



Heber City Council
75 North Main Street
Heber City, Utah 84032

Midway City Council
160 West Main Street
Midway, Utah 84032

Wasatch County Council
25 North Main Street
Heber City, Utah 84032

Dear Director and Project Team,

On behalf of Heber City, Midway City and Wasatch County Council, we extend our appreciation for the substantial effort undertaken by UDOT in preparing the Heber Valley Corridor EIS. We recognize the regional importance of improving safety, mobility, and system redundancy within the Heber Valley and respect the complexity of the balancing required in this process.

After careful review of the Draft EIS, the Preferred Alternative Technical Report, and extensive public engagement within our community, Heber City, Midway City and Wasatch County Council respectfully submits that:

An alternate alignment based on Route B located in parallel to the existing US-40 is a more appropriate and sustainable long-term solution for the Heber Valley Corridor. (see table 1)

This position is grounded in fact, supported by state and federal law, and reflective of overwhelming public support within Heber City, Midway City and Wasatch County. We present the following considerations in a spirit of partnership and constructive dialogue.

1. Protection of Water Quality, the Class 1A Aquifer, and Drinking Water Standards

Portions of the Heber Valley are underlain by high-quality groundwater resources classified under **Utah Administrative Code R317-6** as **Class 1A – Pristine Ground Water**, the highest level of groundwater protection under Utah law.

The regulatory objective for Class 1A groundwater is to maintain existing high quality and prevent degradation. Transportation infrastructure that expands into recharge areas increases exposure to:

- Highway stormwater infiltration,
- De-icing chemical loading,
- Long-term pollutant migration,
- Spill risk in proximity to recharge zones.

Although surface water modeling may show compliance with numeric standards, groundwater protection under R317-6 is preventative in nature and designed to avoid degradation before it occurs.

Rerouting Route B to run in parallel to US-40 limits expansion into new recharge areas and better aligns with the preventative intent of Utah's groundwater protection framework.

Therefore Heber City, Midway City and Wasatch County requests:

- A route-specific recharge/vulnerability narrative and map set (with GIS) identifying where each alternative overlies the most sensitive recharge areas and DWSP zones (R309-600);



- Long-term chloride/TDS loading projections that extend meaningfully beyond the design year (to reflect multi-decade operations and accumulation trends);
- Clear groundwater monitoring commitments (locations, frequency, thresholds, and corrective actions) tied to enforceable triggers; and
- A transparent demonstration that selecting Route B would not increase the risk of groundwater degradation relative to Route A under Utah's groundwater and drinking water source protection standards.
- An assessment of how the selected alternative affects potential future compliance under §19-4-113.

Protection of drinking water resources is among the highest priorities. It is both the City's and the County's findings that **currently proposed Route B demonstrates the highest practicable risk to groundwater and is not consistent with Utah's groundwater and DWSP frameworks.**

Therefore it is both the City and County's opinion that by realigning Route B to run as closely as possible to the existing US-40 corridor will mitigate these risks to this irreplaceable aquifer.

2. Historic Preservation, Agricultural Cultural Landscapes and Section 106/4(4) Risks

We recognize UDOT's concerns regarding potential historic resource impacts associated with Route A. However, federal law requires that historic properties be avoided whenever feasible.

Under **Section 106 of the National Historic Preservation Act (54 U.S.C. §306108)** and **Section 4(f) of the U.S. Department of Transportation Act (49 U.S.C. §303)**, impacts to historic properties must be avoided unless there is no feasible and prudent alternative. Before concluding that Route B represents the "least overall harm," additional design refinements for Route A should be fully evaluated. These refinements may include alignment adjustments, retaining wall design, or intersection modifications that could avoid or minimize impacts.

It is important to emphasize that the Section 106 "adverse effect" analysis is not limited to demolition of physical buildings. Under the implementing regulations (36 CFR 800.5), adverse effects also include impacts that diminish a property's integrity through changes to its setting, feeling, or association. This includes visual, noise, or other environmental intrusions that alter the historic character of a landscape.

Both the City's and the County are concerned that the Draft EIS focuses primarily on individual structures and does not fully evaluate the North Fields as a **historic agricultural cultural landscape**. This landscape includes:

- Historic agricultural landscape integrity and field patterns,
- Irrigation ditch/canal networks as contributing systems,
- Rural farm complex context and continuity, and
- The integrity elements of setting, feeling, and association.

Route B introduces a new limited-access corridor into what is currently an intact rural landscape. This would create new visual and noise intrusion and permanently alter the larger agricultural setting. Even if Route A presents more site-specific right-of-way impacts that must be avoided or mitigated, Route B creates a broader landscape-level impact that increases the risk of adverse effect findings under Section 106 and potential vulnerability under Section 4(f).



To be clear, the historic and agricultural importance of the North Fields is not a recent concern. It has been consistently recognized in City and County planning actions and public initiatives for decades. These include:

- Joint Wasatch County/Heber City UDOT letter with map showing preferred bypass route – June 13, 2000 (see table 2)
- Wasatch County RPO Proposed By-Pass map – June 2000 (see table 3)
- Resolution No. 06-04 in support of bypass with map alignment – Aug. 2006 (see table 4)
- Resolution No. 2007-05 in support of bypass with map alignment – June 2007 (see table 5)
- South Bypass Study presentation – 2009 (see table 6)
- Heber City Master Road Plan – April 2010 (see table 7)
- Voter initiative approving open space preservation bonds – Nov. 2018 (see table 8)
- Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022 (see table 9)
- Resolution No. 24-03 supporting conservation of the North Fields – May 2024 (see table 10)

Given this longstanding record, we respectfully request the following:

- Evaluate the North Fields explicitly as a potential historic district/agricultural cultural landscape (including irrigation systems and field patterns) and compare alternatives using integrity factors (including setting, feeling, and association) **per 36 CFR 800.5**;
- Clearly distinguish “direct effects” from “setting-based/cultural landscape effects” so the record does not underweight Route B’s broader landscape intrusion; and
- Provide a transparent Section 4(f) pathway explanation identifying feasible/prudent avoidance options and, if use is unavoidable, the minimization framework (49 U.S.C. § 303).

In summary, Route B introduces a new corridor through intact rural and agricultural historic landscapes, creating broader setting-based impacts that present greater risk under both Section 106 and Section 4(f). **A realignment of Route B to run parallel to US-40 would substantially reduce these landscape-level effects.** Until such analysis is fully developed, the record does not clearly demonstrate that Route B represents the least overall harm.

3. Protection and Expansion of Conservation Easements and Vote-Mandated Open Space Policy

The City’s and County’s commitment to open space preservation is voter-mandated. In 2018, Wasatch County voters approved a \$10 million Open Space Bond to preserve agricultural lands and conservation easements, with an emphasis on the North Fields. That bond reflects a clear and direct policy mandate from the residents of this County.

Under **Utah Code §17-27a-305 and §17-41-101 et seq.**, counties are authorized to protect agricultural land and establish Agriculture Protection Areas. Infrastructure placement that unnecessarily fragments such areas undermines the very statutory framework the State has created to preserve them.

As such, the County has partnered with landowners to secure voluntary conservation easements that preserve:

- Working agricultural lands



- Scenic viewsheds and rural character
- Wildlife corridors
- Long-term community identity and heritage

Route B directly undermines these objectives by introducing a new limited-access corridor through the North Fields, which:

- Complicates or constrains easement design and long-term stewardship;
- Reduces landowner willingness to participate due to uncertainty and corridor-adjacency impacts; and
- Has already chilled and/or delayed easement negotiations in practical terms.

However realigning **Route B** to run parallel to **US-40** is substantially more compatible with the County's conservation easement strategy because it reinforces an existing corridor footprint rather than creating a new barrier across intact open space.

4. Minimization of Open Space and Aquatic Resource Fragmentation (Wetland/LEDPA/404)

The Draft EIS includes **Appendix 2F, "Compliance with Clean Water Act Section 404(b)(1) Guidelines Memo,"** which provides UDOT's preliminary alternatives analysis framework for purposes of §404 permitting and identifies **Alternative B as the Least Environmentally Damaging Practicable Alternative (LEDPA)**.

However, selection of an alternative as the **LEDPA** is ultimately a §404(b)(1) Guidelines compliance determination that must be supported by a **complete, permit-ready alternatives record** consistent with **40 C.F.R. § 230.10(a)**. Under § 230.10(a),

*"No discharge...shall be permitted if there is a practicable alternative...which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse **environmental** consequences."*

Appendix 2F of the Draft EIS acknowledges that **Alternative A has lower aquatic resource impacts than Alternative B**, but still concludes that Alternative B is the LEDPA. Because Alternative B is associated with greater aquatic impacts, the Final EIS should more clearly and transparently demonstrate—using the § 230.10(a) framework — why the less-aquatic-impact alternative is not the LEDPA due to "other significant adverse **environmental** consequences," and should provide the underlying technical support for that conclusion at a level suitable for Corps review and incorporation into a future §404 permit application.

