existing vehicles slightly. Access to the trail would not be altered. The increase would not impede the use of this trail and no other actions would adversely affect the features and attributes that are afforded protection under Section 4(f). None of the proposed project components would affect the trail north of Tucson Marketplace Boulevard.
13	Shared-use path to Sam Lena Park	From east of Kino Parkway to the Kino Environmental Restoration Project Trail; within study area	TPR	Paved, shared-use path; spur providing connectivity between Julian Wash Trail and the recreation areas along Ajo Way east of Kino Parkway	Yes	No – No direct or constructive use would occur. The path is located north/west of the project area. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
14	Kino Environmental Restoration Project Trail	NW corner of Ajo Way and Country Club Road (within the Kino Sports North Complex); within study area	Pima County Stadium District	Walking trail, parking	Yes	No – No direct or constructive use would occur. The recreational area is located north/west of the project area. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
15	Kino Veterans Memorial Sports Complex	2500 East Ajo Way (the Kino Sports South Complex); within study area	Pima County Stadium District	Tucson Electric Park (major/minor league, 11,000 seats), 8 other baseball fields (some lighted), lighted soccer fields, batting cages, parking	Yes Yes	No – Pima County is expanding the south complex to the south side of I-10 and will construct an access under I-10 to allow pedestrians access. The future underpass will be within the I-10 ROW and is not afforded protection under Section 4(f). No direct use of the stadium or existing facilities would occur. The recreational resources are located north of the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f). Yes – A small area (approximately 0.6 acre) of new ROW is required for the proposed improvements on the south side of I-10 near its intersection with Kino Parkway. This would reduce the area that is available for future development of the 145-acre Kino Sports Complex extension at this location. The development plan for the park identifies a future water park for this portion of the property. Conversion of 0.6 acre from recreation to transportation would result in a <i>de minimis</i> direct use of the resource. See analysis below and Section F in the EA for further analysis.

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Table 1. Potential Section 4(f) resources in the project area

Map ID	Resource	Location/Proximity	Jurisdiction or Owner	Features	Section 4(f) Resource	Anticipated Use
16	Sam Lena Park/Kino Community Center/ Kino Teen Center	NW corner of Ajo Way and Country Club Road (within the Kino Sports North Complex); within 0.25-mile buffer around study area	Pima County Stadium District	Ramadas, grills, two lighted softball/baseball diamonds, playground, disc golf course, walking track, basketball court, batting/pitching cages and tunnels, pool, walking path, trash cans, restrooms, drinking fountains, parking	Yes	No – No direct or constructive use would occur. The recreation center is located north/west of the project area. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
17	Country Club Annex Park	2230 South March Place Tucson, AZ 85713	TPR	Multi-purpose field, playground, turf area, picnic tables and BBQ grills, drinking fountain	Yes	No – No direct or constructive use would occur. The fields/playgrounds are not located within or adjacent to the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
18	Citation Greenway	From the proposed Golf Links Trails Park northwest for approximately 1.6 miles	PCPR	Proposed Trail	Yes	No – No direct or constructive use would occur. The trail does not currently exist, and the proposed improvements will not occur at the trail location. No direct or constructive use would occur.
19	Augie Acuna Los Ninos Neighborhood Park	5432 South Bryant Avenue; within study area	Pima County Natural Resources, Parks and Recreation	Lighted baseball/softball diamond, basketball court, tennis court, drinking fountains, trash cans, playground, ramadas with tables and grills, pool, bathrooms, concessions, parking	Yes	No – No direct use would occur. Nearby construction would not affect the activities, features or attributes of the park. Access via Julian Wash Greenway from the west would be temporarily closed. Access via surface streets would continue. Since access via Julian Wash from the east and surface streets will remain, restrictions from the west would not constitute a constructive use. No constructive use would occur.
20	Columbus Boulevard (AZ BB:13:689 [ASM])	Segment intersecting South Rex Street; within study area	Pima County DOT	Historic roadway; recommended eligible for the NRHP under criterion A.	Yes	No – The historic feature would not be directly affected by the proposed improvements. The project would not affect the visual character of the area or generate vibration that would affect the integrity of the resource. No use of this Section 4(f) resource would occur.
21	Catalina Road (AZ BB:13:687 [ASM])	Segment south of East Rex Street; within study area	Pima County DOT	Historic roadway; recommended eligible for the NRHP under criterion A	Yes	No – The historic feature would not be directly affected by the proposed improvements. The project would not affect the visual character of the area or generate vibration that would affect the integrity of the resource. No use of this Section 4(f) resource would occur.
22	Herpa Street (AZ BB:13:686 [ASM])	Segment south of East Rex Street; within study area	Pima County DOT	Historic roadway; recommended eligible for the NRHP under criterion A	Yes	No – The historic feature would not be directly affected by the proposed improvements. The project would not affect the visual character of the area or generate vibration that would affect the integrity of the resource. No use of this Section 4(f) resource would occur.
23	Benton Avenue (AZ BB:13:685 [ASM])	Segment south of East Rex Street; within study area	Pima County DOT	Historic roadway; recommended eligible for the NRHP under criterion A	Yes	No – The historic feature would not be directly affected by the proposed improvements. The project would not affect the visual character of the area or generate vibration that would affect the integrity of the resource. No use of this Section 4(f) resource would occur.
24	Rancho Valencia North Greenway	East of the Swan Road Greenway and south of I-10; within study area	TPR	Planned, undeveloped	Yes	No – No direct or constructive use would occur. The trail is located south of the proposed improvements. Construction would not affect the access, activities, features or attributes of the recreational features.
25	Billy Lane Lauffer Middle School	5385 East Littletown Road; within study area	Sunnyside Unified School District 12	Softball/baseball diamond, basketball courts, soccer fields, volleyball, ramada; fenced	Yes	No – No direct or constructive use would occur. The school fields/playground is not located within or adjacent to the project area. Construction would not affect the access, activities, features or attributes of the recreational features.
26	Thomas Jay Regional Park	6465 South Craycroft Road; within 0.25-mile buffer around study area	Pima County Natural Resources, Parks and Recreation	Baseball/softball fields (lighted), senior baseball field, t-ball field, batting cages, basketball courts (lighted), drinking water, picnic tables, playgrounds, ramadas, grills, restrooms, concessions, parking, Littletown Community Center	Yes	No – No direct or constructive use would occur. The park is not located within or adjacent to the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
27	Robert A. Price, Sr. Park	South Wilmot Road and East Via Rio Pico; within study area	TPR	Planned, undeveloped	Yes	No – No direct or constructive use would occur. The park is not located within or adjacent to the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).

