

CHAPTER 6. FINAL SECTION 4(f) EVALUATION AND ASSOCIATED SECTION 6(f) ASSESSMENT

Introduction

This chapter is a refinement of the *Draft Section 4(f) Evaluation and Associated Section 6(f) Assessment* (Draft Section 4(f) Evaluation) that was issued with the DEIS. The Draft Section 4(f) Evaluation has been updated since the DEIS document was completed in October 2001. The updates were based on refinements to the proposed project that ODOT has decided to incorporate, in response to public and agency concerns, and design refinements that would be necessary to enhance public safety. (See Figure 6-1 for the project footprint.)

Section 4(f) of the Department of Transportation Act of 1966, codified in Federal law at 49 U.S.C. 303, declares that, "...it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites."

Section 4(f) specifies that, "...the Secretary of Transportation may approve a transportation program or project requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of an historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge, or site) only if:

- there is no prudent and feasible alternative to using that land; and

- the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use."

Section 4(f) further requires consultation with the Department of the Interior and, as appropriate, the offices of the Departments of Agriculture and Housing and Urban Development in developing transportation projects and programs that use lands protected by Section 4(f).

In this chapter, an impact to a property that is subject to the provisions of Section 4(f) is considered to be a "use", which is a formal Section 4(f) term. For example, the proposed project would change the use of a portion of the Bear Creek Park property from park land to a transportation facility.

Section 6(f) of the Land and Water Conservation Fund (LWCF) Act requires the approval of the National Park Service Regional Director before land purchased or improved using fund monies can be converted to another purpose. It also requires that the converted property be replaced with property of adequate size and accessibility, have compatible land use, have comparable utilities available, not be currently used for public recreation, and not have been acquired using federal funds.

In this chapter, an acquisition or impact to a property that is subject to the provisions of Section 6(f) is referred to as a "conversion", which is a formal Section 6(f) term. For example, the proposed project would convert a portion of Bear Creek Park from a recreational resource to a transportation facility.

Section 4(f) and Section 6(f) Resources

Recreational Resources

Bear Creek Park

The City of Medford owns the 41 hectare (101 acre) Bear Creek Park, located east of I-5. The park is subject to applicable provisions of both Section 4(f) and Section 6(f). As one of the largest parks in the City of Medford's Parks and Recreation system, it serves the entire community. The park is located between Siskiyou Boulevard and Barnett Road, west of Highland Drive. Bear Creek flows through the park. Within Bear Creek Park, a wide range of active and passive recreational uses are available to the public, including: tennis courts, a large play structure for children, a skateboard park, baseball fields, picnic facilities, a bicycle moto-cross track, an amphitheater, and a fenced, off-leash dog area. Bear Creek Park also serves as a part of the Bear Creek Greenway. The park is open to the public daily from 6 a.m. to 10:30 p.m. Funds from the LWCF have been secured and used by the City for development of Bear Creek Park.

Access to the eastern side of the park along much of Highland Drive is currently hindered by lack of adequate sidewalks, bicycle lanes, and crosswalks, which would allow pedestrian connectivity to neighborhoods east of the park.

Bear Creek Greenway

The Bear Creek Greenway (Greenway) is subject to the provisions of both Section 4(f) and Section 6(f). The Greenway is managed primarily by Jackson County Parks and Recreation Department, although it is jointly sponsored by Jackson County, Medford Parks and Recreation, Ashland Parks and Recreation, and the Bear Creek Greenway Association. The Greenway provides open

space along Bear Creek from Ashland to Central Point, and its major purpose is as a recreational property. Large portions of the Greenway contain a paved trail that provides bicycle and pedestrian access to the recreational open spaces. The Greenway also helps to protect Bear Creek and surrounding riparian vegetation, thereby helping to protect water quality and providing habitat for fish and wildlife.

Most of the Greenway is in public ownership, however, portions of the overall approximately 405 hectare (1000 acre) open space system have yet to be acquired. A portion of the Greenway linear park project consists of 1.9 hectares (4.71 acres), which have been purchased with funds from LWCF.

The DEIS assumed that the portion of the Bear Creek Trail that runs south of Barnett Road and through the project area would be constructed prior to construction of the new interchange. The DEIS disclosed, reported and discussed the infeasibility of building the initially proposed multipurpose bridge that would have been built to cross Bear Creek on the west side of the Interstate and connect the Bear Creek Greenway Trail with a path that would connect to the South Gateway Center. The County's subsequent analysis of the trail revealed that the designs for other sections of the trail between Barnett Road and the new interchange could also result in adverse impacts to the floodway, stream, and associated biological resources, thus posing regulatory challenges for the trail project. Additionally, the low height and the location of the piers that support the existing Barnett Road bridge that crosses Bear Creek posed a challenge. However, the County and ODOT recognized that the South Medford Interchange Project's improvements might provide