To ensure the record is complete and defensible, the Final EIS should include (or clearly reference in an accessible appendix) the following key LEDPA components:

- **Jurisdictional Basis and Delineation Status**

The Final EIS should clearly identify:

- Which aquatic features are being treated as jurisdictional waters of the United States;
- Which determinations are based on preliminary delineations or professional judgment versus USACE-approved Jurisdictional Determinations (JDs);
- The degree of uncertainty associated with those determinations; and



- Whether that uncertainty could materially affect the comparative aquatic impact totals between Alternatives A and B.

Without this clarity, it is difficult to confirm that the aquatic comparison underlying the LEDPA determination is consistent and reliable.

- **Practicability and Design Variant Analysis**

The record should clearly document:

- Any design refinements or sub-variants considered to avoid or reduce aquatic impacts within each alternative;
- Whether additional avoidance or minimization measures were evaluated;
- Why any such measures were determined to be impracticable.

The Clean Water Act requires consideration not only of alternatives, but also of practicable avoidance and minimization measures. The Final EIS should demonstrate that such measures were thoroughly evaluated.

- **Support for “Other Significant Adverse Environmental Consequences”**

If Alternative B is selected despite having greater aquatic impacts, the record must clearly and quantitatively explain the non-aquatic impacts that justify that decision under § 230.10(a)

This explanation should identify:

- The specific impacts relied upon (e.g., relocations, Section 4(f) constraints, cost, constructability);
- The metrics or thresholds used to evaluate those impacts;
- The technical sources supporting those conclusions;
- Whether those determinations are final or subject to further refinement before the Record of Decision.

A transparent, evidence-based explanation is necessary to demonstrate compliance with the Clean Water Act framework.

- **USACE Coordination and Permit Record Clarity**

The Final EIS should identify:

- The current status of coordination with the U.S. Army Corps of Engineers regarding the alternatives analysis;
- Whether the Final EIS and its appendices are intended to serve as the Section 404(b)(1) alternatives analysis record;
- What additional documentation (such as approved delineations or Jurisdictional Determinations) will be submitted with the permit application.

Clarity at this stage will strengthen the defensibility and efficiency of the future permitting process.

Requested Action: To ensure the Final EIS provides a transparent, permit-ready foundation for §404(b)(1) compliance, we respectfully request that UDOT:

- Publish, as a public appendix, the complete LEDPA comparison tables and supporting data used to compare aquatic impacts and practicability across alternatives. This should include acreage summaries by resource type, avoidance and minimization variants evaluated, and assumptions regarding jurisdictional status.



- Clearly identify in the Final EIS the specific documents, tables, GIS layers, and technical reports that will be submitted to the U.S. Army Corps of Engineers as the Section 404 alternatives analysis record, including delineation materials and the methodology supporting the § 230.10(a) determination.

Heber City, Midway City and Wasatch County are currently engaged with landowners affected by **Route A** and are willing to work collaboratively with UDOT to evaluate and refine an alignment that **runs parallel to Route B** as a potentially viable option.

Accordingly, the Final EIS should:

- Acknowledge this ongoing local coordination effort,
- Identify a clear near-term process and schedule for structured work sessions with UDOT, Heber City, Midway City, Wasatch County, and affected landowners, and
- Describe how any resulting “parallel-to-B” refinement concepts will be screened and documented (including aquatic impacts, practicability, and avoidance/minimization measures) for inclusion in the administrative record and any subsequent §404 permitting materials.

5. Protection of Agricultural Viability, Parcel Continuity, and Working-Lands Functionality (FPPA)

The inclusion of Farmland Protection Policy Act (FPPA) evaluation materials in the Draft EIS confirms the presence of prime and important agricultural lands within the project area. Agricultural viability depends on:

- Contiguous parcels suitable for mechanized farming
- Efficient irrigation canal systems
- Practical equipment crossings and predictable access patterns
- Minimizing corridor-induced fragmentation and operational inefficiency

Both routes incorporate free-flow elements that consolidate access and reduce at-grade crossings. However, **Route B’s creation of a new corridor across working agricultural lands increases risk by:**

- Splitting viable farm parcels and reducing operational efficiency,
- Increasing travel distance and complexity for agricultural equipment and irrigation management, and
- Accelerating speculative land value pressures and growth inducement near new interchanges.

Regardless of which route is ultimately selected, the City’s and County express their strong concern that any agricultural land acquired by UDOT for the Heber Valley Corridor project should, to the maximum extent practicable, remain in active agricultural use. The permanent removal of farmland from agricultural operation — beyond what is strictly necessary for roadway infrastructure — would undermine both the intent of Utah’s Agriculture Protection Area statutes (Utah Code §17-41-101 et seq.) and the clear policy direction established by Wasatch County voters through the Open Space Bond.

Where right-of-way acquisition results in remnant parcels, buffer areas, or temporary construction zones, the City’s and County respectfully requests that UDOT implement mechanisms — such as agricultural leases, conservation-compatible management, or cooperative agreements with adjacent landowners — to ensure continued farming activity. Preserving agricultural productivity on acquired lands not only honors statutory



preservation objectives, but also mitigates fragmentation impacts and supports the long-term viability of the County's working landscapes.

In addition, both the City's and the County are prepared to work collaboratively with UDOT to identify suitable agricultural lands within Wasatch County that may fulfill the applicable 2:1 mitigation requirement, ensuring that mitigation efforts meaningfully preserve farmland and align with local conservation priorities.

6. Consolidation of Infrastructure Within an Existing Corridor

From a land-use, open space, and preservation standpoint, consolidating transportation improvements within an established corridor is significantly preferable to introducing a new limited-access corridor through currently intact agricultural and open lands.

Rerouting Route B to run in parallel to US-40:

- Builds upon an existing transportation footprint;
- Avoids creating a second barrier corridor across the valley;
- Limits the geographic spread of transportation infrastructure;
- Better aligns with adopted City and County land-use priorities; and
- Aligns with voter-mandated open space preservation.

Route B as presented introduces a new transportation spine into areas that presently function as open space and a working agricultural landscape. Even where direct right-of-way impacts may be debated on a parcel-by-parcel basis, the long-term fragmentation and setting-based impacts differ substantially.

It is both the City's and County's position that the project purpose and need can be met through improvements along the existing US-40 corridor, paired with access management and context-sensitive design, without introducing a new limited-access corridor through the intact North Fields landscape.

7. Segment Road Closures, Access Consolidation, and Proposed Overpasses

The City's and the County have particular concern regarding the proposed road closures, access consolidation measures, and grade-separated overpasses. While the City's and the County recognize the safety and operational objectives associated with free-flow traffic patterns, the cumulative effect of eliminating at-grade intersections and consolidating access points warrants closer examination.

The southern segment of the corridor functions differently than more urbanized portions of the Valley. It serves a high concentration of agricultural parcels, irrigation infrastructure, and rural residences that rely on distributed east-west connectivity. The proposed consolidation of local road connections into fewer interchange locations — combined with permanent closure of certain at-grade crossings — may substantially alter local mobility patterns in ways that are not fully quantified in the Draft EIS.

Specifically, the City's and the County requests clarification and further analysis in the following areas:



- A comprehensive, side-by-side matrix identifying every existing public road, private access, and agricultural crossing proposed for closure, relocation, grade separation, or consolidation through both proposed routes;
- Quantified analysis of increased travel distance for agricultural equipment resulting from the elimination of at-grade crossings;
- Evaluation of farm equipment turning movements and the operational feasibility of the proposed overpass locations;
- Emergency response modeling demonstrating that response times and route redundancy will not be adversely affected by closure of local connections;
- Before-and-after connectivity mapping showing redistribution of local traffic patterns.

While individual closures may appear minor when evaluated independently, the cumulative effect of multiple closures — combined with limited crossing opportunities — may create increased travel burden for agricultural operators, reduce network redundancy during emergency events, and concentrate local traffic at fewer high-speed interchange nodes.

The City's and the County also requests that UDOT document whether alternative design configurations were evaluated, including (see Table 11):

- partial grade separation,
- modified intersection control,
- utilization of roundabouts,
- reduced design speed approaches in limited areas,
- or context-sensitive solutions that could preserve additional local crossings while still achieving safety objectives.

