Section 4(f) and Section 6(f) Technical Analysis

Prepared for:

Washington State Department of Transportation

Prepared by:

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Acronyms and Abbreviations

CDID #1  Consolidated Diking Improvement District No. 1
DAHP  Washington State Department of Archaeology and Historic Preservation
EIS  Environmental Impact Statement
FHWA  Federal Highway Administration
GSA Alternative  Grade-Separated Option A Alternative
NEPA  National Environmental Policy Act
PGSB Alternative  Partial Grade-Separated Option B Alternative
Section 4(f)  Section 4(f) of the U.S. Department of Transportation Act of 1966
Section 6(f)  Section 6(f) of the Land and Water Conservation Fund Act
SR  State Route
WSDOT  Washington State Department of Transportation
1.0 INTRODUCTION

The Industrial Way / Oregon Way Intersection Project is located in the industrial area of Longview, Washington at the intersection of Industrial Way (State Route (SR) 432), Oregon Way, and SR 433. This intersection provides a critical connection of two Highways of Statewide Significance that support significant passenger and freight truck movement. The purpose of the project is to develop an affordable long-term solution that:

- Maintains or improves emergency response
- Improves travel reliability for all vehicles
- Accommodates current and future freight truck and passenger vehicle movement through the intersection and across the region and states.

The purpose of this document is to describe the existing Section 4(f) properties and discuss effects and benefits the project would have on those properties. The information contained in this technical analysis supports the project’s Environmental Impact Statement (EIS).

Methodology for the analysis contained in this document is presented in the Impact Assessment Methodology memorandum included as Attachment A.

2.0 DESCRIPTION OF ALTERNATIVES

Three alternatives are being evaluated to address the project’s purpose and need: the No Build Alternative, the Grade-Separated Option A Alternative (GSA Alternative), and the Partial Grade-Separated Option B Alternative (PGSB Alternative). Each alternative is described in Chapter 2 of the project’s EIS.

3.0 AFFECTED ENVIRONMENT

Section 4(f) of the U.S. Department of Transportation Act of 1966 specifies that the Secretary of Transportation may approve a transportation program or project requiring the use of publicly owned land of a public park, recreation area, or wildlife or waterfowl refuge of national, state, or local significance, or land of an historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge, or site) only if:

- There is no prudent and feasible alternative to using that land; and
- The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

The Land and Water Conservation Fund Act State Assistance Program, Section 6(f), was established by the Land and Water Conservation Fund Act of 1965. The program provides matching grants to states and through states to local units of government, for the acquisition and development of public outdoor recreation sites and facilities. Property acquired or developed with Land and Water Conservation Fund assistance shall be retained and used for public outdoor recreation. Any property so acquired and/or developed shall not be wholly or partly converted to other than public outdoor recreation uses without the approval of the National Park Service pursuant to Section 6(f)(3) of the Land and Water Conservation Fund Act and the Land and Water Conservation Fund State Assistance Program Federal Financial Assistance Manual (2008).
3.1 Existing Section 4(f) Properties

Recreation facilities qualify as Section 4(f) properties if they are publicly-owned, open to the public during normal hours of operation and serve recreation activities as a major purpose as stated in adopted planning documents. Historic properties listed or eligible for listing on the National Register of Historic Places qualify as Section 4(f) properties.

There is one recreational facility and two historic properties located in the study area, shown in Figure 1, that qualify as Section 4(f) properties:

- Highlands Trail: 1.3-mile pedestrian and bicycle trail that runs parallel to CDID Ditch No. 3 along the southern perimeter of the Highlands Neighborhood
- CDID Ditch No. 3: Historic ditch used to control flooding in the City of Longview; this ditch runs parallel to Industrial Way and crosses under Oregon Way in two culverts
- Reynolds Lead: Historic railroad segment built in the 1920s connecting from the Longview Switching Company’s rail yard to the former Reynolds Aluminum Smelter.

The three Section 4(f) properties are described in greater detail in the Section 4(f) de minimis Impact Determinations included as Attachments B, C, and D. There are no parks or wildlife or waterfowl refuges in the study area.