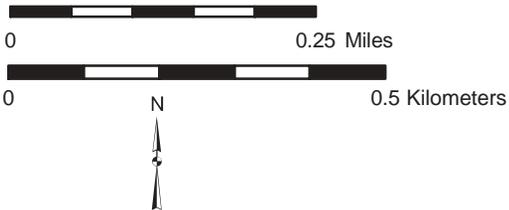
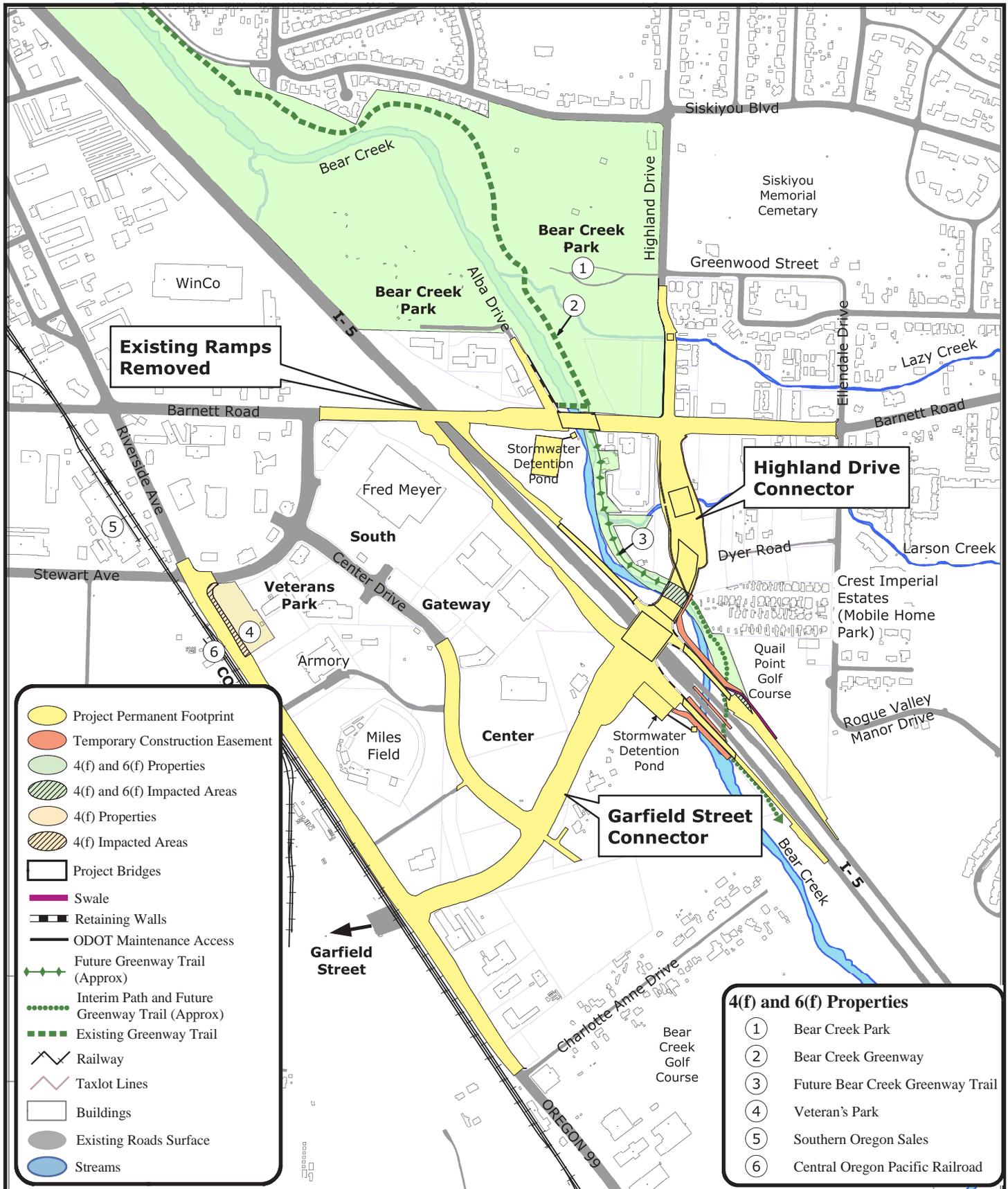


Figure 6-1
4(f) and 6(f)
Properties

opportunities for the trail to be constructed at a future time with fewer impacts. After considering these issues, the Jackson County Parks and Recreation Department withdrew the trail alignment that had been described in the DEIS. Instead, the Parks and Recreation Department decided to shift design and construction efforts to the section of the trail south of the South Medford Interchange Project. The trail segment between Barnett Road and the new trail segment south of the new interchange would be redesigned to minimize impacts to the natural environment. The Parks and Recreation Department can take advantage of opportunities presented by South Medford Interchange Project improvements (e.g., lengthening and raising the Barnett Bridge span over Bear Creek) and the related project that would replace the two existing I-5 bridges with longer spans. Although this trail section would be designed, permitted, and constructed as a project that would be separate from the interchange project, the County and ODOT are closely coordinating and jointly planning the trail and the South Medford Interchange projects so that they complement each other, minimize overall environmental impacts, and help make efficient use of public funds.

Although the County continues to plan on developing the segment of the trail between Barnett Road and the proposed interchange, the trail improvements would not be constructed prior to construction of the interchange. Furthermore, the precise location of the future trail has not been designated, which limits the degree to which potential impacts of the interchange project (to the trail) can be identified or described. Given this, the County has indicated that the primary purpose and function of the affected Greenway property would continue to be as “recreational open space.”

Veteran’s Park

Veteran’s Park is owned and managed by the City of Medford Parks and Recreation Department and encompasses about 0.95 hectares (2.35 acres). It is located in South Medford southeast of the Oregon 99/Stewart Avenue intersection. The park is subject to applicable provisions of Section 4(f). No LWCF grants have been awarded for acquisition of park property or development of the park.

Within Veteran’s Park, trees were planted to commemorate local soldiers killed during World War I. The SHPO has determined that, although the property is potentially eligible for listing on the National Register of Historic Places, and the property would be impacted, the proposed South Medford Interchange project would not adversely affect the resource.

Historic Resources

The historic properties addressed in this section are subject to the applicable provisions of Section 4(f), but not Section 6(f).

The DEIS and the *Draft Section 4(f) Evaluation and Associated Section 6(f) Assessment* provided information about investigations that were conducted for the proposed project to protect historic and archaeological resources. The SHPO confirmed that three potentially National Register eligible historic properties, all in the western portion of the project area, were identified during the cultural resources survey. The three resources are the Central Oregon Pacific Railroad (COPR), the Southern Oregon Sales (SOS) Buildings, and Veteran’s Park. Appendix G includes the SHPO Section 106 Level of Effect Documentation Forms for these resources. The COPR (which in prior times included the historic Oregon and California Railroad)

parallels and is immediately adjacent to Oregon 99. The present railroad right-of-way runs along the historic right-of-way. The SHPO determined that although the property is potentially eligible for listing on the National Register of Historic Places, and the property would be impacted, the South Medford Interchange project would not adversely affect the resource.

The SOS Buildings, long associated with the agricultural industry in the area, are located near the intersection of Oregon 99/Stewart Avenue. The SHPO determined that, although the property is potentially eligible for listing on the National Register of Historic Places, the property would not be impacted and the project would not affect the resource.

Two isolated finds of historic archaeological materials and one possible historic trash deposit were discovered during the pedestrian field investigations. Archaeological probing has been conducted in areas considered most likely to contain archaeological resources. No archaeological sites were discovered. Therefore, none of the archaeological resources that have been discovered are subject to Section 4(f) protection.

Traditional Cultural Properties

There are no traditional cultural properties in the project area.

Wild and Scenic Rivers

There are no wild or scenic rivers in the project area.

Preferred Alternative Impacts

The DEIS provided a detailed discussion of the character of the potential impacts to Section 4(f) resources. The following is a brief discussion of the impacts that would occur under the Preferred Alternative (i.e., the Preferred Alternative that incorporates the design refinements developed by ODOT) since the DEIS.

The Preferred Alternative would require “use” and “conversion” of land associated with Bear Creek Park and the Bear Creek Greenway, because the park and the Greenway are both subject to Section 4(f) and Section 6(f). The Preferred Alternative would use a very small portion of COPR land. The amount of land that would be used or converted to transportation purposes is summarized in Table 1.

Recreational Resources

Bear Creek Park

Figure 6-2 shows the land area that would be used or converted under the Preferred Alternative. Based on the refined design of the Preferred Alternative, the proposed South Medford Interchange project improvements would use/convert a strip of park land measuring approximately 1.5 meters (5 feet) wide along Highland Drive, generally south of the street’s Larson Creek Bridge. This strip of land is currently used as a landscaping strip between Highland Drive and a fenced, dog run area. However, the Bear Creek Park’s Master Plan indicates the site of a potential future conference center in the southeast quadrant of the park.

