CHAPTER 4

SECTION 4(f) AND 6(f) EVALUATION

The purpose of this chapter of this FEIS is to discuss any adverse impacts on properties that are regulated by Section 4(f) of the Department of Transportation Act of 1966 (as amended) that differ from the Draft Environmental Impact Statement (DEIS). For a full discussion on 4(f) impacts see **Chapter 4** of the **DEIS**.

The No-Build Alternative would have no effect on Section 4(f) and 6(f) properties within the Study Area.

There are no 6(f) properties affected by the Recommended Alternative.

What is a Section 4(f) Property?

A Section 4(f) property could be a public park, recreation area, wildlife or waterfowl area, or a historic property such as a house or building.

What is a Section 6(f) Property?

Section 6(f) properties are usually parks that have received any amount of financing from Land and Water Conservation Funds (LWCF).

4.1 Are there any 4(f) Properties located within the Study Area?

There are four 4(f) properties located within or adjacent to the Project Study Area. They include:

- Port Huron Township Park No. 1
- Port Huron Township Park No. 2
- Riverside Park
- E.C. Williams House

Port Huron Township Parks No. 1 and No. 2 are both located adjacent to the north side of I-94/I-69 along Water Street. Township Park No. 1 is located to the east of Water Street and is a day use park. It is approximately 11 acres and includes playground equipment, a picnic area, and in the winter is a popular sledding location. Township Park No. 2 is located on the west side of Water Street and is a 36 acre seasonal RV campground owned and operated by the Township.

Port Huron Township Park No. 2

Riverside Park is located along the east bank of the Black River on the north side of I-94/I-69 and includes a boat ramp access to the Black River.

The E.C. Williams House is a historic house located north of the existing plaza on 10th Avenue. The house is currently being used as a dentist's office.

4.2 Are there any Impacts to these Properties?

RV Park in Port Huron Township Park No. 2

Neither Riverside Park nor Port Huron Township Park #2 would be impacted by the proposed project. There would be no effect on the activities, features, and attributes that qualify these resources for protection under Section 4(f) to either of these properties.

Some minor property acquisition is still required from Township Park No. 1 for the construction of the freeway and interchange at Water Street under the Recommended Alternative. This alternative will require a total of 0.34 acre (DEIS indicated 0.30 acre) of land from Township Park No. 1.

The E.C. Williams House would be acquired for the construction of the Recommended Alternative (City West) and would still need to be relocated.

4.3 Port Huron Township Park No. 1

What are the Effects of the Project on the Port Huron Township Park No. 1?

Port Huron Township Park No. 1

Under the Recommended Alternative reconstruction of the I-94/I-69 mainline and Black River Bridge would have a negligible effect on the function of the park, as they would require only a narrow strip of park property (approximately 0.34 acre) along the edge of the property that now borders the interstate off-ramp. Approximately 0.04 acre of temporary right-of-way (DEIS 0.1 acre) will be needed at the entrance to the park to allow for driveway grading and connection to the new Water Street roadway. The DEIS indicated the potential need for stormwater detention (approximately 1.2 acres) within the park property near the Black River for drainage

purposes. However, due to further engineering refinements, stormwater detention is unlikely needed within the park.

MDOT coordinated with Port Huron Township officials and with the Township Parks and Recreation Commission regarding the potential impacts to Township Park No. 1. Meetings were held with the Township Supervisor and Parks and Recreation Commission December 6, 2006 and February 9, 2007. Park exhibits were prepared and presented to the public as part of the public meeting held December 7, 2006 at the Girl Scout building on Water Street.

A letter was received from Port Huron Township April 10, 2007 indicating the following: *"Based on information provided and the representations made by MDOT, the Charter Township of Port Huron believes that the proposed work will involve minor or de minimis use of the Port Huron Township Park No. 1."* Further, the letter indicated: *"The Chairman of the Charter Township of Port Huron Parks and Recreation Commission has reviewed and agrees with the assessment of the impacts of the proposed project as well as the proposed mitigation."* A copy of this letter is included in **Appendix D** of the **DEIS**. The Parks and Recreation Commission indicated at the meetings that they were interested in the following mitigation items:

- Potentially returning excess property to the Township Park
- Landscaping the potential drainage easement so that it is an aesthetically pleasing natural area

FHWA has determined that the potential impacts to Port Huron Township Park No. 1 are *de minimis* based on the following:

1) The transportation use of the park does not adversely affect the activities, features, and attributes that qualify the park for protection under Section 4(f).
2) The Township officials with jurisdiction over the park have been informed of the intent to make the *de minimis* impact finding and have concurred with that finding.
3) The public has been afforded an opportunity to review and comment on the effects of the project on the park.

As discussed in the DEIS, the Recommended Alternative will not adversely affect the activities, features and attributes that qualify the resource for protection under Section 4(f).

4.4 E.C. Williams House

4.4.1 What are the Project Impacts on the E.C. Williams House?

The Recommended Alternative will require the full acquisition of the property and relocation of the E.C. Williams House. The proposed relocation area of the E.C. Williams House is an MDOT owned parcel located on Elmwood Street in Port Huron. MDOT has proposed relocating the house from its historic location as a way to preserve the structure. The SHPO has determined that this will constitute an Adverse Effect on the property.

4.4.2 How Will MDOT and FHWA Minimize Harm on the E.C. Williams House?

As noted above MDOT has proposed to relocate the house. SHPO has concurred that relocating the house would be preferred to demolition. In coordination with MDOT dated March 15, 2007, SHPO has requested specific mitigation measures be performed in association with the house relocation. The following change has occurred since the release of the DEIS.

Historic Marker: For the DEIS, SHPO indicated the relocated house should have a new historical marker erected. Subsequently, SHPO has indicated that a marker is not warranted due to the new location for the house.

Memorandum of Agreement (MOA) Status: Pending SHPO and FHWA approval.