ENVIRONMENTAL ASSESSMENT

NM 502 IMPROVEMENT PROJECT:
KNECHT STREET TO TEWA LOOP
LOS ALAMOS COUNTY, NEW MEXICO

LEAD AGENCIES:

Federal Highway Administration

NEW MEXICO DEPARTMENT OF TRANSPORTATION
MOBILITY FOR EVERYONE

JUNE 2007
NM 502 (TRINITY DRIVE) IMPROVEMENT PROJECT

NMDOT Project Number TPO-502-1(8)02, CN 3407
Los Alamos County, New Mexico

ENVIRONMENTAL ASSESSMENT

This Environmental Assessment has been developed under the direction of Elias Archuleta, NMDOT
This Environmental Assessment has been prepared by Brenda Martinez, Gannett Fleming West, Inc.

Submitted pursuant to 42 U.S.C. 4332(2) (c)

U.S. Department of Transportation
Federal Highway Administration (FHWA)
New Mexico Division
and
New Mexico Department of Transportation (NMDOT)

[Signatures and dates]

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# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>EXECUTIVE SUMMARY</td>
<td>1</td>
</tr>
<tr>
<td>2.0</td>
<td>PROJECT PURPOSE AND NEED AND EXISTING CONDITIONS</td>
<td>4</td>
</tr>
<tr>
<td>2.1</td>
<td>Project Purpose and Need</td>
<td>4</td>
</tr>
<tr>
<td>2.2</td>
<td>Existing Roadway Conditions</td>
<td>4</td>
</tr>
<tr>
<td>2.3</td>
<td>Traffic Characteristics</td>
<td>5</td>
</tr>
<tr>
<td>2.4</td>
<td>Crash Data</td>
<td>5</td>
</tr>
<tr>
<td>3.0</td>
<td>PROJECT ALTERNATIVES</td>
<td>6</td>
</tr>
<tr>
<td>3.1</td>
<td>Alternatives Considered but Eliminated</td>
<td>6</td>
</tr>
<tr>
<td>3.2</td>
<td>Alternative 1 - No-Build Alternative</td>
<td>7</td>
</tr>
<tr>
<td>3.3</td>
<td>Alternative 6 - Build Alternative</td>
<td>7</td>
</tr>
<tr>
<td>3.4</td>
<td>Right-of-Way</td>
<td>9</td>
</tr>
<tr>
<td>3.5</td>
<td>Construction Schedule</td>
<td>9</td>
</tr>
<tr>
<td>3.6</td>
<td>Project Cost</td>
<td>9</td>
</tr>
<tr>
<td>4.0</td>
<td>AFFECTED ENVIRONMENT</td>
<td>9</td>
</tr>
<tr>
<td>4.1</td>
<td>General Project Setting</td>
<td>9</td>
</tr>
<tr>
<td>4.2</td>
<td>Climate, Landforms, and Geology</td>
<td>10</td>
</tr>
<tr>
<td>4.3</td>
<td>Soils</td>
<td>10</td>
</tr>
<tr>
<td>4.4</td>
<td>Water</td>
<td>10</td>
</tr>
<tr>
<td>4.5</td>
<td>Wetlands</td>
<td>11</td>
</tr>
<tr>
<td>4.6</td>
<td>Vegetation</td>
<td>11</td>
</tr>
<tr>
<td>4.7</td>
<td>Wildlife</td>
<td>11</td>
</tr>
<tr>
<td>4.8</td>
<td>Threatened and Endangered Species</td>
<td>11</td>
</tr>
<tr>
<td>4.9</td>
<td>Cultural Resources</td>
<td>12</td>
</tr>
<tr>
<td>4.10</td>
<td>Air Quality</td>
<td>12</td>
</tr>
<tr>
<td>4.11</td>
<td>Noise</td>
<td>12</td>
</tr>
<tr>
<td>4.12</td>
<td>Community Factors</td>
<td>14</td>
</tr>
<tr>
<td>4.13</td>
<td>Socioeconomics and Environmental Justice</td>
<td>14</td>
</tr>
<tr>
<td>4.14</td>
<td>Section 4(f) and 6(f) Properties</td>
<td>15</td>
</tr>
<tr>
<td>4.15</td>
<td>Farmland</td>
<td>16</td>
</tr>
<tr>
<td>4.16</td>
<td>Visual Resources</td>
<td>16</td>
</tr>
<tr>
<td>4.17</td>
<td>Relocations and Easements</td>
<td>16</td>
</tr>
<tr>
<td>4.18</td>
<td>Utility Adjustments</td>
<td>16</td>
</tr>
<tr>
<td>4.19</td>
<td>Hazardous Materials</td>
<td>17</td>
</tr>
<tr>
<td>4.20</td>
<td>Construction Impacts</td>
<td>17</td>
</tr>
<tr>
<td>4.21</td>
<td>Secondary and Cumulative Impacts</td>
<td>18</td>
</tr>
<tr>
<td>5.0</td>
<td>ENVIRONMENTAL COMMITMENTS</td>
<td>18</td>
</tr>
<tr>
<td>6.0</td>
<td>PUBLIC INVOLVEMENT AND AGENCY COORDINATION</td>
<td>18</td>
</tr>
<tr>
<td>7.0</td>
<td>CONCLUSIONS</td>
<td>19</td>
</tr>
</tbody>
</table>
List of Figures

Figure 1  Vicinity Map................................................................. 2
Figure 2  Project Map................................................................. 3
Figure 2  Alternative 6............................................................... 8

List of Tables

Table 2.1  NM 502 Existing Typical Sections................................ 4
Table 2.2  Average Annual Daily Traffic...................................... 5

Table 4.1  Noise Modeling Results.............................................. 13
Table 4.2  Population Characteristics.......................................... 14

APPENDIX A – Project Coordination Letters
APPENDIX B – Agency Correspondence
APPENDIX C – References
APPENDIX D – Programmatic Section 4(f) Evaluation
1.0 EXECUTIVE SUMMARY

This Environmental Assessment (EA) covers proposed improvements to NM 502 (Trinity Drive) between Knecht Street and Tewa Loop in Los Alamos County, New Mexico (Figures 1 and 2). Improvements to the roadway are proposed by the New Mexico Department of Transportation (NMDOT) and the Federal Highway Administration (FHWA).

The purpose for the project is as follows:

- Improve traffic flow, increase capacity, and provide local street connectivity;
- Improve safety by improving sight distance, system continuity, and lighting and by providing geometric improvements to improve vehicle turning movements at the intersections;
- Correct physical deficiencies by improving the pavement surface condition, upgrading or reconstructing existing utilities, and improving drainage;
- Manage access by consolidating intersections, driveways, and median openings; and
- Provide bicycle facilities and meet Americans with Disabilities Act (ADA) compliance on sidewalks, driveways, and wheelchair ramps.

The project is currently scheduled in the NMDOT Fiscal Year (FY) 2004-2009 Statewide Transportation Improvement Program (STIP) for FY 2009.

The NM 502 EA was conducted in accordance with the National Environmental Policy Act (NEPA) of 1969, the Code of Federal Regulations (Title 23 CFR Part 771), and the NMDOT Location Study Procedures. Key elements used to comply with NEPA include an environmental analysis of alternatives and public involvement. The process is used to inform stakeholders of the consequences of a proposed action and solicit input. In this way, the EA serves as a decision-making document.

