Chapter Nine

Section 4(f) Evaluation

Final Environmental Impact Statement

Vancouver Rail Project

This document presents the Section 4(f) evaluation for the Washington State Department of Transportation's (WSDOT) **Vancouver Rail Project**.

What is a Section 4(f) evaluation?

Section 4(f) was enacted as part of the Department of Transportation Act of 1966. For purposes of the Federal Highway Administration's actions and approvals, Section 4(f) is codified at 23 U.S.C. § 138 and is implemented by regulations found at 23 C.F.R. § 771.135 et seq. Section 4(f) states, in pertinent part,

> *"…that the Secretary shall not approve any program or project (other than any project for a park road or parkway under section 204 of this title) which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from an historic site of national, State, or local significance as so determined by such officials unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use."*

How does this evaluation fit in with WSDOT's Vancouver Rail Project Environmental Impact Statement?

While a Section 4(f) evaluation is a separate and distinct legal requirement, FHWA incorporates the 4(f) evaluation into its Environmental Impact Statement documents as required by 23 C.F.R. §§ 771.105(a) and 771.135(i).[1]

This chapter presents an overview of the Section 4(f) resource that may potentially be impacted as a result of the **Vancouver Rail Project**. More detailed information regarding process, analysis, and conclusions can be found in the Vancouver Rail Project Cultural Resources Discipline Report (August 2000, revised July 2001) and the Vancouver Rail Project Cultural Resources Addendum (September 2002).

[1] *Federal regulations require that the Section 4(f) evaluation be submitted and reviewed by the U.S. Department of the Interior (DOI). Documentation of this review appears in* ***Appendix F.***

What resource may be impacted?

Both Alternatives B and I may impact an historic structure located in Vancouver, Washington[2]. The building, located at 1901 NW 69th Circle, Vancouver, Washington, appears to have been constructed circa 1895 and has been determined, by the State Historic Preservation Officer (SHPO) and the Federal Highway Administration (FHWA), to be eligible for listing in the National Register (**Exhibits 9-1** and **9-2**). Through Section 106[3] coordination with the SHPO[4] and FHWA, it has been determined that the proposed **Vancouver Rail Project** would have an "adverse effect" on this historic site.

Front View: 1901 NW 69th Circle
Exhibit 9-1

What is the current ownership and use of the property?

The property is under private ownership. It is currently being rented as a single-family home. The owner is aware of the property's potential historic designation.

Historic sites and structures are the only privately-owned resources that are protected under the Section 4(f) process.

Back View: 1901 NW 69th Circle
Exhibit 9-2

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[2] *Two parks will also be impacted as a result of the Vancouver Rail Project. However, through coordination with the official of jurisdiction and FHWA, it has been determined that these parks are not significant, per Section 4(f) guidelines. These parcels and their impacts are discussed in Chapters 4 and 5 of this document.*

[3] *Section 106 of the National Historic Preservation Act requires Federal agencies to consider the effects of their actions on historic properties and seek comments from the Advisory Council on Historic Preservation. In addition, coordination with the State Historic Preservation Office is key to the Section 106 process. Because historic structures are also covered under the Section 4(f) process, coordination and information developed as part of the Section 106 is often used for the Section 4(f) analysis. However, Section 4(f) and Section 106 have their own requirements and processes.*

[4] ***Appendix F** contains the correspondence between WSDOT and the SHPO.*

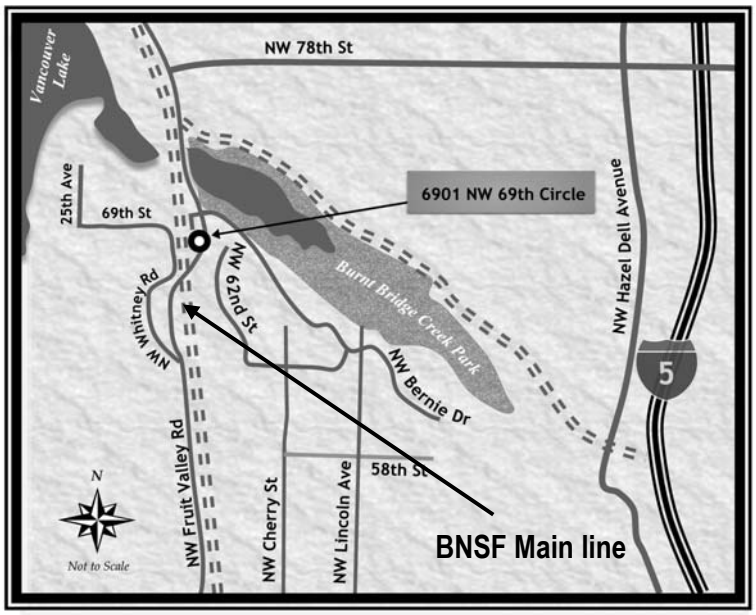
What are the characteristics of this historic building?