The City's and County's concern is not simply the presence of overpasses, but whether the recommended design represents the **minimum necessary intervention** to achieve corridor safety and mobility goals.

Accordingly, the City's and the County respectfully requests additional documentation demonstrating that the proposed road closures and overpasses reflect the least disruptive practicable design and that all reasonable avoidance and minimization measures have been fully considered.

8. Pedestrian Safety, Walkability, and Community Connectivity

Heber City, Midway City and Wasatch County respectfully submit that pedestrian safety and walkability warrant greater emphasis in the evaluation of both corridor alternatives.

Under the **National Environmental Policy Act (42 U.S.C. §4321 et seq.)**, federal agencies must take a “hard look” at impacts to the human environment, including community cohesion, safety, and quality of life. Additionally, under **23 U.S.C. §217** and applicable federal transportation planning guidance, pedestrian accommodation is a recognized component of transportation system performance — not merely an ancillary design feature.

While the Draft EIS includes discussion of nonmotorized opportunities and multi-use trails, pedestrian considerations appear secondary to vehicle mobility metrics. The comparative analysis of Route A and Route B does not include detailed quantitative evaluation of (see Table 11):



WASATCH
— COUNTY —

- Pedestrian crash history and projected risk reduction,
- Pedestrian Level of Service (LOS),
- Crossing distance and exposure at interchanges,
- Truck–pedestrian conflict points,
- Impacts to downtown walkability and historic Main Street vitality,
- Long-term pedestrian connectivity within future growth areas.

Given that one of the stated goals of the project is to improve conditions within Heber City's historic core, pedestrian comfort and safety must be treated as a primary performance criterion, not simply a secondary benefit.

Large free-flow interchange configurations, particularly in new alignment areas, may increase crossing distances, create high-speed merge zones, and introduce pedestrian barriers that divide neighborhoods or future development areas. These design elements can have generational impacts on community connectivity and walkability that extend well beyond traffic operations.

Heber City, Midway City and Wasatch County respectfully requests:

- A comparative pedestrian safety and connectivity analysis for all proposed routes, including projected pedestrian exposure and crossing safety metrics;
- A detailed assessment of pedestrian conditions in and around Heber City's historic town center under each alternative;
- Evaluation of interchange design impacts on pedestrian continuity and crossing feasibility;
- A commitments framework ensuring pedestrian infrastructure is designed to meet or exceed current safety best practices.

Pedestrian mobility is not a peripheral concern within either the City's or Wasatch County — it is central to the character, economic vitality, and public safety of our communities. Infrastructure decisions made today will define walkability for decades to come.

We respectfully urge UDOT to elevate pedestrian safety and community connectivity as a primary consideration in final route selection and to ensure that the selected alternative demonstrably improves — not merely accommodates — pedestrian conditions.

Conclusion

Heber City, Midway City and Wasatch County do not approach this matter in opposition to UDOT, but in partnership.

When measured against both the City's and County's priorities — and particularly in light of the voter-approved conservation easement program — **Realigning Route B to run in parallel to US-40, along with a stronger emphasis on pedestrian mobility, represents a more responsible and compatible long-term solution for the Heber Valley.**

This proposal better aligns with:

- Consolidating infrastructure within an established corridor;



- Federal Clean Water Act and LEDPA principles,
- Utah groundwater and water quality protections,
- State agricultural preservation statutes,
- NEPA's balanced alternatives analysis requirements,
- Wasatch County's voter-mandated open space priorities.

Heber City, Midway City and Wasatch County stand ready to work collaboratively with UDOT to ensure that the final corridor selection is legally durable, environmentally responsible, and reflective of the values of the community it will serve.

Respectfully,

Heber City Council

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_____	_____

Midway City Council

_____	_____
_____	_____
_____	_____

Wasatch County Council

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_____	_____
_____	_____
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Supporting Documents

Table 1: Proposed parallel alignment of Route B along US-40





Table 2: Joint Wasatch County/Heber City UDOT letter with map showing preferred bypass route

June 13, 2000

Allen Mecham
c/o Utah Department of Transportation, Region Three
825 North 900 West
Orem, Utah 84057

RE: Heber Valley By-Pass Road

Dear Mr. Mecham,

The Wasatch County Interlocal Advisory Board met on April 11, 2000 to discuss the Heber Valley bypass road. After reviewing different options, Wasatch County and Heber City have come to an agreement on the alignment of the road. The suggested alignment would be a connection off Highway 40 on the north and tying into the South Fields Road area on the south. The attached map shows the recommended by pass road alignment.

It was also concluded that if the Heber City Airport is expanded to the west to include the existing highway 189, we would like to see the extension of a road from the South Fields Road thru the sewer farm and connect with Highway 40 in the vicinity of 1200 South.

We ask that UDOT investigate any possible funding to help our communities pay for the improvements of Highway 189. A few property owners with land along the proposed alignment, have even expressed interest in dedicating some of their property as part of the right of way for the by-pass.

We feel that with the growth in the area, the urgency for safety, the tremendous increase in both tourist and local traffic, along with the rapidly approaching 2002 Olympic's, it is imperative that action be taken immediately to move forward on this project.

If you have any questions regarding these proposals, we would be happy to discuss them with you.

Sincerely,

T. LaRen Provost, Chairman
Wasatch County Commission

Lynn Adams, Mayor
Heber City

Table 2 (cont): Joint Wasatch County/Heber City UDOT letter with map showing preferred bypass route