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Table 1. Potential Section 4(f) resources in the project area

Map ID	Resource	Location/Proximity	Jurisdiction or Owner	Features	Section 4(f) Resource	Anticipated Use
28	Julian Wash at La Estancia de Tucson	Julian Wash near Wilmot Road	PCPR and TPR	Planned, undeveloped linear park	Yes	No – No direct or constructive use would occur. The recreational feature is not located within or adjacent to the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
29	Wilmot Road Trailhead for the Julian Wash Greenway	South Wilmot Road north of I-10; within the study area	PCPR and TPR	Planned, undeveloped	Yes	No – No direct or constructive use would occur. The trailhead is not located within or adjacent to the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
30	Rodeo Wash Greenway	From the Santa Cruz River Park to Wilmot Road; traverses study area	TPR	Planned, partially developed; portion within the study area not yet developed	Yes	No – No direct use would occur. The terminus of the trail where it meets Wilmot Road would be within the construction area but access to Wilmot Road would be maintained. Construction is not anticipated to affect the access, activities, features or attributes of the recreational features.
31	Park at La Estancia de Tucson	Julian Wash near Wilmot Road	Pima County Parks Natural Resources, and Recreation and Tucson Parks and Recreation	Park, playground, picnic ramadas and tables, and linkages to Julian Wash	Yes	No – No direct or constructive use would occur. The recreational feature is not located within or adjacent to the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
32	La Estancia de Tucson Linear Park	Between South Wilmot and South Kolb Roads north of I-10; within study area	TPR	Walking path parallel to Julian Wash	Yes	No – No direct or constructive use would occur. The park is not located within or adjacent to the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
33	Kolb Road Trailhead for the Julian Wash Greenway	Kolb Road north of I-10; within study area	PCPR and TPR	Planned, undeveloped	Yes	No – No direct or constructive use would occur. The trailhead is not located within or adjacent to the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
34	Airport Wash North Fork Trail	From Alvernon Way to Sarnoff Drive; traverses study area	TPR	Planned, undeveloped	Yes	No – No direct or constructive use would occur. The trail is not located within or adjacent to the proposed improvements. Construction would not affect access or the activities, features or attributes of the elements that are afforded protection under Section 4(f).
35	Sarnoff Road Alignment Greenway	Follows the Sarnoff Drive alignment south from Julian Wash Greenway to Sahuarita Greenway for 9.7 miles	PCPR	Planned, existing dirt trail	Yes	No – No direct or constructive use would occur. The trail is located south and east of the proposed improvements. Construction would not affect the access, activities, features or attributes of the recreational features.
Not Mapped	Nellie P. Covert School	2700 South 8th Avenue; within study area	Arizona's Children Association	Ramadas, outdoor track, softball/baseball diamond, basketball court, soccer field, pool, swings, water fountain; partially fenced;	No, not publicly owned	N/A
Not Mapped	Kino Parkway Path	From Barraza/Aviation Path to the Julian Wash Greenway along the Kino Parkway alignment; traverses study area	TPR	Planned, undeveloped	No – within transportation ROW	N/A
Not Mapped	Tucson Diversion Channel Trail	2500 East Ajo Way Tucson, AZ 85713	PCPR	Proposed trail passing under I-10 adjacent within the diversion channel that would connect the north and south complexes of Kino Sports Complex	No – the diversion channel is a flood control feature.	N/A
Not Mapped	Palo Verde Greenway	From the proposed Golf Links trails park to Julian Wash Greenway along Alvernon Way; traverses study area	TPR	Planned, undeveloped	No – within a transportation ROW	N/A
Not Mapped	Barraza/Aviation Path	North side of Aviation Parkway and is approximately 4.7 miles	PCPR	Multi-use path	No – within a transportation ROW	N/A