The building is a one-story, single-detached vernacular house located in a rural setting. The house is located on the east side of the BNSF railroad, approximately 70 feet from the tracks (**Exhibit 9-3**). A gravel road paralleling the east side of the railroad provides access to the house from NW Lakeshore Drive. The residence is located on a 1.5-acre lot and is surrounded by large trees and Himalayan blackberries. The house is visible from Whitney Road to the west of the railroad tracks.

General Characteristics

The overall shape of the floor plan is rectangular, offset by a wrap-around verandah on the south and west elevations and a small porch on the east elevation. Access to the house is available through the primary entrance on the west elevation, and additional entrances are located on the east elevation and off the wrap-around verandah on the south elevation. The three garages with hinged, wooden doors below the verandah horizontally divide the west elevation.

The house has a concrete foundation, and the roof is hipped with a low gable over the front entrance. A swept, or eyebrow, dormer is located on the west slope of the hipped roof. The roof is covered with composition shingle, and the exterior wall material is wood shingle. Chimneys are located on the north, east, and south slopes of the hipped roof. The eaves are boxed with a decorated frieze below.



Historic Building Location Map
Figure 9-3

Specific Features

Reversed straight stairs lead up to the porch. The first five stairs are cement and the next five stairs perpendicular to the verandah are wooden and appear to have been replaced along with the stair railing. The wood flooring on the verandah is tongue and groove, and wood piers with decorative brackets support the verandah roof. The open railing that extends from pier to pier is also wood with square balusters. Wood piers support the shed roof of the porch on the east elevation. A vertical wood skirting is separated from the wood shingles by a water table and gradually increases in height as the topography slopes down from the east elevation to the west elevation. Straight stairs with open railing

provide access to the verandah on the south elevation. Vertical wood siding is located on the north elevation below the water table and increases in height as the topography slopes from east down to west.

The windows are characterized by a variety of widths, sizes, and configurations. All side casings, aprons, and head trims are flat. The west elevation has a pair of one-over-one double hung windows with lamb's tongue to the north of the primary entrance. A pair of tented one-over-one double hung windows with lamb's tongue is located to the south of the primary entrance and provides lighting to the living room. The south elevation has a small, fixed leaded glass window with elongated hexagonal lights; a single, one-over-one double hung window; a pair of tented one-over-one double hung windows; and two smaller one-over-one double hung windows. There is a pair of one-over-one double hung windows with lamb's tongue on the east elevation and a single one-over-one double hung window with lamb's tongue, all of which are to the north of the entrance on the east elevation. There are five one-over-one double hung windows (two with lamb's tongue) on the north elevation above the water table and three windows below the water table. The windows below the water table on the north elevation include two three-over-three double hung with lamb's tongue and one fixed window with three lights.

Interior View of Historic Building
Exhibit 9-4

Detail: Interior View of Historic Building
Exhibit 9-5

The front entrance door on the west elevation is a single leaf with three panels below a large light, with a horizontal band of recessed panels above the light. A vertical band of four side lights with decorated surrounds are on either side of the door. The screen door appears to be original. Doors on the south and east elevations are wood with large glass panels in the upper one-third and are covered with screen doors that do not appear to be original.

The interior floor plan is intact and decorative features include pocket doors separating the living and dining rooms, a built-in cabinet in the dining room, and surrounds on the doors and windows (**Exhibits 9-4** and **Exhibit 9-5**).

Why is this parcel eligible for inclusion on the National Register?

There are four National Register Criteria for Evaluation, including association with significant events (Criterion A); association with significant people (Criterion B); possession of significant design or construction (Criterion C); and association with information important in prehistory or history (Criterion D).

It has been determined this building meets the criteria identified under Criterion C.