Table 1.

SECTION 4(f) USE and SECTION 6(f) CONVERSION SUMMARY

Resource Site	Land only used by Preferred Alternative (Subject to Sections 4[f] only)	Land used & converted by Preferred Alternative (Subject to Sections 4[f] & 6[f])	Land only converted by Preferred Alternative Temporary Work Bridge (Subject to Section 6[f] only)
Bear Creek Park Land– Total size is 40.87 ha (101 ac)	N/A	0.04 ha/0.09 ac	N/A
Bear Creek Greenway Land– Total size is 405 ha (1,000 ac) planned system	N/A	0.18 ha/0.44 ac	0.07 ha/0.17 ac
Veterans Park Land – Total size is 0.95 ha (2.34-ac)	0.15 ha/0.37 ac	N/A	N/A
COPR Land	0.0 ha/00.01 ac	N/A	N/A

Amounts are rounded to the nearest hundredth.

The Draft Section 4(f) Evaluation project mitigation measures would have widened Barnett Road and its bridge across Bear Creek to accommodate a U-turn radius at the Barnett Road/Alba Drive intersection. These design refinements would have required approximately 0.26 hectares (0.63 acres) of Bear Creek Park property along Barnett Road. However, the bridge design that was analyzed in the DEIS has been dropped and the proposed refined design would be for a wider and higher bridge. The new design would include constructing retaining walls to minimize impacts to the park. The walls would be a maximum of 0.9 meters (3 feet) high nearest the bridge and would then taper down to ground level about half the distance toward Highland Drive. The improvements would involve raising the height of Alba Drive to where the Bear Creek Greenway Trail currently connects in Bear Creek Park. Although most of the improvements along Alba Drive would occur within the existing right-of-way, some park property would be required. To reconnect the trail to the street, the trail would be realigned to the north to

run along the base of a retaining wall on the east side of the street. This would require a strip of park property (which is currently vacant) that would be approximately 1 meter (3 feet) wide. Land in that strip is mowed but is otherwise unused. It lies between the street and the Bear Creek riparian corridor.

With the currently proposed acquisitions of Bear Creek Park property for transportation purposes, the South Medford Interchange Project would use or convert approximately 0.04 hectares (0.09 acres) of Section 4(f) and Section 6(f) property.

Future traffic levels would increase above existing levels on Highland Drive under the alternatives (the No-Build Alternative and the Preferred Alternative) that were analyzed in the DEIS. Public concern was raised about the impact that traffic noise would have on public use of the amphitheater within the park. Based on the noise impact assessment conducted and reported in this FEIS (Chapter 3, “Noise,” “Highland (Preferred) Alternative”), the

noise level from the project and the related City improvements along Highland Drive would not result in an impact on “constructive use” (23 CFR Part 771.135(p)(2)) of the amphitheater, because the noise levels would not exceed the FHWA Noise Abatement Criteria (23 CFR part 772) for parks at this location. ODOT received comments expressing concern about highway travelers who might stop at the park. Although this could potentially occur, ODOT would not place signage on the interstate indicating the location of the park.

The Preferred Alternative would improve pedestrian access to the eastern side of Bear Creek Park by providing bicycle lanes along both sides of Highland Drive between Barnett Road and the northern end of proposed improvements along Highland Drive. Although the alternative would not include mid-block crosswalks, the proposed sidewalk along the east side of the street would help direct pedestrians to signalized or striped crosswalks across Highland Drive at the Barnett Road and Greenwood Street intersections (the latter intersection would be improved under a separate City project). This would benefit neighborhood residents east of the park in gaining access to and from the recreational facilities. Proposed bicycle lane improvements along Barnett Road also would provide bicyclists with easier access to the park from residential areas. Access would be improved by the project’s enhancements along Barnett Road and Highland Drive and by the City’s pedestrian and bicycle path within Bear Creek Park. In addition, the City would improve Highland Drive between Greenwood Street and Siskiyou Boulevard.

Through a collaborative process with the City of Medford and ODOT, members of the proposed South Medford Interchange

Project’s *Citizen Advisory Committee Sub-Team for Pedestrian and Bicycle Safety* identified existing pedestrian and bicycle access and safety issues in the Barnett Road/Highland Drive/Siskiyou Boulevard/Bear Creek Park area. The Sub-team developed an improved design that is intended to address the needs of people who would walk and bicycle to and from Bear Creek Park. The City of Medford, in coordination with ODOT, is moving forward with pedestrian and bicycle facility improvements within Bear Creek Park. These improvements are required now as a solution to existing problems regarding pedestrian and bicycle access to and from the park. Their construction is expected to occur prior to construction of the South Medford Interchange Project. These improvements are not part of the South Medford Interchange Project, but would be constructed in a manner that would meet current needs and complement any improvements that would occur along Barnett Drive and Highland Drive as a result of the Project. Access to the park would be aided by the proposed sidewalk constructed by the South Medford Interchange Project along the east side of Highland Drive south of Greenwood Street. The City’s proposed Highland Drive pedestrian crossing at the Greenwood Street intersection would help people access the park from the east.

As a related but separate project consistent with the park’s Master Plan, the City would construct a 3 meter (10 feet) wide landscape strip and 1.5 meter (5 feet) wide sidewalk along the Barnett Road frontage. At the Barnett Road/Highland Drive intersection, the sidewalk would connect to the signalized intersection and would then continue north along Highland Drive, with a 3 meter (10 feet) wide landscape strip. Continuing north, the sidewalk would transition to 2.1 meters (7 feet) in width as it shifts closer to the

