

REEVALUATION



**I-10: LA 415 TO ESSEN LANE ON I-10 AND I-12
ROUTE 1-10
WEST AND EAST BATON ROUGE PARISHES
LOUISIANA**

**STATE PROJECT NO. H.004100.2
FEDERAL AID PROJECT NO. H004100**

Segment 1: West of Washington St. to Acadian Thruway

May 2022



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Project Description

The Louisiana Department of Transportation and Development (DOTD) prepared the Environmental Assessment (EA) for capacity improvements to Interstate 10 (I-10) from Louisiana Highway 415 (LA 415) in West Baton Rouge Parish to Essen Lane on I-10 and Interstate 12 (I-12) in East Baton Rouge Parish. **Figure 1** is the Project Study Area. The logical termini reflected in Figure 1 are the junction of LA 415 and I-10 to the west and the junction of I-10 and Essen Lane and I-12 and Essen Lane to the east. Appendix C of the EA contains additional detail on the logical termini justification in the FHWA approval letter dated March 2, 2017. A Finding of No Significant Impact (*FONSI*) was issued by FHWA on February 12, 2021.

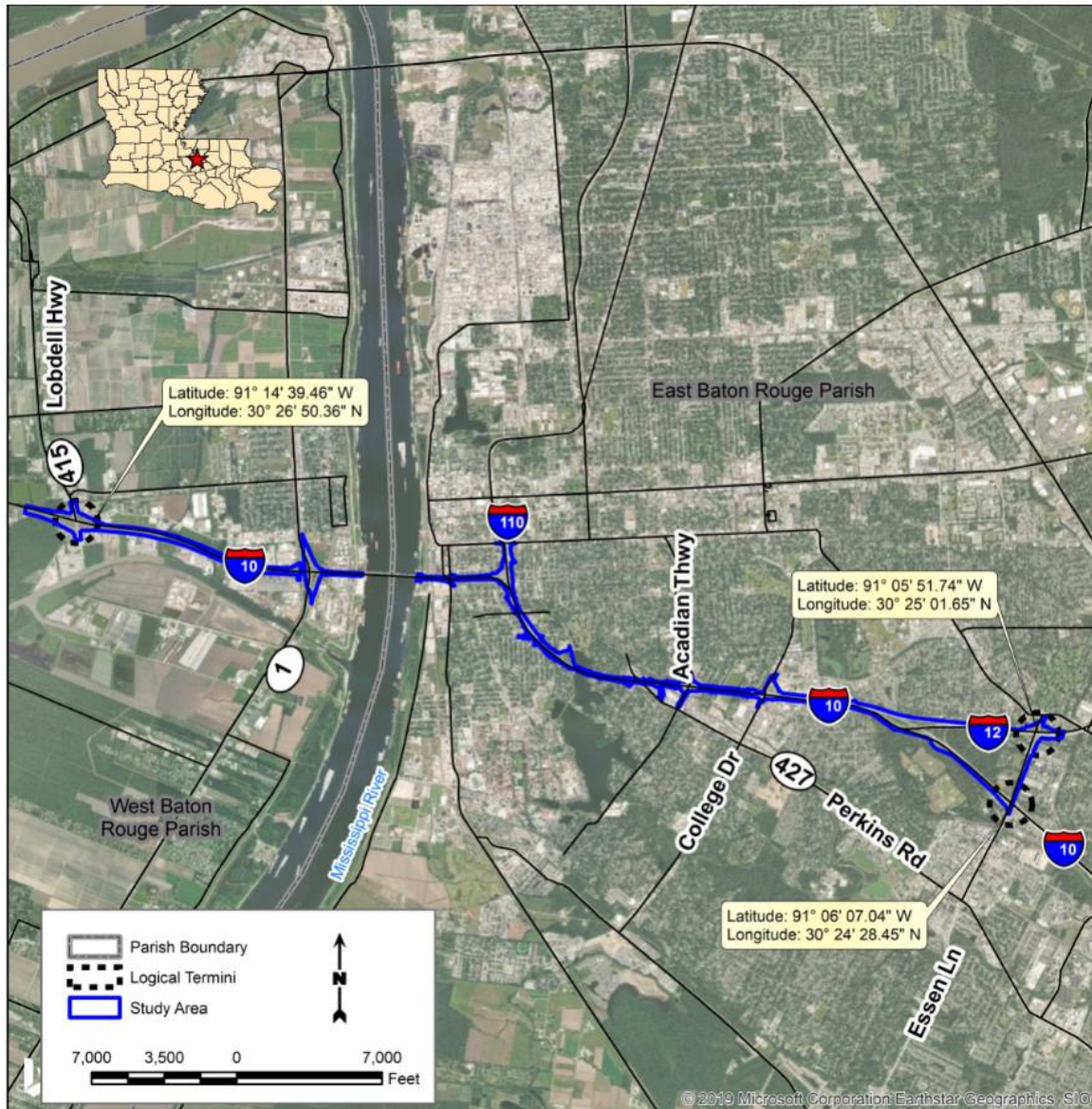


Figure 1. Study Area and Logical Termini

I-10 through the proposed project area is a control of access (COA) urban freeway. I-10 supports substantial regional traffic as a primary east-west interstate in the southeast United States (US). I-10 will be widened by the addition of one travel lane to both eastbound (EB) and westbound (WB) I-10 from LA 415 to the I-10/I-12 split. There are a few locations along the route where either no widening will occur, auxiliary lanes will be added, or the widening will only involve shoulder improvements. There will not be an additional lane in either direction on the Mississippi River Bridge (MRB) between the trusses. Only shoulder improvements are anticipated on the elevated portion of I-10 WB between I-110 and the MRB due to geometric constraints.

In addition to the new travel lanes, in West Baton Rouge Parish, modifications at LA 1 to include shoulder widening, acceleration/ deceleration lane lengthening, and an additional travel lane westbound to LA 415 and an auxiliary lane eastbound from LA 415 to LA 1 are proposed. In East Baton Rouge Parish, in addition to the new travel lanes, lengthening the acceleration/deceleration lanes on I-10 for the Highland Road/Nicholson Drive interchange to the MRB is proposed and modifications to the I-10 interchanges at Washington Street, Dalrymple Drive, Perkins Road (Perkins), and Acadian Thruway (Acadian) are proposed as well as the replacement of the Nairn Drive (Nairn) overpass bridge.

Details associated with the interchange modifications are provided in Appendices A (Line and Grade) and B (Interchange Modification Reports) of the EA.

Purpose and Need

Additional capacity in each direction is needed to alleviate congestion and reduce travel times. In addition, improvements are proposed to update current design, including the addition of shoulders for emergency use, longer acceleration and deceleration lanes for increased merge distance, and lane arrangements that reduce weaving and to extend the life expectancy of the existing infrastructure. The full purpose and need statement is in Chapter 1 of the EA.

Project Status

After the conclusion of the EA and issuance of the FONSI for the captioned project, DOTD decided to apply the Construction Management at Risk (CMAR) process for project development. Design of CMAR Segment 1 (west of Washington Street to Acadian Thruway) (see **Figure 2**) is underway as well as right of way acquisitions that were approved as Advance Acquisitions. DOTD anticipates Segment 1 construction in Quarter 1 of 2023.