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Map ID	Resource	Location/Proximity	Jurisdiction or Owner	Features	Section 4(f) Resource	Anticipated Use
Not Mapped	El Paso Natural Gas Pipeline No. 1007 (AZ AA:12:875 [ASM]; AZ AA:7:505 [ASM])	From West Ajo Way/South Clark Avenue to I-10 MP 263.50; traverses study area	El Paso Natural Gas Company	Historic underground natural gas pipeline determined eligible for the NRHP under criteria A and C; exempt from NRHP consideration per the <i>Exemption Regarding Historic Preservation Review Process for Projects Involving Historic Natural Gas Pipelines</i> , Federal Register 67, No. 66, 04/05/2002	No – exempt from review	N/A
Not Mapped	Golf Links Road Path	North side of Golf Links Road for about 4 miles from Alvernon Way to Barraza/Aviation Path	PCPR	Trail	No – within transportation ROW	N/A
Not Mapped	100 Acre Woods Park	100 acres at the north side of Golf Links Road at the northwestern corner of Davis-Monthan Air Force Base	PCPR	Proposed Park	No – underlying ownership is military	N/A
Not Mapped	Palo Verde Road Trail	Trends north-south west of Alvernon Way Road for 10.2 miles from just south of Valencia Road to Just south of 36 th Street	PCPR	Proposed Trail	No – within transportation ROW	N/A
Not Mapped	Wilmot Road Greenway	From Julian Wash Greenway to Sahuarita Road east of the Wilmot Road alignment; traverses study area	TPR	Planned, undeveloped	No – within transportation ROW	N/A
Not Mapped	Julian Basin Trails Park	Kolb Road north of I-10; within study area	PCPR	Planned for the existing retention basin east of Kolb Road; undeveloped	No – Primary purpose is water retention	N/A
Not Mapped	Kolb South Greenway	From Julian Wash Greenway to 1.0 mile south of Old Vail Road; traverses study area	TPR	Planned, undeveloped	No – within a transportation ROW	N/A
Not Mapped	Kolb Road Path	From Valencia Road to Julian Wash Greenway; within study area	PCPR	Planned, undeveloped	No – within a transportation ROW	N/A
Not Mapped	Vail Academy and High School	7762 East Science Park Drive; within study area	Vail School District	Basketball court, fabric ramadas, playgrounds, water fountains, open ballfields; fenced	No – fields/playgrounds are not accessible outside school hrs.	N/A
Not Mapped	Palo Verde Road Trail	From Palo Verde Greenway to Rodeo Wash Greenway along the Palo Verde Road alignment; traverses study area	TPR	Planned, undeveloped	No – within transportation ROW	N/A
Not mapped	Gas Line Trail	Parallels the north side of I-10 from Kolb Road to the southeast	PCPR	Planned trail	No – within a utility ROW with a recreational easement	N/A
Not Mapped	El Paso & Southwestern Railroad, Fairbank to Mescal to Tucson Route (AZ EE:3:74 [ASM]; AZ EE:3:43 [ASM]; AZ EE:3:58 [ASM]; AZ EE:3:62 [ASM]; AZ BB:13:577 [ASM]; AZ EE:4:17 [BLM])	North of I-10 from MP 261.50 to MP 265.20; within study area	Union Pacific Railroad	Historic railroad determined eligible for the NRHP under criteria A and D; the portion in the study area was determined non-contributing to the eligibility of the overall site	No -non-contributing segment	N/A

