



## Chapter 4. DRAFT SECTION 4(F) EVALUATION

Section 4(f) of the USDOT Act of 1966 established a national policy for the USDOT to avoid the use of significant public parks, recreation areas, wildlife and waterfowl refuges and historic sites as part of a project, unless there is no feasible and prudent alternative to the use of such land and such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.

23 CFR 774.7 (e) states:

A Section 4(f) approval may involve different levels of detail where the Section 4(f) involvement is addressed in a tiered Environmental Impact Statement (EIS) under Sec. 771.111 (g) of this title.

(1) When the first tier, broadscale EIS is prepared, the detailed information necessary to complete the Section 4(f) approval may not be available at that stage in the development of the action. In such cases, the documentation should be made on the potential impacts that a proposed action would have on Section 4(f) property and whether those impacts could have a bearing on the decision to be made. A preliminary determination may be made at this time as to whether there are feasible and prudent locations or alternatives for the action to avoid the use of Section 4(f) property. This preliminary determination shall consider all possible planning to minimize harm to the extent that the level of detail available at the first tier EIS stage allows. It is recognized that such planning at this stage would normally be limited to ensuring that opportunities to minimize harm at subsequent stages in the development process have not been precluded by decisions made at the first tier stage. This preliminary determination is then incorporated into the first tier EIS.

(2) The Section 4(f) approval will be finalized in the second-tier study. If no new Section 4(f) use, other than a de minimis impact, is identified in the second-tier study and if all possible planning to minimize harm has occurred, then the second-tier Section 4(f) approval may finalize the preliminary approval by reference to the first-tier documentation. Re-evaluation of the preliminary Section 4(f) approval is only needed to the extent that new or more detailed information available at the second-tier stage raises new Section 4(f) concerns not already considered.

(3) The final Section 4(f) approval may be made in the second tier categorical exclusion (CE), environmental assessment (EA), final EIS, Record of Decision (ROD) or Finding of No Significant Impact (FONSI).



## **4.1. Section 4 (f) Resources**

### **4.1.1. North Unit**

There are six Section 4(f) resources in the North Unit. Four of the resources are parks/recreation areas and two are preserves. Five of the six resources are owned by the Recreation and Park Commission for the Parish of East Baton Rouge (BREC), with the sixth a Livingston Parish Recreation District facility. The resources by section are:

- **Scotlandville Park - N2**

Interstate 110 at Harding Boulevard. This 109.80-acre BREC park runs along both sides of Interstate 110, north of Airline Highway in Scotlandville, across from Baton Rouge Metro Airport. It is part of the interstate system, which the LADOTD has leased to BREC for use as a park as a part of a joint use agreement. There is a ball field, several playground areas, 3.6 miles of walking paths, multi-use areas, picnic facilities and a shelter. As part of the joint use agreement, the DOTD retains the right to utilize the property for highway and other transportation purposes.

- **Hooper Road Park - N3**

6261 Guynell Drive. This large, 232.85 acre, BREC park is surrounded by Sharon Hills, Cedar Glen, and Pleasant Hills subdivisions. It is north of Hooper Road, near the intersection of Mickens Road and Hooper Road. Only a part of this park is developed at this time. There is a recreation center, a playground area, tennis courts, two lighted ball diamonds, one unlighted ball diamond, picnic facilities, a horse trail and an eight-mile mountain bike and walking trail.

- **Cohn Preserve - N4, N5 and N6**

11332 Foster Road. This BREC facility is a 28.50-acre undeveloped property on Foster Road that is to be left in its natural state for birds and animals. The late Margie Cohn donated the park to BREC for this purpose. It is located just south of the Cohn Arboretum.

- **James Watson Park - N5**

10800 Foster Road. Located in the Brownsfield area, this 14.76-acre BREC park is on Foster Road between Comite Drive and Hooper Road, in the Greenwood subdivision. This neighborhood park is provided with a large family pavilion, a playground, basketball courts, picnic facilities, tennis courts, a ball diamond, and open space areas.