The typical roadway section for the proposed improvements (Preferred Build Alternative) will consist of one 12-foot west-bound lane and two 12-foot east-bound lanes from DP Road to Canyon Road, with 12-foot intermittent left-turn lanes. A 12-foot median/left turn lane will be provided between DP Road and Central Avenue and a 150-foot long 12-foot wide right-turn lane will be provided on the westbound approach to Central Avenue. No left turn lane will be provided between Central Avenue and Arroyo Lane (west access road to apartment complex). A 12-foot median left turn lane will be provided from Arroyo Lane to Canyon Road. The typical roadway section from Canyon Road to Tewa Loop will consist of a single 12-foot west-bound lane, two 12-foot east-bound lanes, and a 12-foot continuous left-turn lane. Central Avenue will be realigned to intersect with NM 502 at a 90 degree angle, removing the existing slip-ramp type alignment. This intersection will be signalized. DP Road will remain un-signalized and Canyon Road will be closed with a cul-de-sac. 4th Street will be realigned to intersect with the realigned Central Avenue intersection. A storm drain will be installed from DP Road to Canyon Road. New sidewalks will be constructed in areas that do not have sidewalks, in areas with damaged or impassable sidewalks or in areas where existing sidewalks do not meet current ADA standards. A detailed description of all alternatives considered, including those eliminated, is provided in Section 3.

Public involvement has been implemented as part of the evaluation process for this project. Citizen involvement, as mandated by NMDOT procedures and NEPA, has been accomplished through individual contact, correspondence, and public meetings. Agency coordination was initiated through written correspondence. Two public meetings, as well as several other meetings with stakeholders and potentially affected individuals have been held. The public had a direct role in the evaluation of alternatives.
The engineering and environmental investigations conducted thus far for this project have not disclosed any significant impacts on the quality of the natural or human environment. The proposed improvements meet the purpose and need to improve safety and traffic operations within the project limits, including correction of physical deficiencies and provisions for bicycle facilities and ADA-compliant facilities. Unless compelling information is received from review agencies and/or the public that would change the findings and conclusions, the NMDOT intends to request FHWA to issue a Finding of No Significant Impact (FONSI) for the proposed improvements. Issuance of a FONSI will authorize federal-aid project location approval including final design, right-of-way acquisition, and construction.

2.0 PROJECT PURPOSE AND NEED AND EXISTING CONDITIONS

2.1 Project Purpose and Need

The purpose for the project is as follows:

- Improve traffic flow, increase capacity, and provide local street connectivity;
- Improve safety by improving sight distance, system continuity, and lighting and by providing geometric improvements to improve vehicle turning movements at the intersections;
- Correct physical deficiencies by improving the pavement surface condition, upgrading or reconstructing existing utilities, and improving drainage;
- Manage access by consolidating intersections, driveways, and median openings; and
- Provide bicycle facilities and meet ADA compliance on sidewalks, driveways and wheelchair ramps.

The need for the project is demonstrated in the following sections:

2.2 Existing Roadway Conditions

The existing NM 502 typical sections are as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>Typical Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Milepost (MP) 1.1 (Knecht Street) to MP 1.6</td>
<td>2 12-foot driving lanes in each direction 14-foot median with left-turn lanes No shoulders – no bicycle facilities Curb and gutter 6-foot sidewalks north of NM 502</td>
</tr>
<tr>
<td>MP 1.6 to MP 2.0 (Canyon Road)</td>
<td>1 12-foot driving lane westbound 2 12-foot driving lanes eastbound 2-foot shoulders – inadequate bicycle facilities 4.5-foot to 5-foot sidewalk south of NM 502</td>
</tr>
<tr>
<td>MP 2.0 to MP 2.1</td>
<td>2 12-foot driving lanes in each direction 12-foot median with left-turn lanes No shoulders – no bicycle facilities Curb and gutter north of NM 502 4.5-foot sidewalk north of NM 502</td>
</tr>
</tbody>
</table>
The existing roadway conditions and lack of system continuity impedes traffic flow and causes frustration to drivers.

Sidewalks currently exist within the project limits; however, they are not continuous. The existing sidewalks that are located within the project limits generally meet current American with Disabilities Act (ADA) requirements for width and cross slope; however, the majority of the drive pads and some curb ramps do not meet ADA requirements. Bicycle accommodations are inadequate or non-existent. Currently there is no lighting at the intersections. A geometric deficiency has been identified at the intersection of Central Avenue and NM 502; the existing slip-ramp type of alignment at this intersection causes safety problems related to line of site.

2.3 Traffic Characteristics

A capacity analysis of NM 502 indicates that existing level-of-service is below acceptable levels on westbound NM 502 in the morning peak hour between Central Avenue and Canyon Road and on the segment east of Canyon Road. Unacceptable levels-of-service are also occurring on eastbound NM 502 in the afternoon peak hour for both of these segments. The current two-lane configuration limits the ability of the intersections to properly accommodate existing traffic volumes.

Table 2.2 shows Average Annual Daily Traffic (AADT) for areas along NM 502:

<table>
<thead>
<tr>
<th>Location</th>
<th>Average Annual Daily Traffic</th>
</tr>
</thead>
<tbody>
<tr>
<td>NM 502/DP Road</td>
<td>NM 502: 8,100</td>
</tr>
<tr>
<td></td>
<td>DP Road: 2,670</td>
</tr>
<tr>
<td>NM 502/4th Street</td>
<td>NM 502: 8,100</td>
</tr>
<tr>
<td></td>
<td>4th Street: 733</td>
</tr>
<tr>
<td>NM 502/Central Avenue</td>
<td>NM 502: 10,400</td>
</tr>
<tr>
<td></td>
<td>Central Avenue: 5,500</td>
</tr>
<tr>
<td>NM 502/Canyon Road</td>
<td>NM 502: 16,100</td>
</tr>
<tr>
<td></td>
<td>Canyon Road: 851</td>
</tr>
</tbody>
</table>

AADT indicates that the existing two-lane facility is inadequate to handle traffic volumes.

2.4 Crash Data

The statewide crash rate is 223 per Million-Vehicle-Miles (MVM) and the Los Alamos County crash rate is 246 per MVM. The crash rate for NM 502 is 528 per MVM, more than twice the rate for Los Alamos County. This data indicates demonstrates the need for improved safety along the project corridor.
3.0 PROJECT ALTERNATIVES

The typical roadway section for all build alternatives evaluated consists of one 12-foot west-bound lane and two 12-foot east-bound lanes from DP Road to Canyon Road, with 12-foot left-turn lanes. A 12-foot median/left turn lane will be provided between DP Road and Central Avenue and a 150-foot long 12-foot wide right-turn lane will be provided on the westbound approach to Central Avenue. The typical roadway section from Central Avenue to Tewa Loop will consist of a single 12-foot west-bound lane, two 12-foot east-bound lanes, and a 12-foot continuous left-turn lane.

Lighting will be installed at all major and minor intersections and along NM 502. The lighting will meet current NMDOT standards and Los Alamos County standards pertaining to light pollution.

The NM 502 corridor will be upgraded to be in compliance with ADA requirements. Reasonable access will be provided at all locations within the project limits. New sidewalks will be constructed in areas that do not have sidewalks, in areas with damaged or impassable sidewalks, or in areas where existing sidewalks do not meet current ADA standards.

3.1 Alternatives Considered but Eliminated

Alternative 2 - Central Avenue/4th Street/DP Road Realignment

- Central Avenue – Realigned to intersect NM 502 at 90 degrees. The existing slip-ramp type alignment will be removed and the intersection will be signalized.
- DP Road – Realigned to intersect with NM 502 at the new NM 502/Central Avenue intersection.
- Canyon Road – Closed with cul-de-sac.
- 4th Street – Realigned to intersect with the realigned Central Avenue intersection.
- Estimated cost – $6.32 million

Alternative 2 was eliminated because it would require acquisition of a portion of the Knights of Columbus property, which is known to be contaminated with hazardous materials. This property would require environmental remediation. The cost of remediation is estimated to be $3.5 million, which would be in addition to the construction and right-of-way costs.