3.2 Existing Section 6(f) Properties

A list of all projects funded by Land and Water Conservation Fund grants within Cowlitz County, and would thus qualify for protection under Section 6(f) was reviewed (NPS 2015). It was determined that all projects that have received such grants are outside the limits of the study area and beyond the immediate project vicinity; therefore, there are no properties in the study area subject to analysis under Section 6(f).
Figure 1. Section 4(f) Properties in the Section 4(f) Study Area
4.0  ENVIRONMENTAL CONSEQUENCES

Under both the GSA Alternative and the PGSB Alternative, the three Section 4(f) properties would experience *de minimis* impacts as described and illustrated in the Section 4(f) *de minimis* Impact Determinations (Attachments B, C, and D) and summarized below. Documentation of coordination with the officials with jurisdiction, the City of Longview for the Highlands Trail and the Washington State Department of Archaeology and Historic Preservation (DAHP) for the CDID Ditch No.3 and the Reynolds Lead, is included in the Section 4(f) *de minimis* Impact Determinations (Attachments B, C, and D).

There would be no constructive use to these resources, as impacts would not substantially impair the attributes of the historic resources or recreational opportunities of the recreation resource (trail).

4.1  No Build Alternative

Under the No Build Alternative, there would be no Section 4(f) use of any of the Section 4(f) properties.

4.2  Grade-Separated Option A (GSA) Alternative

4.2.1  Highlands Trail

Construction of the GSA Alternative would result in a *de minimis* impact to the Highlands Trail for the following reasons:

1. Acquisition areas would not physically change the existing trail
2. Access to the trail from Oregon Way and other local streets would remain unchanged
3. Changes in noise, air quality, and the visual setting from the trail would not significantly alter the experience of trail users
4. Noise, dust, and visual disruptions during construction would be temporary in nature.
5. Only the eastern most portion of the trail between 17th Avenue and Oregon Way would be temporarily closed during construction (up 1.5 years during closure of Oregon Way), and users would still be able to access the remaining length of the trail from other access points.
6. Acquisitions from the City of Longview parcels in which the trail is located would represent a small portion of these parcels. The existing trail facility does not extend into the portion of the parcels that would be acquired.
7. Temporary easements from the City of Longview parcels would also represent a small portion of the area owned by City for the trail and would only be in effect during project construction, which could last up to 5 years.

4.2.2  Reynolds Lead

Construction of the GSA Alternative would result in a *de minimis* impact to the Reynolds Lead for the following reasons:

1. The realigned segment of the rail line represents only a small portion of the historic alignment
2. The overall alignment of the rail line would remain unchanged
3. Trains would continue to operate on the line in the same manner they do today
4. Acquisitions from the Reynolds Lead right-of-way would represent a small portion of the total area owned by BNSF Railway and Union Pacific Railroad (UPRR) for the Reynolds Lead.
5. Temporary easements from the Reynolds Lead right-of-way would also represent a small portion of the area owned by BNSF Railway and UPPR for the Reynolds Lead and would only be in effect during project construction, which could last up to 5 years.
6. Changes in noise, air quality, and the visual setting would not substantially alter the context and setting.
7. Noise, dust, and visual disruptions during construction would be temporary in nature.

4.2.3 CDID Ditch No. 3

Construction of the GSA Alternative would result in a *de minimis* impact to CDID Ditch No. 3 for the following reasons:

1. The replaced or extended culverts under Oregon Way (modern additions to the system; not contributing elements to the historic resource) would continue to convey water in CDID Ditch No. 3 in the same manner it is currently conveyed.
2. Access to CDID Ditch No. 3 and the Oregon Way Pump Station (a modern addition to the system; not a contributing element to the historic resource) would continue to be provided from Oregon Way.
3. Acquisitions from the CDID #1 parcels would represent a small portion of the total area owned by CDID #1 for CDID Ditch No. 3.
4. Temporary easements from the CDID #1 parcels would also represent a small portion of the area owned by CDID #1 for CDID Ditch No. 3 and would only be in effect during project construction, which could last up to 5 years.
5. Changes in noise, air quality, and the visual setting would not substantially alter the context and setting.
6. Noise, dust, and visual disruptions during construction would be temporary in nature.