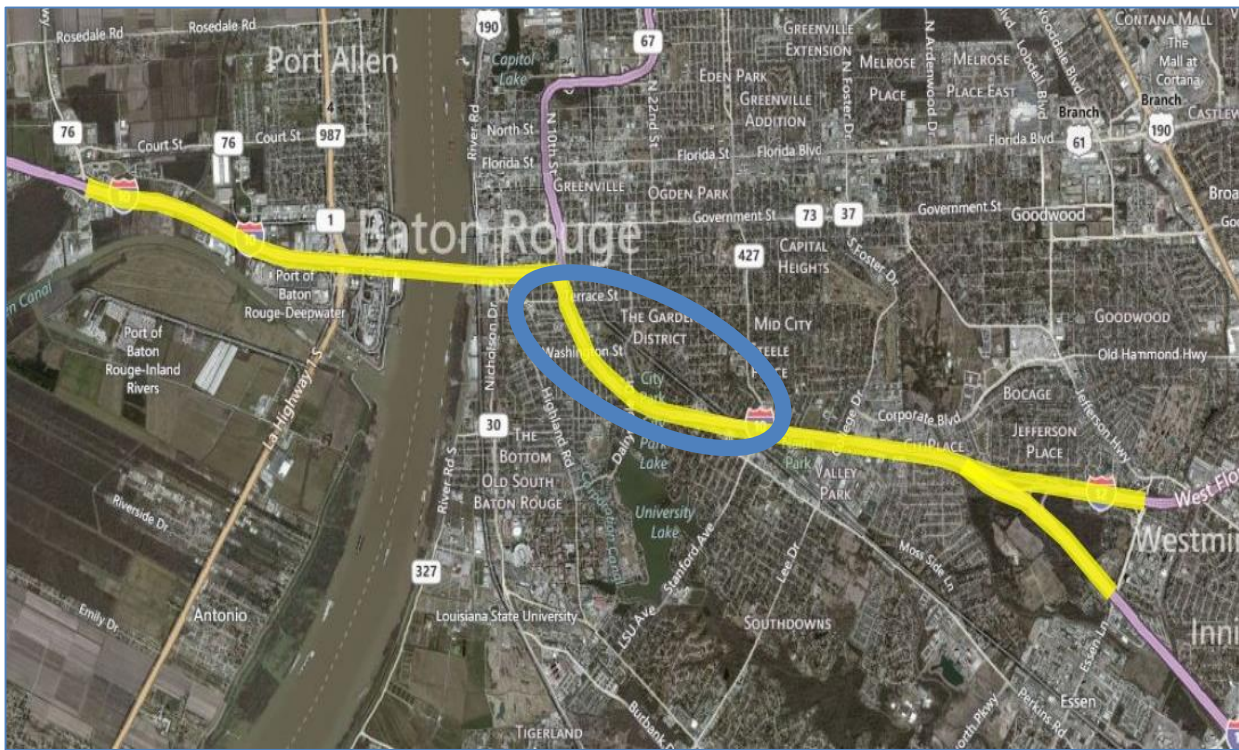


Figure 2. Segment 1 Limits (west of Washington St. to Acadian Thruway) within blue oval

Once the preliminary design of CMAR Segment 1 (west of Washington Street to Acadian Thruway) commenced, it became apparent that the Control of Access (CoA) along Washington Street at the proposed roundabout needed to be extended, a 25 ft wide drainage servitude from McCalop Street is needed, and additional right of way is necessary from adjacent properties for a sidewalk on Braddock Street. These **three modifications** are discussed below. See **Figure 3** for the general locations of the modifications. The location of the CoA is shown in blue, the drainage servitude in orange, and the sidewalk addition in red. All other aspects of the project remain the same as discussed in the EA and FONSI.

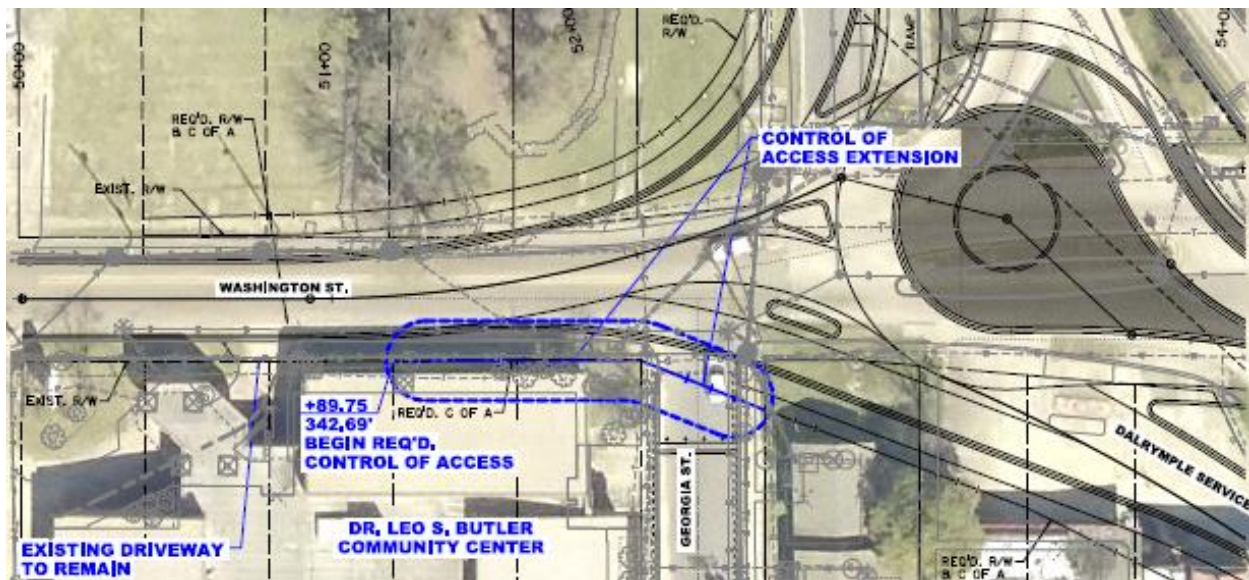


Figure 4. Control of Access on Washington Street

Drainage Servitude

The project will not worsen or improve any flooding issues that may exist in the project area. Drainage facilities for the project are designed and constructed to convey design year stormwater runoff from and through the project area without adversely impacting upstream areas or the receiving downstream areas in the vicinity of the project. Examples include subsurface drainage lines and catch basins, roadside ditches, other drainage structures, and modifications to existing drainage facilities. The results of the preliminary drainage design determined that an existing outfall pipe was inadequate. Therefore, a larger outfall pipe was required inside a new drainage servitude¹. The required drainage servitude would run from McCalop Street along the southern boundary of the McKinley Middle Magnet School’s (MMMS). The required drainage servitude which would run along the southern boundary of the school’s property will not affect the school’s buildings, facilities, or operations. The Project team met with the East Baton Rouge Parish School System (EBRSS) Facilities Management staff on November 4, 2021, to discuss the proposed servitude at MMMS. The design team reviewed the MMMS as-built site plans that showed the location of the proposed 48” outfall pipe and proposed 25’ drainage servitude along the south property line superimposed on it. A summary of the meeting is included in the project file.

The abovementioned outfall terminates at a drainage swell that exists between the school and Brooks Park, a BREC/EBR facility, also known as City-Brooks Park. The drainage swell is on BREC/EBR’s property. The pipe placed underground will outfall in the drainage swell on BREC’s property. The acquisition of a drainage servitude and installation of an outfall with riprap on park property requires a Section 4f evaluation. DOTD confirmed with State Parks that Section 6(f) does not apply. Correspondence with State Parks on February 15 and 16, 2022, on the matter attached.

¹ A servitude is a right established on property for the benefit of another.

DOTD is not acquiring title to the property only a servitude on the property. DOTD feels the drainage servitude on BREC/EBR property qualifies for a de minimis Section 4f finding. The proposed servitude at the park is approximately 2,750 sqft and is located in a grassy drainage swell that runs between the school and the park facilities. This area is a natural drainage area within the boundaries of the park and is not a designated recreational area within the park. In other words, the servitude will not adversely affect the activities, features, and attributes that qualify Brooks Park for protection under Section 4f.

Figure 5 below depicts the proposed drainage servitude on both the school property and on the park property.