Alternative 3 - Central/4th Street Realigned and Signalized, DP Road Roundabout

- Central Avenue – Realigned to intersect NM 502 at a 90 degree angle. The existing slip-ramp type alignment will be removed and the intersection will be signalized.
- DP Road – No realignment to intersect with NM 502, oval roundabout at existing intersection with NM 502.
- Canyon Road – Closed with cul-de-sac.
- 4th Street – Realigned to intersect with the realigned Central Avenue intersection.
- Estimated cost – $3.42 million

Alternative 3 was eliminated because public input received to date indicated strong opposition to the use of roundabouts. Additionally, more right-of-way and temporary construction easements would be required than for the Preferred Build Alternative.
Alternative 4 – Central Avenue/ 4th Street Roundabout, DP Road Roundabout

- Central Avenue – Realigned with circular roundabout.
- DP Road – No realignment to intersect with NM 502, oval roundabout at existing intersection with NM 502.
- Canyon Road – Closed with cul-de-sac.
- 4th Street – Realigned and included as a leg of the circular roundabout.
- Estimated cost – $4.10 million

Alternative 4 was eliminated because public input received to date indicated strong opposition to the use of roundabouts. More right-of-way and temporary construction easements would be required than for the Preferred Build Alternative. Additionally, Alternative 4 would take property from a Section 4(f) resource located at the intersection of NM 502 and Central Avenue.

Alternative 5 – Central Avenue Roundabout, 4th Street Closed, DP Road Roundabout

- Central Avenue – Realigned with circular roundabout.
- DP Road – No realignment to intersect with NM 502, oval roundabout at existing intersection with NM 502.
- Canyon Road – Realigned to intersect NM 502 at a 90 degree angle. The existing slip-ramp type alignment will be removed.
- 4th Street – Closed with cul-de-sac.
- Estimated cost – $4.00 million

Alternative 5 was eliminated because public input received to date indicated strong opposition to the use of roundabouts. More right-of-way and temporary construction easements would be required than for the Preferred Build Alternative. Additionally, Alternative 5 would take property from a Section 4(f) resource located at the intersection of NM 502 and Central Avenue. It was determined through coordination with Los Alamos County and through public involvement efforts that closing Canyon Road was preferred to closing 4th Street. The decision was based on the desire of many of the residents along Canyon Road for measures to reduce cut-through traffic in front of their homes.

3.2 Alternative 1 – No-Build Alternative

The No-Build Alternative served as a baseline from which the impacts of the Build Alternatives were compared. The No-Build Alternative assumes that the NM 502 roadway would remain in its present state with improvements limited to routine management and maintenance activities. The No-Build Alternative would not meet the project purpose and need and would result in an estimated $1.31 million in maintenance costs.

3.3 Alternative 6 – Build Alternative

The selection of Build Alternative 6 (Figure 3) as the Preferred Alternative was based on public and stakeholder input, criteria evaluation, and a capacity and traffic operations engineering analysis. Alternative 6 realigns Central Avenue to intersect with NM 502 at a 90 degree angle and removes the existing slip-ramp type alignment. This intersection would be signalized. DP Road would remain unsignalized and Canyon Road would be closed with a cul-de-sac. 4th Street would be realigned to intersect with the realigned Central Avenue intersection. A storm drain will be installed from DP Road towards Canyon Road. The estimated cost of Alternative 6 is $3.10 million.
3.4 Right-of-Way

The existing right-of-way is 40 feet left and right of the roadway centerline from Knecht Street to Central Avenue and 48 feet left and right of the roadway centerline from Central Avenue to Tewa Loop. The following temporary construction easements and right-of-way will be required:

- 6,543 square feet of right-of-way will be required from Los Alamos County for the realignment of Central Avenue. 26,160 square feet of right-of-way will be reverted back to Los Alamos County at the intersection of NM 502 and Central Avenue at the completion of the project (See Section 4.14, Section 4(f)).
- 151 square feet of right-of-way will be required from the Los Alamos School District east of 4th Street and north of NM 502.
- 3,938 square feet of right-of-way will be required from Los Alamos County north of NM 502 at Canyon Road.
- 284 square feet of right of way will be required from a private property west of 4th Street and north of NM 502.
- 892 square feet of right-of-way will be required from the Knights of Columbus property at DP Road (uncontaminated area).
- A temporary construction permit will be required from a private property owner west of Canyon Road and north of NM 502.
- The width of four existing construction and maintenance easements will be increased. These include two existing easements within the Knights of Columbus property, one easement crossing within the apartment property south of NM 502 between 4th Street and Canyon Road, and one easement within the County Fire Station will be widened to accommodate new or larger diameter storm drain culverts.

3.5 Construction Schedule

This project is included in the NMDOT Fiscal Year (FY) 2004-2009 Statewide Transportation Improvement Program for FY 2009. There is $3,500,234 programmed for the project with $2,750,000 designated for reconstruction and $750,234 designated for intersection improvements.

3.6 Project Cost

The preliminary cost estimate to construct the Preferred Alternative is $4 million. Actual costs are subject to change as design refinements occur during final project design.

4.0 AFFECTED ENVIRONMENT

This discussion is limited to the Preferred Alternative, Build Alternative 6, described in Section 3.3.

The No Build Alternative does not meet the purpose and need of the project, and in general, has no effect on the existing natural environment.

4.1 General Project Setting

The project area is located in northern Central New Mexico approximately 35 miles (56 kilometers) northwest of Santa Fe. The project area is urban. The elevation at the beginning of project is approximately 7,300 feet and the end of project is approximately 7,200 feet.
4.2 Climate, Landforms, and Geology

The project area is on the eastern edge of the dissected Pajarito Plateau in the Southern Rocky Mountain physiographic province in north central New Mexico. Several major canyons, including Los Alamos, Pueblo, Sandia and East Jemez Canyons, cut the area. The geology of the area is volcanic, and includes Bandelier tuff, basalt and aeolian surface deposits of pumice and loess. Much of the volcanic-dominated landscape of the area has little vegetative cover. Valles Caldera, a Pleistocene-aged volcanic center, is located west of the city and is the source of the volcanic deposits underlying the town. The average annual precipitation in the project area is approximately 19 inches. The average annual maximum temperature is approximately 71 degrees Fahrenheit (F). The average annual minimum temperature is approximately 24 degrees F. The ground surface elevation decreases from west to east and north to south.

4.3 Soils

Existing Conditions

The soils of the project area consist of Hackroy-Nyjack Association and Carjo loam. The Hackroy series consists of very shallow or shallow, well drained, slowly permeable soils formed in material weathered from tuff or basalt on summits, beveled summits, and shoulders of mesas and undulating plateaus. Slopes are 1 to 12 percent. The Nyjack soils are deeper than 20 inches to bedrock and contain less than 35 percent clay in the control section.

The Carjo series consists of moderately deep, well drained, slowly permeable soils formed in material weathered from tuff, sandstone and shale on hills, ridges, mesa tops and slopes. Slopes are 0 to 20 percent.

Potential Impacts and Mitigation Measures

Exposed soils would be vulnerable to erosion. A storm Water Pollution Prevention Plan (SWPPP) outlining erosion control measures such as stabilization practices, storm water management measures, structural controls, and best management practices (BMPs) to mitigate soil erosion would be created. Open areas would be re-vegetated after construction.

4.4 Water

Existing Conditions

A tributary canyon to Los Alamos Canyon runs along the south side of the project area. Surface water drains toward the southeast. Los Alamos Canyon is located approximately 1,000 feet south of Trinity Drive. The Los Alamos River, within Los Alamos Canyon, drains toward the east.