Criterion C Requirements

Criterion C applies to properties significant for their physical design or construction, including such elements as architecture, landscape architecture, engineering, and artwork. To be eligible under Criterion C, a property must meet at least one of the following requirements:

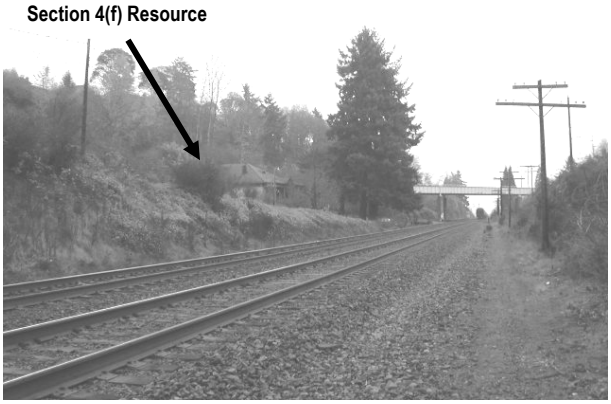
- Embody distinctive characteristics of a type, period, or method of construction;
- Represent the work of a master;
- Possess high artistic value; and/or
- Represent a significant and distinguishable entity whose components may lack individual distinction.

The house located at 1901 NW 69th Circle is eligible under Criterion C because it meets the requirements of embodying distinctive characteristics of a type of construction. The house represents a well-preserved example of late 1800s, early 1900s housing of unusual design, with three large hinged-door garages on the primary elevation. Original features include: roof shape; shingle siding; one-over-one windows with lamb's tongue; a leaded glass window; tented windows on the west and south elevations; brackets; wood piers and square wood balusters on the verandah on the west and south elevations; and doors on the west, south, and east elevation. The interior appears to be entirely intact.

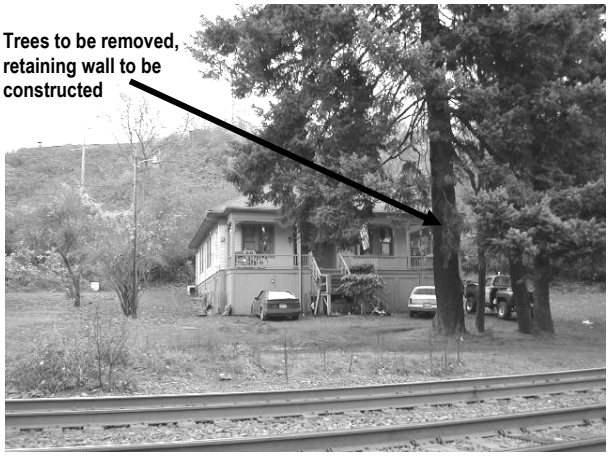
Based upon the research conducted, in accordance with the National Register Criteria, it is recommended that the building located at 1901 NW 69th Circle, Vancouver, Washington is eligible for the National Register of Historic Places under Criterion C. It is a locally distinctive, one story vernacular house dating to the late 19th century, early 20th century in Vancouver, Washington. It is one of the only remaining well-preserved, modest vernacular houses in Vancouver with the particular configuration of garages below the verandah. It is a locally distinctive example of an early twentieth century vernacular house. While the integrity of the setting of the building has been compromised with the overpass to the south and Fruit Valley Road to the east of the house, the building retains its integrity in location, design, materials, and workmanship.

What are the potential impacts to this resource?

Through the Section 106 process, it has been determined that the proposed project alternatives would have an adverse effect on the historic property located at 1901 NW 69th Circle due to the configuration of the additional rail line and associated facilities. The proximity of the proposed bypass tracks and access road would necessitate moving the historic building's driveway, as well as installing a retaining wall in front of the building. The retaining wall would be approximately one to two feet high. The driveway would be moved from its current location to approximately 25 feet east closer to the house, and the retaining wall would be installed approximately 35 feet from the primary elevation. The removal of the trees as a result of the retaining wall construction would contribute to the degradation of the setting. The proximity of the third railroad track (and related facilities) to the building would likely diminish the value of the property and could facilitate a "demolition by neglect," meaning that the property, with lack of residents, would likely to deteriorate over time. **Exhibit 9-6** shows the historic structure and its relation to the existing railroad tracks. In **Exhibit 9-7** the stand of trees located between the tracks and the home would be removed. As part of both build alternatives, a retaining wall would be constructed in this general area. The purpose of the retaining wall is to hold up the new rail access road (typically a filled slope is used; however, that would require more land). **Exhibit 9-8** on the following page illustrates the location of the proposed bypass tracks and their proximity to the historic structure.