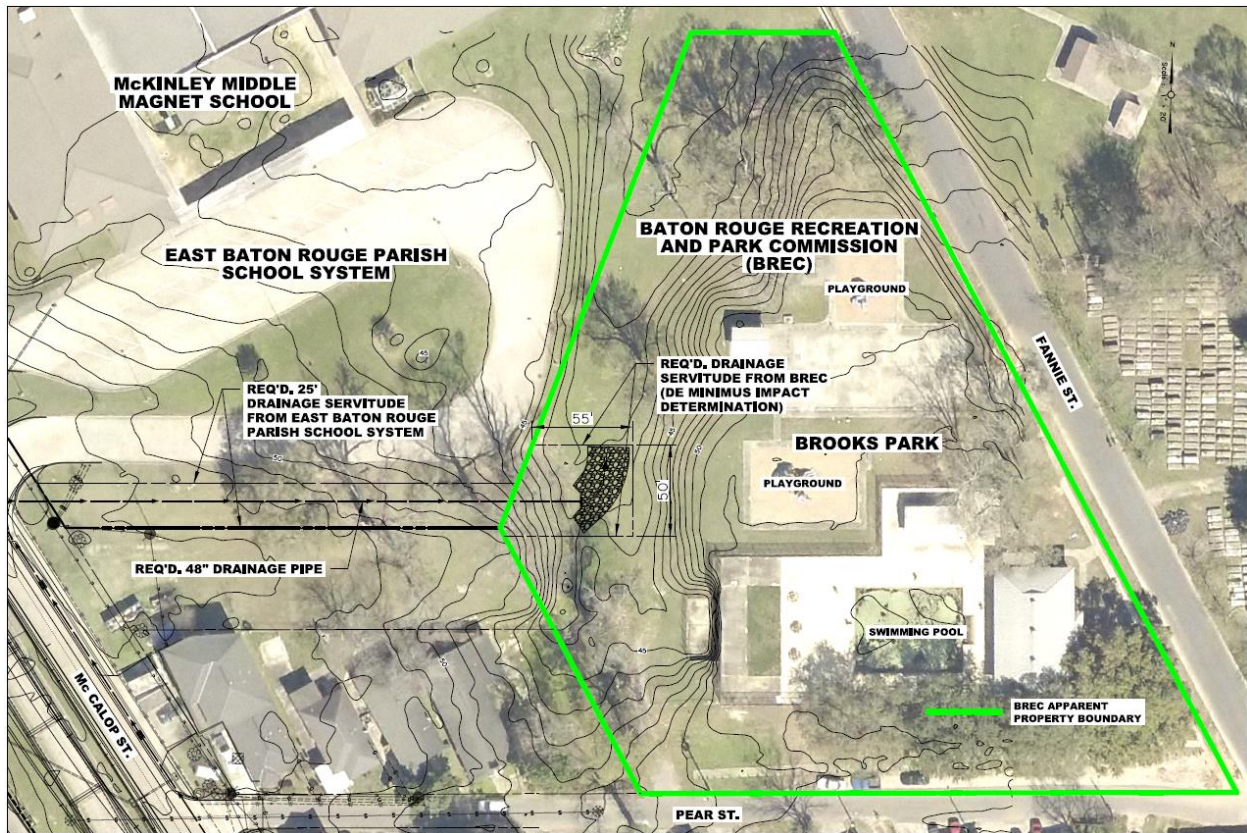


Figure 5. Drainage Servitude

DOTD's consultant, Sigma Consulting Group, met with BREC staff on December 22, 2021, to discuss the outfall and servitude. BREC concurred with the determination on March 17, 2022. BREC's concurrence is included in the attached de minimis 4f Evaluation. Additionally, the public was notified of the de minimis Section 4f through a public meeting held on February 16, 2022, at the Dr. Leo S. Bulter Community Center. No comments regarding the de minimis finding were received.

Braddock Street Sidewalk

The sidewalk along Braddock Street requires additional right of way along Braddock Street from Louise Street to Lettsworth Street. An additional 3 to 5 feet of right of way is needed from adjacent properties to construct the sidewalk along Braddock Street. Total of 0.069 additional acres required. **Figure 6** shows the location of the sidewalk on Braddock St.

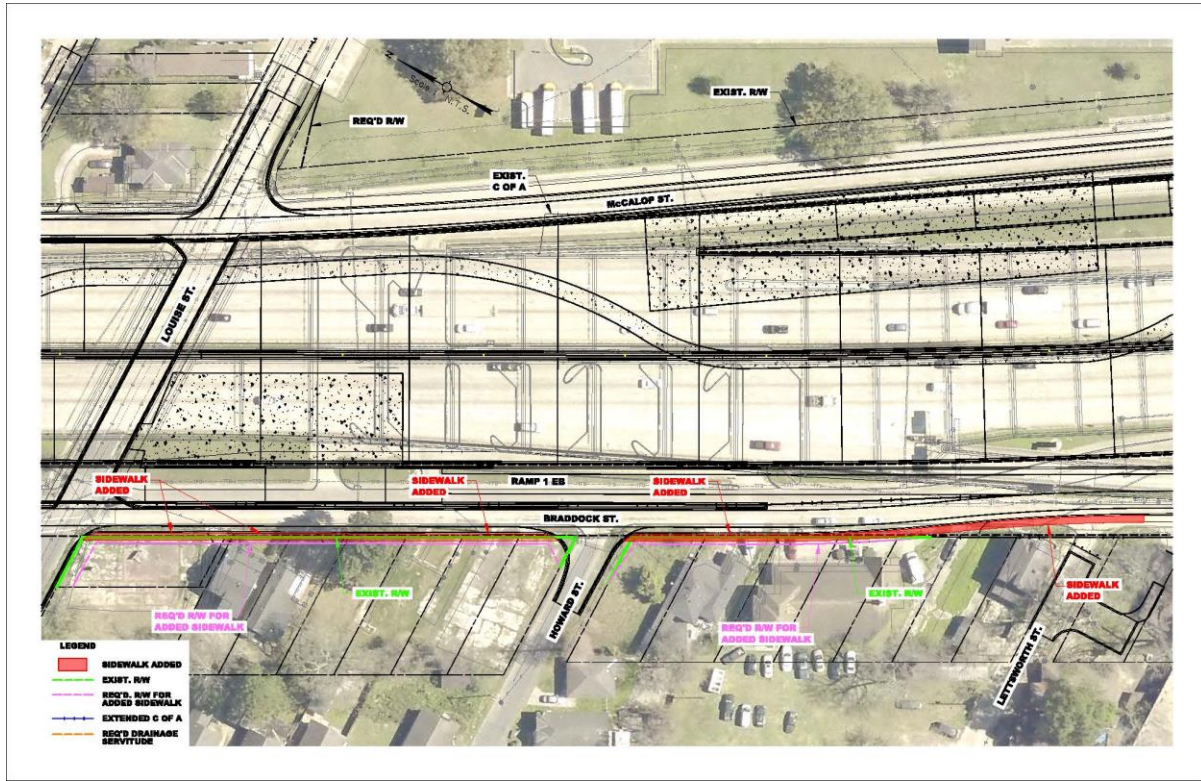
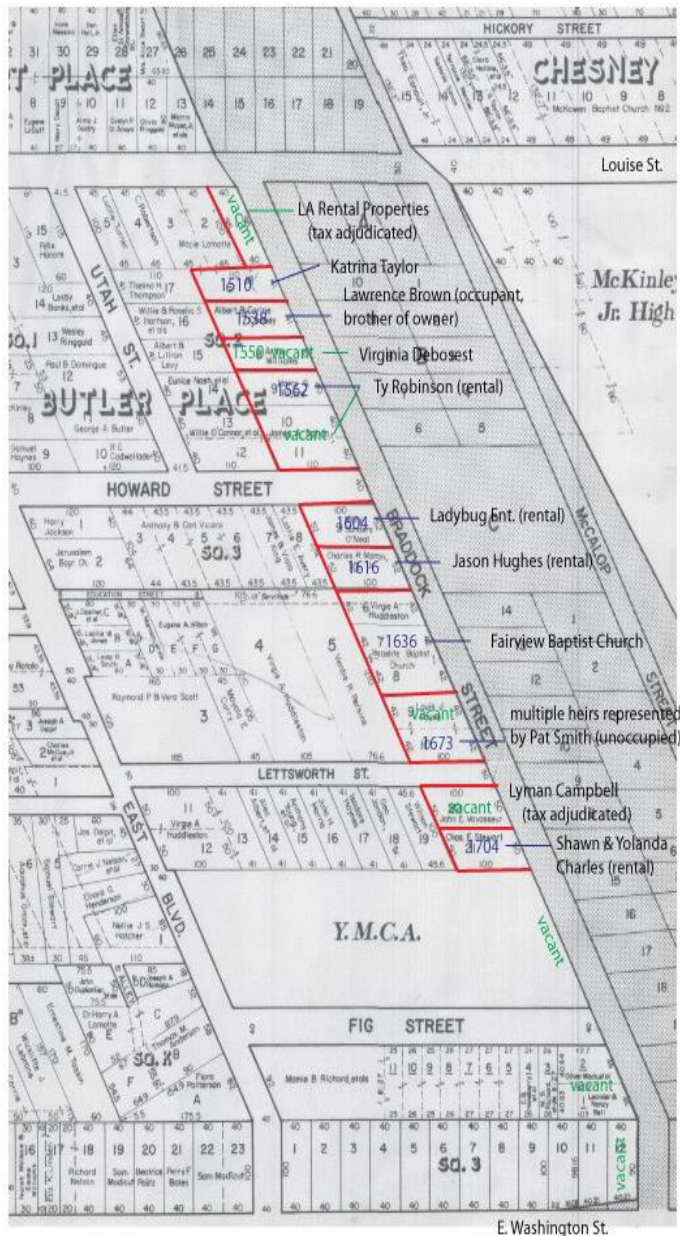


Figure 6. Braddock Street Sidewalk

Figure 7. Affected Parcels



DOTD identified the affected property owners to gain feedback from them regarding the taking of additional right-of-way for the purposes of installing a sidewalk along Braddock Street. The figure to the left, **Figure 7**, depicts the location of the affected parcels.

