

# Appendix O—Section 4(f) Correspondence

February 13, 2018

Ms. Dana Higgins  
Director of Engineering  
Columbia Water Department of Engineering  
P.O. Box 147  
Columbia, SC 29217

Re: Carolina Crossroads (I-26/126/20) Corridor Improvements

Dear Ms. Higgins:

The South Carolina Department of Transportation (SCDOT), in consultation with the Federal Highway Administration (FHWA), is proposing improvements within the Carolina Crossroads I-20/26/126 corridor in Columbia, South Carolina. The project is proposed to be constructed with state and federal dollars, and as such, an Environmental Impact Statement (EIS), in accordance with the National Environmental Policy Act (NEPA) is being developed. The EIS will document potential impacts to a variety of resources, including publicly-owned parklands, recreation facilities, and greenway trails. The project impacts are also evaluated pursuant to Section 4(f) of the Department of Transportation Act of 1966 (U.S. DOT Act), which is a provision of a federal transportation law (Title 49, USC 303) that provides protection to public parks, historic sites, and wildlife refuges. The Saluda Riverwalk, which is within the project limits of the Carolina Crossroads project, is a property protected under Section 4(f).

As a part of this project, a new interstate ramp would be constructed from I-26 westbound to I-126 eastbound. This would result in a new bridge over the Saluda River and over the Saluda Riverwalk (see attached figure). The bridge would have a minimum height of approximately 17 feet, which will maintain adequate clearance for users of the trail. No bridge pilings would be located on the trail, and the long-term access and use of the trail would not be affected. A restroom facility (defined as a "floatable composting toilet") associated with the Saluda Riverwalk is planned in proximity to the proposed right of way for the project. While the Carolina Crossroads project would not directly impact this facility, temporary closure of the trail and closure or relocation of the restroom facility would be required during construction for safety reasons. The total construction period over the trail is expected to be approximately 36 months. SCDOT will notify the City of Columbia Parks and Recreation Department at least 48 hours in advance as to when the trail will be temporarily closed, and SCDOT will work closely with Parks and Recreation to communicate the closing to trail users. When construction is complete, the condition of the trail will be equal to existing conditions.

After careful review of the resources associated with the Saluda Riverwalk and consultation with you, SCDOT, in coordination with FHWA, has determined that the project would result in a *de minimis*, or minimal, impact to the trail and restroom facility. Per guidance relative to Section 4(f) of the U.S. DOT Act, the FHWA and SCDOT are required to inform and



*de minimis* impact determination that the project “will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f).”

Since the project impacts will be temporary and no permanent impacts to the trail or its access are anticipated, SCDOT believes the project is consistent with the use of the property and would not cause harm to the recreational value of the trail. SCDOT is seeking your concurrence with these findings for inclusion in the Draft EIS. Following the release and public review of the Draft EIS, your concurrence will permit FHWA to conclude its Section 4(f) responsibility, with respect to these resources, with a determination that the project will have *de minimis* impacts on the resources. If in agreement with these findings, please indicate your concurrence by signing and dating this letter in the space below and returning a copy.

Please respond within 15 days if you have any objections or if you need additional information.