- **Cohn Arboretum- N6**

12056 Foster Road. This 16-acre BREC facility is heavily wooded land used for the preservation and study of native plants and flora from other areas. It houses several major plant collections including a Tropical House, a Camellia Collection, Evergreen collections, a Crepe Myrtle Collection and an



Herb/Fragrance Garden. Services include pamphlets, paved walkways, self-guided tours, guided tours, painting, and drawing opportunities and a teaching garden for children with disabilities.

- Live Oak Ball Park - N12

36965 LA Highway 16, Watson. This is a Livingston Parish Recreation District No. 2 facility. The approximately 32.5 acre recreational facility includes seven baseball and/or softball fields of various dimensions, as well as open recreation space and parking facilities.

#### **4.1.2. South Unit**

There are six Section 4(f) resources in the South Unit. They include three parks, a NRHP listed historic property, and two NRHP listed or eligible archaeological sites determined to warrant preservation in place. The resources by section are:

- Woodstock Park - S3

LA 30 (Nicholson Drive). This 52.98-acre BREC park was recently purchased and there has not yet been development of facilities on the site. It is located on the east side of Nicholson Drive, south of Gardere Lane, in the very southern part of the parish immediately north of St. Gabriel.

- Longwood Plantation - S3

River Road, Baton Rouge. Longwood Plantation House is NRHP listed and locally significant in the area of architecture because it is a distinctive example among a small group of surviving two-story Greek Revival residences in East Baton Rouge Parish.

- NRHP eligible Longwood Plantation (16EBR041) archaeology site - S3

Archaeology site associated with Longwood Plantation House, located within the National Register listed property boundary. Investigations by the National Park Service (NPS) in 1984 and Surveys Unlimited Research Associates Inc., (SURA) in 1998 reported the site as being the remains of a sugar plantation dating from the 1780s to the 20th century (Jones, et al 1998). The site was recommended for NRHP eligibility by the NPS survey as well as the SURA survey. The management plan for the site is preservation in place.

- East Iberville District Park - S5

Monticello Drive, St. Gabriel. An Iberville Parish Parks and Recreation District facility. This approximately 11-acre park includes a recreation center, tennis court, volleyball facility, basketball court, two ballfields, concession stand, and picnic and playground facilities.

- NRHP eligible Broussard Mounds (16AN001) archaeology site - S9

A single component multi-mound site with a confirmed cultural component for one of the three mounds at the site. A historic occupation at the site has



been documented, beginning in the late eighteenth century and continuing until as recently as the 1980s. The area was once the location of Riverside Plantation, and several structures associated with the plantation are known to have existed at the site. A later occupation was present as well. In addition to the historic structures, a small cemetery is located on top of one of the mounds. The management plan for the site is preservation in place.

- **Sunshine Park – S12**

5035 Iberville Street, St. Gabriel. This recreational facility is located behind the St. Gabriel City Hall complex at the old Sunshine School campus. The park is approximately 7.5 acres and includes a baseball/softball field and parking area.

#### **4.1.3. East Unit**

There is one Section 4(f) resource in the East Unit, the Ascension Civic Center, located in section E1 and common to all East Unit alternatives.

Ascension Civic Center is located on the east side of US 61(Airline Highway) in the northernmost section of Sorrento. The property is owned by the Ascension Parish School Board. The, building, grounds, ball fields, and basketball courts are maintained by the Parish of Ascension Recreation and Culture Department. The facility includes an indoor and outdoor pavilion, cooking area, softball/soccer field, baseball field, basketball court, and archery/rifle range. The portion of the property used as a park is approximately 26.5 acres.

## **4.2. Avoidance Alternatives**

At the current Tier 1 EIS stage, the Project can:

- Identify those Section 4(f) resources that preliminary engineering analysis indicates have potential avoidance alternatives, and document the avoidance alternatives; or
- Identify Section 4(f) resources where a potential use is currently unknown as specific alternative alignments have not been identified, and avoidance by modifying a corridor section to avoid the resource is not reasonable.

#### **4.2.1. North Unit**

- **Scotlandville Park - N2**

Approximately 24.5 acres of this resource are in section N2 that is common to all North Unit Corridor Alternatives. Avoidance of the resource would create a significant reconfiguration of the section and preclude the use of the existing US 90/I-110 interchange, a portion of which lies within the park boundary.