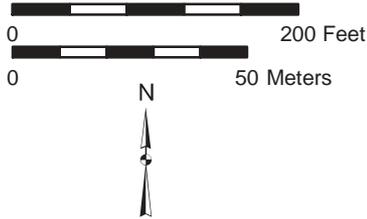
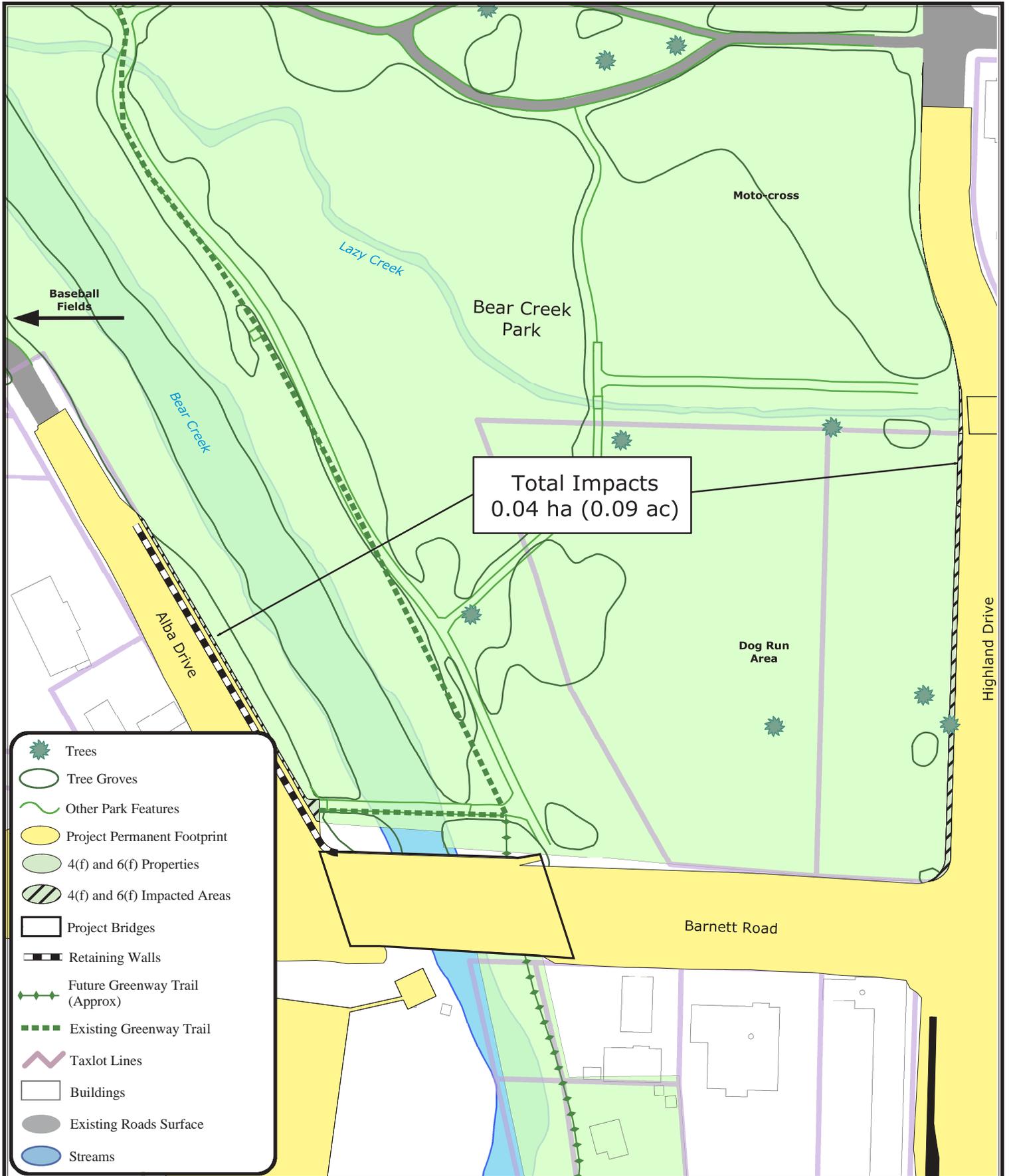


Figure 6-2

Project Impacts to
Bear Creek Park

street (in order to cross Lazy Creek on the same stream-crossing structure used for the street). North of Lazy Creek, the sidewalk would transition in width back to 1.5 meters (5 feet) up to Siskiyou Boulevard. A 3 meter (10 feet) wide landscape strip would separate the sidewalk from Highland Drive up to the Siskiyou Boulevard Fire Station. At the Fire Station, the sidewalk would transition to a curbside walkway (due to the wide driveway that is needed for emergency vehicle access to the station). At Greenwood Street, the sidewalk would connect to a crosswalk on Highland Drive on its south leg of the intersection.

The City also would improve the safety of interaction between vehicles, pedestrians, and bicyclists by moving the Highland Drive entrance into alignment with Greenwood Street. This realignment would improve overall safety by putting the turning locations in one place and clearly defining pedestrian areas. Although the City's improvements are not part of the South Medford Interchange Project, they are being coordinated with the proposed Project improvements along Barnett Drive and Highland Drive, and they would meet community needs, regardless of the Project's completion.

Bear Creek Greenway

Figure 6-3 shows the land area that would be used and/or converted under the Preferred Alternative. The Preferred Alternative would use two Greenway parcels (Tax Lot 2701 and Tax Lot 2501) for a total of approximately 0.18 hectare (0.44 acre). Tax Lot 2501 was not purchased using LWCF monies, but this federal funding source was used to purchase Tax Lot 2701, as well as other parcels within the Greenway system.

These properties would be affected by the construction of the Highland Drive

connector's bridge across Bear Creek, which would require acquisition of the underlying property and the lengthened northbound offramp. That acquisition also would require property for placement of fill associated with the ramp. The properties are currently undeveloped and function primarily as open space. The modified design of the Preferred Alternative includes a substantial lengthening of the bridge (relative to what was considered in the DEIS), thus allowing better access under the bridge for the possible future Bear Creek Greenway Trail.

Replacement of the Barnett Road bridge would have a potential beneficial effect on the future extension of the trail south of its current ending point at Bear Creek Park. The current bridge's height and the location of its abutments present a substantial challenge for placing the trail under the bridge and minimizing impacts within the stream's floodway. However, by raising and lengthening the bridge, there would be greater opportunities for placing the trail under the bridge with fewer potential overall impacts. The property under the proposed bridge is owned by ODOT.

A proposed temporary work bridge also would convert approximately 0.07 ha (0.17 ac) of Tax Lots 2501, 2701, and 3602, because it would occupy property subject to Section 6(f) provisions for over 180 days. However, under the provisions of Section 4(f), the temporary work bridge would not use the Bear Creek Greenway based on "use" criteria relative to temporary bridges, as outlined below.

- The occupancy would be of short duration and less than the time needed for construction of the project. The temporary bridges would be in place for potentially two construction seasons. Other construction activities would commence before construction of the

temporary work bridge, and would continue after the removal of the temporary work bridge.

- The ownership of the impacted properties would not change. ODOT would obtain a construction easement for construction and use of the temporary work bridge. The easement would be in effect only as long as needed, and there would be no retention of long-term or indefinite interests in the land associated exclusively with the work bridges for transportation purposes. The land would be restored after occupancy. Restoration would involve regrading and replanting consistent with grading and landscaping plans developed in coordination with the Jackson County Parks and Recreation Department, and with appropriate natural resource agencies in accordance with their and ODOT's applicable standards, guidelines, policies and/or permitting requirements.
- The temporary work bridge would not result in any temporary or permanent adverse change to activities, features, or attributes which are important to the purposes or functions that qualify the property for protection under Section 4(f). The overall purpose of the Bear Creek Greenway is as a recreational open space resource, with the recreational value realized primarily by public access and use along the Greenway via a trail and other recreational-related development. The portion of the Bear Creek Greenway where the temporary work bridge would be located currently has no trail. Funding for the future trail has not yet been obtained by the County. The property now functions as open space that is infrequently accessed by the public for recreational purposes because of thick

and hazardous vegetation (including blackberries and poison oak) along the Greenway. Also, there are limited open space values in this area because of the close proximity to the existing interchange. Public recreational access in the future is the activity or purpose that qualifies the property for resource protection. The trail along the creek is the feature or function that also requires protection. Neither the activity nor the feature would be hindered because this portion of the Bear Creek Greenway Trail has not yet been built and because current access for recreational use is compromised. The Proposed South Medford Interchange Project would enhance the construction of the possible future trail.