Potential Effects and Mitigation Measures

The proposed improvements will not affect any surface waters or floodplains. A Clean Water Act Section 404 permit will not be required from the US Army Corps of Engineers.

Because 1 acre or more of land would be disturbed, a National Pollutant Discharge Elimination System (NPDES) permit would be required. The project would also require that a SWPPP, Notice of Intent, and Notice of Termination be prepared for the project. BMPs would be installed and maintained both during and after construction to prevent, to the extent practicable, pollutants (primarily sediment, oil and grease, and construction materials from construction sites) in storm water runoff from entering Waters of the U.S.
This permit also requires that concrete, asphalt, and other such materials be properly disposed of (i.e., not in, or adjacent to any watercourse, including dry arroyos) and that permanent stabilization measures (revegetation, paving, etc), and permanent storm water management measures (storm water detention/retention structures, velocity dissipation devices, etc.) be implemented post construction to minimize, in the long term, pollutants in storm water runoff from entering these waters.

4.5 Wetlands

Wetlands are transitional areas between aquatic and terrestrial systems where the water table is usually near or at the surface of the ground or where land is covered by shallow water. The protection of wetlands is mandated by Executive Order 11990, Protection of Wetlands, and regulated by the US Army Corps of Engineers. No wetlands or riparian areas were identified within the project area as a result of research and field survey.

4.6 Vegetation

Existing Conditions

A biological reconnaissance survey of the project area was conducted on April 24, 2006. The project site is located within the transition zone between Píñon-Juniper Woodland and Lower Montane Coniferous Forest vegetation types as described by Dick-Peddie (1993). Neither of these two vegetation types is present, however, because urban development has completely replaced them. The urbanized project area has a very low species diversity.

Potential Impacts and Mitigation Measures

Open disturbed ground would be re-vegetated according to standard NMDOT protocol.

4.7 Wildlife

No protected or sensitive plant species and no reptiles, mammals, or active burrows were observed within the project limits during the biological reconnaissance. No other physical signs of ground-dwelling wildlife were observed during the reconnaissance.

No bird nests and no protected or sensitive species of birds were observed within the project limits during the reconnaissance. Suitable nesting habitat for raptors does not exist within the project limits. Suitable nesting habitat for some species of songbirds is abundant outside of the project limits. No effects to migratory birds are anticipated as a result of the proposed project. No additional surveys for nests prior to work within the project limits are recommended.

4.8 Threatened and Endangered Species

The U.S. Fish and Wildlife Service (USFWS), the New Mexico Department of Game and Fish (NMDGF), and the New Mexico Energy Minerals and Natural Resources Department, Forestry Division were consulted for information regarding threatened and endangered species or important wildlife habitats that could be affected by the project. Copies of the USFWS and NMDGF response letters are included in Appendix B. No protected species were observed in the project area. Construction activities would have no effect on federal or New Mexico endangered species, threatened species, or species of concern for Los Alamos County.
4.9 Cultural Resources

Existing Conditions

The effects of the project were evaluated in accordance with Section 106 of the National Historic Preservation Act (16 USC 470). No specific areas of potential traditional cultural significance were identified within the project area. A records review and archaeological survey of the project area was conducted in July 2006 (Raymond, 2006). No significant cultural resources or historic properties were recorded within or adjacent to the project area. The project would have no impact on significant cultural resources or areas of potential traditional cultural significance. Therefore, the project meets the conditions set forth in the Programmatic Agreement with the New Mexico State Historic Preservation Officer (SHPO) that became effective on June 21, 2005, for completing the requirements of the National Historic Preservation Act. No additional cultural resource investigations or approvals are required.

Potential Impacts and Mitigation Measures

If cultural materials or human burials are encountered during proposed project construction, work in that area would stop and additional mitigation measures would be implemented.

4.10 Air Quality

Existing Conditions

The Clean Air Act Amendments of 1990 established National Ambient Air Quality Standards (NAAQS). The NAAQS criteria pollutants are carbon monoxide, nitrogen dioxide, ozone, particulate matter containing particles with diameters of 10 micron or less (PM$_{10}$), particulate matter containing particles with diameters of 2.5 micron or less (PM$_{2.5}$), sulfur dioxide, and lead. Under the Transportation Conformity Rule, transportation projects must provide for attainment of the NQAAQS (23 CFR 771.40). The project is located in an attainment area for all NAAQS. Upon completion, the proposed project would not impair the air quality in the surrounding area. No further analysis is required.

Potential Impacts and Mitigation Measures

Some deterioration of air quality can be expected during construction, due to the operation of construction equipment combined with the slower traffic speeds that are associated with a construction zone. This would be a localized condition that would be discontinued when the project is completed. The contractor will be required to comply with the New Mexico Department of Transportation 2005 Interim Specifications (NMDOT, 2005) for all burning operations and dust-producing activities.

4.11 Noise

Existing Conditions

According to FHWA and NMDOT procedures, noise abatement must be considered when predicted traffic noise levels "approach" or exceed Noise Abatement Criteria (NAC) established for various land use categories [67 decibels for Category B receivers (picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals)]. Federal and state procedures also require that noise abatement be considered when the implementation of a roadway project results in an increase of 10 decibels or more over existing noise levels.
Potential Impacts and Mitigation Measures

As shown in Table 4.1, noise levels are expected to increase from 1 to 3 decibels as a result of the proposed roadway widening and expected traffic growth on NM 502 by the year 2026. The 2026 modeling analysis shows future noise levels will remain below 67 dBA at most Category B locations in the project area. However, noise levels approaching or exceeding the Category B noise abatement criteria were identified at some individual properties, including the Hilltop Hotel (receptor 1), the New Beginnings Fellowship Church (receptor 9), and at one residence west of Tewa Loop (receptor 13). Noise abatement was considered for these properties.

Noise abatement for the Hilltop Hotel (receptor 1) was determined to not be feasible or reasonable. This property has two access driveways on NM 502. Gaps for these driveways would be needed for a noise wall constructed at this property. However, gaps in the noise wall would eliminate the wall’s effectiveness. Furthermore, a noise wall would severely limit the visibility of the property. Because a noise wall would adversely affect the church’s visibility from NM 502, and because no outdoor activity areas are present on the property near the roadway, a noise wall at the New Beginnings Fellowship Church (receptor 9) is not recommended for this property.

West of Tewa Loop, a single residence (receptor 13) is situated near NM 502. This home is located approximately 35 feet from the edge of the westbound NM 502 travel lane. The NMDOT does not consider noise abatement to be reasonable for individual residential properties. Additionally, the location and position of the home would greatly limit the effectiveness of the wall.

<table>
<thead>
<tr>
<th>Receptor</th>
<th>Modeled Noise Levels *</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Existing (2005)</td>
</tr>
<tr>
<td>1 Hilltop Hotel</td>
<td>63</td>
</tr>
<tr>
<td>2 Apartments (West)</td>
<td>58</td>
</tr>
<tr>
<td>3 Apartments (Middle)</td>
<td>63</td>
</tr>
<tr>
<td>4 Apartments (Entrance)</td>
<td>61</td>
</tr>
<tr>
<td>5 Apartments (East)</td>
<td>62</td>
</tr>
<tr>
<td>6 Cross Roads Church</td>
<td>61</td>
</tr>
<tr>
<td>7 Residence – Canyon Rd</td>
<td>56</td>
</tr>
<tr>
<td>8 The Christian Church</td>
<td>59</td>
</tr>
<tr>
<td>9 New Beginnings Fellowship Church</td>
<td>65</td>
</tr>
<tr>
<td>10 East Park Pool</td>
<td>61</td>
</tr>
<tr>
<td>11 Tennis Courts</td>
<td>58</td>
</tr>
<tr>
<td>12 Perk West of Tewa Loop</td>
<td>63</td>
</tr>
<tr>
<td>13 Residence Tewa Loop</td>
<td>67</td>
</tr>
<tr>
<td>14 Residence Tewa Loop</td>
<td>62</td>
</tr>
</tbody>
</table>

* Noise Levels in Leq dBA
Shaded areas indicate modeled noise level approaches/exceeds FHWA Noise Abatement Criteria for Category B receptors (67 Leq dBA)
4.12 Community Factors

The project area is urban in character. Commercial and residential development currently exists in the project area. The project would conform to current land uses and is consistent with the Los Alamos Comprehensive Plan Vision Statement and Policy Plan by improving mobility.