4.3 Partial Grade-Separated Option B (PGSB) Alternative

4.3.1 Highlands Trail

Construction of the PGSB Alternative would result in a *de minimis* impact to the Highlands Trail for the same reasons as described under the GSA Alternative in Section 4.2.1 except that Oregon Way would not be closed so that closures of the portion of the trail between 17th Avenue and Oregon Way would likely be much shorter in duration, and construction would only be expected to last for up to 3.5 years, so the duration of temporary easements would be shorter than under the GSA Alternative.

4.3.2 Reynolds Lead

Construction of the PGSB Alternative would result in a *de minimis* impact to the Reynolds Lead for the following reasons:

1. The rail alignment would not be physically altered.
2. The new elevated structures over the rail segment would not alter the rail alignment.
3. Trains would continue to operate on the line in the same manner they do today.
4. Permanent easements from the Reynolds Lead right-of-way would represent a small portion of the total area owned by BNSF Railway and UPRR for the Reynolds Lead.

5. Temporary easements from the Reynolds Lead right-of-way would also represent a small portion of the area owned by BNSF Railway and UPRR for the Reynolds Lead and would only be in effect during project construction, which could last up to 3.5 years.

6. Changes in noise, air quality, and the visual setting would not substantially alter the context and setting.

7. Noise, dust, and visual disruptions during construction would be temporary in nature.

4.3.3 CDID Ditch No. 3

Construction of the PGSB Alternative would result in a *de minimis* impact to CDID Ditch No. 3 for the same reasons as described under the GSA Alternative in Section 4.2.3 except construction would only be expected to last for up to 3.5 years, so the duration of temporary easements would be shorter than under the GSA Alternative.

5.0 MEASURES TO AVOID OR MINIMIZE PROJECT EFFECTS

5.1.1 Highlands Trail

Measures to avoid, minimize, and mitigate impacts or provide enhancement to the Highlands Trail under both the GSA and PGSB Alternatives include:

1. The project has been designed to avoid physical impacts to the Highlands Trail, including its connection to the Oregon Way sidewalk.

2. During construction, pedestrians and bicyclists would be able to use the segment of the trail west of 17th Avenue. A signed detour route would be provided for the 0.2-mile segment between 17th Avenue and Oregon Way.

3. The project has been designed such that it would not change or preclude the future extension of the trail east across Oregon Way.

4. The project would construct new sidewalks and a new shared-use path within the intersection vicinity, enhancing overall pedestrian and bicycle connectivity and improving access to the Highlands Trail.

5.1.2 Reynolds Lead

Measures to avoid, minimize, and mitigate impacts or provide enhancement to the Reynolds Lead under both the GSA and PGSB Alternatives include:

1. The project has been designed to maintain the overall alignment of the rail line and ensure that trains can continue to operate in the same manner that they do today.

2. Rail operations would not be interrupted during construction.

3. The new elevated structures have been designed to avoid interference with or changes to rail operations.

Additional measures under the PGSB Alternative include:

1. The project has been designed to avoid changes to the historic rail alignment.
5.1.3 CDID Ditch No. 3

Measures to avoid, minimize, and mitigate impacts or provide enhancement to CDID Ditch No. 3 under both the GSA and PGSB Alternatives include:

1. The project has been designed to maintain the historic alignment of the ditch.
2. Access to the Oregon Way Pump Station would be maintained.
3. The construction contractor would be required to submit a culvert bypass plan and to maintain water flow and connectivity of the ditch during construction.

6.0 REFERENCES


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Attachment A: Section 4(f) and Section 6(f) Impact Assessment Methodology Memorandum
Memorandum

To: Joanna Lowrey, PE, WSDOT Kelso Area Engineer
   Claude Sakr, Cowlitz County Project Manager

From: Jennifer Rabby, AICP, WSP

Date: April 1, 2016
   Revised October 13, 2017

Subject: Impact Assessment Methodology: Section 4(f) and Section 6(f)

1 Methodology Introduction

This memorandum presents the methodology used to analyze potential effects of the proposed Industrial Way/Oregon Way Intersection Project on Section 4(f) and Section 6(f) resources. This analysis is included in Appendix M (Section 4(f) Technical Analysis) of the environmental impact statement (EIS) prepared for the project.