- The work bridge's temporary occupancy would require only a minor amount of land, relative to the overall size of the Greenway.

Veterans Park

Figure 6-4 shows the area that would be impacted under the Preferred Alternative. The refined project design that is analyzed in this FEIS incorporates the minimization measures that were identified in the Draft Section 4(f) Evaluation.

ODOT's refined design includes narrowing the shoulder bicycle lane width and eliminating the landscape strip (to save on use of existing landscaping). Consequently, the project would use approximately 0.15 hectares (0.37 acres) of Veteran's Park. The land required is open lawn. Functionally, the proposed highway improvements that would be made in the southern portion of the Park would place the sidewalk immediately adjacent to the existing rose bed, while allowing more direct access into the memorial facilities. Additionally, the project

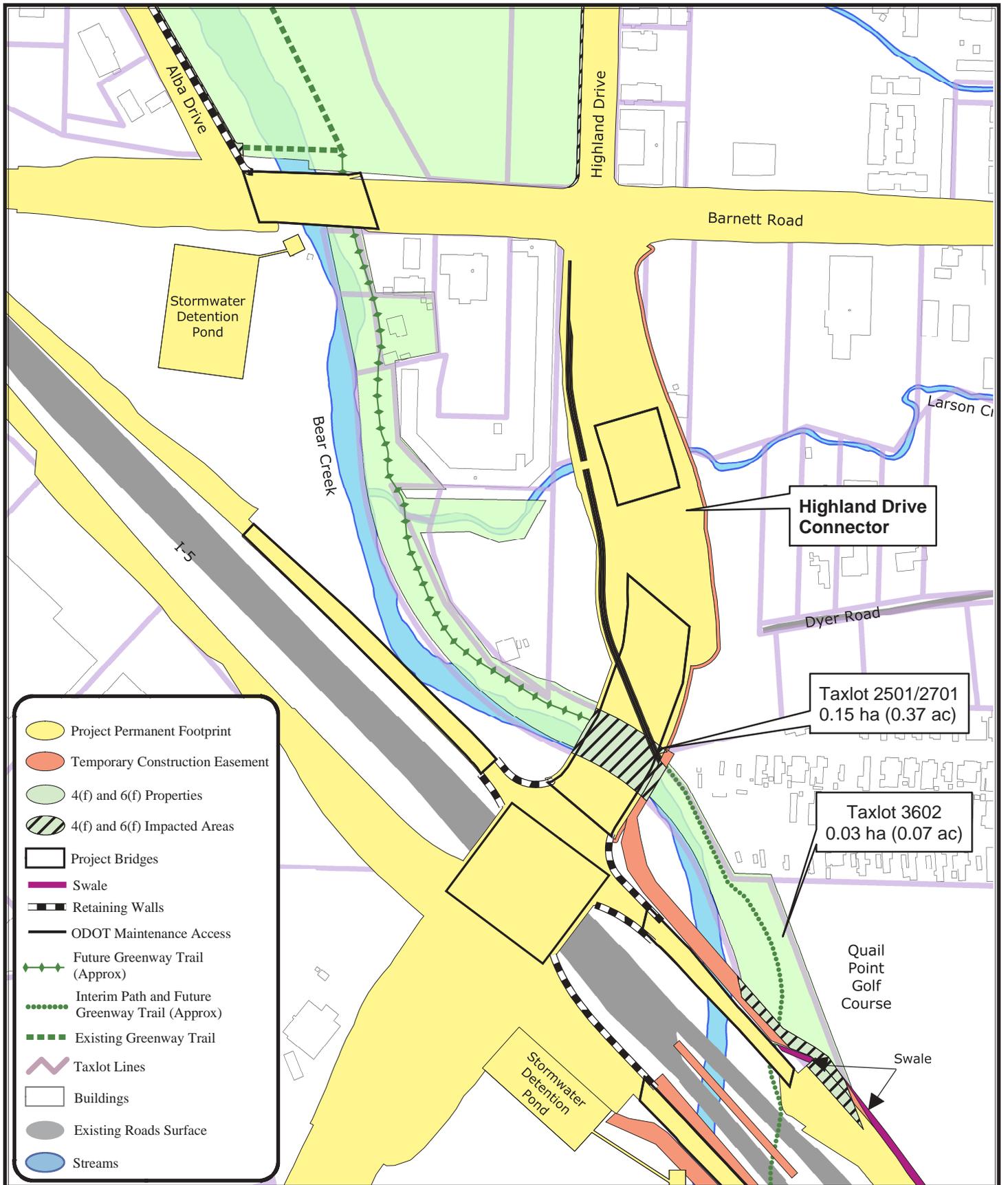


Figure 6-3

Project Impacts to Bear Creek Greenway

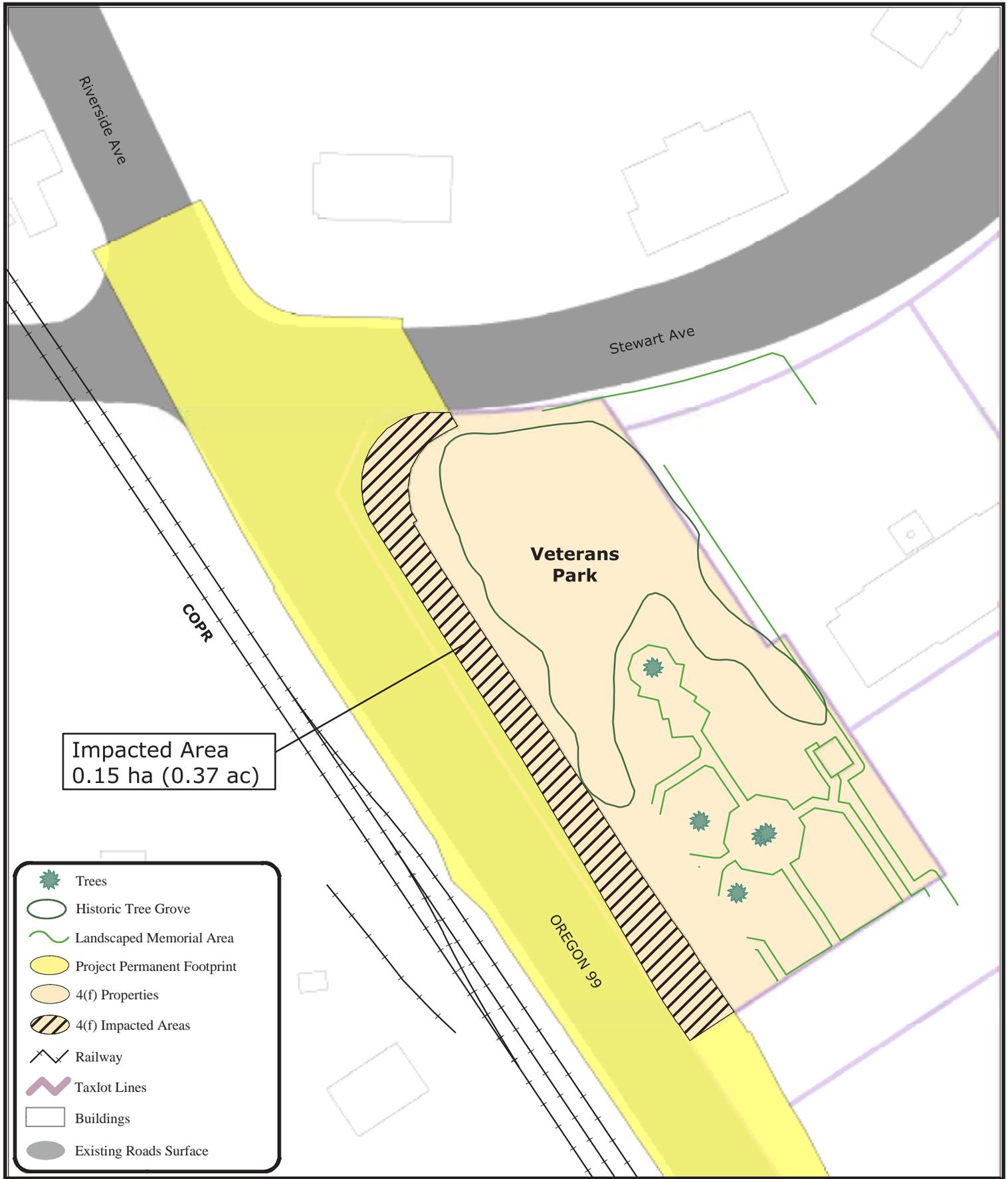


Figure 6-4
 Project Impacts to
 Veterans Park

would beneficially incorporate drainage facilities that would alleviate much, if not all, of the ponding that presently occurs on the northwest portion of the property and has been damaging the historic memorial trees. Thus, use would actually provide beneficial results to public access and stormwater drainage. None of the historic trees or landscaping associated with the trees would be removed or damaged by the project.

Historic Resources

Central Oregon Pacific Railroad

The project's modified design that is analyzed in this FEIS incorporated the minimization measures identified in the Draft Section 4(f) Evaluation, including narrowing the shoulder/bicycle lane width and the landscape strip. Also, no sidewalk will be provided on the west side of Oregon 99. Limited demand for a sidewalk exists because the railroad tracks act as a barrier to potential future land uses to the west, and to signalized crosswalks at Oregon 99 intersections with Garfield and Stewart avenues that would allow pedestrians to use the sidewalk. By incorporating these minimization measures, and through refining the parcel mapping and design, the impacts to the railroad property were reduced from the estimated 0.13 hectares (0.32 acres) to approximately 0.002 hectares (.005 acres) comprised of very narrow strips of fill along the highway. This approximately 20 square meter (66 square feet) area would not adversely affect any of the historic attributes of the property.

Ellendale Alternative

The impacts that would occur under the Ellendale Alternative would be the same as what was reported in the Draft Section 4(f) Evaluation, except for the removal of the

potential impacts to the Bear Creek Greenway Trail due to its postponed construction. The effect of this change would be similar to what was reported for the Preferred Alternative, which is to change the effect from impacting the Trail uses to impacting open space. Also, because design refinements have not been developed for the Ellendale Alternative (as they have been for the Preferred Alternative), the area impacts must be understood within the context of both the design done for the Draft Section 4(f) Evaluation and the potential impacts that would occur considering design changes that would likely occur. The Ellendale Alternative would not