DOTD met with the property owners. A detail summary of the outreach and results is included in the project file. The property owners did not object to the purchase of additional right of way for the sidewalk. They were in favor of the project and its enhancements.

These parcels are located within the Old South Baton Rouge (OSBR) neighborhood determined eligible for listing on the National Register of Historic Places. The effect of the project on the OSBR neighborhood is covered in the Environmental Assessment and Section 4f Statement. The additional right of way for the sidewalk does not affect any structures so the effect on OSBR discussed in the EA and 4f Statement has not changed. See Attachment B for the State Historic Preservation Officer Correspondence.

Comments and Coordination

The CMAR project team met with stakeholders regarding the abovementioned changes. Below is a summary of the comments received and responses provided related to the proposed changes. Note that some stakeholders asked about features that are not subject of this re-evaluation or project. The project team answered the questions to extent possible.

At the meeting with the East Baton Rouge Parish School System (EBRSS), EBRSS staff asked who would be responsible for the maintenance of the outfall pipe. The Project team explained that the EBR Department of Transportation and Drainage (EBRDTD) would take ownership of the outfall after construction and perform any maintenance if necessary. EBRSS staff questioned if any of the parking lot would be affected along Louise St. from either proposed construction or the Right of Way acquisition, and the design team explained that it would be minimal. They also inquired as to the general timeline for project construction. The Project Team explained that construction of the project would begin in approximately a year, but that the construction of the 48" outfall pipe in the proposed drainage servitude on MMMS property would not happen for another 2 to 3 years.

Braddock Street is within Old South Baton Rouge, a minority and low income area. The plans provide for a shoulder along Braddock Street, but not a sidewalk. To add a sidewalk along Braddock, between Louise Street and Lettsworth Street an additional 2 to 5 feet of right of way is required that was not originally shown in the EA. The project team reached out to the neighborhood and the affected property owners. The property owners are in favor of the sidewalk. A summary of the outreach is included in the project file and the comments and responses summarized in the below table.

Property Owner	Comments	Responses
Fairview Church	<ul style="list-style-type: none">o Many members of the church are elderly and include families with children. Expressed that It will be difficult for their members to park under the bridge near Louise Street, cross Braddock Street and walk two blocks to church.o Expressed concerns about more traffic on Braddock Street since it will now be a service road for I-10 traffic for accessing Washington Street and Dalrymple Drive.o The church owns the property behind the church and the property extends to Lettsworth Street.o The church is in the process of having plans drawn up for a recreational center to be constructed behind the church.	Parking under the interstate exists pursuant to a JUA with the City. Church members using the parking under the interstate are crossing Braddock Street to access the Church. The project includes an exit ramp from I-10 onto Braddock Street in the area in front of the church. This exit ramp will prevent members from parking and having direct access by crossing Braddock Street to the Church. Members parking under the interstate will need to park under the

	<ul style="list-style-type: none"> o Supportive of the I-10 widening project and understand the need; however, concerned about the effects on the church and safe access for their church members. o Discussed that during funerals, the hearse uses the circular drive off of Braddock Street. 	<p>interstate two blocks northwest in the vicinity of Louise Street and walk to the church on the shoulder of the roadway. Sidewalks on Braddock will assist those who choose to use this parking by providing a sidewalk rather than a shoulder to access the Church. DOTD Real Estate will work with the Church regarding parking on their property which would not require crossing Braddock and work with them on their driveway access for the hearse. Possible mitigations included: providing parking in the rear of the church, restructuring the entrance of the church to the side opposite Braddock Street; logistical modifications for funeral processions, and disposition of the circular drive (remain or removal for grass and/or landscaping).</p>
Ty Robinson	<ul style="list-style-type: none"> o Owns vacant property and requested information related to the corner of his property. o Asked when construction will start. o Planning to provide three two story container structures. 	<p>Real Estate (RE) sent a KMZ file and link to NEPA document to Mr. Robinson. Project Manager (PM) noted that construction will begin in Fall of 2022 and take 3-4 years to complete. The timeline for construction in this area of Braddock Street would most likely occur in 2023. EBR will need to permit the structure with regards to set back etc. Mr. Robinson was told that he should check with EBR on permitting requirements.</p>
Jason Hughes	<ul style="list-style-type: none"> o Concurs with the sidewalk & doesn't see a problem with it. o Asked for the timeline of construction 	<p>PM stated that the ground breaking will be Fall of 2022</p>
Carolyn James	<ul style="list-style-type: none"> o Inquired about parking under the interstate o Asked for more specifics on process o Asked about the house owned by her brother Richard Kinchen. 	<p>PM explained that the parking directly across the church under I-10 will be removed and not replaced as this area will no longer be accessible. PM explained that a parking lot will</p>

		be constructed under the interstate in the area of Louise Street which is a block and a half away from the Fairview Baptist Church. Explained that the two driveways in front of the church will remain. RE explained the appraisal process. RE explained that her brother's house would not be acquired.
Virginia Deboest	o Did not see a problem with acquiring 3' to 5' for the addition of a sidewalk	Explained the need for right of way for a sidewalk
Shawn and Yolanda Charles	<ul style="list-style-type: none"> o No objection to the sidewalk. o Do not live at this address. It is rental property. What happens to our tenant during construction? Where do they park? Will they have access? o Concern about the adjacent corner lot, a fallen tree from the hurricane, etc. They cleared portions of the fallen trees, which encroached on their property. Inquired how to contact the property owner. o Asked if they should delay work on the property. They are in the process of having a new roof placed on the home. 	<p>DOTD will maintain contact with residents and businesses along the corridor, providing them notice and guidance during construction. General contractor will coordinate with renter concerning construction activities. Regarding property with fallen tree, subsequent research indicated the corner lot is tax adjudicated to the City-Parish.</p> <p>RE told them not to delay work on their property as the roadwork will not affect the residence (building).</p>
Katrina Taylor (& her dad Kevin)	<ul style="list-style-type: none"> o New homeowner. Only a few months o Concerned about traffic on the surface streets; feels a stop sign is needed at the intersection of Louise (eastbound) at Braddock o Likes the enhancements and ideas for the corridor o Indicated their understanding of the need and expressed no objection to sidewalk o When will you know final design? When will you know exactly how much land you need for the sidewalk? o Noted brush clearing is needed at Louise @ Braddock o Noted that some people take time to learn to use roundabouts properly o What will happen to the parking? o Hopes a utility pole with a guy wire moves 	<p>Final design is ongoing. Early next year should be completed. DOTD contacts owners for property acquisition negotiations.</p> <p>Currently Braddock Street is stop controlled and Louise St. has a free movement in both directions at this intersection. Once the project is implemented this will be switched. Louise St. will be stop controlled in both directions and Braddock St. will have a free southbound movement. The parking directly across the church under I-10 will be removed and not replaced as this area will no longer be accessible. A parking lot will be</p>

		constructed under the interstate in the area of Louise Street. Contractor will coordinate utility relocations with the service providers during the construction process.
Lawrence Brown	<ul style="list-style-type: none"> o Occupies home and is younger brother of the property owner – Richard Kinchen, a resident of Albuquerque, NM o Asked who pays for the chain link fence. o Believes a traffic light is needed on Braddock o Will inform his brother Mr. Kinchen of the information 	<p>The cost of the fence will be included in the property appraisal. The fence would be replaced (repositioned due to the new sidewalk) by the contractor or Brown would be provided funds to hire the work done by a fencing company of his choosing.</p> <p>Currently Braddock Street is stop controlled and Louise St. has a free movement in both directions at this intersection. Once the project is implemented this will be switched. Louise St. will be stop controlled in both directions and Braddock St. will have a free southbound movement.</p>

Impact Summary

In sum, the CoA extension, drainage servitude, and additional right of way do not affect wetlands, endangered species, traffic analyses, noise/air analyses, or any other natural resource. Moreover, the CoA extension, additional servitude and right of way do not change or increase the relocations. The effect of the drainage servitude on City-Brooks Park, a BREC property, is de minimis for which BREC concurred and Section 6f of the Land and Water Conservation Office does not apply.