Fire protection and emergency medical services are provided by the Los Alamos County Fire Department. Police protection is provided by the Los Alamos Police Department. Public educational services are provided by the Los Alamos County School District. A Los Alamos County Fire Station is located at 457 East Road, West of Tewa Loop. Property owned by the Department of Energy, Los Alamos National Laboratory (LANL) is located east of the project area. There are no community facilities such as hospitals, community centers, or libraries located in the project area. The Los Alamos Medical Center is located west of the project area.

Potential Effects and Mitigation Measures

The proposed improvements would not affect community cohesion or alter access to public or community facilities. It would not adversely affect land use in the area. Coordination with LANL will be required during construction. Coordination will also be required with the Los Alamos County Fire Department to minimize impacts to response time. There will be no substantive changes in access to the Los Alamos County Fire Station.

4.13 Socioeconomics and Environmental Justice

Existing Conditions

Title VI of the Civil Rights Act of 1964 and related statutes assure that individuals are not excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of Race, Color, National Origin, Age, Sex, and Disability. Executive Order 12898 on Environmental Justice directs that programs, policies, and activities not have a disproportionately high and adverse human health and environmental effect on minority and low-income populations.

Census tract data, compiled by the US Census Bureau, were evaluated to assess the demographic makeup of the project area.

As depicted in Table 4.2, the 2000 population for Census Tract 4 was 3,526. In 2000, 15.2 percent of the tract was over age 65 as compared to 12.9 percent for Los Alamos County and 11.7 percent for the State of New Mexico. 1990 data indicates that 6.6 percent of the tract was below the poverty level as compared to 3.6 percent for Los Alamos County. 2000 data indicates that 14.9 percent of the tract was minority as compared to 10.9 percent for Los Alamos County.

Potential Effects and Mitigation Measures

Although minority and low-income populations characterize the project area when compared to Los Alamos County, the Build Alternative is not anticipated to have any disproportionately high and adverse effects on these populations for the following reasons: the proposed project is located along an existing roadway, no residents or businesses would be relocated, and the proposed project is expected to benefit residents in the study area by improving safety and mobility. Therefore, the project is consistent with FHWA's policy on environmental justice.
TABLE 4.2
Population Characteristics

<table>
<thead>
<tr>
<th></th>
<th>Total Population</th>
<th>Total Households</th>
<th>Average Persons/ Household</th>
<th>Below Poverty Level</th>
<th>0-18</th>
<th>18-24</th>
<th>25-44</th>
<th>45-64</th>
<th>65 and over</th>
<th>Percent Minority</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Mexico</td>
<td>1,819,046</td>
<td>677,971</td>
<td>2.63</td>
<td>20.6</td>
<td>28.0</td>
<td>9.8</td>
<td>28.4</td>
<td>22.2</td>
<td>11.7</td>
<td>33.2</td>
</tr>
<tr>
<td>Los Alamos County</td>
<td>11,909</td>
<td>7,497</td>
<td>2.43</td>
<td>3.6</td>
<td>24.8</td>
<td>4.8</td>
<td>29.2</td>
<td>28.2</td>
<td>12.9</td>
<td>10.9</td>
</tr>
<tr>
<td>Census Tract 4</td>
<td>3,526</td>
<td>1,839</td>
<td>1.88</td>
<td>6.6</td>
<td>17.7</td>
<td>6.1</td>
<td>34.3</td>
<td>26.7</td>
<td>15.2</td>
<td>14.9</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau

- Number represents percentage of total population
- 1990 Census information

4.14 Section 4(f)

Existing Conditions

The Federal Highway Administration evaluates projects for impacts on public parks, recreation areas, wildlife and waterfowl refuges and historic sites as part of Section 4(f) of the U.S. Department of Transportation Act of 1966 [49 United States Code (USC) 303].

Potential Effects and Mitigation Measures

The realignment of the NM 502/Central Avenue/4th Street intersection will impact the "pocket park" located in the island between NM 502 and Central Avenue, east of the Hilltop Hotel. The impacts to this island include taking 0.15 acres (6,543 square feet) of the park on the south and west sides of the park and adding 0.60 acres (26,160 square feet) to the north side of the park. The property taken from the south and west side of the park is owned by Los Alamos County and is needed to construct a westbound to northbound right-turn lane. The section of existing Central Avenue from 4th Street to NM 502 is right-of-way owned the NMDOT and Los Alamos County and the existing street will be obliterated. The resulting property will be reverted to the County upon completion of the project and will be available for the expansion of the park. The park will be landscaped as part of this project (See Section 4.16, Visual Resources).

Although this "pocket park" is not designated as an official city park it is being used as such; therefore, the pocket park is a protected resource under Section 4(f) of the Department of Transportation Act of 1966, as amended. The use of this park will be covered under the Programmatic Section 4(f) Evaluation and Approval for Transportation Projects that Have a Net Benefit to a Section 4(f) Property (Appendix D).

Los Alamos County has concurred with the assessment of the impacts to the park, the proposed measures to minimize harm, and the mitigation necessary to preserve, rehabilitate and enhance the features and values of this Section 4(f) property. The county has also concurred that such measures will result in a net benefit to the Section 4(f) property. A concurrence letter from Los Alamos County is included in Appendix B.
4.15 Farmland

Prime farmland is land that has the best combination of physical and chemical characteristics to produce food, feed, fiber, forage, and other agricultural crops. Unique farmland is land other than prime farmland that is used for the production of specific high-value food and fiber crops. Designation of prime or unique farmland is made by the U.S. Department of Agriculture. No farmland is located adjacent to the project area; therefore, no impact or involvement with any prime or unique farmland or other farmland of statewide or local importance is anticipated.

4.16 Visual Resources

Existing Conditions

The visual character of the project area is urban. NM 502 primarily serves residential and commercial properties.

Potential Impacts and Mitigation Measures

Landscaping will be required for the area reclaimed from the obliterated section of Central Avenue, including the pocket park, located between NM 502 and 4th Street. Los Alamos County will develop the landscaping concept and design. The NMDOT will incorporate the design into the project plans and will landscape the area as part of this project. After construction, the area will be turned over to Los Alamos County for ownership and maintenance.

Because the project occurs along an existing roadway alignment and the project elements are at ground level, the project would not alter the visual character beyond the immediate area. The proposed project may alter the visual character of the immediate area somewhat because there would be more pavement along the roadway, the pocket park would be larger, and there would be separate pedestrian and bicycle facilities.

4.17 Relocations and Easements

Existing Conditions

No relocations would be required. The width of four existing construction and maintenance easements will be increased. These include two existing easements within the Knights of Columbus property, one easement crossing within the apartment property south of NM 502 between 4th Street and Canyon Road, and one easement at the County Fire Station will be widened to accommodate new or larger diameter storm drain culverts.

Potential Impacts and Proposed Mitigation Measures

Affected individuals would be fairly compensated through the Uniform Relocation Assistance and Real Properties Acquisition Act (49 CFR 24) and other applicable legislation.