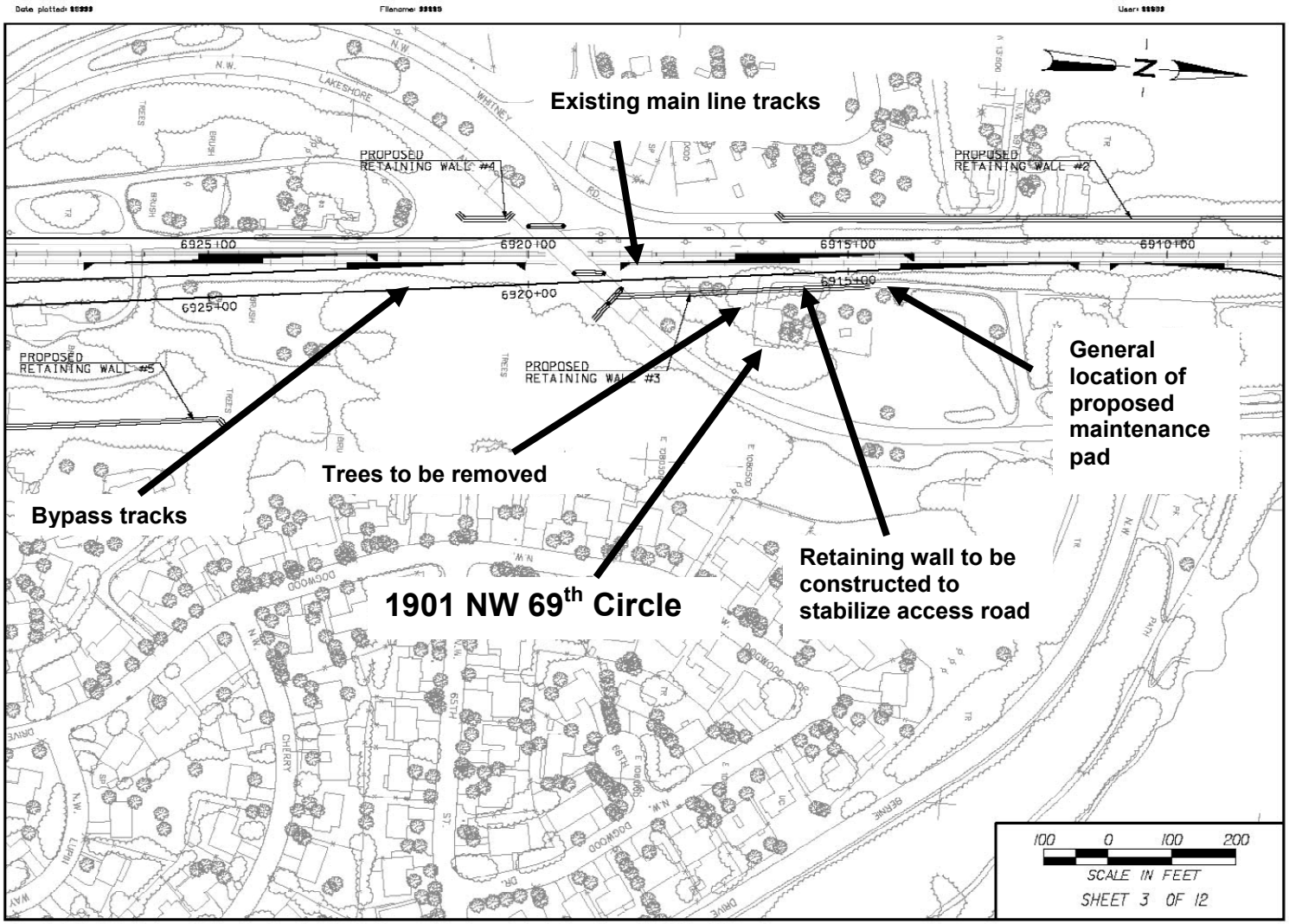


View Looking South from West Side of Tracks
Exhibit 9-6



View Looking East from West Side of Tracks
Exhibit 9-7

Proposed Bypass Tracks and Associated Facilities (Alternatives B and I)
Exhibit 9-8



In addition to the findings from the Section 106 analysis, additional potential impacts were identified as part of the NEPA process. Discipline reports were prepared for both natural and built environment resources. These analyses indicated for both Build Alternatives, the historic structure could potentially experience impacts from increased noise (as a result of the proximity of the new bypass tracks) and visual quality impacts. The removal of the trees and construction of the retaining wall would diminish the cultural value of the home's natural setting. No other potential impacts were identified. Under the No Build Alternative, it was concluded that noise impacts would still result due to the projected increase in freight rail traffic over next twenty years. Safety issues would also be a considerable factor under the No Build Alternative.