2 Study Area

The study area for Section 4(f) and Section 6(f) is shown in Figure A-1 below. The study area encompasses the area for direct and indirect impacts to Section 4(f) and Section 6(f) resources resulting from the project.
Figure A-1. Section 4(f) Properties in the Section 4(f)/Section 6(f) Study Area

LEGEND
- Highlands Trail
- Reynolds Lead
- CDID Ditch No. 3
- Study Area
- Future Trails
- Railroads
- Ditches

N
0 0.25 0.5 Miles
3 Regulations, Standards, or Guidelines

The federal, state, and local regulations, standards, and guidelines that apply to the project are listed below.

- National Environmental Policy Act (1969)
- Section 4(f) of the Department of Transportation Act of 1966
- Section 6(f) of the Land and Water Conservation Fund (LWCF) Act
- Section 106 of the National Historic Preservation Act of 1966
- Federal Highway Administration (FHWA) Technical Advisory T 6640.8A: Guidance for Preparing and Processing Environmental and Section 4(f) Documents (1987)
- Washington State Department of Transportation (WSDOT) Environmental Manual Chapter 457 (2017)
- WSDOT PRO 457-a: Recommended Procedure for Conducting a Section 4(f) Evaluation
- WSDOT Section 4(f) Guidance Website

4 Sources of Existing Data

Existing data sources that were used for the Section 4(f) and Section 6(f) analysis include:

- Google Earth and Google Street View
- Cowlitz-Wahkiakum Council of Governments (CWCOG) GIS data
- Cowlitz County NetMaps
- Cowlitz County Regional Trails Plan (2006)
- City of Longview Parks and Recreation Comprehensive Plan (2016 Update)
- Longview Online Maps
- National Park Service LWCF in your Neighborhood Detailed Grant Listing: Cowlitz County
- SR 432 Rail Realignment & Highway Improvements Project Final Environmental Inventory and Overview for Select Resources (2014)
5 Data Gathering or Development

In addition to the existing data already available (described above), the Cultural Resource Discipline Report for the project identifies and documents the boundaries, characteristics, and key features of historic resources eligible for listing on the National Register of Historic Places, which qualify as Section 4(f) properties. Recreational resources that qualify as Section 4(f) properties were identified through review of the City of Longview’s Parks and Recreation Plan and aerial mapping. There are no wildlife and waterfowl refuges in the Section 4(f)/Section 6(f) study area. A site visit was conducted to photograph and further document the characteristics of any park and recreational resources that qualify as Section 4(f) properties.

In addition, the Section 4(f) evaluation relies upon data from WSDOT designers to create graphics that show the following for each alternative: 1) temporary construction footprint, including temporary construction easements and access changes; 2) permanent project footprint of the new facility; and 3) the area to be acquired from each parcel.

A list of all projects funded by Land and Water Conservation Fund grants within Cowlitz County, and would thus qualify for protection under Section 6(f) was reviewed. It was determined that all projects that have received such grants are outside the limits of the Section 4(f)/Section 6(f) study area and beyond the immediate project vicinity; therefore, there are no properties in the study area subject to analysis under Section 6(f).

6 Analytical Techniques and Models

The Section 4(f) analysis generally follows the process described in WSDOT’s Environmental Manual Chapter 457 and on WSDOT’s Section 4(f) Guidance website; however, this analysis is also “right-sized” for the project. The only impacts the project is expected to have to Section 4(f) properties would be minimal and would not exceed the threshold for de minimis impacts. WSDOT’s de minimis form/template was used to prepare de minimis determinations documenting these impacts. The public will be notified of the de minimis determination and given the opportunity to comment as part of the public hearing and comment period for the project’s Draft EIS. Written concurrence by the official(s) with jurisdictions will be obtained by WSDOT for the de minimis determinations.

6.1 Construction Impacts

Construction impacts to Section 4(f) properties were assessed through coordination with WSDOT and Cowlitz County to review the temporary construction footprint and how construction activities could impact access and use of these properties. The analysis also includes a discussion of whether any temporary construction easements would be needed for project construction, and how that might impact the Section 4(f) properties.