I-10 was routed through Beauregard Town and Old South Baton Rouge when it was constructed in the 1960s. While it is elevated through this area, it is basically the boundary between the neighborhoods, which historically have supported a majority of minority and low-income persons. The benefits to the community as discussed in the EA are in the form of reestablished community connectivity both along and under I-10, enhanced mobility, continued access with the provision of a new connector road between Georgia and Kentucky Streets, new multimodal pathways, and sound barriers. With these benefits, as outlined in the EA, and the addition of ADA

compliant sidewalks along Braddock Street, there is no disproportionate impact to the EJ community.

Conclusion

The commitments and mitigation listed in the FONSI have not changed. DOTD is actively carrying out its commitments. Based on the above information and results of the outreach, DOTD feels that the Finding of No Significant Impact (FONSI) issued on February 12, 2021, for the I-10 project is still valid.

ATTACHMENT A

State Parks Correspondence

RE: Question about Parks with 6f funds

Suzette Simms <ssimms@crt.la.gov>

Tue 2/15/2022 4:09 PM

To: Noel Ardoin <Noel.Ardoin@LA.GOV>;

Cc: Mitchell Aleshire <maleshire@crt.la.gov>;

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Noel, we don't believe what you have planned will affect the usefulness of the park. No conversion necessary unless your construction drastically changes. Proceed and supply us with a site plan / As Built please.

Thanks for checking with us, Suzette



Suzette Simms

Division of Outdoor Recreation Grant Administrator & Planner

Department of Culture, Recreation and Tourism

Louisiana Office of State Parks

Office: (225) 342-8088

Cell: (225) 773-1269

Email: ssimms@crt.la.gov

From: Noel Ardoin [mailto:Noel.Ardoin@LA.GOV]

Sent: Tuesday, February 15, 2022 12:00 PM

To: Suzette Simms <ssimms@crt.la.gov>

Subject: Re: Question about Parks with 6f funds

EXTERNAL EMAIL Please do not click on links or attachments unless you know the content is safe.

We need a drainage servitude. Attached is an exhibit. The pipe is buried but the outfall is at the drainage swell on BREC's property. --NA

From: Suzette Simms <ssimms@crt.la.gov>

Sent: Tuesday, February 15, 2022 11:52:03 AM

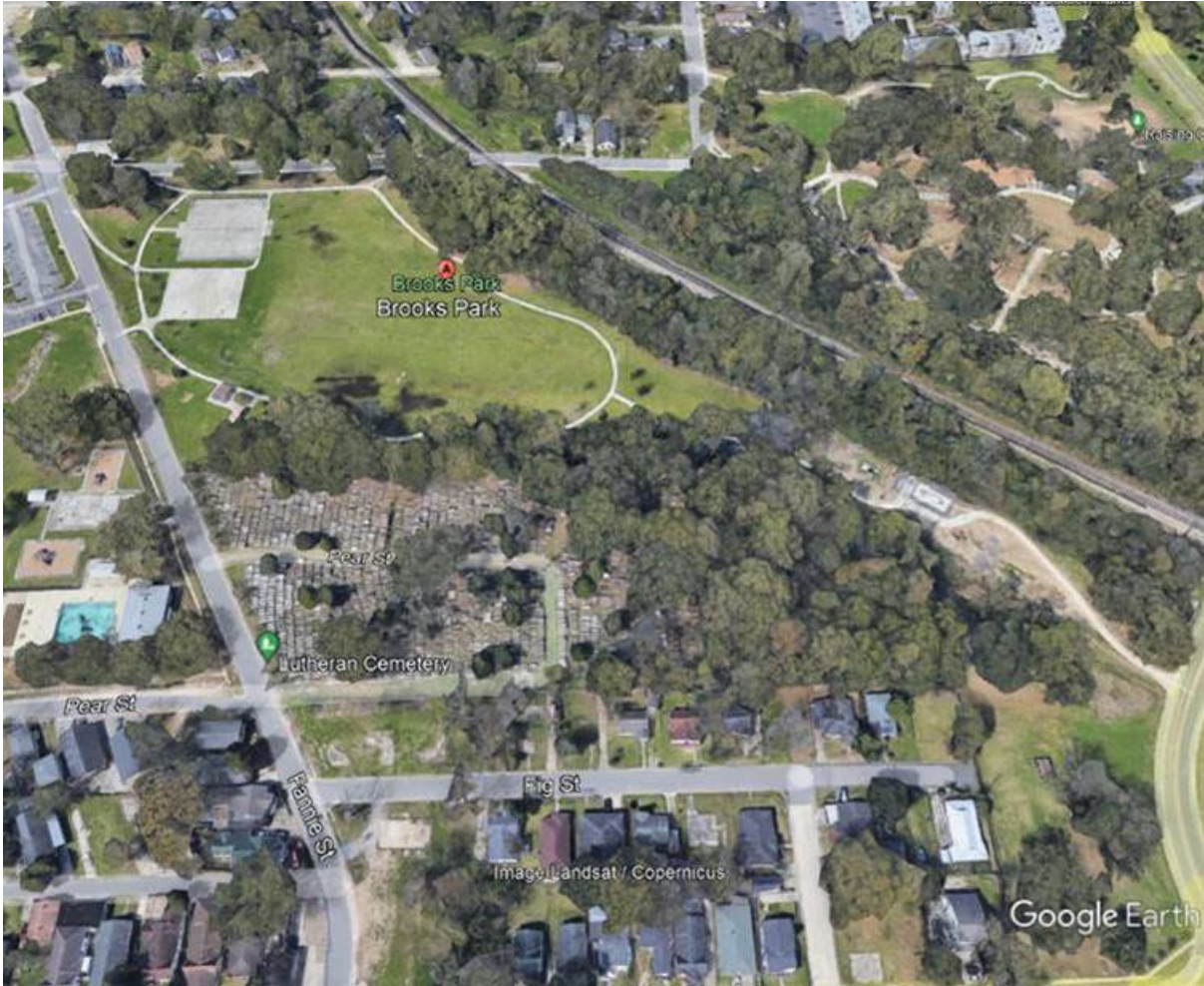
To: Noel Ardoin

Subject: RE: Question about Parks with 6f funds

EXTERNAL EMAIL: Please do not click on links or attachments unless you know the content is safe.

Noel, Brooks Park was part of funding for improvements at several parks #22-00822. It was likely a very minor improvement but NPS through the LWCF program interprets federal funding of any amount with 6f protection of the entire park boundary, regardless of the original footprint of the grant funded improvement. If you need to remove a portion of the park to widen a road or add a public sidewalk, a conversion would be needed. Simply stated, a conversion in our program involves replacement of acreage lost, a Yellow Book appraisal for both lost acreage as well as replacement acreage. If you are only needing underground use and no recreation area is lost – Brec would only need to request a temporary non-conforming use conversion.

Conversions are a very time consuming and expensive process but we're here to help. Suzette



Suzette Simms
Division of Outdoor Recreation Grant Administrator & Planner
Department of Culture, Recreation and Tourism

Louisiana Office of State Parks

Office: (225) 342-8088

Cell: (225) 773-1269

Email: ssimms@crt.la.gov

From: Noel Ardoin [<mailto:Noel.Ardoin@LA.GOV>]

Sent: Tuesday, February 15, 2022 11:02 AM

To: Suzette Simms <ssimms@crt.la.gov>

Subject: Question about Parks with 6f funds

EXTERNAL EMAIL Please do not click on links or attachments unless you know the content is safe.

Ms. Simms,

I would like to find out if 6f funds were used at Brooks Park in Baton Rouge. This is a BREC park that is located between Pear St. and Fannie Street next to McKinley Middle. The park has playground equipment and a swimming pool. If 6f funds were used was it specific to an area within the park?