4.18 Utility Adjustments

Existing Conditions

The following overhead and/or underground utilities are located within the project area: electric, natural gas, sewer, water, telephone, and cable.
upon completion of the project and will be available for the expansion of the park. Landscaping of the park will be included as part of the project.

Although this “pocket park” is not designated as an official city park it is being used as such; therefore, the park is a protected resource under Section 4(f) of the Department of Transportation Act of 1966, as amended.

Los Alamos County has concurred with the assessment of the impacts to the park, the proposed measures to minimize harm, and the mitigation necessary to preserve, rehabilitate and enhance the features and values of this Section 4(f) property. The county has also concurred that such measures will result in a net benefit to the Section 4(f) property. A concurrence letter from Los Alamos County is attached.

IV. APPLICABILITY OF PROGRAMMATIC SECTION 4(f) EVALUATION

Per FHWA guidance, a programmatic Section 4(f) evaluation may be applied to a project that meets six specific criteria. Following is a list of these criteria, with applicability evaluation for the present project:

I. The proposed transportation project uses a Section 4(f) park, recreation area, wildlife or waterfowl refuge, or historic site.
   - Applicability to the present project? YES
     The Preferred Build Alternative for the proposed project will impact the “pocket park” located in the island between NM 502 and Central Avenue, east of the Hilltop Hotel. Although this “pocket park” is not designated as an official city park it is being used as such; therefore, the pocket park is a protected resource under Section 4(f) of the Department of Transportation Act of 1966, as amended. The proposed action is considered a “use” of the Section 4(f) property.

II. The proposed project includes all appropriate measures to minimize harm and subsequent mitigation necessary to preserve and enhance those features and values of the property that originally qualified the property for Section 4(f) protection.
   - Applicability to the present project? YES
     The impacts to this island include taking 0.15 acres (6,543 square feet) of the park on the south and west sides of the park and adding 0.60 acres (26,160 square feet) to the north side of the park. Los Alamos County has concurred with the assessment of the impacts to the park, the proposed measures to minimize harm, and the mitigation necessary to preserve, rehabilitate and enhance the features and values of this Section 4(f) property. The county has concurred that such measures will result in a net benefit to the Section 4(f) property. See attached correspondence from Los Alamos County.

III. For historic properties, the project does not require the major alteration of the characteristics that qualify the property for the national Register of Historic Places (NRHP) such that the property would no longer retain sufficient integrity to be considered eligible for listing. For archaeological properties, the project does not require the disturbance or removal of the archaeological resources that have been determined important for preservation in-place rather than for the information that can be obtained through data recovery. The determination of a major alteration or the importance to preserve in-place will be based on consultation consistent with 36 CFR part 800.
   - Applicability to the present project? NO
     The “pocket park” is not a historic property or archaeological resource.
Pedestrian and Bicycle Facilities: The Do Nothing Alternative will not provide bicycle facilities or provide sidewalks, driveways, and wheelchair ramps that comply with ADA requirements.

2. Improvement without Using the Adjacent 4(f) Land: It is not feasible and prudent to avoid Section 4(f) lands by roadway design or transportation management techniques (including, but not limited to, minor alignment shifts, changes in geometric design standards, use of retaining walls and/or other structures, and traffic diversions or other traffic management measures) because implementing such measures would result in:

Substantial Adverse Community Impacts to Adjacent Homes, Businesses, or Other Improved Properties: Relocations of private residences and commercial properties would be required if the 4(f) land located in the island between NM 502 and Central Avenue were not used. One of the commercial properties that would need to be acquired is contaminated with hazardous materials. This property would require environmental remediation.

Substantially Increased Cost: Property acquisition and remediation of the contaminated property, which is estimated to be $3.5 million, would result in substantially increased cost.

Unique Engineering, Traffic, Maintenance or Safety Problems: Does not apply to this project.

Substantial Adverse Social, Economic, or Environmental Impacts: See above under “Substantial Adverse Community Impacts to Adjacent Homes, Businesses, or Other Improved Properties.”

A Substantial Missed Opportunity to Benefit a Section 4(f) Property: The realignment of the NM 502/Central Avenue/4th Street intersection will result in property being available to expand the “pocket park” located in the island between NM 502 and Central Avenue. The geometric improvements will take 0.15 acres (6,543 square feet) of the park on the south and west sides of the park; however, 0.60 acres (26,160 square feet) will be added to the north side of the park.

Identified transportation needs not being met: Does not apply to this project.

Unusual, Unique, or Extraordinary Magnitude of Impacts, Costs, or Problems: See above under “Substantial Adverse Community Impacts to Adjacent Homes, Businesses, or Other Improved Properties.” and “Substantially Increased Cost.”

3. Alternative on New Location: It is not feasible and prudent to avoid the Section 4(f) property by constructing on a new alignment for the following reasons:

Purpose and Need: NM 502 is the primary route into Los Alamos and cannot be relocated due to unique geologic features (canyon to the south of NM 502) and existing development along the corridor. A new alignment would not address the purpose and need of the project and would create substantial impacts.
Adverse Social, Economic, or Environmental Impacts: A new facility at a new location would require substantial right-of-way acquisition, relocations of residents and businesses, substantial costs, and impacts to a hazardous materials site.

Increased Cost and Engineering Difficulties: See above under “Adverse Social, Economic, or Environmental Impacts.”

Unique or extraordinary Magnitude: The problems impacts, costs, and difficulties discussed above would be truly unusual, unique, and of extraordinary magnitude when compared with the proposed use of the Section 4(f) property.

VI. MEASURES TO MINIMIZE HARM

Per FHWA guidance, programmatic section 4(f) evaluation and approval may be used only for projects where the Administration, in accordance with this evaluation, ensures that the proposed action includes all possible planning to minimize harm, includes appropriate mitigation measures, and that the official(s) with jurisdiction agree in writing. Measures to minimize harm will consist of expanding and landscaping the park. The 0.15 acres (6,543 square feet) taken on the south and west sides of the park will be replaced with 0.60 acres (26,160 square feet) on the north side of the park. Landscaping of the park will be included as part of the project. Los Alamos County has concurred that such measures will result in a net benefit to the Section 4(f) property (correspondence attached).

VII. COORDINATION

Per FHWA guidance, the use of this programmatic evaluation and approval is conditioned upon continued coordination with Los Alamos County. See attached letters between the NMDOT and Los Alamos County which document the County’s concurrence with the proposed action. The land exchange required by the proposed action, as well as finalization of the mitigation measures, will be developed through a subsequent agreement between the NMDOT and the County, as part of the standard right-of-way process.

VIII. APPROVAL PROCEDURES

Per FHWA guidance, approval of this Programmatic Section 4(f) Evaluation by the Administration provides determination of the following:

1. Determines that the project meets the applicability criteria set forth in the Applicability section.
   - See above under “Applicability of Programmatic Section 4(f) Evaluation.”

2. Determines that all of the alternatives set forth in the Findings section have been fully evaluated.
   - See above under “Alternatives and Findings.”

3. Determines that the findings in this document (which conclude that the alternative recommended is the only feasible and prudent alternative) result in a clear net benefit to the Section 4(f) property
   - See above under “Alternatives and Findings.”
4. Determines that the project complies with the Mitigation and Measures to Minimize Harm section of this document.
   - See above under “Measures to Minimize Harm.”

5. Determines that the coordination and public involvement efforts required by this programmatic evaluation have been successfully completed and necessary written agreements have been obtained.
   - See above under “Coordination.”

6. Documents the information that clearly identifies the basis for the above determinations and assurances.
   - A full copy of this approved Programmatic Section 4(f) Evaluation, including all attachments, will be provided to the FHWA for its project file.