Table 1. Potential Section 4(f) resources in the project area

Map ID	Resource	Location/Proximity	Jurisdiction or Owner	Features	Section 4(f) Resource	Anticipated Use
Not Mapped	Wilmot Road (AZ BB:13:661 [ASM])	Segment south of I-10; within study area	City of Tucson DOT	Historic roadway; recommended eligible for the NRHP under criterion A	No – segment within project is does not contribute to the eligibility of this resource.	N/A
Not Mapped	Country Club Road (AZ BB:13:688 [ASM])	Segment north of and adjacent to I-10; within study area	City of Tucson Department of Transportation (DOT)	Historic roadway; recommended eligible for the NRHP under criterion A	No – segment within project is does not contribute to the eligibility of this resource.	N/A
Not Mapped	Alvernon Way (AZ BB:13:690 [ASM])	Segment intersecting East Drexel Road; within study area	Pima County Department of Transportation (DOT)	Historic roadway; recommended eligible for the NRHP under criterion A	No – segment within project is does not contribute to the eligibility of this resource.	N/A
Not Mapped	Craycroft Road (AZ BB:13:693 [ASM])	Segment intersects with East Rex Street within study area	Pima County DOT	Historic roadway; recommended eligible for the NRHP under criterion A	No – segment within project is does not contribute to the eligibility of this resource.	N/A
Not Mapped	Los Ninos Elementary School	5445 South Alvernon Way; within study area	Sunnyside Unified School District 12	Playground, soccer field, open fields, basketball courts, ramadas; fenced	No, grounds are not available outside of school hours	N/A
Not Mapped	Rancho Valencia Park	4818 East American Beauty Drive; within study area	Valstate Homeowners' Association (HOA)	Ramada, picnic tables, grills, playground, multi-use field; not fenced, no signs restricting use	No, not publicly owned	N/A
Not Mapped	Rancho Valencia Park 2	6648 South Plantain Place; within study area	Valstate HOA	Ramada, picnicking, grills, playground, multi-use field; not fenced, no signs restricting use	No, not publicly owned	N/A
Not Mapped	The Villas at Rancho Valencia Common Area B (recreation area)	5049 East Fairy Duster Drive; within 0.25-mile buffer around study area	Valstate HOA	Basketball court, volleyball court, parking, ramada, picnic tables, grill, bike rack, playground, multi-use field, drinking fountain, walking path; not fenced, no signs restricting use	No, not publicly owned	N/A
Not Mapped	The Villas at Rancho Valencia Common Areas B and C (recreation area)	East Fairy Duster Drive and South Parsnip Lane; within study area	Valstate HOA	Basketball court, picnic table, grill, trash cans, water fountain, playground; not fenced, no signs restricting use	No, not publicly owned	N/A
Not Mapped	The Villas at Rancho Valencia Common Area B (recreation area)	East Desert Straw Lane and South Spring Beauty Way; within study area	Valstate HOA	Playground, ramada, picnic tables, grill, bike rack; not fenced, no signs restricting use	No, not publicly owned	N/A
Not Mapped	Corazon del Pueblo Common Area A	East Calle de la Apertura; within study area	Habitat for Humanity Tucson, Inc.	Playground, shade ramada, picnic table, trash can; not fenced, no signs restricting use	No, not publicly owned	N/A
Not Mapped	Corazon del Pueblo Common Area A	South Camino de la Humanidad and East Elvira Road; within study area	Habitat for Humanity Tucson, Inc.	Playground; not fenced, no signs restricting use	No, not publicly owned	N/A
Not Mapped	Corazon del Pueblo Common Area A	East Camino del Agua; within study area	Habitat for Humanity Tucson, Inc.	Playground; not fenced, no signs restricting use	No, not publicly owned	N/A

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Table 1. Potential Section 4(f) resources in the project area

Map ID	Resource	Location/Proximity	Jurisdiction or Owner	Features	Section 4(f) Resource	Anticipated Use
Not Mapped	Canterbury Ranch Common Area A	South Parsons Tale Drive; within study area	Canterbury Ranch HOA	Playground; not fenced, no signs restricting use	No, not publicly owned	N/A
Not Mapped	Canterbury Ranch Common Area B	South Millers Tale Drive; within study area	Canterbury Ranch HOA	Playground; not fenced, no signs restricting use	No, not publicly owned	N/A
Not Mapped	Window Rock East Recreation and Open Space	South 2 nd Mesa Drive; within study area	Window Rock East HOA	Pool, playground, basketball court, clubhouse; recreation area is fenced; community is gated	No, not publicly owned	N/A
Not Mapped	Desert Stone Common Area B (recreation area)	South Wilmot Road between East Garden Stone and East Sentinal Stone Drives; within study area	Desert Stone HOA	Ramadas, picnicking, grills, trash cans, basketball court, playground, multi-use fields; not fenced, no signs restricting use	No, not publicly owned	N/A
Not Mapped	Vista Montana Estates Common Area B (recreation center)	East Stadium Parkway; within study area	Vista Montana Estates HOA	Pool, community center, basketball court, volleyball court, picnic, playground; recreation area for residents only; community is gated	No, not publicly owned	N/A
Not Mapped	Trails West Mobile Home Park	8401 South Kolb Road; within study area	Trails Associates, LLC	Pools, community center, park, pond; no public access	No, not publicly owned	N/A
Not Mapped	Voyager RV Resort	8701 South Kolb Road; within study area	Voyager RV Resort, LLC	Golf course, tennis courts, softball/baseball diamond; golf course open to the public; privately owned	No, not publicly owned	N/A
Not Mapped	Triple T Truck Stop	5451 East Benson Highway	Privately owned	Historic truck stop	Yes, eligible under Criterion C	Removal of an awning (not original to the structure); partial property takes. No adverse effect to the resource. Will not adversely affect the activities, features or attributes for which the resource is afforded protection. Section 4(f) will be addressed in a continuing Section 106 consultation letter.

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Resource Evaluation

Section 4(f) property name: Julian Wash Greenway/The Loop

Location: Julian Wash at either Treat Avenue and at the Country Club, Drexel, Kino, and Alvernon crossings

Ownership and administration: Pima County Natural Resources, Parks, and Recreation

Type: Recreational trail

A new road across the Julian Wash Greenway/Loop Trail would be constructed at either Treat Avenue to provide access for vehicles from the neighborhood north of Irvington Road, since the project would eliminate the current access to Country Club. The new crossing would be at-grade and would carry a small volume of traffic. The portion of the road that crosses the trail would result in a permanent incorporation of approximately 44 feet of the trail into a transportation facility; however, the road crossing would not impede the use of the incorporated portion of the trail after construction is complete. Traffic would yield to trail users. The addition of the road would enhance access to the trail from the adjacent neighborhood; all features and attributes that qualify it as a Section 4(f) resource would remain. The extent of this use would be minor and would not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f).