Thank you,

Noel Ardoin

DOTD Environmental Engineer Administrator

(225) 242-4501

ATTACHMENT B

SHPO Correspondence



BILLY NUNGESSER
LIEUTENANT GOVERNOR

State of Louisiana
OFFICE OF THE LIEUTENANT GOVERNOR
DEPARTMENT OF CULTURE, RECREATION & TOURISM
OFFICE OF CULTURAL DEVELOPMENT

KRISTIN P. SANDERS
ASSISTANT SECRETARY

May 2, 2022

Noel Ardoin
Environmental Engineer Administrator
LA DOTD
P.O. Box 94245
Baton Rouge, LA 70804

Re: NO ADVERSE EFFECT TO HISTORIC PROPERTIES, DOTD H. 004100,
I-10: LA 415 TO ESSEN LANE ON I-10 AND I-12
EAST AND WEST BATON ROUGE PARISHES, LA

Dear Ms. Ardoin:

Thank you for your letter received on April 7, 2022 regarding the conclusion of the Environmental Assessment and issuance of the Finding of No Significant Impact (FONSI) for the above referenced project. Based on the information submitted LADOTD applied the Construction Management at Risk (CMAR) process for the project development and discovered that an additional right of way is necessary from adjacent properties for a sidewalk on Braddock Street. The sidewalk along Braddock Street that requires additional right of way is located in the National Register Eligible Old South Baton Rouge (OSBR) District; Braddock St. from Louise St. (approximately 30.434267, -91.177179) to Lettsworth St. (approximately 30.432650, -91.176062). The sidewalk is adjacent to buildings identified with Louisiana Historic Resource Inventory (LHRI) survey numbers: 17-02079, 17-02080, 17-02062, 17-04264, and 17-02057. The effect of the project on the OSBR District and LHRI identified buildings in the NR eligible district is covered in the "Adverse Effect Documentation in Support of the Environmental Assessment of I-10: LA 415 to Essen Lane, East Baton Rouge Parish and West Baton Rouge Parish, Louisiana" dated October 2016. Our office concurs that the additional right of way for the sidewalk is not adding an additional adverse effect for the overall project.

If you have questions or concerns, please contact Jennie Garcia in our Division of Historic Preservation at jgarcia@crt.la.gov.

Sincerely,

A handwritten signature in blue ink that reads "Kristin P. Sanders".

Kristin Sanders
State Historic Preservation Officer

ATTACHMENT C

De minimis Section 4f
Evaluation for Brooks Park

**Section 4(f) of the Department of Transportation (DOT) Act of 1966
(23 USC 138 and 49 USC 303)**

De Minimis Section 4(f)

23 CFR 774.7(b)

for

State Project No. H.004100

Federal Aid Project No. H004100

I-10: LA 415 to Essen Lane on I-10 and I-12

Route I-10

East and West Baton Rouge Parishes

April 2022



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1.0 INTRODUCTION

The Federal Highway Administration (FHWA) approved an Environmental Assessment (EA) and issued a Finding of No Significant Impact (FONSI)¹ on February 12, 2021, for capacity improvements to I-10 in East and West Baton Rouge Parishes. The project extends along I-10 from LA 415 in West Baton Parish to Essen Lane on I10 and I-12 in East Baton Rouge Parish (State Project Number H.004100).

After the FONSI was issued, LADOTD decided to use the Construction Management at Risk (CMAR) process for project development. Once the preliminary design of CMAR Segment 1 (west of Washington Street to Acadian Thruway) commenced, it became apparent that a drainage servitude from McCalop Street was needed. This drainage servitude will require acquisition of a linear servitude, approximately 25 ft wide and 330 ft long, from McCalop Street to City-Brooks Community Park.

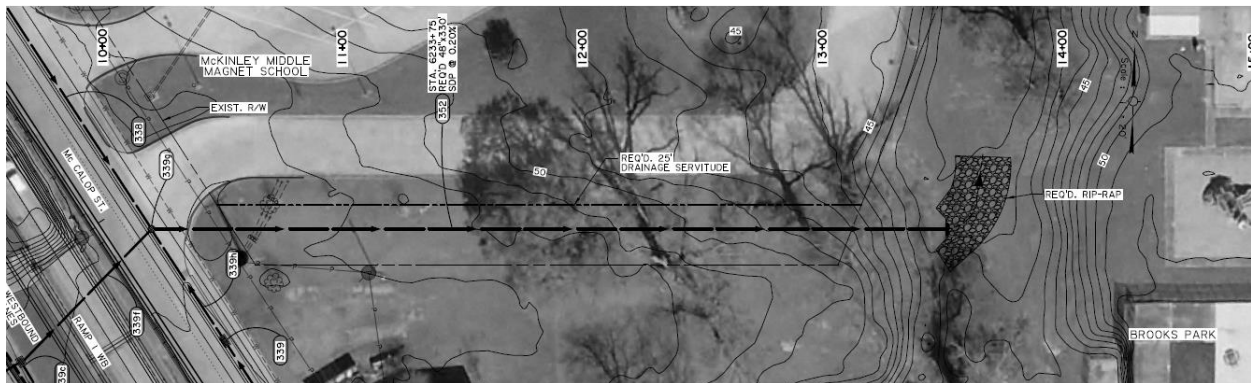


Figure 1. Linear Drainage Servitude

The servitude runs along the south side of McKinley Middle Magnet School and ends at the swell between the school and City-Brooks Community Park facilities. The swell is on park property. Riprap is required at the terminus of the servitude for the outfall. City-Brooks Community Park is a public park located at 1515 Dalrymple Street, Baton Rouge.

Section 4(f) of the Department of Transportation (DOT) Act of 1966 (23 USC 138 and 49 USC 303) and its implementation regulations (23 CFR 774) restrict use of significant publicly owned parks, recreation areas, wildlife and waterfowl refuges, and historic properties for transportation projects unless there is no feasible and prudent avoidance alternative and all possible planning to minimize harm has occurred. Uses are categorized as either permanent incorporation, temporary occupancy, or constructive use and can be approved by preparing a de minimis determination, a programmatic Section 4(f) evaluation, or preparing an individual Section 4(f) evaluation.

This document represents justification for determining that the impact to City-Brooks Community Park qualifies as de minimis under 23 CFR 774.7(b). A de minimis impact to a public park is one that, after accounting for measures to minimize harm, results in a determination that the project would not adversely affect the activities, features, or attributes qualifying the park for protection under Section 4(f).

¹ EA and FONSI are available on the Project's website, i10br.com, and on [DOTD's website](#).

2.0 PROPERTY DESCRIPTION AND USE

Brooks² and City Park combine to form a large 158 ac park referred to as City-Brooks Community Park. This community park is located in Baton Rouge. As one of the Recreation and Park Commission of East Baton Rouge (BREC's³) community parks, it offers a higher level of recreational opportunities. The park offers the following amenities: ball fields, basketball courts, croquet, dog park, golf course, trails, playgrounds, recreational center, soccer field, splash pad, pool, and tennis courts.



Figure 2. Location of City-Brooks Community Park

The portion of the park effected by the servitude is essentially bounded by McKinley Middle Magnet school, a residential area, Pear Street, and Eddie Robinson Sr. Drive (some maps show this as Fannie Street). It includes a swimming pool, playground areas and parking lot. The below image shows the parcel outline as it appears in Tax Assessor's records.



Figure 3. Affected Parcel

² The portion of the park that is effected by the drainage servitude is often labeled Brooks on older maps.

³ The Recreation and Park Commission for the Parish of East Baton Rouge was created by a State Legislative Act in 1946 as a separate and distinct body whose purpose is to develop, maintain and operate public park and recreational properties and facilities for all the people in East Baton Rouge Parish. BREC is a political subdivision of the State of Louisiana and does not operate under the City-Parish Government.

3.0 DE MINIMIS IMPACT

As proposed, the project will acquire a drainage servitude on property owned by BREC in the City-Brooks Community Park. Approximately 2,750 sqft of drainage servitude (50 by 55 ft) will be acquired. All efforts were made to minimize the amount of servitude required; however, the drainage needs for the project area require the outfall affecting this small portion of park property. The affected portion of the park is on the boundary of the park and a drainage swell, a green space that drains towards Eddie Robinson Sr. Drive (shown as Fannie Street on some maps). The space affected by the servitude does not support any playground equipment, courts, or other recreational activities.