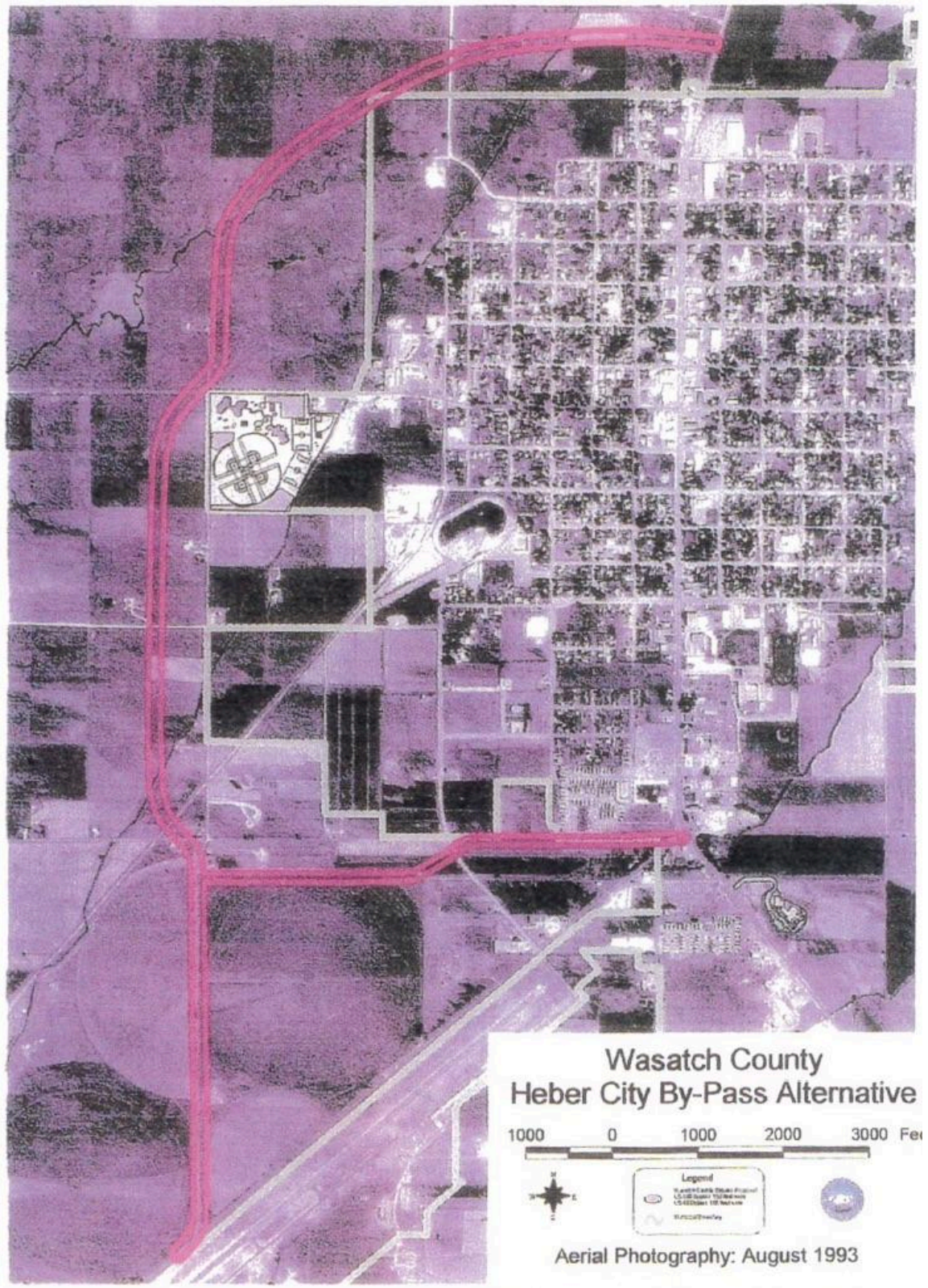


Table 3: Wasatch County RPO Proposed By-Pass map – June 2000

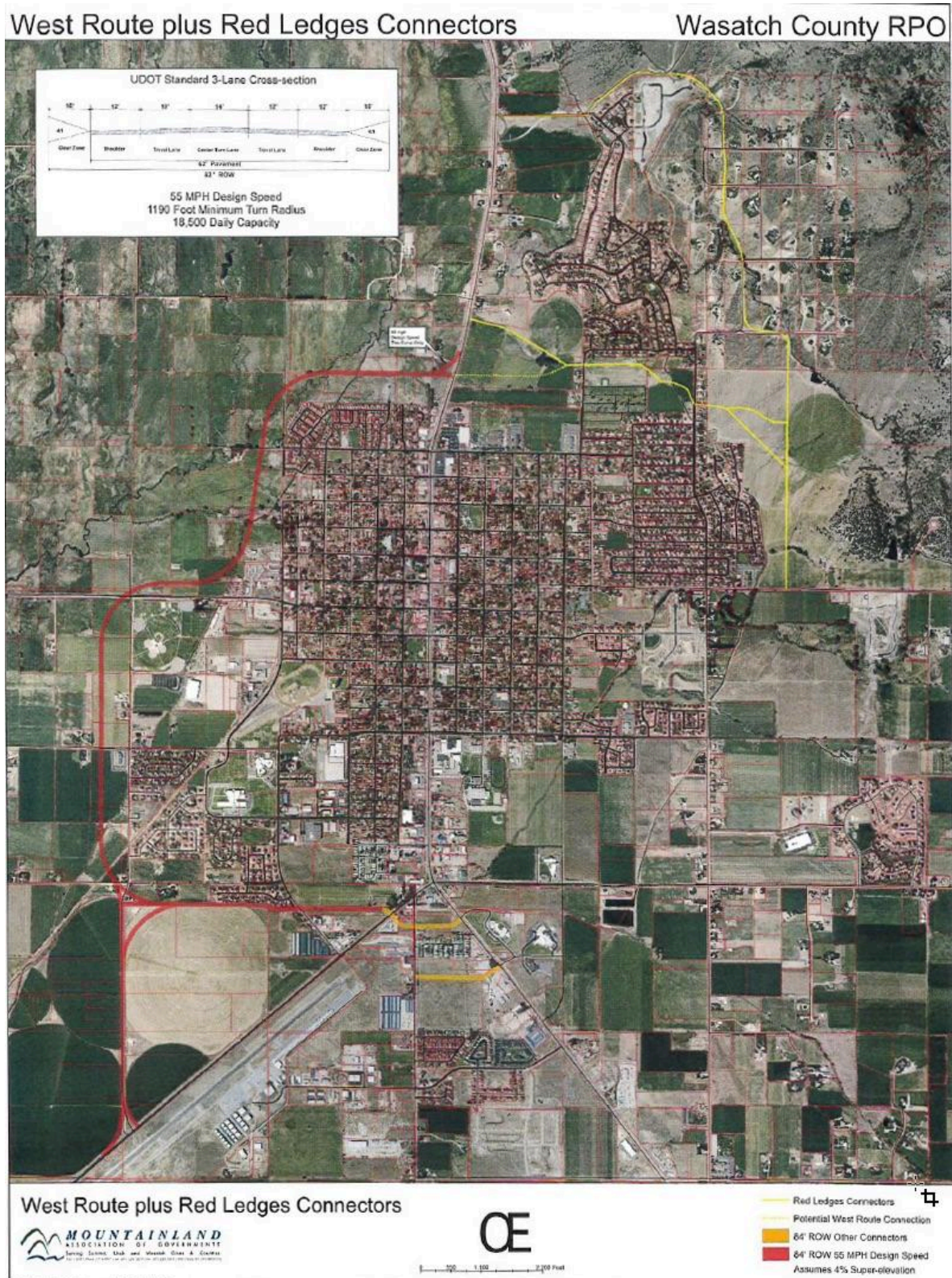




Table 4: Resolution No. 06-04 in support of bypass with map alignment – Aug. 2006

RESOLUTION NO. 06-04

**A RESOLUTION SUPPORTING THE ESTABLISHMENT OF
A TRANSPORTATION CORRIDOR CONNECTING SR 189 AND US 40
IN A MANNER THAT WILL BYPASS THE BUSINESS DISTRICT
OF HEBER CITY'S MAIN STREET.**

WHEREAS SR 189 and US 40 are the principal thoroughfares through Wasatch County and Heber City; and

WHEREAS the traffic on SR 189 and US 40 in Wasatch County has increased dramatically over recent years due to increased recreational opportunities in the County, improved roads leading to the County, and a variety of other reasons; and

WHEREAS the increased traffic through Heber City's Main Street, which occupies US 40 for a distance of approximately two miles, has resulted in congestion, inconvenience, and safety concerns for local citizens and visitors to the area; and

WHEREAS Wasatch County and Heber City both recognize the need for an alternate traffic corridor (hereafter "Bypass Road") through the County that can relieve the traffic on Heber City's Main Street; and

WHEREAS such Bypass Road, in order to be effective, must connect SR 189 and US 40 in a convenient and efficient manner, including exit lanes, merge lanes, overpasses and limited access as necessary so that by-pass traffic may access and use said road without being stopped; and

WHEREAS Wasatch County has recently enacted an ordinance establishing a Transportation Corridor Preservation Fee for the purpose of raising funds to preserve an appropriate alternate traffic corridor for such a Bypass Road; and

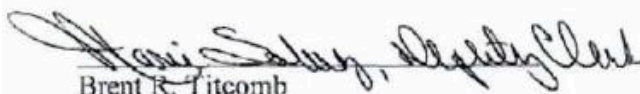
WHEREAS it is essential that Heber City and Wasatch County agree, as soon as possible, on an appropriate route for a Bypass Road corridor so that the corridor can be preserved.

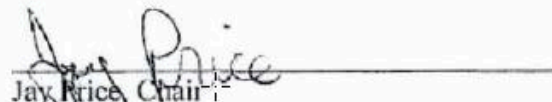
NOW, THEREFORE, BE IT RESOLVED that the Wasatch County Council hereby expresses its support and endorsement for the adoption of the Bypass Road corridor described on the map that is attached hereto. *Non stop intersection @ North & South ends*

APPROVED and PASSED this 9th day of August, 2006.

ATTEST:

WASATCH COUNTY COUNCIL


Brent R. Titcomb
Wasatch County Clerk / Auditor


Jay Price, Chair



WASATCH
— COUNTY —

Table 5: Resolution No. 2007-05 in support of bypass with map alignment – June 2007

Resolution 2007-05

A RESOLUTION SUPPORTING THE ESTABLISHMENT OF A TRANSPORTATION CORRIDOR CONNECTING STATE ROAD 189 AND US HIGHWAY 40 IN A MANNER THAT WILL BYPASS THE BUSINESS DISTRICT OF HEBER CITY'S MAIN STREET.

WHEREAS SR 189 and US 40 are the principal thoroughfares through Wasatch County and Heber City; and

WHEREAS the traffic on SR 189 and US 40 in Wasatch County has increased dramatically over recent years due to increased recreational opportunities in the County, improved roads leading to the County, and a variety of other reasons; and

WHEREAS the increased traffic through Heber City's Main Street, which occupies US 40 for a distance of approximately two miles, has resulted in congestion, inconvenience, and safety concerns for local citizens and visitors to the area; and

WHEREAS Wasatch County and Heber City both recognize the need for an alternate traffic corridor (hereafter "Bypass Road") through the County that can relieve the traffic on Heber City's Main Street; and

WHEREAS such Bypass Road, in order to be effective, must connect SR 189 and US 40 in a convenient and efficient manner, including exit lanes, merge lanes, overpasses and limited access as necessary so that by-pass traffic may access and use said road without being stopped; and

WHEREAS Wasatch County has recently enacted an ordinance establishing a Transportation Corridor Preservation Fee for the purpose of raising funds to preserve an appropriate alternate traffic corridor for such a Bypass Road; and

WHEREAS it is essential that Heber City and Wasatch County agree, as soon as possible, on an appropriate route for a Bypass Road corridor so that the corridor can be preserved.

NOW, THEREFORE, BE IT RESOLVED that the Heber City Council hereby expresses its support and endorsement for the adoption of the Bypass Road corridor described on the map that is attached hereto.

APPROVED and PASSED this 21st day of June, 2007.

ATTEST:

HEBER CITY COUNCIL


Paulette Thurber
City Recorder

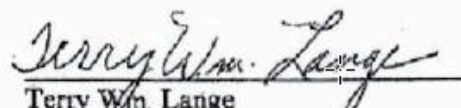

Terry Wm. Lange
Mayor Pro Tempore

Table 5 (cont): Resolution No. 2007-05 in support of bypass with map alignment – June 2007





Table 6: South Bypass Study presentation – 2009

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South Bypass

US 189 – US 40
Heber City, Utah



Table 6 (cont): South Bypass Study presentation – 2009

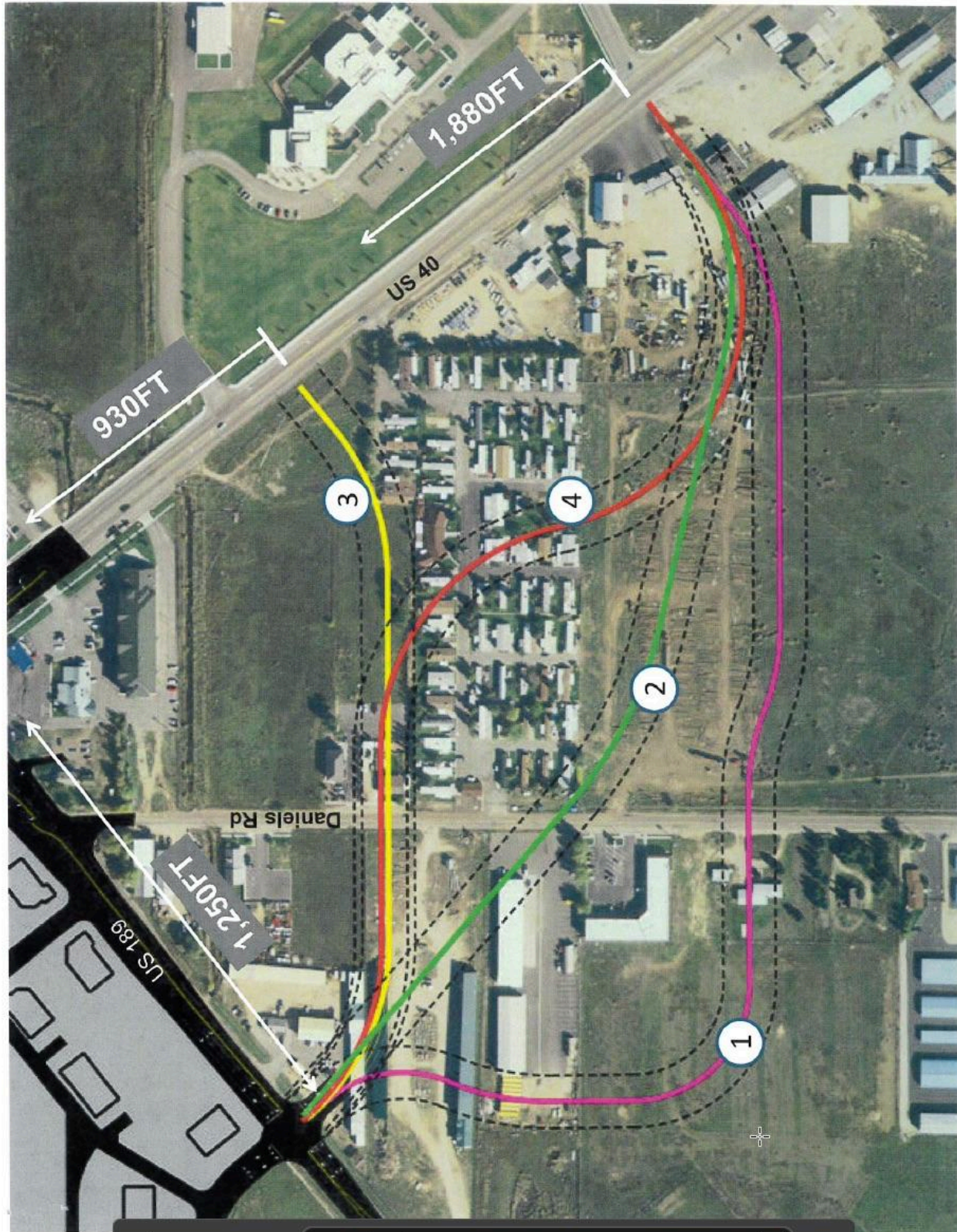
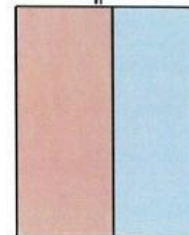


Table 6 (cont): South Bypass Study presentation – 2009

Tabulation of alignment impacts

Alignment	Number of Parcels Effected	Effected SQ FT	Historic (Section 4f & 6f)	Number of Relocations	Geometry (Consistent with AASHTO)	Runway Protection Zone Impact	Within Recommended Intersection Spacing of 1320'
1 / Purple	10	336,161	NO	5	YES	YES	YES
2 / Green	8	270,235	NO	8	YES	NO*	YES
3 / Yellow	7	179,910	NO	6	YES	NO*	NO
4 / Red	10	288,372	NO	20	YES	NO*	YES

—



= WORST (most) IMPACT OUT OF THE FOUR ALIGNMENTS * Intersection only

= LEAST IMPACT OUT OF THE FOUR ALIGNMENTS

Table 6 (cont): South Bypass Study presentation – 2009

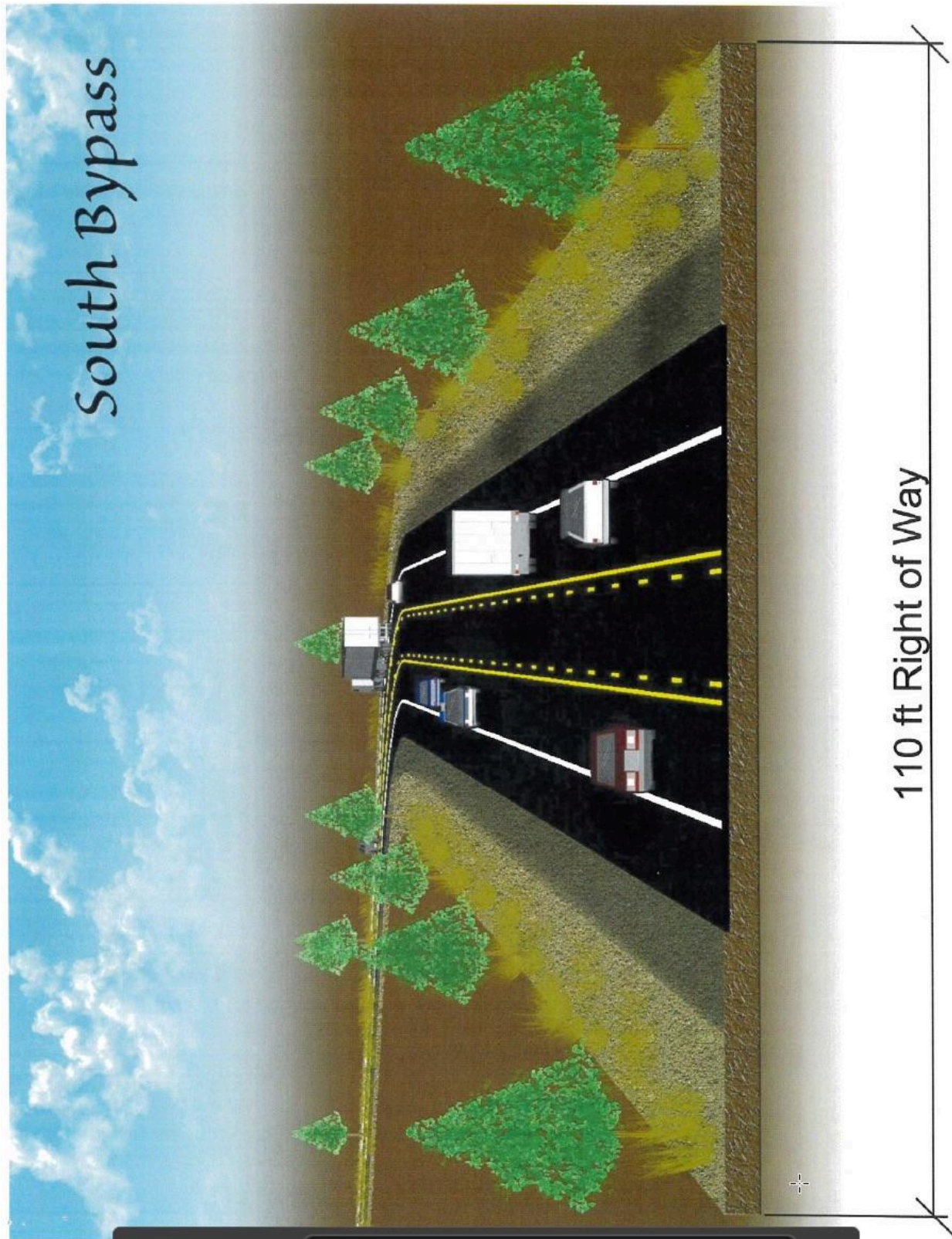


Table 6 (cont): South Bypass Study presentation – 2009

Pedestrian Study Update



PEC analyzed the following to quantify pedestrians:

- Reviewed Data from UDOT, Local Schools, & Bus Garage
- Identified number of students taking the bus and how many students are at each bus stop
- Reviewed Current and Planned Land Use Data
- Waiting for Spring Condition to Conduct on site ped/bike count



Table 6 (cont): South Bypass Study presentation – 2009

DRAFT

Pedestrian Study Update



Forecasting/Modeling:

- PEC will use the Spring bike/ped counts and also take into account projected developments and future land uses to forecast trips.

Recommendations at this point:

- Perform another on site bike/ped count once Wal-Mart and the new High School is open to acquire accurate base data for modeling future ped counts.
- During count watch for any J-walking problems that might occur at Daniels road or across US-189
- Install missing links of sidewalk on both sides of US-189



Table 8: Voter initiative approving open space preservation bonds – Nov. 2018

**Summary Results Report
GENERAL ELECTION
November 6, 2018**

**FINAL RESULTS
As of Nov 14 Canvass
Wasatch County**

LOCAL BALLOT PROPOSITION

Vote For 1

	TOTAL	VOTE %
FOR THE ISSUANCE OF BONDS (YES)	6,916	57.80%
AGAINST THE ISSUANCE OF BONDS (NO)	5,050	42.20%
Total Votes Cast	11,966	100.00%

PROPOSITION 10

Vote For 1

	TOTAL	VOTE %
AGAINST	7,001	62.41%
FOR	4,217	37.59%
Total Votes Cast	11,218	100.00%

MIDWAY CITY PROPOSITION LOCAL BALLOT

Vote For 1

	TOTAL	VOTE %
FOR THE ISSUANCE OF BONDS (YES)	1,467	54.68%
AGAINST THE ISSUANCE OF BONDS (NO)	1,216	45.32%
Total Votes Cast	2,683	100.00%

OFFICIAL BALLOT PARK CITY BOND

Vote For 1

	TOTAL	VOTE %
AGAINST THE ISSUANCE OF BONDS	2	66.67%
FOR THE ISSUANCE OF BONDS	1	33.33%
Total Votes Cast	3	100.00%



Table 9: Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

**WASATCH COUNTY
RESOLUTION NO. 22-09**

**A RESOLUTION SUBMITTING COMMENTS TO UDOT ON THE HEBER VALLEY
CORIDOR EIS DRAFT ALTERNATIVE DEVELOPMENT SCREENING REPORT**

WHEREAS, the Wasatch County supports the design and construction of road improvements to reduce traffic congestion on U.S. 40 in Heber City; and,

WHEREAS, the Wasatch County Council desires to raise public awareness of options being explored by UDOT; and,

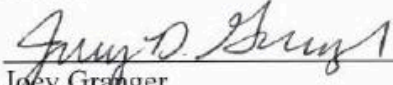
WHEREAS, the Wasatch County Council desires to submit an official comment during the current comment period on the selection process of alternatives; and,

WHEREAS, Wasatch County Council is united in its concern about factors related to three of the options advancing through the screening process; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Wasatch County Council as follows:

The Wasatch County Council submits the attached document (exhibit A) as an official comment to UDOT on the Heber Valley Corridor Environmental Impact Statement.

APPROVED and PASSED this 13 day of July, 2022.

Attest:  Joey Granger Wasatch County Clerk / Auditor	WASATCH COUNTY COUNCIL:  Mark Nelson, Chair Wasatch County Council
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VOTE

Mark Nelson, Chair	y				
Kendall Crittenden	y				
Steve Farrell	y				
Jeff Wade	—				
Danny Goode	y				
Marilyn Crittenden	y				
Spencer Park	—				

+ +

Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

EXHIBIT A

Section I: Heber Valley Corridor EIS Draft Alternatives Development and Screening Report Feedback

1. Included in the criteria for the report are the following two directives:

- a. Clean Water Act:

- i. Wasatch County Feels that the North Fields, specifically the Provo River corridor, qualify as a special aquatic site under the clean water Act.
 - ii. Option WA1 would significantly impact the water flow of properties located on the south and east of the route and affect historic flows into the special aquatic site.
 - iii. Because option WB3 and WB4 discharge into this special aquatic site, both options should account for this adverse impact.

- b. Department of Transportation Section 4(f):

- i. Wasatch County Feels that the North Fields qualifies as a Historic site of significant value and as such WB3 and WB4 adversely impact this site.
 - ii. The North Fields qualifies for this designation under the grounds that it represents broad patterns of Wasatch County's agricultural heritage and rural character; properties included in the north fields include those of locally significant historical persons; and the North Fields represents a collectively distinguishable entity valued by the public as being of locally significant historical value.

Section II: Wasatch County and Heber City General Plans Protections on the North Fields

1. Wasatch County feels that the value the community places on the North Fields and the impacts to that area were not adequately considered in the selection of options WB3 and WB4. Public statements and official documents on the importance of this area are as follows:

- a. In the Heber City General Plan:

- i. "Preserve the beautiful open lands that surround us" (pg. 5).
 - ii. Heber shows future land use in the north fields (pg. 18) and shows the north fields as part of the city. The zoning is AP (Agricultural Preservation).
 - iii. "Heber actively works with neighboring communities and the County on strategies to implement the permanent protection of farmlands, natural open spaces and rural character to maintain distinct separation between communities". (GP, Ch. 6 pg. 49)
 - iv. "Maintain open space between Heber and surrounding communities". It is the second most important feature that defines "small town" for Heber residents (according to a recent survey completed as a part of the City's visioning process). Residents want to preserve larger open spaces that provide a rural feel and promote a distinct identity for each community in the Heber Valley. (GP, Ch. 6, pg. 50)
 - v. Promote a Countywide effort to retain the open spaces between communities through such techniques as clustering and agricultural 20-acre lot zoning. (GP Ch. 6, Pg. 51)
 - vi. Consider bonding as an important open space preservation strategy. (GP. Pg. 76)

Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

- vii. Partner with non-profits, such as Utah Open Lands to preserve open space. (GP. Pg. 76)
 - viii. Envision Heber City 2050 "Big Ideas". The number 1 big idea was; "preservation of Open space/rural preservation". (GP. Pg. 187)
 - ix. Envision Heber City 2050 "Big Ideas". Number 6 big idea was: Small town character by separating towns with open space. (GP. Pg. 199)
 - x. Preferred approach to conserving the North Fields? Almost half want to permanently protect the North Fields by purchasing land or development rights, and there's a lot of support for maintaining 20-acre zoning. (GP. Pg. 13)
 - xi. Heber currently enjoys highly visible open spaces. The North Fields provide a strong rural feel when coupled with the mountainside on the east side of US 40. (GP. Pg. 49)
- b. In the Wasatch County General Plan
- i. A major impact to the green belt area between Heber City and Midway will be the construction of the Heber City truck route which would allow trucks to bypass Heber City's Main Street. Care must be taken to see that this road is constructed as close to Heber City as possible. (GP. Ch. 4. Pg. 167)
 - ii. 9.1.1 POLICY: Establish the alignment of the Heber City bypass route and oppose proposals that encourage incompatible development within the corridor. (Ch.3, Pg. 6). The alignment was adopted and made part of the GP.
 - iii. GOAL: Protect the rural agricultural economy of the County by establishing agricultural operations as a priority use of the land, protect existing and future agricultural operations, and encourage farmers and ranchers to stay on the land.
 - iv. Both Heber City and Wasatch County have passed resolutions of support (2007-05 and 06-04 respectively) for the bypass and the bypass alignment shown on Maps 32 and 20A.
 - v. 1.1.1 POLICY: Preserve a greenbelt between Heber City and Midway to maintain the agricultural heritage of the area.
 - vi. The County should adopt a general sales tax and/or bonding as a way to fund the purchase of development rights or the fee title to land that has been identified as having a public benefit as open space. (Ch. 6 GP)
 - vii. The Central Planning Area (North Fields) is highly prized by many local residents of Heber Valley as open space. This area's scenic value contributes significantly to the real value of all land within the Heber Valley area. Therefore, the following strategies should assist the county in preserving some of this area as open space at the same time providing property owners with a reasonable value for the removal of development rights from their property. (GP. Ch. 4, Pg. 167)
 - viii. Land within the Central Planning Area has been identified as having a public benefit as open space. In this area while development may occur at the underlying zone of one unit per 20 acres if a suitable area can be identified, an increase in transferable density credit for
 - ix. he is area should be allowed. (GP. Ch. 4, Pg. 167)
 - x. The County should adopt a general sales tax and/or bonding as an additional ways to fund the purchase of development rights and/or fee title to land identified as having a public benefit as open space. (GP. Ch. 4, Pg. 167)



Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

- xi. The preservation of open space in the Central Planning Area will also provide for a desired green belt separation between Heber City and Midway. The Development code should ensure that any development along SR 113 is set well back from the road and the rural character along this road is maintained. (GP. Ch. 4, Pg. 167)
- xii. The Soil Survey of the Heber Valley Area further identifies that many of the soils shown on Map 24 have severe limitations for roads, foundations for dwellings and septic tank absorption field. These severe conditions are a result of the high ground water table and high potential for frost action. While these limitations may be overcome with proper engineering, the cost is considerably higher and should be considered when it comes to the maintenance and operation of a public infrastructure. (GP, Ch. 4, Pg. 153)
- xiii. The physical constraints of the Central Planning (North Fields) Area by themselves will likely ensure that the historical land use pattern for this planning area will largely be maintained. Therefore, as a matter of public policy, the Central Planning Area is to be maintained in its historical land use pattern of open meadows, and river and small stream riparian habitat. The use of this area for housing and other types of development is discouraged due to the physical constraints and the higher costs of providing governmental services. GP. Ch. 4, Pg. 167)
- xiv. Land within the Central Planning Area (North Fields) has been identified as having a public benefit as open space. In this area while development may occur at the underlying zone of one unit per 20 acres if a suitable area can be identified, an increase in transferable density credit for the area should be allowed. (GP. Ch. 4. Pg. 167)



Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022



WASATCH COUNTY, UTAH

Our Vision

Wasatch County is recognized as a desirable destination to live, work and play. We are dedicated to honoring & protecting the heritage and rural character of our community, and are committed to creating a unique sense of place.

Our Purpose

In cooperation with the community and local governments, Wasatch County will address public needs, deliver quality services, and provide responsive decisions.

Through thoughtful planning and zoning that manages the impacts of growth, the County strives to balance the preservation of the area's highly valued rural and agricultural character with the promotion of clean and sustainable economic, residential, recreational, and tourism development opportunities.

Our Values

We manage and communicate our affairs in a fiscally sound and transparent manner while enforcing state and county ordinances consistently to promote a sense of trust between the county and its citizens. All county departments and employees are focused on good governance which includes professionalism, respect, ethics, integrity, transparency, and accountability to all of its citizens.

Revised April 2022
Photo: Courteney of Bryan Rowland

Wasatch County General Plan map 32

Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

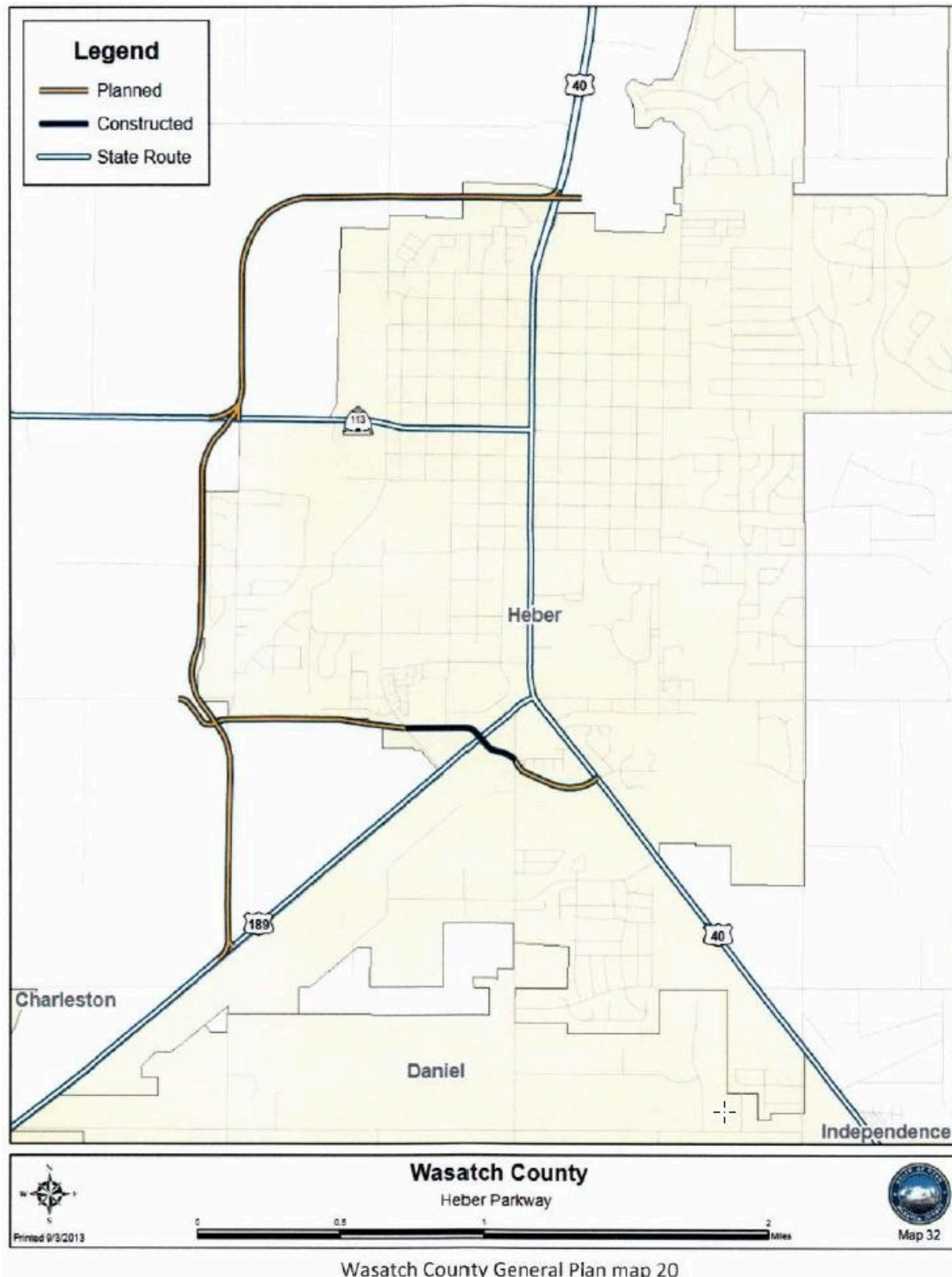


Table 9 (cont): Resolution No. 22-09 comments specifying routes that do not utilize the North Fields – July 2022