A *de minimis* impact finding would be appropriate because the above *de minimis* criteria are met:

1. The proposed improvements would result in the incorporation of approximately 44 feet of the more than 120-mile-long Julian Wash Greenway for a new local neighborhood road where no access currently exists. This would result in a direct use. Traffic on the road would be minimal and would yield to users of the greenway. The greenway would continue to function in its current state. No other attributes or features would be affected by the proposed construction. The project would not adversely affect the activities, features, or attributes qualifying the resource for protection under Section 4(f).
2. This use of the Section 4(f) resource would be included in the Environmental Assessment (EA). The EA will be available for a 30-day review/comment period and a public hearing will be held during the public comment period.
3. A letter that provides notification of ADOT's *de minimis* impact determination will be sent to Pima County Natural Resources, Parks, and Recreation. If they concur, it will acknowledge the agreement that the use of the Julian Wash Greenway for the extension of access into a neighborhood would not adversely affect the activities, features, or attributes qualifying the resource for protection under Section 4(f).

In addition to this new crossing, the Julian Wash Greenway would be temporarily closed during construction while culverts are extended and TI/surface road improvements on 44th Street/6th Avenue and Drexel Road are in progress. The project would extend into the 6th Avenue intersection where the loop crosses but trail users would be able to use the southern crosswalk at that intersection. No constructive use would occur. While it is anticipated that the culvert under the Drexel Road bridges will remain in use during construction, The Loop Trail segments that pass under the road may potentially be closed temporarily while the bridges are reconstructed. Attributes of this resource include the trail crossings under the roadways and trailhead ramps. Surface streets can be used during the detour to bypass the construction zone. If closure is needed, the duration of the closure will be approximately 4 months, which is shorter than the duration of the overall project. The trail will be of the same condition or better following construction. Potential impacts to Julian Wash Greenway/The Loop would qualify as a Temporary Occupancy, which is not considered a "use" of the resource. The project would not affect the activities, features or attributes of the trail/trailheads adjacent to construction.

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Coordination with Pima County Natural Resources, Parks and Recreation, the official with jurisdiction, is being undertaken regarding this temporary occupancy, and the County concurred that the occupancy of the resource would be temporary and that no constructive or direct use of the resource would occur at the locations as a result of construction. Concurrence is being sought from the County that the use of 44 feet of the more than 120-mile-long Julian Trail for the construction of the new road at either Treat or Bentley Avenue would constitute a *de minimis* use of the resource. The public will be afforded an opportunity to comment on both the *de minimis* and temporary occupancy findings during the public review of the EA being prepared for this project.

Section 4(f) property name: Kino Veterans Memorial Sports Complex (south complex)

Location: 2500 East Ajo Way

Ownership and administration: Pima County Stadium District

Type: Water park

Approximately 0.6 acre of the south complex will be required for new ROW for the improvements on the south side of I-10 near the intersection with Kino Parkway. This area is designated for a water park, a recreational use. This ROW acquisition would reduce the available area for the water park, but adequate space would still be available to accommodate the future recreational park. The extent of this use would be minor and would not adversely affect the activities, features, and attributes that would qualify the resource for protection under Section 4(f).

A *de minimis* impact finding would be appropriate because the above *de minimis* criteria are met:

1. The proposed improvements would result in the incorporation of approximately 0.6 acre of the 145-acre parcel. This would result in a direct use. The balance of the parcel would continue to function as planned. Since the facility does not currently exist, no other attributes or features would be affected by the proposed construction. The project would not adversely affect the activities, features, or attributes qualifying the resource for protection under Section 4(f).
2. This use of the Section 4(f) resource would be included in the Environmental Assessment (EA). The EA will be available for a 30-day review/comment period and a public hearing will be held during the public comment period.
3. A letter that provides notification of ADOT's *de minimis* impact determination will be sent to Pima County Stadium District. If they concur, it will signify an agreement that the use of a portion of the South Complex expansion for the I-10 improvements would not adversely affect the activities, features, or attributes qualifying the resource for protection under Section 4(f).

Conclusion

ADOT believes that the construction of the proposed project, which would result in the incorporation of a minor amount of the Julian Wash Greenway for the construction of Treat or Bentley Avenue, would not adversely affect the activities, features, or attributes that qualify the Julian Wash Greenway for protection under Section 4(f) in the project area and meets the requirements of a *de minimis* use. In addition, a temporary occupancy of the Loop Trail would occur during bridge construction of the project. Closures would be short-term and would not affect the condition of the resource. Coordination with the official with jurisdiction is being undertaken. This impact would result in a temporary occupancy of the Loop Trail, and as such, a Section 4(f) exception applies to these impacts under 23 CFR 774.13(d).

Full design plans for this project will not be available until final design. As design advances, it is recommended that the plans be reviewed to verify the potential use of the Section 4(f) resources within and adjacent to the study area to identify if further coordination or documentation of Section 4(f) resources is needed.