require use of any Bear Creek Park property. The alternative would require approximately 0.23 hectares (0.56 acres) of Bear Creek Greenway. However, when considering the refinements done for the Preferred Alternative, such as lengthening the ramps, this acreage could have increased, if that alternative had been refined. Because both Build Alternatives would follow the same alignment along Oregon 99, the impacts to the Veteran's Park and COPR under the Ellendale Alternative would be the same as those that would occur under the Preferred Alternative.

Alternatives That Avoid 4(f) Resources

As reported in the Draft Section 4(f) Evaluation, due to the location of I-5 and the project area, it was impossible to develop a feasible and prudent Build Alternative that would have no affect on Section 4(f) resources. Consequently, no feasible and prudent Build Alternative was available that would be capable of avoiding both Section 4(f) and Section 6(f) resources.

Measures to Minimize Harm

Based on the analysis conducted for the DEIS and the Draft Section 4(f) Evaluation, the Solution Team unanimously chose to recommend to ODOT and FHWA that the Highland Alternative be advanced to the FEIS and the Final Section 4(f) Evaluation as the Preferred Alternative. ODOT and FHWA concurred. The Highland Alternative had the least combined impacts.

The Ellendale Alternative would result in greater impacts to a neighborhood with Environmental Justice concerns, due to the disproportional impact to a low-income neighborhood; greater overall impacts to natural resources; and substantially greater direct impacts to existing development. With implementation of minimization measures recommended in the Draft Section 4(f) Evaluation to reduce impacts to the edge of Bear Creek Park, the overall estimated use of Section 4(f) land by the Highland Alternative would be approximately 0.1 hectares (0.24 acres) less than what would be used under the Ellendale Alternative. The impacts to Bear Creek Park would involve only a narrow strip of land along a very small portion of the Park's perimeter. In comparison to the Ellendale Alternative, the Highland Alternative would affect approximately 215 meters (705 feet) less of the planned Greenway Trail's length, as it was proposed and designed.

With the design refinements to the Preferred Alternative, the amount of COPR land that was reported in the DEIS has been minimized to an estimated 0.004 hectares (0.01 acres). That insubstantial amount of land would not affect the historic nature or continued function of the railroad.

Based on refined mapping, the impacts to the Veteran's Park were found to be

approximately 0.02 hectares (0.05 acres) higher, even after the minimization measures. However, the impacts to the park would be virtually the same as what was reported in the Draft Section 4(f) Evaluation. These impact changes to Section 4(f) resources would have been the same under the Ellendale Alternative, if that alternative had been chosen and then refined. The Preferred Alternative's design refinements (based on refined mapping) reduced impacts to the perimeter of Bear Creek Park as anticipated, but added a very narrow strip of park land along Alba Drive due to the improvements to the Barnett Road Bridge. The result was a total use of approximately 0.04 hectares (0.10 acres) of the 40.87 hectare (101 acre) park (less than 0.01 percent of the park).