Sincerely,



Chad Long  
Environmental Director

CCL:bag

Enclosures

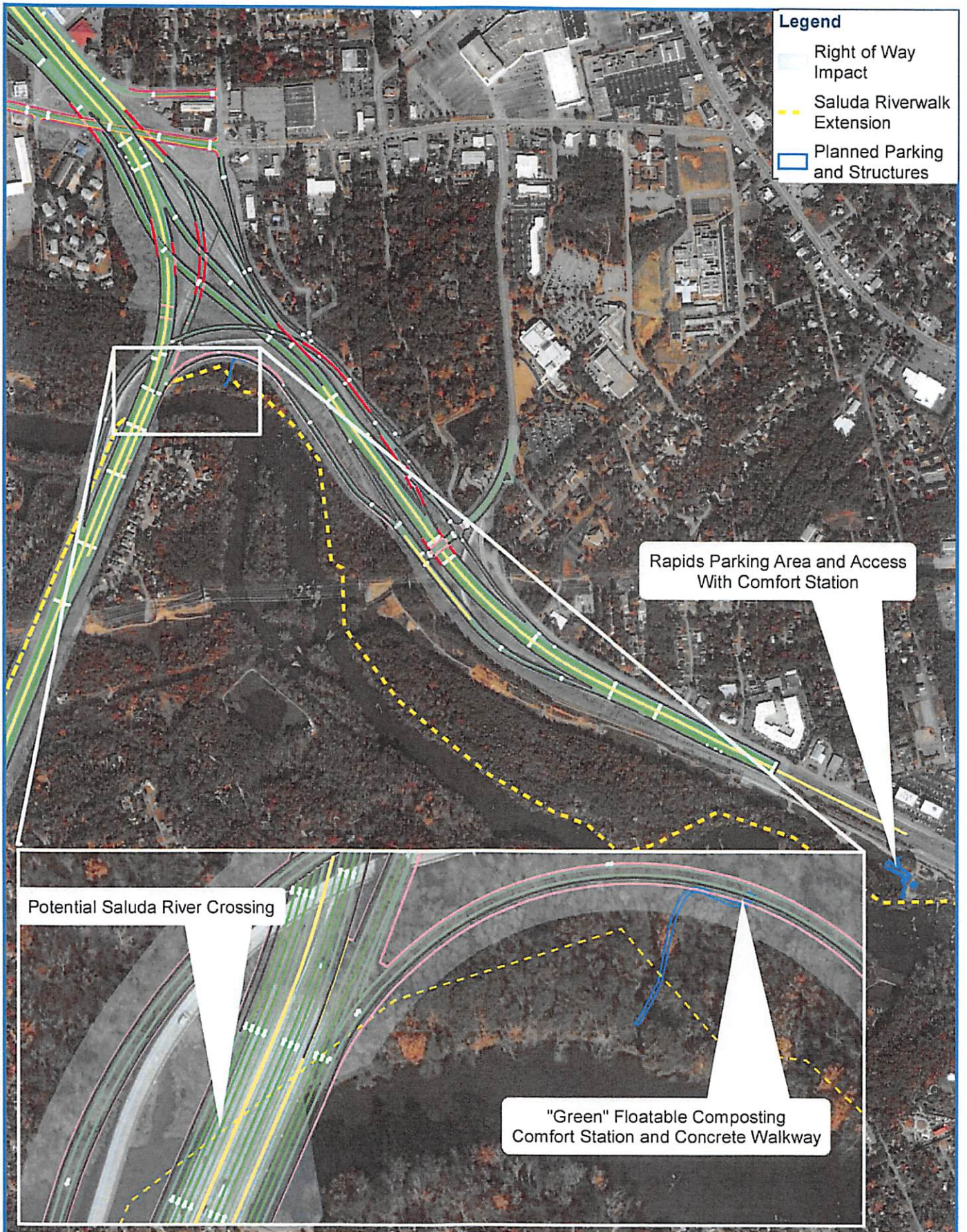
cc: Michelle Herrell, FHWA  
Brian Klauk, SCDOT

**As the official with jurisdiction over the referenced resources, I (do / ~~do not~~) concur in the above determination.**

Signed:  Date: 3-26-2018







RA Impacts





FHWA South Carolina Division  
Determination of Section 4(f) *De minimis* Use

State File #  Fed Project # PO27662 PIN 29662 Date 1/2/18 County Richland/Lexington

Project Description I-20/26/126 Carolina Crossroads Corridor Project

**Form Purpose:** This form is based on FHWA regulations regarding Section 4(f) found at 23 CFR 774. The form is to be used when a determination of *de minimis* use is to be made for a Section 4(f) property.

**Form Instructions:** Fill out the form completely based on type of impact and attach the approval from the agency with jurisdiction over the Section 4(f) resource to the form. When multiple 4(f) properties are impacted by a project and a *de minimis* finding is to be made for each property, a separate form must be filled out for each property affected.

Document Type: ☒ EIS ☐ EA ☐ CE

Description of the Section 4(f) Resource:

The Saluda Riverwalk is a trail that extends from below Riverbanks Zoo to the existing I-26 bridge over the Saluda River. The first phase of the Riverwalk stretches approximately three miles and will include a paved trail, restroom facilities, boardwalks and a number of small bridges. Picnic tables, benches and lighting are also planned, as well as parking spaces on Candi Lane near the zoo. Construction began on the Riverwalk in July 2017.

The Saluda Riverwalk is a part of the Three Rivers Greenway, in Columbia which includes more than nine miles of trail that stretches along the Congaree River in Cayce and the Broad River in Columbia and includes West Columbia's Riverwalk Amphitheater and Columbia's Riverfront Park.

Brief Description of Project Scope:

The proposed project includes development of a transportation improvements, including the mainline and interchange alternatives, within the I-20/26/126 corridor to improve mobility and enhance traffic operations by reducing existing traffic congestion, while accommodating future traffic needs (through the year 2040).

Applicability Determination:

(to be applicable answers to all questions must be "yes")

I. For Public Parks, Recreation Areas, and Wildlife and/or Waterfowl Refuge:

1. Does the project involve a minor take of land from the resource? ☐ Yes ☒ No

a. Identify the total acreage of the resource: Acres

Section 4(f) *De minimis* Finding Use Form Continued:

- b. Describe the use of the land from the resource and identify amount of the resource to be used (acres):

The proposed ramp from I-26 West to I-126 East would bridge over the Riverwalk with a minimum height of 17 feet, to maintain adequate clearance for trail users. Long-term use of the trail will not be impacted; no bridge pilings will impact the trail. A restroom facility is planned in proximity to the r/w; the facility will not be directly impact. No r/w would be acquired from the Riverwalk; however, construction of the project over the trail will require the temporary closure of the trail and restroom facility for safety reasons.