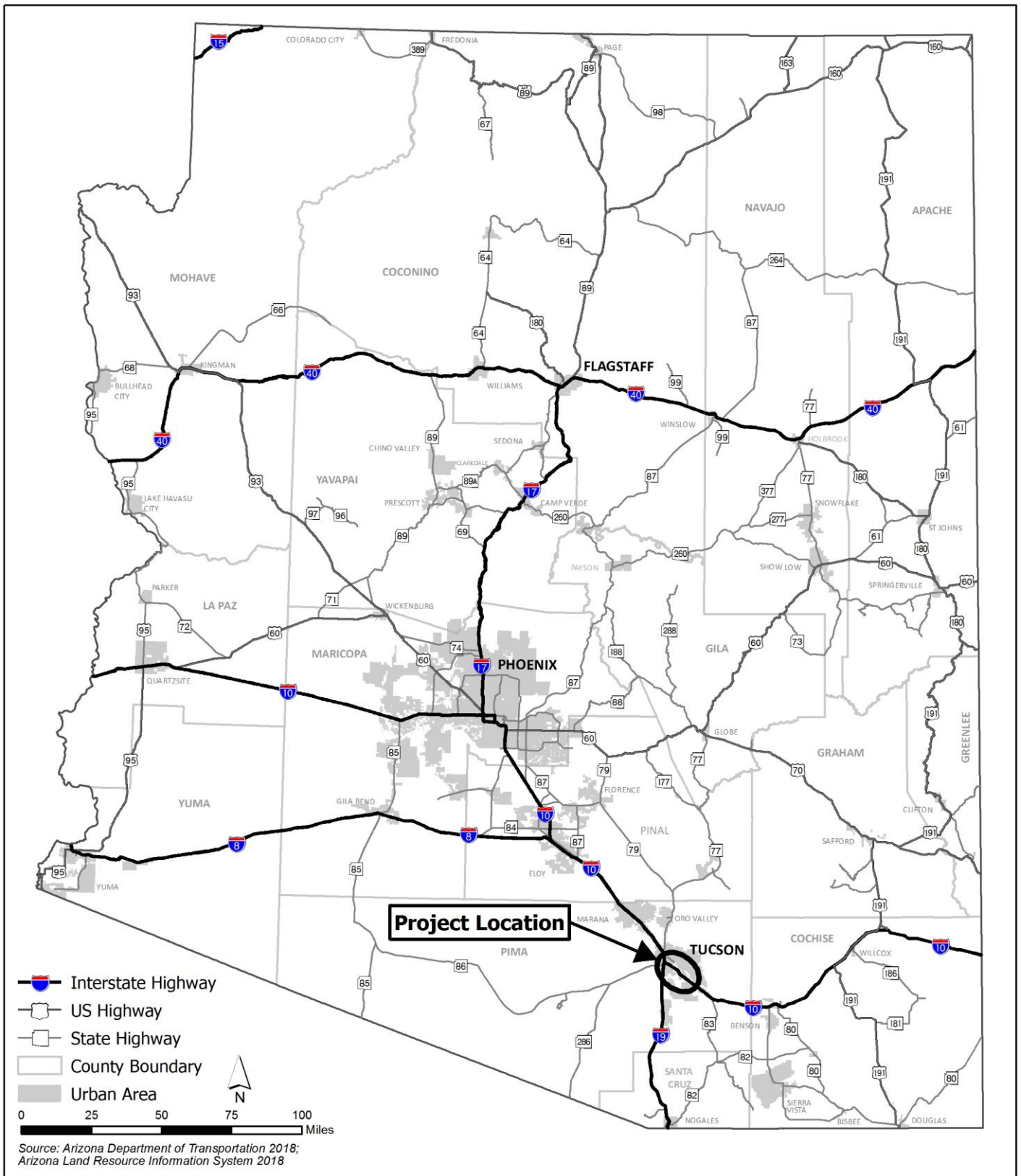


Figure 1. Project Location



Figure 2. Project Vicinity

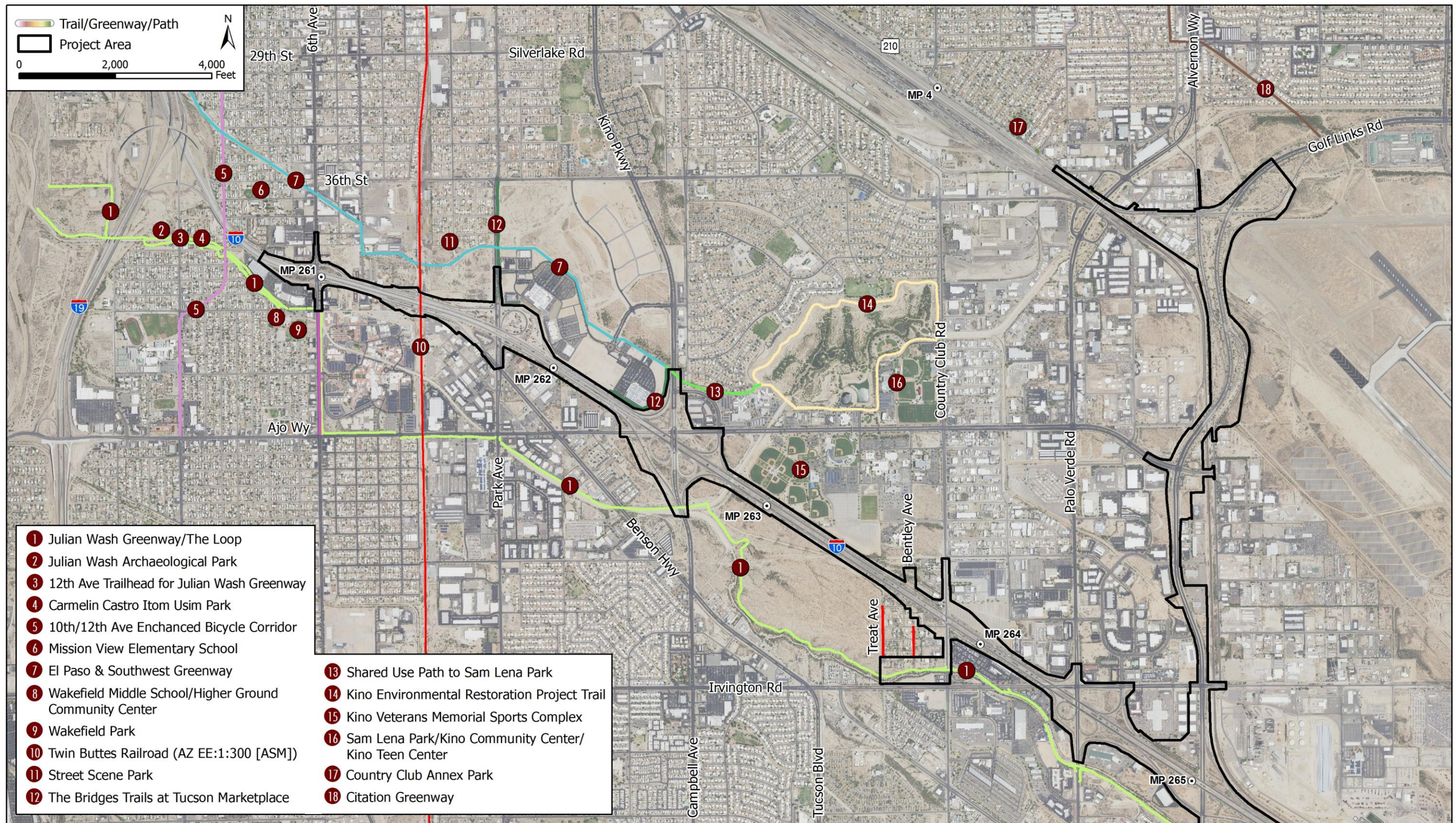


Figure 3a. Potential Section 4(f) resources (1 of 3)