6.2 Direct Impacts (Use)

Assessment of use of Section 4(f) properties was analyzed by reviewing the data sources described above to identify changes to Section 4(f) properties located in the study area that would result from project construction, such as acquisition and conversion of portions of these properties to right-of-way.
6.3 **Indirect Impacts**

Proximity (indirect) impacts to Section 4(f) properties which are not directly impacted were assessed by reviewing the potential for changes in noise, aesthetics, vibrations, and access that could result from construction of the project, even if those changes do not take place directly on the Section 4(f) property itself.

7 **Summary of Potential Impacts and Mitigation**

The following is a brief summary of the types of benefits and adverse impacts that may result from the project. This section also includes mitigation measures that could be considered to reduce or eliminate adverse impacts.

7.1 **Potential Benefits**

Potential benefits to Section 4(f) properties could include:

- Improved traffic flow through the study area, thereby facilitating vehicular access to Section 4(f) properties
- Enhanced pedestrian and bicycle facilities and connections to Section 4(f) properties

7.2 **Potential Adverse Impacts**

Potential adverse impacts to Section 4(f) properties could include:

- Permanent acquisition and conversion of land that is part of a Section 4(f) property
- Temporary occupancy of land that is part of a Section 4(f) property
- Proximity impacts to Section 4(f) properties – including noise, vibrations, aesthetics, or access

7.3 **Potential Mitigation**

Mitigation measures to avoid, minimize, or mitigate impacts to Section 4(f) properties were developed in consultation with WSDOT, Cowlitz County, and the official with jurisdiction for each Section 4(f) property. Efforts to limit impacts to the level of *de minimis* were explored and documented.

8 **Limitations and Constraints**

As noted earlier, it is expected that any impacts will not exceed the threshold for *de minimis* impacts and *de minimis* determinations were prepared. Should impacts exceed this level, an individual Section 4(f) evaluation would need to be prepared in accordance with WSDOT and FHWA’s guidance documents to show that there is no feasible and prudent alternative to the non-*de minimis* use of the Section 4(f) resource.

There are no park and recreation facilities in the study area that were purchased or improved with money from the Land and Water Conservation Fund; therefore, none of the Section 4(f) properties need to be evaluated under Section 6(f) of the Land and Water Conservation Fund Act of 1965.
Attachment B: Highlands Trail *De Minimis* Impact Determination
# Section 4(f) De Minimis Impact Determination (per 23 CFR 771)

## Summary Table

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<th>February 13, 2018</th>
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<td>Southwest Region</td>
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<td><strong>Project Number:</strong></td>
<td>STPUS-HLP-0432(019), TA5572</td>
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<td><strong>Project:</strong></td>
<td>Industrial Way/Oregon Way Intersection Project</td>
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**Project Description:** The Industrial Way / Oregon Way Intersection Project is located in the industrial area of Longview, Washington at the intersection of Industrial Way (State Route (SR) 432), Oregon Way, and SR 433. This intersection provides a critical connection of two Highways of Statewide Significance that support significant passenger and freight truck movement. The purpose of the project is to develop an affordable long-term solution that:

- Maintains or improves emergency response
- Improves travel reliability for all vehicles
- Accommodates current and future freight truck and passenger vehicle movement through the intersection and across the region and states.

Two build alternatives are being considered, as documented in the project’s Environmental Impact Statement (EIS).

**Section 4(f) Resource:** Highlands Trail

**Type of 4(f) Resource:** Public Park or Recreational Area

**Size of the de minimis use of the 4(f) Resource (in acres):**

<table>
<thead>
<tr>
<th>Alternative</th>
<th>Description</th>
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<tr>
<td>GSA Alternative</td>
<td>1,300 square feet (&lt; 0.1 acres) of 2.7-acre parcel; 0 feet of existing trail permanently impacted</td>
</tr>
<tr>
<td>PGSB Alternative</td>
<td>1,100 square feet (&lt;0.1 acres) of 2.7-acre parcel; 0 feet of existing trail permanently impacted</td>
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**Primary Purpose/Function of the 4(f) Resource:** Recreational trail

**Official with Jurisdiction:** City of Longview, Washington
De minimis Documentation

1. Describe the Section 4(f) property and the attributes and features that qualify it for Section 4(f) protection, attach a map showing the boundaries of the resource, the locations of key features (e.g. ball fields, structures) and the area to be used.

The Highlands Trail is identified in the City of Longview’s Park and Recreation Comprehensive Plan (2016 update) and in the Cowlitz Regional Trail Plan (2006) as the “Industrial Way Trail.” The existing segment of the trail is signed as the “Highlands Trail.” The 10-foot wide paved pathway is 1.3 miles long and runs parallel to the north side of the Consolidated Diking Improvement District No. 1 (CDID #1) Ditch No. 3 and a Bonneville Power Administration (BPA) transmission line (see Photo 1). The trail extends from Douglas Street at the west end of the Highlands neighborhood to Oregon Way at the east end of the neighborhood, as shown in Figure 1. This off-road pathway serves bicyclists and pedestrians and was constructed in 2011. Pedestrian and bicycle access to the trail is provided via a public sidewalk on the west side of Oregon Way that extends north from the trail terminus and at the southern termini of some streets within the Highlands neighborhood such as 17th Avenue (see Photo 2). The existing sidewalk from the north on the west side of Oregon Way ends at the connection with the trail and does not connect south to Industrial Way (see Photo 3). This trail provides a pedestrian and bicycle connection to Archie Anderson Park, which contains recreation amenities (baseball diamonds, basketball hoops, tennis courts, and play structures) and is located just north of the Section 4(f) study area.

The Cowlitz Regional Trails Plan (2006) and the City of Longview Parks and Recreation Comprehensive Plan (2016) identify extensions of this trail both to the east and to the west. The City’s Plan identifies a
planned “Diking District Trails” system that would form a loop around the city along the CDID #1 ditches and would include the Highlands Trail. The western trail extension would connect from the terminus of the Highlands Trail continuing to follow Ditch No. 3 to the connection with CDID Ditch No. 5 (west of Prudential Boulevard), where it would connect to the future Memorial Park Drive Trail along Ditch No. 5. As shown in Figure 1, an eastern planned trail extension would cross Oregon Way continuing to parallel CDID Ditch No. 3 to cross California Way; from there it would continue on as the 3rd Avenue Trail, paralleling CDID Ditch No. 4. At this time, however, the City does not own any property or easements for extension of the Highlands Trail, so these future trail extensions are an expression of interest and are not part of the Section 4(f) resource.

The trail is located within land (right-of-way) owned by the City of Longview. The existing portion of the trail within the Section 4(f) study area is located in two parcels that total 2.7 acres extending between 26th Avenue and Oregon Way and extending out into the existing right-of-way for Oregon Way. The area of these parcels to be acquired/used under the GSA and PGSB Alternatives is shown in Figure 2 and Figure 3, respectively. The area of these parcels that would be acquired/used does not include the existing trail facility, but rather the existing roadway for Oregon Way.
Figure 1. Existing Section 4(f) Resources
Figure 2. GSA Alternative Impacts to Highlands Trail

Figure 3. PGSB Alternative Impacts to Highlands Trail
2. Describe the impacts to the Section 4(f) property, and any avoidance, minimization and mitigation or enhancement measures, and why they are considered de minimis as defined in 23 CFR 771.17.

**Trail Facility**
Under both build alternatives, the eastern terminus of the trail at Oregon Way is its connection to the sidewalk along Oregon Way that extends north from the trail. The roadway improvements have been configured such that the existing segment of the Highlands Trail, including the connection to the Oregon Way sidewalk, would remain physically unchanged; the existing 1.3-mile trail would not be reduced or extended in length as a result of the project. A small portion (1,300 square feet for the GSA Alternative; 1,100 square feet for the PGSB Alternative) of the 2.7 acres of the City of Longview's parcels in which the trail is located would be acquired for roadway right-of-way as shown above in Figure 2 and Figure 3. The area of these parcels that would be acquired/used does not include the existing trail facility, but rather the existing roadway for Oregon Way.

In order to construct either alternative, a temporary construction easement would also be needed from the City of Longview's parcels for the duration of construction, as shown above in Figure 2 and Figure 3; this area would include the sidewalk on Oregon Way where it connects to the Highlands Trail. For the GSA Alternative, the temporary construction easement would be 400 square feet; for the PGSB Alternative it would be 700 square feet. Construction of the GSA Alternative is anticipated to last up to 5 years, while construction of the PGSB Alternative is anticipated to last up to 3.5 years.