APPROVAL:

Approval of this Programmatic Section 4(f) Evaluation by the FHWA Administrator provides a final determination that there is no prudent and feasible alternative to the use of the 4(f) property, that the project includes all possible planning to minimize harm, and that the use of the 4(f) property will result in a net benefit to the 4(f) property.

FHWA approval of this Programmatic Section 4(f) Evaluation is included with the approval of the Environmental Assessment for the NM 502 Improvement Project: Project No.: TPO-502-1(8) 02; CN 3407.
Section 4(f)

Section 4(f) Evaluation and Approval for Transportation Projects That Have a Net Benefit to a Section 4(f) Property

This nationwide programmatic Section 4(f) evaluation (programmatic evaluation) has been prepared for certain federally assisted transportation improvement projects on existing or new alignments that will use property of a Section 4(f) park, recreation area, wildlife or waterfowl refuge, or historic property, which in the view of the Administration and official(s) with jurisdiction over the Section 4(f) property, the use of the Section 4(f) property will result in a net benefit to the Section 4(f) property.

Definitions:

"Administration" refers to the Federal Highway Division Administrator or Division Engineer (as appropriate).

"Applicant" refers to a State Highway Agency or State Department of Transportation, local governmental agency acting through the State Highway Agency or State Department of Transportation.

A "net benefit" is achieved when the transportation use, the measures to minimize harm and the mitigation incorporated into the project results in an overall enhancement of the Section 4(f) property when compared to both the future do-nothing or avoidance alternatives and the present condition of the Section 4(f) property, considering the activities, features and attributes that qualify the property for Section 4(f) protection. A project does not achieve a "net benefit" if it will result in a substantial diminishment of the function or value that made the property eligible for Section 4(f) protection.

"Official(s) with jurisdiction" over Section 4(f) property (typically) include: for a park, the Federal, State or local park authorities or agencies that own and/or manage the park; for a refuge, the Federal, State or local wildlife or waterfowl refuge owners and managers; and for historic sites, the State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Officer (THPO), whichever has jurisdiction under Section 106 of the National Historic Preservation Act (16 U.S.C. 470f).

Applicability

The Administration is responsible for review of each transportation project for which this programmatic evaluation is contemplated to determine that it meets the criteria and procedures of this programmatic evaluation. The information and determination will be included in the applicable National Environmental Policy Act (NEPA) documentation and administrative record. This programmatic evaluation will not change any existing procedures for NEPA compliance, public involvement, or any other applicable Federal environmental requirement.

This programmatic evaluation satisfies the requirements of Section 4(f) for projects meeting the applicability criteria listed below. An individual Section 4(f) evaluation will not

http://environment.fhwa.dot.gov/projdev/4fnetbenefits.asp

3/21/2007
need to be prepared for such projects:

1. The proposed transportation project uses a Section 4(f) park, recreation area, wildlife or waterfowl refuge, or historic site.

2. The proposed project includes all appropriate measures to minimize harm and subsequent mitigation necessary to preserve and enhance those features and values of the property that originally qualified the property for Section 4(f) protection.

3. For historic properties, the project does not require the major alteration of the characteristics that qualify the property for the National Register of Historic Places (NRHP) such that the property would no longer retain sufficient integrity to be considered eligible for listing. For archeological properties, the project does not require the disturbance or removal of the archeological resources that have been determined important for preservation in-place rather than for the information that can be obtained through data recovery. The determination of a major alteration or the importance to preserve in-place will be based on consultation consistent with 36 CFR part 800.

4. For historic properties, consistent with 36 CFR part 800, there must be agreement reached amongst the SHPO and/or THPO, as appropriate, the FHWA and the Applicant on measures to minimize harm when there is a use of Section 4(f) property. Such measures must be incorporated into the project.

5. The official(s) with jurisdiction over the Section 4(f) property agree in writing with the assessment of the impacts; the proposed measures to minimize harm; and the mitigation necessary to preserve, rehabilitate and enhance those features and values of the Section 4(f) property; and that such measures will result in a net benefit to the Section 4(f) property.

6. The Administration determines that the project facts match those set forth in the Applicability, Alternatives, Findings, Mitigation and Measures to Minimize Harm, Coordination, and Public Involvement sections of this programmatic evaluation.

This programmatic evaluation can be applied to any project regardless of class of action under NEPA.

Alternatives

To demonstrate that there are no feasible and prudent alternatives to the use of Section 4(f) property, the programmatic evaluation analysis must address alternatives that avoid the Section 4(f) property. The following alternatives avoid the use of the Section 4(f) property:

1. Do nothing.

2. Improve the transportation facility in a manner that addresses the project's purpose and need without a use of the Section 4(f) property.

3. Build the transportation facility at a location that does not require use of the Section 4(f) property.

This list is intended to be all-inclusive. The programmatic evaluation does not apply if a feasible and prudent alternative is identified that is not discussed in this document. The project record must clearly demonstrate that each of the above alternatives was fully evaluated before the Administration can conclude that the programmatic evaluation can be applied to the project.

Findings

For this programmatic evaluation to be utilized on a project there must be a finding, given the present condition of the Section 4(f) property, that the do-nothing and avoidance alternatives described in the Alternatives section above are not feasible and prudent. The findings (1, 2, and 3. below) must be supported by the circumstances, studies,
consultations, and other relevant information and included in the administrative record for the project. This supporting information and determination will be documented in the appropriate NEPA document and/or project record consistent with current Section 4(f) policy and guidance.

To support the finding, adverse factors associated with the no-build and avoidance alternatives, such as environmental impacts, safety and geometric problems, decreased transportation service, increased costs, and any other factors may be considered collectively. One or an accumulation of these kinds of factors must be of extraordinary magnitude when compared to the proposed use of the Section 4(f) property to determine that an alternative is not feasible and prudent. The net impact of the do-nothing or build alternatives must also consider the function and value of the Section 4(f) property before and after project implementation as well as the physical and/or functional relationship of the Section 4(f) property to the surrounding area or community.

1. Do-Nothing Alternative.
   The Do-Nothing Alternative is not feasible and prudent because it would neither address nor correct the transportation need cited as the NEPA purpose and need, which necessitated the proposed project.

2. Improve the transportation facility in a manner that addresses purpose and need without use of the Section 4(f) property.

   It is not feasible and prudent to avoid Section 4(f) property by using engineering design or transportation system management techniques, such as minor location shifts, changes in engineering design standards, use of retaining walls and/or other structures and traffic diversions or other traffic management measures if implementing such measures would result in any of the following:
   o Substantial adverse community impacts to adjacent homes, businesses or other improved properties; or
   o Substantially increased transportation facility or structure cost; or
   o Unique engineering, traffic, maintenance or safety problems; or
   o Substantial adverse social, economic or environmental impacts; or
   o A substantial missed opportunity to benefit a Section 4(f) property; or
   o Identified transportation needs not being met; and
   o Impacts, costs or problems would be truly unusual, unique or of extraordinary magnitude when compared with the proposed use of Section 4(f) property after taking into account measures to minimize harm and mitigate for adverse uses, and enhance the functions and value of the Section 4(f) property.

   Flexibility in the use of applicable design standards is encouraged during the analysis of these feasible and prudent alternatives.