At present, it is not possible to determine if the resource would be directly used or the extent of such use and as such a Section 4(f) determination and evaluation would need to be deferred to the Tier 2 EIS phase.



- Hooper Road Park - N3

Three pieces of this resource (4.28 acres, 0.02 acres, and 0.30 acres) totaling 4.6 acres are in section N3 north of US90. The three pieces are wooded undeveloped sections on the south edge of the total park tract with the two smallest pieces on the north edge of the North Unit section.

Avoidance of the two smaller pieces of the resource within the section boundary is prudent and feasible. Project commitment to the avoidance is reasonable based on the location of these pieces of the resource within the section and the ability to adjust alternative alignments if the North Unit sections containing the resource are within the preferred Baton Rouge Loop Corridor.

For the 4.28-acre piece of the resource located immediately north of US 90, avoidance by reducing width or shifting the corridor section is not prudent, as such would create a significant reconfiguration of the section east and west of the park boundary.

It is not currently possible to determine if the resource would be directly used and as such, a Section 4(f) determination and evaluation would need to be deferred to Phase 2.

- Cohn Preserve - N4, N5 and N6

This resource is located at the junction of three North Unit sections with 0.29 acres in N4, 12.73 acres in N5, and 0.38 acres in N6. Two potential avoidance alternatives would be: (1) modifying those pieces of the three corridor sections that lie within the resource, or (2) no Tier 2 EIS phase alternative alignment development within the Cohn Preserve.

Modifying the corridor section while feasible is probably not a prudent alternative at this phase of the Project. A prudent and feasible alternative is the Project committing not to use the Cohn Preserve. This determination is based on the location of the resource within the corridor sections, and the capability to adjust alternative alignments if the North Unit sections containing the resource are within the preferred Baton Rouge Loop Corridor.

- James Watson Park - N5

About 3.08 acres of the resource is located in section N5 on its south edge just east of the junction of N4 and N5. Two potential avoidance alternatives would be: (1) Modifying the corridor section to avoid the resource, or (2) no Tier 2 EIS phase alternative alignment development within James Watson Park.

Narrowing the corridor section would likely require the reconfiguration of section N4 to allow continuity. While feasible, this is probably not a prudent alternative at this phase of the Project. A prudent and feasible alternative is the Project committing not to use James Watson Park. This determination is based on the location of the resource within the corridor section, and the ability to adjust alternative alignments if this section is within the preferred



#### Baton Rouge Loop Corridor.

- Cohn Arboretum- N6

The entirety of this resource is located within section N6. The only rational avoidance alternative is no alternative alignment development within the Cohn Arboretum. The Project committing not to use the Cohn Arboretum is a prudent and feasible alternative. This determination is based on the location of the resource within the corridor section, and the capability to adjust alternative alignments if this section is within the preferred Baton Rouge Loop Corridor.

- Live Oak Ball Park - N12

Almost the total area of this resource is located in section N12 on the south edge west of LA 16. Two potential avoidance alternatives would be: (1) modifying the corridor section to avoid the resource, or (2) no Tier 2 EIS phase alternative alignment development within James Watson Park.

Although it is feasible to modify the corridor section, it is not a prudent alternative at this phase of the Project. A prudent and feasible alternative is the Project committing not to use Live Oak Ball Park. This determination is based on the location of the resource within the corridor section, and the ability to adjust alternative alignments if this section is within the preferred Baton Rouge Loop Corridor.

#### 4.2.2. South Unit

- Longwood Plantation and the NRHP eligible Longwood Plantation (16EBR041) archaeology site - S3

The 25.5-acre resource, which includes the archaeology site, is located entirely within section S3 on its west border. Two potential avoidance alternatives would be: (1) modifying the corridor section to avoid the resource, or (2) no Tier 2 EIS phase alternative alignment development within the Longwood Plantation NRHP property.