2. Does the project not adversely affect the qualities, activities, features, or other attributes of the resource that qualify it for protection under Section 4(f)? ☐ Yes ☒ No
3. Has the agency with jurisdiction over the resource concurred in writing with the FHWA's and/or SCDOT's determination that the project will not adversely affect the resource and is the concurrence attached? ☒ Yes ☐ No

- a. Identify the agency with jurisdiction:

City of Columbia

4. Has the agency with jurisdiction over the resource been informed of FHWA's and/or SCDOT's intent to make a *de minimis* finding? ☒ Yes ☐ No
- b. If yes, attach the correspondence. Correspondence attached? ☒ Yes ☐ No
5. Has the public been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the resource? ☒ Yes ☐ No

- a. Identify the opportunity for public comment:

The public has had the opportunity to review project information and comment on the project at one public scoping meeting (9/10/15), and two public information meetings (10/4/16 and 9/19/17). Additional opportunity for comments will be provide at the public hearing, anticipated in Spring 2018.  
The public also had access to project information and the ability to comment via the project website: <http://www.scdotcarolinacrossroads.com/>.

## II. For Historic Properties:

1. Does the project have a "No Adverse Effect" or a "No Historic Properties Affected" on the historic property as defined by Section 106 of the National Historic Preservation Act and its regulations? ☐ Yes ☐ No

- a. Identify the effects determination for the resource:

- b. Describe the use of land from resource and identify the amount of the resource to be used (acres):

2. Has the SHPO and ACHP, if participating in the Section 106 consultation, concurred in writing with the effects determination? ☐ Yes ☐ No

- a. If so, attach the written concurrence. Concurrence attached? ☐ Yes ☐ No  
*(Receipt of the SHPO's concurrence with the FHWA's finding, or a non-response after the specific time qualifies as the necessary correspondence from the official with jurisdiction over Section 106 properties).*
3. Has the SHPO and ACHP, if participating in the Section 106 consultation, been informed of FHWA's and/or SCDOT's intent to make a *de minimis* impact/no adverse finding based on their written concurrence in the Section 106 determination? ☐ Yes ☐ No
- a. If yes, attach correspondence. Correspondence attached? ☐ Yes ☐ No
4. Have the views of the consulting parties participating in the Section 106 consultation been considered? ☐ Yes ☐ No
- a. Attach any relevant correspondence and any necessary responses to consulting party comments. Correspondence attached? ☐ Yes ☐ No

### III. Alternatives Analysis:

1. Summarize why the use of the property from the resource cannot be avoided.

☒ Project needs would not be met.

Explain:

Not constructing the proposed project would not meet the mobility and capacity needs within the corridor.

☒ Substantial impacts to other environmental/cultural/social resources would result.

Explain:

Avoidance alternatives were found to have significantly more relocations, wetland impacts and/or floodplain impacts than the reasonable alternatives.

☒ Project complexity would increase resulting in greater construction and maintenance costs.

Explain:

The proposed trail is planned to pass under the existing I-26 bridge over the Saluda River; to avoid the trail the proposed project would have to avoid improvements to the I-26 corridor and I-26/I-126 interchange in this location. Avoidance alternatives would require a new location alternative/interchange; this was found to have significantly greater construction that improving the existing corridor.

☐ Other.

Explain:

2. Summarize the measures to minimize harm. This would include, if applicable, any mitigation measures.

Measures to minimize harm include: maintaining access along the Riverwalk during construction to the extend practicable; the proposed bridge over the Riverwalk will maintain at least 17 feet of clearance over the walkway for users of the facility.

#### IV. Summary and Determination:

The project involves a *de minimis*/no adverse use on the Section 4(f) property as evidence with a "No Adverse Effect" finding from the SHPO or as evidence through the minimization of harm to a public park, recreation land or wildlife and waterfowl refuge as a result of mitigation to or avoidance of impacts to the qualifying characteristics and/or the functions of the resource.

Based on the scope of the undertaking; the fact that the undertaking does not adversely affect the function/qualities of the Section 4(f) resource on a permanent or temporary basis; and with agreement from the official with jurisdiction, the proposed action constitutes a *de minimis*/no adverse use and the alternatives analysis is considered satisfied.

Preparer: Jennifer Pearson

Date: 1/2/18

Program Manager:

Date:

Environmental Manager:

Date:

FHWA:

Date: