

MEMORANDUM

Date: March 30, 2022

To: Darren Anderson, Carson City Public Works

From: NCE

Subject: East William Street Environmental Feasibility Study Project: Section 4(f) and Section 6(f) Technical Memo

Carson City has retained NCE to conduct background research and database searches on behalf of the East William Street Environmental Feasibility Study (project) to inform environmental and planning tasks that will need to be addressed during a future National Environmental Protection Act (NEPA) action. The areas of focus for this technical memorandum include Section 4(f) and Section 6(f) resources as described below.

PROJECT DESCRIPTION

The project is located in Carson City County, Nevada, south of Reno and Washoe Lake (**Figure 1**, figures are provided in **Appendix A**). The project area established for the project runs along roughly 1.46 miles of East William Street for a total size of roughly 23.1 acres (**Figure 2**). The project will be located within the existing Carson City right of way (ROW) of East William Street. Where necessary, the project will extend into adjacent parcels to accommodate improvements such as parking lot and driveway tie-ins, sidewalks, intersection corners, and utility service reconnections (see **Figure 2**).

The project will reconstruct and rehabilitate East William Street from Carson Street to the I-580 Interchange. The project will include partial reconstruction of the roadway; installation of new curbs, gutters, sidewalks, and multi-use pathways; Americans with Disabilities Act upgrades; Access Management revisions; utility replacements; and landscaping.

Proposed project activities were evaluated for potential impact to Section 4(f) and Section 6(f) resources as described below.

SECTION 4(F)

Evaluation

As part of the environmental analyses for this project, the Federal Highway Administration (FHWA) must comply with Section 4(f) of the U.S. Department of Transportation (DOT) Act of 1966, which is now codified in 49 U.S. Code Section 303. Section 4(f) states that the FHWA may not grant approval for a project if the project uses land that is a publicly owned park, recreation area, wildlife and waterfowl refuge, or any significant historic site listed or eligible for listing on the National Register of Historic Places, unless (1) there is no prudent and feasible alternative to the use of such land, and (2) any such program or project includes all possible planning to minimize harm to these resources.

Before approving a project that uses (i.e., impacts, modifies) a Section 4(f) property, FHWA must determine there is no feasible and prudent alternative to avoid or minimize the impact to the property. The term “use”—as it relates to Section 4(f)—denotes an adverse impact to, or occupancy of, a Section 4(f) property. There are three conditions under which use occurs¹:

- Permanent Incorporation – when a Section 4(f) property is acquired outright for a transportation project.
- Temporary Occupancy – when there is temporary use of property that is adverse in terms of Section 4(f)'s preservationist purpose.
- Constructive Use –A constructive use of a Section 4(f) resource occurs when a transportation project does not permanently incorporate land from the resource, but the proximity of the project results in impacts (e.g., noise, vibration, visual, and property access) sufficiently severe that the protected activities, features, or attributes that qualify the resource for protection under Section 4(f) are substantially impaired (23 Code of Federal Regulations [CFR] 774.15).

NCE utilized project location mapping (including aerial imagery, topographic mapping) and historic resource database information to identify potential Section 4(f) resources. NCE then reviewed the project proposal to determine if any activities would constitute a use of a Section 4(f) property as defined above.

¹ FHWA Section 4(f) Tutorial. “Use” Overview:
https://www.environment.fhwa.dot.gov/env_topics/4f_tutorial/use.aspx

Results

Potential Section 4(f) properties associated with the project include Mills Park, located at 1111 East William Street, immediately adjacent to the project area and East Williams Street (**Figure 3**). Mills Park is a 51-acre community park owned and managed by Carson City.

Additional potential Section 4(f) properties include adjacent parcels with known Historic Structures (age 50 years or older) based on review of the Carson City Property Inquiry web application (<https://carsoncitynv.devnetwedge.com/>) and the Nevada Cultural Resources Information System (NVCRIS), hosted by the State Historic Preservation Office (SHPO). Based on the information available from the resource forms and mapped resource locations, none of the originally recorded resources are still extant.