Based on the refined design and mapping, the use of land in Bear Creek Greenway would increase by approximately 0.06 hectares (0.15 acres) under the Preferred Alternative, compared to what was reported in the DEIS. The Ellendale Alternative did not undergo refinement after the Highland Alternative was selected and designated to be the Preferred Alternative to advance to the FEIS and Final Section 4(f) Evaluation. The Ellendale Alternative was not considered further, nor were design refinements proposed. Therefore, a comparable impact assessment is not possible because a refined Ellendale Alternative's impacts may have increased or decreased due to design and/or mapping refinements. However, it should be noted that even with the increase in use under the modified design for the Preferred Alternative, the Preferred Alternative would continue to use less Bear Creek Greenway property than was originally estimated for the Ellendale Alternative. The importance to the open space character and use of the Bear Creek Greenway properties affected by both

alternatives would be very similar, in that both alternatives are located adjacent to the existing highway. The impacts to the Bear Creek Greenway Trail that are described in the DEIS are essentially moot, given the decision by Jackson County to reorient its trail construction plans.

In conclusion, the Preferred Alternative would use the least amount of land subject to Section 4(f) provisions. The use of the affected properties would be of minor consequence to the continued use of the remaining portions of the properties that are subject to Section 4(f) provisions.

The South Medford Interchange DEIS included an investigation of possible measures to minimize harm to Section 4(f) resources (see Table 2 in the Draft Section 4(f) Evaluation and Chapter 2 of the DEIS). Through careful planning, alternative analysis, and refined design, the Preferred Alternative would impact a very small amount of the Section 4(f) and Section 6(f) recreational resources, and activities on the properties would continue to occur largely unimpeded, and actually be enhanced in some cases. The following section discusses minimization measures that were incorporated in the design of the Preferred Alternative.

Bear Creek Park

The modified design of the Preferred Alternative minimizes impacts in the following locations:

- Along both Highland Drive and Barnett Road by providing the minimum amount of turn lane vehicular storage required for solving traffic congestion;
- South side of the park by reducing through-lane widths from 3.6 meters (11.8 feet) to the minimum allowed of 3.3 meters (10.8 feet) on Barnett Road and Highland Drive;
- South and east sides of the park, businesses on the south side of Barnett Road, and residential units on the east side of Highland Drive by eliminating the Barnett Road and Highland Drive planter strips;
- South side of the park and businesses on the south side of Barnett Road by reducing sidewalk on the south side of Barnett Road from 2.1 meters (6.9 feet) to the minimum allowed of 1.5 meters (4.9 feet);
- South side of the park along Barnett Road and on the west side of Highland Drive by eliminating the 2.1 meter (6.9 feet) sidewalk along the streets – the City, as a separate project would construct a sidewalk/bike path along the streets within the park, consistent with the park’s Master Plan, thereby reducing redundancy in facilities; and
- Landscaping along Alba Drive by incorporating a retaining wall.

With the combined, planned City-built pedestrian/bicycle facilities on park property, the edge of the street improvements would be nearly coincident with the park’s property lines and would require only narrow strips of land. The area requirements for street improvements would be reduced to a narrow sliver of land along Highland Drive.

Based on the recommendations of the Project’s *Citizen Advisory Committee Subcommittee for Pedestrian and Bicycle Safety*, the minimization measure recommended in the Draft Section 4(f) Evaluation that the Highland Drive (west side) and Barnett Road (north side) shoulder/bicycle lanes be eliminated. This recommended measure was not incorporated in the refined design. These facilities are needed to accommodate commuter bicyclists. Additionally, the

facilities along Barnett Road could be included without impacting the park.

Through its ongoing design refinement process, ODOT plans to incorporate these additional minimization measures:

- Do not include references to the Park on highway signage; and
- Incorporate retaining walls with impressed designs to be consistent with coordinated aesthetic themes developed for the Bear Creek Greenway, the North Medford Interchange Project, and the South Medford Interchange Project.

In coordination with the North Medford Interchange Project and other interested parties, ODOT is in the process of defining concepts of appearance of the surfaces of retaining walls and bridges in the project. The overall desire is to establish consistent themes for viewers. The South Medford Interchange would be expected to use the themes and concepts developed in conjunction with these other projects. The exact nature of the treatments would be determined later as the project design progresses and the coordination between projects and activities continues.

Bear Creek Greenway

The refined design of the Preferred Alternative would minimize impacts to the Bear Creek Greenway by extending the length of the Highland Drive connector's bridge where it would cross the stream. This refinement would allow more space for possible future development of the Bear Creek Greenway Trail under the bridge.

Although the Jackson County Parks and Recreation Department decided to shift construction efforts to the section of the trail south of the project, the project would incorporate aesthetic treatments on the retaining walls and flat bridge abutments, as appropriate. This would minimize impacts to

the open space values of the existing property for people who may walk along it and minimize visual impacts for users of the planned future trail through the area.

As the project's design progresses, ODOT would reduce the width of the bicycle lanes from 2.4 meters (8 feet) to 1.8 meters (6 feet), and remove the 3.0 meter (9.8 feet) planter strips on the Highland Drive connector's bridge crossing Bear Creek. This would substantially narrow the width of land required along the Bear Creek Greenway.

Veterans Park

The refined design of the Preferred Alternative would minimize impacts to the park by:

- Eliminating the 3.0 meter (9.8 feet) wide planter strip between Oregon 99 and the park, resulting in a curbside sidewalk-it was determined to be better to preserve the existing lawn area in the park and still maintain a safe sidewalk.
- Reducing the shoulder/bicycle lane width along Oregon 99 from 2.4 meters (8 feet) to the minimum standard allowed of 1.8 meters (6 feet).

Historic Resources

The following represents reductions to ODOT standards or guidelines that would minimize impacts to the Central Oregon Pacific Railroad property.

The refined design of the Preferred Alternative would minimize impacts to the railroad by:

- Not including a sidewalk between the highway and railroad due to lack of need, because a sidewalk is already available on the other side of the highway; and

- Safety concerns (a railroad on one side and highway on the other).

Should archaeological resources be discovered during the course of the proposed project, they would be assessed as to whether or not they need to be preserved in place as resources protected by Section 4(f) provisions.

Coordination

Throughout the project, ODOT coordinated with Jackson County Roads and Parks, the City of Medford Parks and Recreation Department, the Oregon Department of Parks and Recreation Department, and the National Park Service.