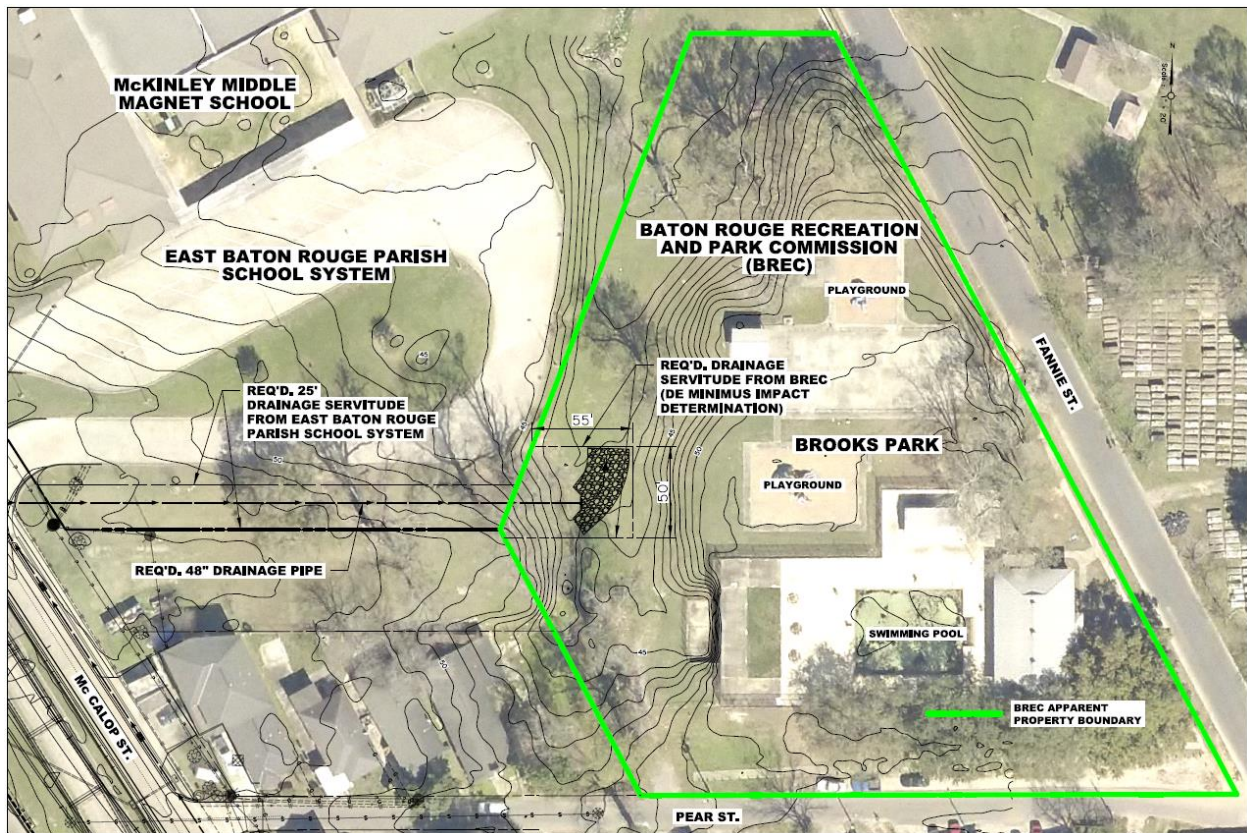


Figure 4. Servitude at the Park

The percentage of park property for which the servitude affects is 0.04%. Acquiring the drainage servitude from the park does not affect the functions, features, or attributes of the park that qualify for protection under Section 4(f).

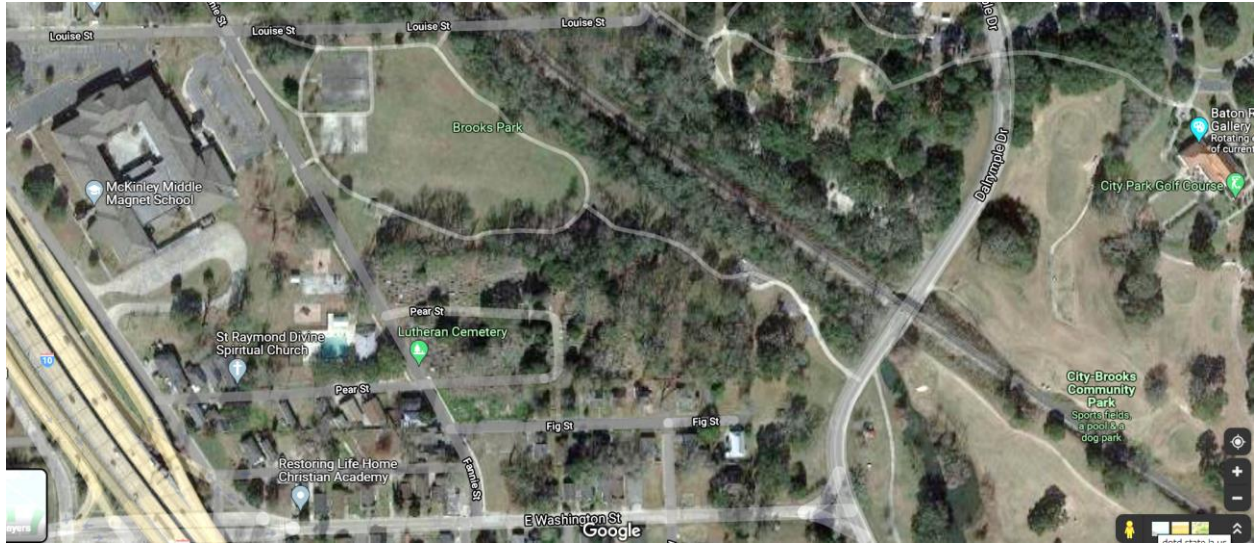


Figure 5. Aerial View of Area

The above image is from Google Maps and shows the location of the servitude in relationship to some of the features of City-Brooks Community Park in particular the Brooks Park area and City Park Golf Course.

As mitigation, DOTD committed to restoration of the area once the outfall is installed. The restoration work in the park is mitigation and is exempt from Section 4(f) per 23 CFR 774.13(g)(1)(2).

4.0 PUBLIC INPUT AND AGENCY COORDINATION

Coordination with BREC has been ongoing throughout the planning and development of the I-10 project. Regarding the outfall, DOTD's consultant, Sigma Consulting Group, met with BREC staff, Mr. Reed Richard and others, on December 22, 2021, to discuss the outfall and servitude. Also, the public was notified of the de minimis Section 4f through a public meeting held on February 16, 2022. No comments regarding the de minimis finding were received from the public.

BREC concurred with the de minimis determination and mitigation which includes restoration of disturbed area. See Attachment 1.



Environmental Section
PO Box 94245 | Baton Rouge, LA 70804-9245
ph: 225-242-4502 | fx: 225-242-4500

John Bel Edwards, Governor
Shawn D. Wilson, Ph.D., Secretary

March 10, 2022

State Project No. H.004100.2
Federal Aid Project No. H004100
I-10: LA 415 to Essen Lane on I-10 AND I-12
Route I-10
East and West Baton Rouge Parishes

Mr. Corey Wilson
BREC Superintendent
Via email (CWilson@brec.org)

SUBJECT: Section 4(f) De Minimis Determination regarding City-Brooks Community Park

The Federal Highway Administration (FHWA) in conjunction with the Louisiana Department of Transportation and Development (LADOTD) prepared an Environmental Assessment (EA) and issued a Finding of No Significant Impact (FONSI) on February 12, 2021, for the captioned project. After the conclusion of the EA and issuance of the FONSI, LADOTD decided to apply the Construction Management at Risk (CMAR) process for project development. Once the preliminary design of CMAR Segment 1 (west of Washington Street to Acadian Thruway) commenced, it became apparent that a 25 ft wide, 330 ft long drainage servitude from McCalop Street was needed.

The drainage servitude will accommodate a drainage outfall located on City right of way, school property, and BREC/EBR property. The required drainage servitude which will run along the southern boundary of the school's property does not affect the school's buildings, facilities, or operations. The outfall terminates at a drainage swell that exists between the school and City-Brooks Community Park, a BREC/EBR facility. The terminus of the outfall is on BREC/EBR's property; therefore, the outfall requires a drainage servitude. The square footage of the servitude is approximately 2,750 sq ft. See attached exhibit.