Are there any feasible and prudent alternatives other than the two build alternatives?

No. Operational and engineering design determined that the northern terminus of the bypass (and appropriate switches) had to be located in the general vicinity of the historic structure. The location and design chosen (in Alternatives B and I) present the least impact to the home at 1901 NW 69th Circle.

As discussed in previous chapters, railroad track and facility designs are based on complicated railroad operational needs. Operational needs dictate the locations of turnouts, crossovers, switches, and other associated rail facilities. In addition, the physical constraints of long, heavy freight trains dictate the curve and grade of a track. Maintenance of tracks is also critical; therefore, access roads and pads are required near switches and crossovers.

For the **Vancouver Rail Project**, in order to provide an appropriate curve and grade for the rail bypass, engineering design dictates the beginning and ending location of the bypass. Also contributing to the bypass design is the need to locate appropriately-sized switches at the beginning and end of the bypass. A switch is a device that allows a train to "switch" from one track to another. Another aspect of railroad operations is the need for access (for maintenance). Typically, an access road is constructed with a filled slope. However, by using only fill, more land would be required. In order to minimize the impacts to the surrounding area, a retaining wall, in some cases, can be used.

Did the team consider any avoidance alternatives?

As stated above, operational and engineering design indicated that the general location of the bypass should be placed in the vicinity of the historic structure. Once it had been determined that a Section 4(f) resource would be impacted by either Alternative B or I, the project team reviewed the existing northern terminus of the bypass.

Shift the Northern Terminus to the North

By shifting the terminus north, as the bypass travels south, the curve of the bypass would be further from the existing main line tracks as it approaches the location of the historic structure. As such, the historic structure would be greatly impacted – it is possible that the structure would have to be demolished under this scenario.

Shift the Northern Terminus to the South

Another option considered was to move the northern terminus of the bypass to the south. In order to make this shift, extensive engineering and operational analysis had to be performed. This shift would have changed the curve of the bypass, thus requiring a different type of switch. This different type of switch would have changed the general speeds of the trains using the bypass. However, once these operational issues were resolved, it was determined that the maintenance pad would end up directly in front of the historic structure. Therefore, the same impacts would result to the historic resource, and the operations of the rail traffic would be slightly decreased.

What has the project team concluded?

Given the constraints of working on a linear project (which has been in its current location for almost 100 years), as well as the constraints of rail operations and design, the WSDOT project team believes that both Alternatives B and I have equal impacts on the 4(f) property. Therefore, either alternative may be chosen under Section 4(f).

What are the proposed mitigation measures for this 4(f) resource?

When a project uses a 4(f) resource, all possible planning to mitigate that harm must be accomplished. In this case, the WSDOT project team has mitigated the harm through development of a Memorandum of Agreement. Based on the determination that there are no prudent and feasible alternatives that avoid the 4(f) resource, WSDOT, FHWA, and the SHPO — as part of the Sections 106 and 4(f) processes — have entered into a Memorandum of Agreement[5] (MOA) which includes measures that wholly or in part mitigate the adverse effects on the historic property.

The MOA states:

"FHWA shall ensure that the following measures are carried out:

I. Documentation

WSDOT shall consult with the SHPO regarding the appropriate level of documentation of the Sutherland House, including but not limited to current view

[5] *A copy of the MOA is contained in **Appendix F**.*

and historic photographs and text. Photo-documentation of the property will occur prior to any project-related disturbance to the site; and

II. Noise barrier and landscaping design

WSDOT shall provide a noise barrier to mitigate increased noise levels resulting from this project and affecting the Sutherland House. As part of the project planning process, WSDOT shall provide the SHPO an opportunity to review and approve preliminary and final designs for the noise barrier, landscaping associated with the noise barrier, vehicle access to the Sutherland House, and other site planning issues that might arise from the undertaking and that may affect the historic character of the Sutherland House. Project plan review and approval by SHPO shall occur at the preliminary and final design stages and at other appropriate stages of the design process as determined by WSDOT."

As the proposed project moves forward, FHWA and WSDOT will continue coordination[6] with the SHPO and the existing property owner.

[6] ***Appendix F*** *presents copies of correspondence with the State Historic Preservation Office (SHPO). Beginning in December 2001, the WSDOT project team has been working closely with the SHPO to determine the impacts of the* ***Vancouver Rail Project*** *on this historic structure. In addition, through the public involvement process, the project team has been in close contact with the property owner.*