- Resources B372, B330, and B45 have been demolished.
- Resources B326, B338, and B378 have either been moved or demolished.
- Resource B373, the original location of Desert Motors, is now home to a Jack in the Box restaurant. The original business has been demolished.

As a result of this research, there are no known historic properties (e.g., National Register eligible resources) within the project area itself. **Figure 3** displays parcels adjacent to the project area with known historic structures; however, none of these structures have been recorded or evaluated. There are no other potential Section 4(f) properties in vicinity of the project that require evaluation.

As discussed above, before approving a project that uses (i.e., impacts, modifies) a Section 4(f) property, FHWA must determine there is no feasible and prudent alternative to avoid or minimize the impact to the property. The project may 'use' Mills Park due to reconstruction of the multi-use path and reconfiguration of the parking lot, which may result in Permanent Incorporation (when a Section 4(f) property is acquired outright for a transportation project) or Temporary Occupancy for construction staging.

Additionally, constructive use of the adjacent Section 4(f) properties may occur due to proximity of construction resulting in impacts (e.g., noise, vibration, visual). No Section 4(f) property access impacts are anticipated to occur. However, because the impacts would be temporary in nature (construction only), potential indirect construction impacts would not meet the definition of "sufficiently severe that the protected activities, features, or attributes that qualify the resource for protection under Section 4(f) are substantially impaired" (23 CFR 774.15).

Therefore, it is NCE's opinion that further evaluation and a use determination and authorization from the FHWA is required due to direct impacts to Mills Park, a Section

4(f) property. Additionally, it should be noted the determination of 'no impact' to historic structures is pending an evaluation of the unrecorded, historic-aged structures adjacent to the project area by a Secretary of Interior Qualified Architectural Historian.

Section 6(f)

EVALUATION

Section 6(f) of the Land and Water Conservation Act (LWCF) Act establishes a grant program for states and local governments to acquire and develop public outdoor recreation sites and facilities. In Nevada, the LWCF program is administered by the Division of State Parks (NDSP) as a passthrough grant from the National Park Service (NPS).

Section 6(f) protected properties are public recreation areas that have received LWCF Section 6(f) funding. Section 6(f)(3) of the Act states that no property acquired or developed with LWCF money shall be converted to other than public outdoor recreation uses without the approval of the Secretary of the Interior. If approved, the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location is required.

NCE accessed the LWCF Federal and State Funding database to determine if any properties receiving Section 6(f) funding are associated with the project area².

RESULTS

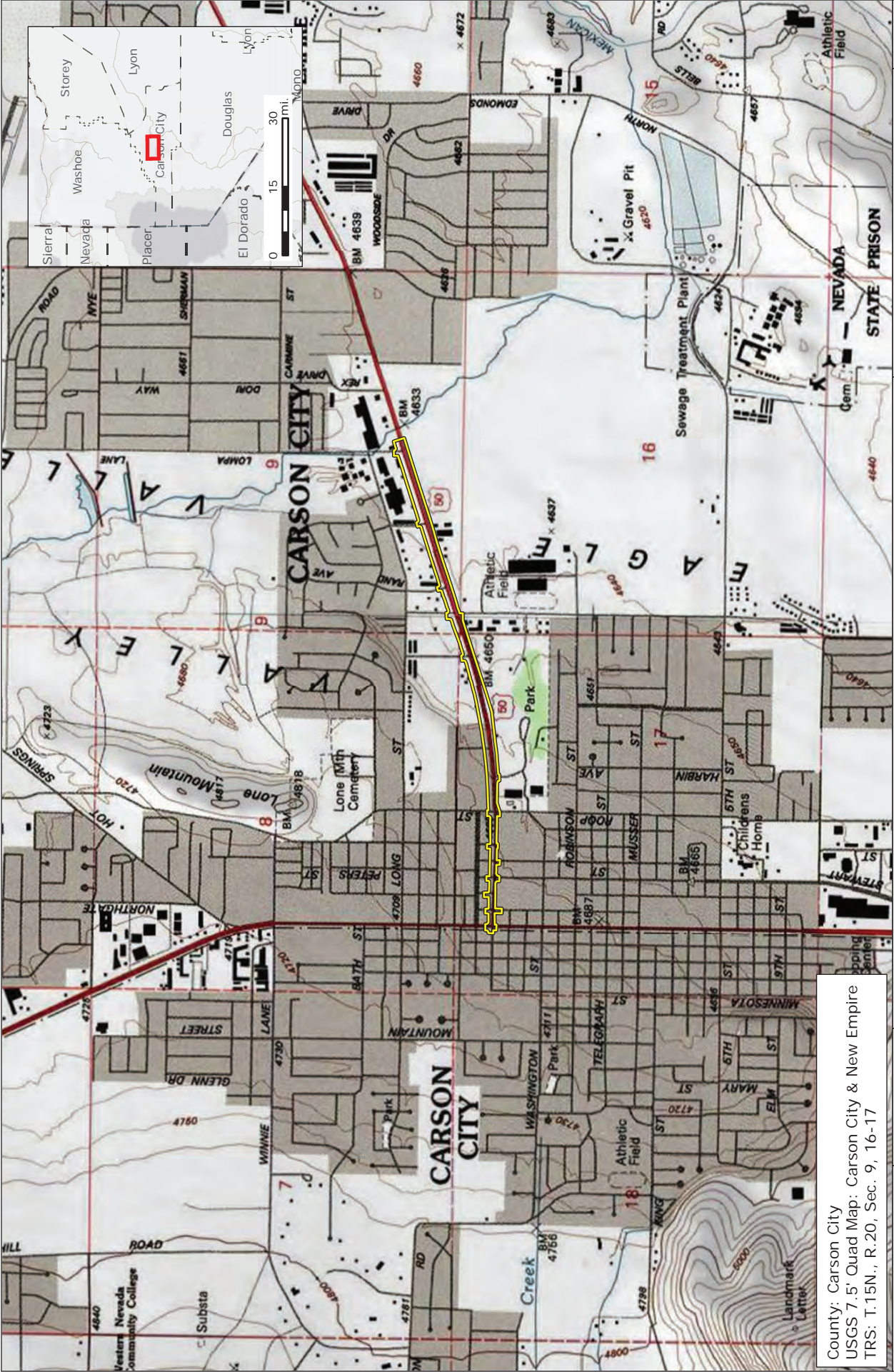
According to the LWCF database, there are no Section 6(f) properties in the vicinity of the proposed project. NCE has also determined upon review of project location mapping there is no potential for Section 6(f) properties to be associated with project activities.

Based on review of the proposed project activities, parcel information, and project location mapping, there are no potential Section 6(f) lands associated with the project area or within vicinity of the project.

Therefore, it is NCE's opinion the project will have no impact on Section 6(f) properties and no additional study or evaluation of Section 6(f) is required.

² "Mapping the Land and Water Conservation Fund (LWCF)."
<https://www.wilderness.org/articles/article/mapping-land-and-water-conservation-fund-lwcf>

Appendix A Figures



County: Carson City
 USGS 7.5' Quad Map: Carson City & New Empire
 TRS: T.15N., R.20, Sec. 9, 16-17

Legend
 Project Area



East William Street Environmental Feasibility Study Project
 Project Vicinity Map



1:24,000
 0 1,000 2,000 ft.

FIGURE
 1

APPROVED	jhall
REVISED	3/23/2022
DATE	1/25/2022
DRAWN	sdavenport
JOB NUMBER	953.11.25
SOURCE	ESRI USGS Topography Basemap



ANCE

1 in. = 200 ft.
 0 100 200 ft.

N

East William Street Environmental Feasibility Study Project
 Project Detail Map

Legend

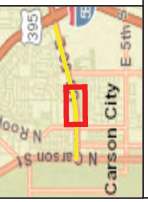
Project Area

FIGURE	2a	APPROVED	jhall
DATE	1/25/2022	REVISED	3/23/2022
JOB NUMBER	953.11.25	DRAWN	sdaavenport
SOURCE	Carson City Ortho Imagery		



Legend

Project Area



East William Street Environmental Feasibility Study Project
Project Detail Map

ANCE

1 in. = 200 ft.
0 100 200 ft.

FIGURE 2b

DATE	1/25/2022	APPROVED	j.hall
DRAWN	sdavenport	REVISED	3/23/2022
JOB NUMBER	953.11.25		
SOURCE	Carson City Ortho Imagery		



FIGURE 2C

1 in. = 200 ft.

0 100 200 ft.

N

East William Street Environmental Feasibility Study Project

Project Detail Map

Legend

Project Area

APPROVED	j.hall
REVISED	3/23/2022
DATE	1/25/2022
DRAWN	s.davenport
JOB NUMBER	95.3.11.25
SOURCE	Carson City Ortho Imagery



Legend
 Project Area

Figure 2d

Scale: 1 in. = 200 ft.
 0 100 200 ft.

North Arrow

Logos: ANCE and Carson City Ortho Imagery

Project Detail Map

East William Street Environmental Feasibility Study Project

APPROVED j.hall	REVISD 3/23/2022	DATE 1/25/2022	DRAWN sdavenport	JOB NUMBER 953.11.25	SOURCE Carson City Ortho Imagery
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Legend

- Project Area
- Architectural Resource
- Parcel Containing Historic Structure(s)

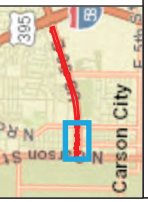
FIGURE
3a

1 in. = 200 ft.
0 100 200 ft.





East William Street Environmental Feasibility Study Project

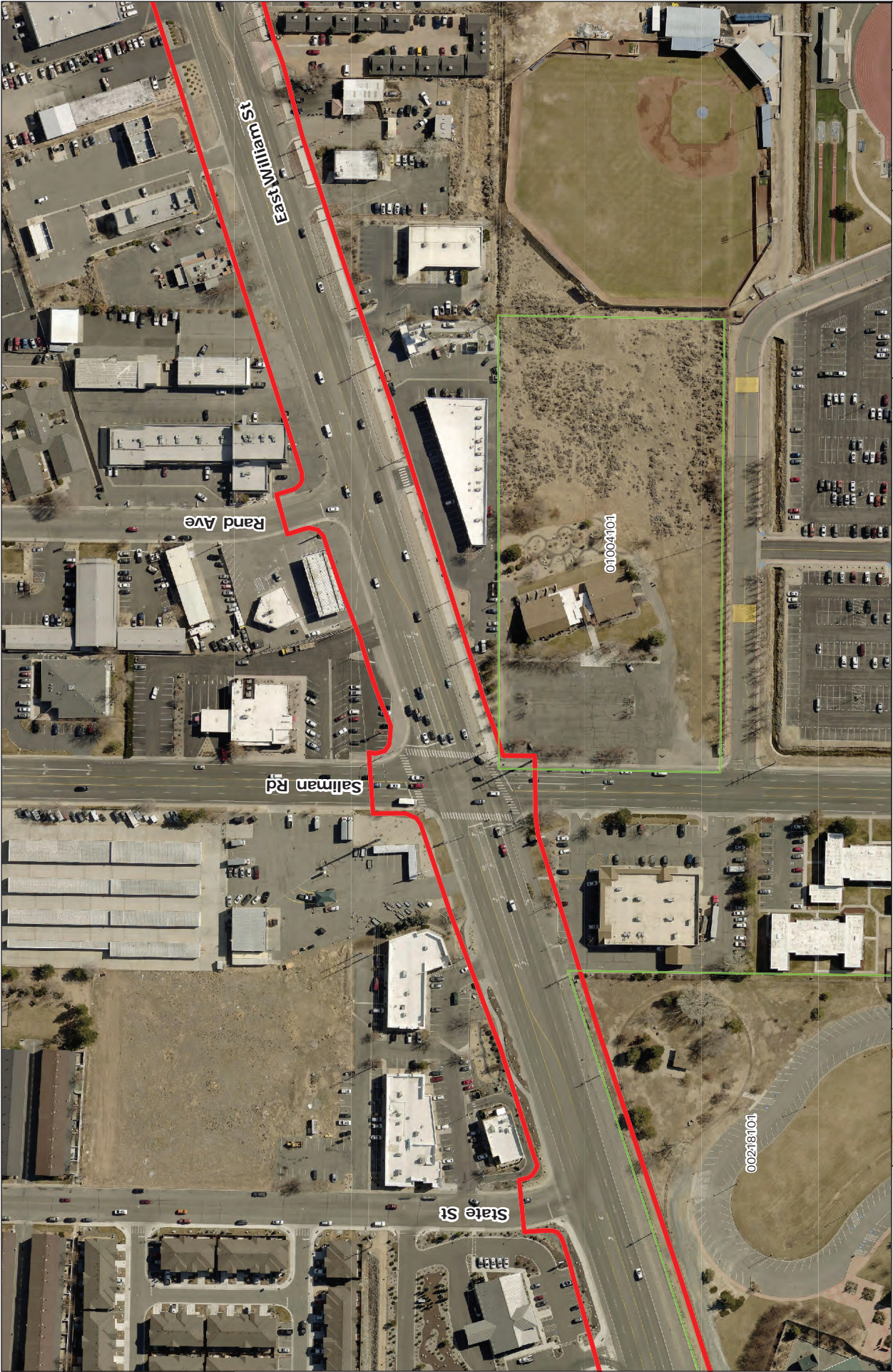
Potential Section 4(f) Properties Map





<p>SOURCE Carson City Ortho Imagery: NVCRIS Architecture</p>	<p>JOB NUMBER 953.11.25</p> <p>DRAWN sanderson/sdavenport</p> <p>DATE 1/25/2022</p> <p>REVISED 3/23/2022</p>	<p>APPROVED jhall</p>
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


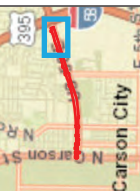
	<p>FIGURE 3b</p>	<p>APPROVED jhall</p>
<p>1 in. = 200 ft.</p> 	<p>REVISED 3/23/2022</p>	<p>DATE 1/25/2022</p>
<p>East William Street Environmental Feasibility Study Project Potential Section 4 (f) Properties Map</p>		
<p>SOURCE Carson City Ortho Imagery: NVCRIS Architecture</p>	<p>JOB NUMBER 953.11.25</p>	<p>DRAWN sanderson/sdavenport</p>
<p>Legend</p> <ul style="list-style-type: none">  Project Area  Parcel Containing Historic Structure(S) 	<p>DATE 1/25/2022</p>	<p>APPROVED jhall</p>



	<p>FIGURE 3C</p>	<p>APPROVED j.hall</p>
<p>1 in. = 200 ft.</p> 	<p>REVISED 3/23/2022</p>	<p>DATE 1/25/2022</p>
<p>East William Street Environmental Feasibility Study Project</p> <p>Potential Section 4(f) Properties Map</p>		
<p>Legend</p> <ul style="list-style-type: none">  Project Area  Parcel Containing Historic Structure(S) 	<p>JOB NUMBER 953.11.25</p> <p>DRAWN sanderson/sdavenport</p>	<p>SOURCE Carson City Ortho Imagery: NVCRIS Architecture</p>



	<p>FIGURE 3d</p>	<p>APPROVED j.hall</p>
<p>1 in. = 200 ft.</p> 	<p>REVISED 3/23/2022</p>	<p>DATE 1/25/2022</p>
<p>Legend  Project Area</p>	<p>Potential Section 4(f) Properties Map</p>	<p>DRAWN sanderson/sdavenport</p>



East William Street Environmental Feasibility Study Project