Modifying the corridor section while feasible is probably not a prudent alternative at this phase of the Project. A prudent and feasible alternative is the Project committing not to use Longwood Plantation. This determination is based on the location of the resource within the corridor section, and the capability to adjust alternative alignments if this section is within the preferred Baton Rouge Loop Corridor.

- Woodstock Park - S3

Approximately 18.8 acres of this new undeveloped resource are in the S3 section. Modifying the corridor section to avoid the resource is feasible but not prudent as this would create a significant reconfiguration of the section and preclude the use of existing LA 30/Nicholson Road that is immediately adjacent to the park boundary.



At present, it is not possible to determine if the resource would be directly used or the extent of such use and as such a Section 4(f) determination and evaluation would need to be deferred to the Tier 2 EIS phase.

- East Iberville District Park - S5

Roughly, 11 acres of this resource are in section S5 on its western edge. Two potential avoidance alternatives would be: (1) modifying the corridor section to avoid the resource, or (2) no Tier 2 EIS phase alternative alignment development within the East Iberville District Park.

Though modifying the corridor section is feasible, it is not a prudent alternative at this phase of the Project. A prudent and feasible alternative is the Project committing not to use East Iberville District Park. This determination is based on the location of the resource within the corridor section, and the ability to adjust alternative alignments if this section is within the preferred Baton Rouge Loop Corridor.

- NRHP eligible Broussard Mounds (16AN001) archaeology site - S9

Approximately 46 acres of the NRHP eligible resource is located in section S9. Two potential avoidance alternatives would be: (1) modifying the corridor section to avoid the resource, or (2) no Tier 2 EIS phase alternative alignment development within the Broussard Mounds archaeological site.

Even though modifying the corridor section is feasible, it is not a prudent alternative at this phase of the Project. A prudent and feasible alternative is the Project committing not to use the Broussard Mounds archaeological site. This determination is based on the location of the resource within the corridor section, and the capacity to adjust alternative alignments if this section is within the preferred Baton Rouge Loop Corridor.

- Sunshine Park – S12

This resource is located entirely in section S12. The only reasonable avoidance alternative is no alternative alignment development within Sunshine Park. The Project committing not to use the resource is a prudent and feasible alternative. This determination is based on the location of the resource within the corridor section, and the means to adjust alternative alignments if this section is within the preferred Baton Rouge Loop Corridor.

#### **4.2.3. East Unit**

- Ascension Civic Center

Approximately 7.4 acres of the Ascension Civic Center is located in section E1 that is common to all East Unit Corridor Alternatives. Two potential avoidance alternatives would be: (1) narrowing the corridor section approximately 800 feet on the south side from the railroad tracks north/northeast to Bayou Francois, or (2) no alternative alignment development within the property used for the Ascension Civic Center.



Narrowing the corridor section while feasible is probably not a prudent alternative at this phase of the Project. A prudent and feasible alternative is the Project committing not to use the Ascension Civic Center based on the location of the resource within the corridor section, and the ability to adjust alternative alignments.

#### **4.3. *Draft Section 4 (f) Evaluation summary***

Of the thirteen Section 4(f) resources in the three Project Units, ten have been identified as having a prudent and feasible avoidance alternative. These ten Section 4(f) resources are: Cohn Preserve; James Watson Park; Cohn Arboretum; Live Oak Ball Park; Longwood Plantation; Longwood Plantation archaeology site; East Iberville District Park; Broussard Mounds archaeology site; Sunshine Park; and Ascension Civic Center.

For these ten resources, the Project commits to no use in the Tier 2 EIS phase with no alternative alignment development within the resource. This commitment is noted in the Draft Section 4 (f) Evaluation (Chapter 4) and Chapter 6 of this Tier 1 EIS.

The three remaining Section 4(f) resources Scotlandville Park, Hooper Road Park, and Woodstock Park would require a Section 4(f) Evaluation during the Tier 2 EIS phase of the Project to determine use and if there are prudent and feasible avoidance alternatives.

As the Project advances in to the Tier 2 EIS phase, other factors may come into play such as previously unknown or unidentified Section 4(f) resources or other significant environmental resources that could necessitate a reevaluation of Section 4(f) resources and commitments identified in this Tier 1 EIS.