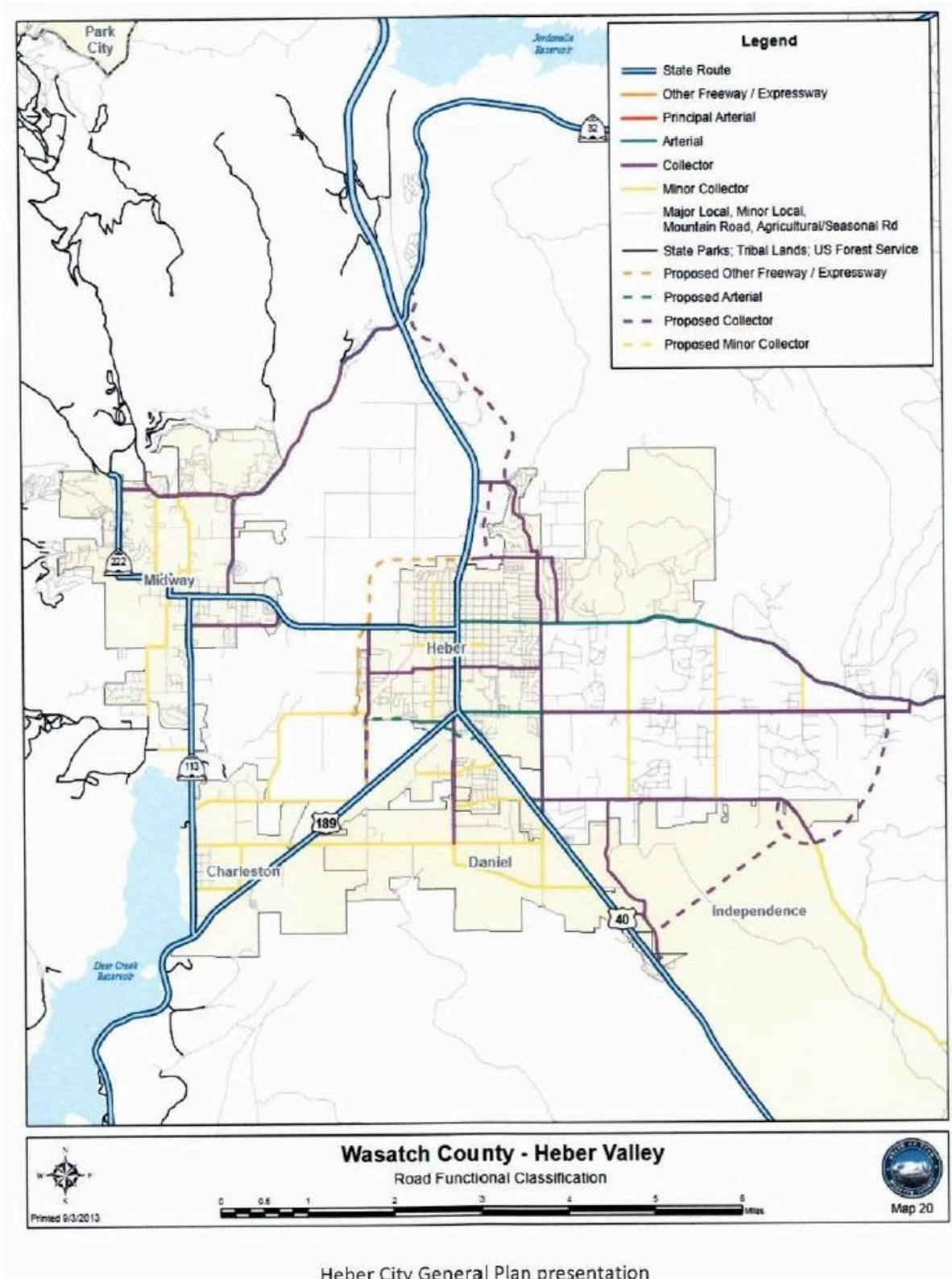




Table 10: Resolution No. 24-03 supporting conservation of the North Fields – May 2024

**WASATCH COUNTY
RESOLUTION NO. 24-03**

**A RESOLUTION SUPPORTING CONSERVATION IN THE NORTH FIELDS AND
HEBER VALLEY EIS BYPASS SUPPORT**

WHEREAS, the Wasatch County supports the design and construction of road improvements to reduce traffic congestion on U.S. 40 in Heber City; and,

WHEREAS, the Wasatch County Council desires to raise public awareness of options being studied by UDOT; and,

WHEREAS, the Wasatch County is aware that UDOT has not yet completed the Draft Environmental Impact Statement Phase of the multi-year process to choose the location and design of the road improvements; and,

WHEREAS, Wasatch County Council is united in its support of some of the Alternative Concepts that are included in the January 16, 2023 Final Alternatives Development and Screening Report; and,

WHEREAS, Wasatch County Council desires to protect the pristine nature of the North Fields and the agricultural character of this area, as demonstrated by the voter approval of open space bonds in 2018 and adoption of agricultural protection areas in 2022; and,

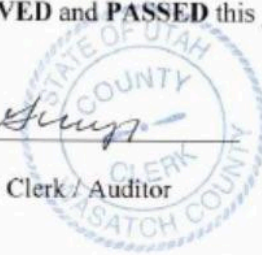
NOW, THEREFORE, IT IS HEREBY RESOLVED by the Wasatch County Council as follows:

The Wasatch County Council is actively pursuing means to responsibly preserve the rural character of our community through perpetual conservation easements and supports the improvement of transportation alternatives through the Heber Valley EIS process. Wasatch County believes that both priorities can be simultaneously achieved and is willing to continue to work with all parties to accomplish these outcomes.

APPROVED and PASSED this 15 day of May, 2024.

Attest:


Joey Granger
Wasatch County Clerk / Auditor



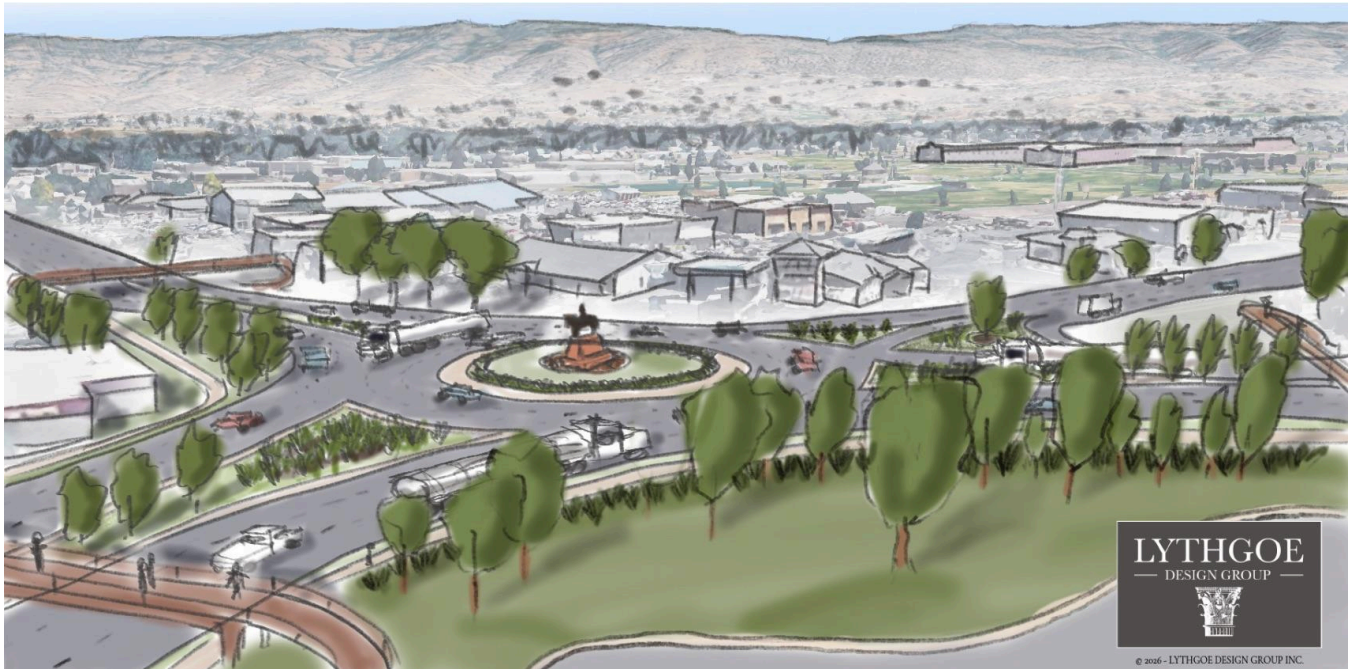
WASATCH COUNTY COUNCIL:


Spencer Park, Chair
Wasatch County Council

VOTE

Spencer Park , Chair	<u>Y</u>
Kendall Crittenden	<u>Y</u>
Steve Farrell	<u>Y</u>
Karl McMillan	<u>Y</u>
Erik Rowland	<u>Y</u>
Luke Searle	<u>Y</u>
Spencer Park	<u>Y</u>

Table 11: Proposed Traffic and Pedestrian Solutions



A concept for a roundabout at Main Street and 1200 S. Heber City, Credit: Lythgoe Design Group



A concept for an elevated pedestrian walkway at Main Street and 1200 S. Heber City, Credit: Lythgoe Design Group