ODOT is unable to conduct the appraisals necessary to purchase the Section 6(f) replacement property until after the Record of Decision has been issued for the FEIS. See Appendix C of the FEIS for copies of the coordination letters between the City of Medford, Jackson County, State Parks, and ODOT. Appendix C of the DEIS includes a list of meetings held with parties from these agencies as well as other interested parties. ODOT will continue to work with local agencies to identify sites that would replace the impacted properties.

Section 6(f) Mitigation Site

Bear Creek Park and Bear Creek Greenway are subject to both Section 4(f) and 6(f). Bear Creek Park is subject to Section 6(f) evaluation and mitigation requirements because the City of Medford has received seven LWCF grants for the acquisition and development of the park.

The project's DEIS and Draft Section 4(f) Evaluation referenced a Section 6(f) mitigation site located on the "Hale Property". Although the intent was to use

this property to mitigate impacts of the North Medford Interchange Project's impacts to Section 6(f) property, the Oregon Parks and Recreation Department and National Park Service indicated that this property would not be an appropriate mitigation site. Consequently, ODOT is pursuing a replacement property for the North Medford Interchange Project elsewhere. Furthermore, the South Medford Interchange Project would not convert a Section 6(f) resource on the Hale property.

The concept of constructing a multipurpose path between the future Bear Creek Greenway Trail and the South Gateway Center was discarded due to the complexities of constructing a bridge for the facility in the proposed location.

Through coordination meetings and telephone consultations with and between the City of Medford Parks and Recreation, Jackson County Roads and Parks, OPRD, and NPS, ODOT has identified a suitable site in Medford for offsetting the project's unavoidable impacts to recreational resources. The site consists of surplus land owned by ODOT generally south of McAndrews Road and between Bear Creek and the Bear Creek Greenway Trail (Figure 6-5). No federal monies were expended for property acquisition. The property has recreational open space values comparable to or better than the land that would be impacted by the proposed South Medford Interchange project. It includes enough acreage to compensate for the converted land and affords an opportunity for the City and/or County to enhance the aesthetic and natural resources environment along a somewhat degraded segment of the Greenway Trail. A Section 6(f) conversion report would be prepared to process the replacement.

Conclusion

Based upon the above considerations, there is no feasible and prudent alternative to the use of land from the Bear Creek Park, Bear Creek Greenway, Bear Creek Greenway Trail, and Veterans Park. The proposed action consists of implementing the alternative that would result in the least use of property subject to Section 4(f) requirements, and includes all possible planning to minimize harm to the properties resulting from such use. Replacement property would be provided on comparable ODOT property south of McAndrews Road.

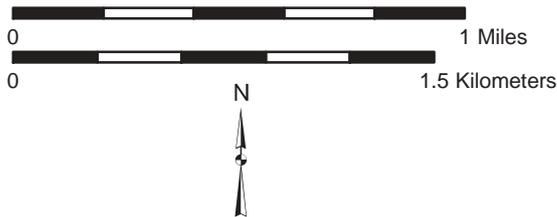
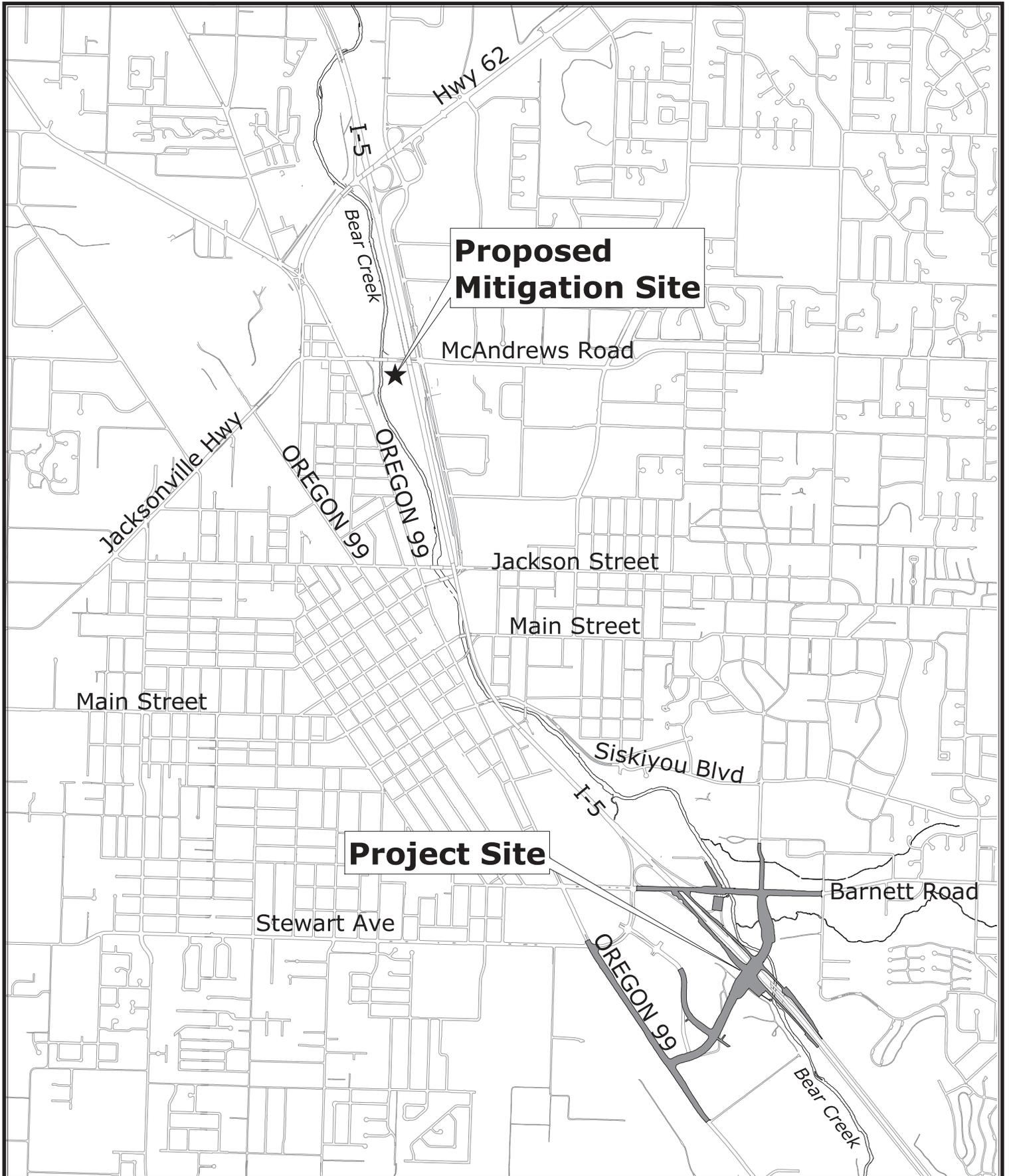


Figure 6-5

Proposed Section 6(f)
Mitigation Site