The drainage servitude which includes a buried outfall with riprap on park property requires a Section 4f evaluation. DOTD feels the drainage servitude on BREC/EBR property qualifies for a de minimis Section 4f finding. The required servitude at the westernmost edge of the park is approximately 50 feet by 55 feet and located in a grassy drainage swell that runs between the school and the park. This area is a natural drainage area within the boundaries of the park and not an area with a designated recreational use. The nearest designated areas are the parking lot, playgrounds, and swimming pool all accessed from Eddie Robinson Sr. Drive also known as Fannie Street. City-Brooks Community park is approximately 158 acres and this 2,750 sqft

servitude is 0.04% of total acreage of the park. The drainage servitude will not adversely affect any activities, features, and attributes that qualify the park for protection under Section 4f.

DOTD's consultant, Sigma Consulting Group, met with BREC staff, Mr. Reed Richard and others, on December 22, 2021, to discuss the outfall and servitude. Also, the public was notified of the de minimis Section 4f through a public meeting held on February 16, 2022. No comments regarding the de minimis finding were received from the public.

LADOTD will restore the area disturbed during construction of the outfall. LADOTD has determined that the restoration is excepted from 4(f) pursuant to 23 CFR 774.13(g). Section (g)(1) of the regulation states that transportation enhancement activities, transportation alternative projects, and mitigation activities are exempt from Section 4(f) when the use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the project for Section 4(f) protection. The official with jurisdiction over the Section 4(f) resource must agree in writing to the determination pursuant to Section (g)(2) of the regulation. Hence, LADOTD is herein requesting written concurrence from BREC, as the official with jurisdiction, pursuant to Section (g)(2) regarding the exception.

Should you, as official with jurisdiction, agree with the determination that the drainage servitude of approximately 2,750 square feet is de minimis and agree that restoration is solely for the purpose of preserving or enhancing an activity, feature, or attribute of the park, please respond by signing and returning this letter by date to the below email address. A copy of this letter with your signature will be added to the de minimis determination sent to FHWA for approval. If you have any questions or need additional information, please contact me at noel.ardoin@la.gov or via phone at 225-242-4501 or contact Mr. Nicholas Olivier, the Project Manager, at nicholas.olivier@la.gov or by phone at (225) 379-1133.

Sincerely,



Noel Ardoin
Environmental Engineer Administrator

na

Attachment: Exhibit

pc: FHWA, Lynn Heisler (via email at Lynn.Heisler@dot.gov w/attachment)
Nicholas Olivier (via email at Nicholas.Oliver@la.gov)
Reed Richard (via email to RRichard@BREC.org w/attachment)

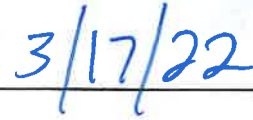
Concur:



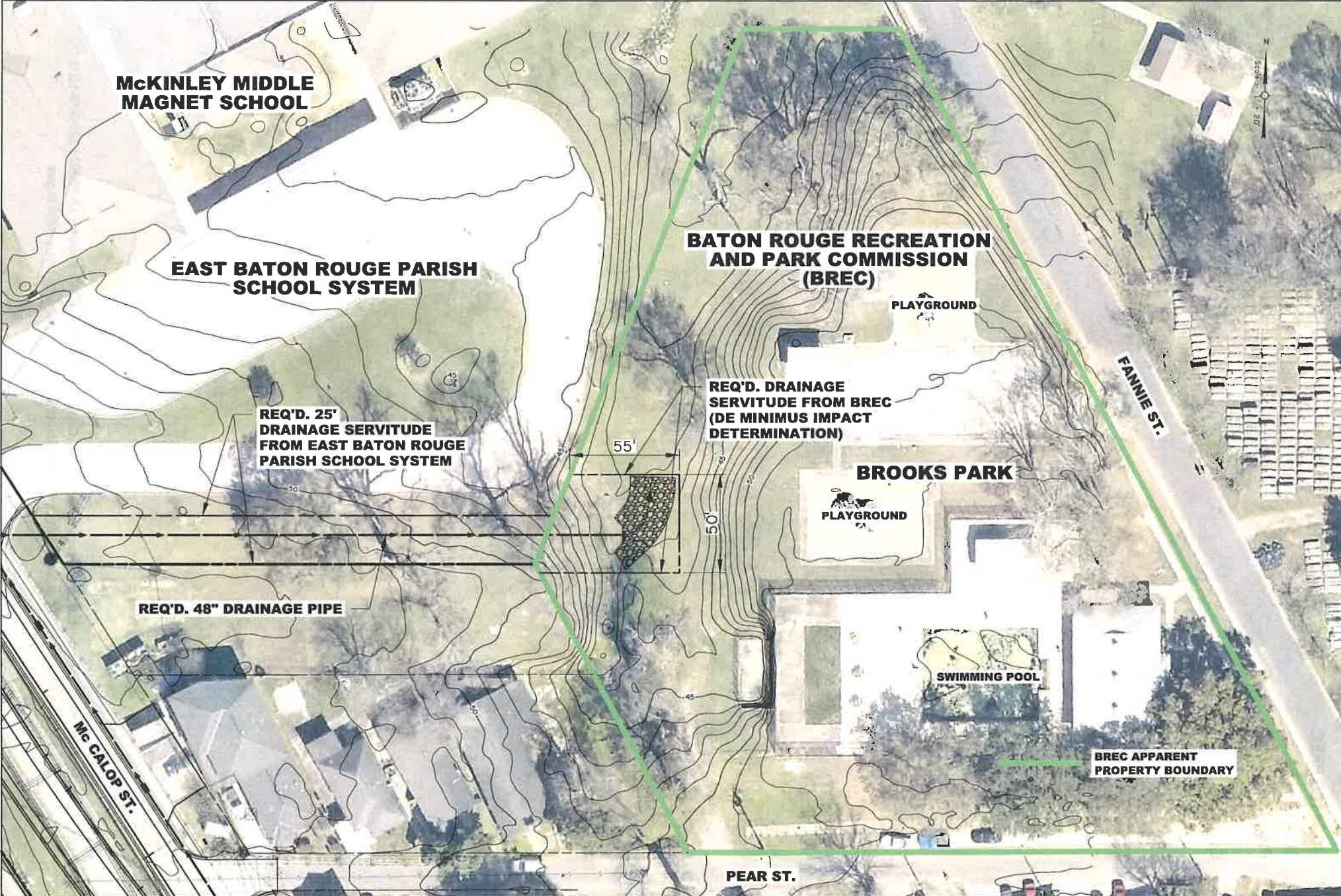
Handwritten signature in blue ink, appearing to read "Corey K. White".

BREC Superintendent

Date:



Handwritten date "3/17/22" in blue ink.



**McKINLEY MIDDLE
MAGNET SCHOOL**

**EAST BATON ROUGE PARISH
SCHOOL SYSTEM**

**BATON ROUGE RECREATION
AND PARK COMMISSION
(BREC)**

PLAYGROUND

**REQ'D. 25'
DRAINAGE SERVITUDE
FROM EAST BATON ROUGE
PARISH SCHOOL SYSTEM**

**REQ'D. DRAINAGE
SERVITUDE FROM BREC
(DE MINIMUS IMPACT
DETERMINATION)**

BROOKS PARK

PLAYGROUND

SWIMMING POOL

REQ'D. 48" DRAINAGE PIPE

**BREC APPARENT
PROPERTY BOUNDARY**

Mc CALOP ST.

FANNIE ST.

PEAR ST.

N
Scale 1" = 20'



RECREATION AND PARK COMMISSION
FOR THE PARISH OF EAST BATON ROUGE

March 16, 2022

ATTN: Noel Ardoin, Environmental Engineer Administrator
Louisiana Department of Transportation & Development (DOTD)
1201 Capitol Access Road
Baton Rouge, LA 70802

RE: Brooks Park Proposed Drainage Servitude
DOTD Project: 1-10 (LA 415 to Essen Lane on 1-10 and 1-12)
East Baton Rouge and West Baton Rouge Parishes

Dear Ms. Ardoin:

This letter is in reference to DOTD's discussions with BREC regarding the need for a drainage servitude on the southwest side of Brooks Park for a drainage outfall. As per DOTD's attached layout, this drainage outfall measures approximately 55' by 50' and is located within an existing outfall area of the park. The location of this requested drainage servitude does not interfere with the park amenities.

BREC has no objection to DOTD's request to acquire this drainage servitude within Brooks Park for the facilitation of drainage.

Sincerely,

Corey K. Wilson
Superintendent