3. Build a new facility at a new location without a use of the Section 4(f) property. It is not feasible and prudent to avoid Section 4(f) property by constructing at a new location if:
   o The new location would not address or correct the problems cited as the NEPA purpose and need, which necessitated the proposed project; or
   o The new location would result in substantial adverse social, economic or environmental impacts (including such impacts as extensive severing of productive farmlands, displacement of a substantial number of families or businesses, serious disruption of community cohesion, jeopardize the continued existence of any endangered or threatened species or resulting in the destruction or adverse modification of their designated critical habitat, substantial damage to wetlands or other sensitive natural areas, or greater impacts to other Section 4(f) properties); or
   o The new location would substantially increase costs or cause substantial
engineering difficulties (such as an inability to achieve minimum design standards or to meet the requirements of various permitting agencies such as those involved with navigation, pollution, or the environment); and

- Such problems, impacts, costs, or difficulties would be truly unusual or unique or of extraordinary magnitude when compared with the proposed use of the Section 4(f) property after taking into account proposed measures to minimize harm, mitigation for adverse use, and the enhancement of the Section 4(f) property's functions and value.

Flexibility in the use of applicable design standards is encouraged during the analysis of feasible and prudent alternatives.

Mitigation and Measures To Minimize Harm

This programmatic evaluation and approval may be used only for projects where the Administration, in accordance with this evaluation, ensures that the proposed action includes all possible planning to minimize harm, includes appropriate mitigation measures, and that the official(s) with jurisdiction agree in writing.

Coordination

In early stages of project development, each project will require coordination with the Federal, State, and/or local agency official(s) with jurisdiction over the Section 4(f) property. For non-Federal Section 4(f) properties, i.e., State or local properties, the official(s) with jurisdiction will be asked to identify any Federal encumbrances. When encumbrances exist, coordination will be required with the Federal agency responsible for such encumbrances.

Copies of the final written report required under this programmatic evaluation shall be offered to the official(s) with jurisdiction over the Section 4(f) property to other interested parties as part of the normal NEPA project documentation distribution practices and policies or upon request.

Public Involvement

The project shall include public involvement activities that are consistent with the specific requirements of 23 CFR 771.111, Early coordination, public involvement and project development. For a project where one or more public meetings or hearings are held, information on the proposed use of the Section 4(f) property shall be communicated at the public meeting(s) or hearing(s).

Approval Procedure

This programmatic evaluation approval applies only after the Administration has:

1. Determined that the project meets the applicability criteria set forth in Applicability section;
2. Determined that all of the alternatives set forth in the Findings section have been fully evaluated;
3. Determined that the findings in the programmatic evaluation (which conclude that the alternative recommended is the only feasible and prudent alternative) result in a clear net benefit to the Section 4(f) property;
4. Determined that the project complies with the Mitigation and Measures to Minimize Harm section of this document;
5. Determined that the coordination and public involvement efforts required by this programmatic evaluation have been successfully completed and necessary written agreements have been obtained; and


3/21/2007
6. Documented the information that clearly identifies the basis for the above determinations and assurances.

[FR Doc. 05-7812 Filed 4-19-05; 8:45 am]

BILLING CODE 4910-22-P

For additional information, view the Preamble on the Federal Register's website http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/05-7812.htm.

http://environment.fhwa.dot.gov/projdev/4fnetbenefits.asp
October 19, 2006

Max Baker, Administrator
Los Alamos County
P.O. Box 30
Los Alamos, New Mexico 87544

RE: NM 502 (Trinity Drive) Improvement Project
NMDOT Project No.: TPO-502-1(8)02, CN 3407

Dear Mr. Baker:

The New Mexico Department of Transportation (NMDOT) in cooperation with the Federal Highway Administration and Los Alamos County propose improvements to NM 502 (Trinity Drive) in Los Alamos, New Mexico. The project limits are bounded by Knecht Street on the west and Tewa Loop on the east. A project vicinity map is attached.

The purpose of the project is to improve traffic flow and reduce congestion; improve sight distance and vehicle turning movements at the intersections; provide provisions for pedestrians and bicyclists; manage access; improve drainage; and provide connectivity to existing facilities.

The project is needed because NM 502 is presently composed of various typical sections, which cause confusion for drivers' expectations; the existing pavement requires rehabilitation; current sidewalks are not compliant with the Americans With Disabilities Act; there are safety concerns at the intersections; and the existing drainage system requires improvement.

The project scope includes realigning the intersections of NM 502/Central Avenue/4th Street and NM 502/DP Road. The project will also include the resurfacing of NM 502 from Knecht Street to DP Road, reconstruction and the addition of a continuous left turn lane from the Central Avenue intersection to Tewa Loop, closure of Canyon Road, utility and storm drain improvements and upgrades throughout the corridor, installation of a new signal and lighting at the new NM 502/Central Avenue/4th Street intersection, and replacement of lighting as required throughout the corridor.

The realignment of the NM 502/Central Avenue/4th Street intersection will impact the “pocket park” located in the island between NM 502 and Central Avenue, east of the Hilltop Hotel. The impacts to this island include taking 0.15 acres [6,543 square feet (sf)] of the park on the south and west sides of the park and adding 0.60 acres [26,160 sf] to the north side of the park. The property taken from the south and west side of the park is owned by Los Alamos County and is needed to construct a westbound to northbound right-turn lane. The section of existing Central Avenue from 4th Street to NM 502 is right-of-way owned by the NMDOT and Los Alamos County and will be obliterated. The resulting property will be available for the expansion of the park. Property survey and ownership research is being conducted to verify ownership of all properties involved. The park will be reconstructed, as part of this project, by the NMDOT. Compensation for property and park reconstruction will be based on appraisal and negotiated agreements between the NMDOT and Los Alamos County.

Although this “pocket park” is not designated as an official city park, it is being used as such. Therefore, the pocket park is a protected resource under Section 4(f) of the Department of

Bill Richardson
Governor

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District 6

Norman Assed
Commissioner
District 3

Jim Franken
Commissioner
District 4

John Hummer
Commissioner
District 1
Transportation Act of 1966, as amended. The use of this park for transportation purposes can be authorized under a Programmatic Section 4(f) Evaluation and Approval for transportation projects that have a net benefit to a Section 4(f) property.

In order to use the Programmatic Section 4(f) Evaluation and Approval for this federally-assisted transportation improvement project, we request your concurrence with the following (all of which were discussed above):

1. The assessment of the impacts to the park
2. The proposed measures to minimize harm
3. The proposed mitigation necessary to preserve, rehabilitate and enhance the features and values of the park
4. The measures to minimize harm and the proposed mitigation will result in a net benefit to the park

Please contact the NMDOT consultant, Brenda Martinez of Gannett Fleming West, at 820-7020 if you have any questions.

Sincerely,

Steve Reed, Environmental Program Manager
New Mexico Department of Transportation

CONCURRENCE: per attached letter

Max Baker, Administrator
Los Alamos County

Date

SR:bm

Enclosure
November 22, 2006

Mr. Steve Reed  
Environmental Program Manager  
NM Department of Transportation  
P.O. Box 1149  
Santa Fe, NM 87504-1149

RE: NM 502 (Trinity Drive) Improvement Project

Dear Mr. Reed:

Los Alamos County is in receipt of your letter dated October 19, 2006 requesting concurrence on your analysis to utilize Section 4(f) of the Department of Transportation Act of 1966, as amended to handle the circumstances related to the park in the island of NM 502 and Central Avenue.

The County provides this concurrence based on our understanding that it does not result in any exchange of land or finalization of the mitigation plan, and that there will be a future agreement to be negotiated between Los Alamos County and the New Mexico Department of Transportation that will be subject to rules and regulations appropriate to that agreement.

We feel that this is an important project and look forward to working with the Department of Transportation to make it a reality. If you have questions please direct them to our County Engineer, Ted Garcia at 662-8150.

Sincerely yours,

Max H. Baker  
County Administrator

MHB/gc

Attachment as stated

Cc: Anthony Mortillaro, Asst. County Administrator  
Kyle Zimmerman, Public Works Director  
Ted Garcia, County Engineer  
Dick McIntyre, Parks Manager