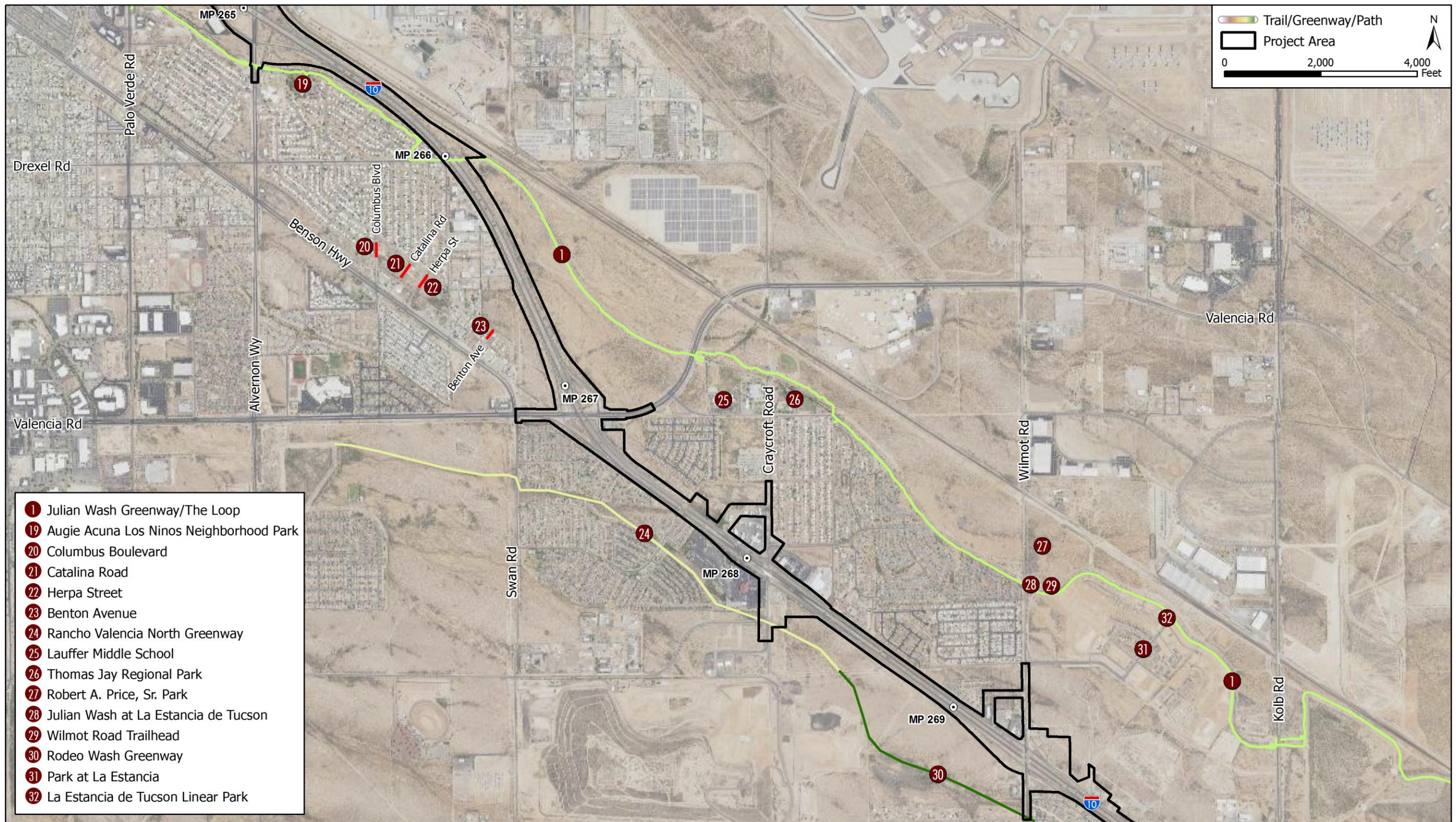


Figure 3b. Potential Section 4(f) resources (2 of 3)

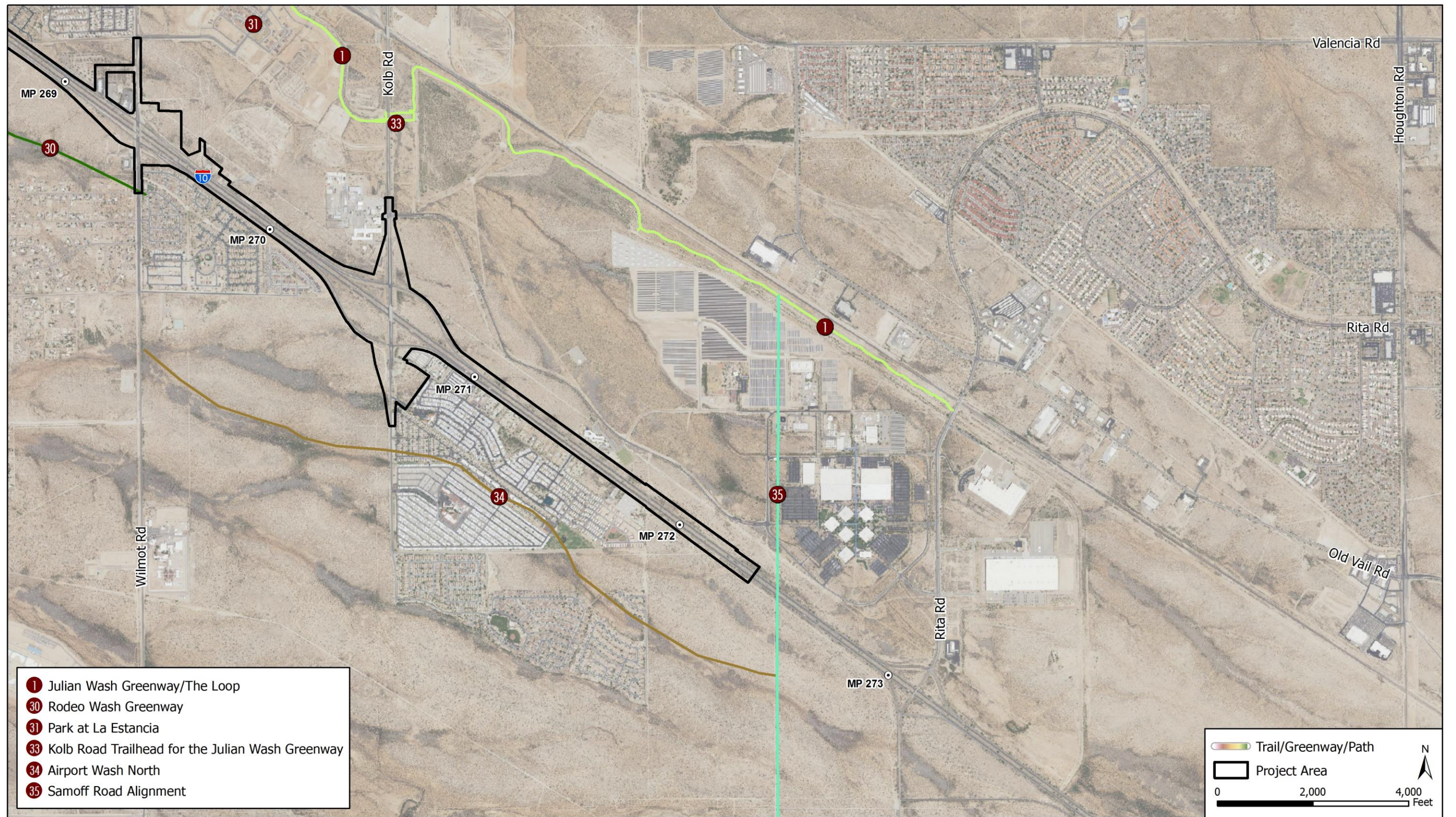


Figure 3c. Potential Section 4(f) resources (3 of 3)

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