**Trail Access**
Pedestrian and bicycle access to the trail at Oregon Way would remain the same and would be unaffected by either build alternative except for potential temporary closures of this access point during construction to ensure user safety. During temporary closures, pedestrians and bicyclists could still access the trail from the southern termini of 17th Avenue and from Archie Anderson Park. 17th Avenue would be signed as the detour route for the trail during construction and the 0.2-mile section of trail between 17th Avenue and Oregon Way would be temporarily closed. Construction of the GSA Alternative would require closure of Oregon Way, including the access point to the Highlands Trails, for up to 1.5 years; the PGSB Alternative would not require closure of Oregon Way.

**Visual Setting**
Construction of either build alternative would result in changes to the visual setting that trail users experience, as described in the project’s Visual Discipline Report. Construction of an elevated intersection structure would change the appearance of the Industrial Way/Oregon Way intersection, which is visible from the segment of the trail between 16th Avenue and Oregon Way, approximately 1,000 feet long. However, the current view of the intersection is highly urbanized by the existing industrial uses and heavy vehicle traffic at the intersection, so construction of a new elevated roadway facility would change the view, but it would still be an urbanized setting. Construction of either alternative would include removal of the grove of trees in the southwestern quadrant of the intersection, somewhat diminishing the limited amount of natural scenery visible from the trail. During construction, trail users might experience additional visual disruptions from brightly colored construction signage, equipment, and lighting, but these changes would be temporary and would be removed upon completion of construction.
Noise Level
Trail users could also experience an increased noise level during construction as a result of construction equipment. Under the GSA and PGSB Alternatives, the trail would experience higher noise levels in the future (2040) than exist today; however, these noise levels would not exceed those anticipated under the future conditions of the No Build Alternative. A sound barrier was evaluated for placement adjacent to the trail, but this barrier did not meet WSDOT feasibility and cost criteria.

Air Quality
Trail users might also experience additional dust and changes in air quality during construction; however, these changes would be temporary and no long-term air quality impacts would result from construction of either alternative.

Trail Extension
The planned extension of the Highlands Trail east of Oregon Way is an expression of interest at this time by the City of Longview. The design of the GSA and PGSB Alternatives would not change or preclude the City’s plans for constructing the Diking District Trail system that would serve as an extension of the Highlands Trail east to California Way; crossing Oregon Way to access a future trail extension would be possible under either alternative. Under the GSA Alternative, pedestrians and bicycles could connect from the existing Highlands Trail to a future trail extension to the east by: 1) traveling south on the new shared-use path, sidewalks, and bike lanes associated with the new access road that passes under the elevated Oregon Way; or 2) traveling north on the existing sidewalk on Oregon Way; pedestrians and bicycles would use a marked pedestrian crossing at the Oregon Way/Alabama Street roundabout to cross to the east side of Oregon Way; from there, they would travel south on sidewalks and bike lanes associated with the new surface road to reach the trail extension (Figure 2).

To reach the City’s future trail extension under the PGSB Alternative, pedestrians and bicycles would travel south on the new shared-use path that would be constructed along the surface portion of Oregon Way. Pedestrians and bicycles would use a marked crossing at the Industrial Way/Oregon Way roundabout to cross to the east side of Oregon Way; from there they would travel north on a sidewalk and bike lane on the east side of Oregon Way (Figure 3).

Avoidance, Minimization, and Mitigation or Enhancement Measures
Measures to avoid, minimize, and mitigate impacts or provide enhancement to the Highlands Trail under both the GSA and PGSB Alternatives include:

1. The project has been designed to avoid physical impacts to the Highlands Trail, including its connection to the Oregon Way sidewalk.
2. During construction, pedestrians and bicyclists would be able to use the segment of the trail west of 17th Avenue. A signed detour route would be provided for the 0.2-mile segment between 17th Avenue and Oregon Way.
3. The project has been designed such that it would not change or preclude the future extension of the trail east across Oregon Way.
4. The project would construct new sidewalks and a new shared-use path within the intersection vicinity, enhancing overall pedestrian and bicycle connectivity and improving access to the Highlands Trail.
Summary
In summary, construction of either alternative would result in a *de minimis* impact to the Highlands Trail for the following reasons:

1. Acquisition areas would not physically change the existing trail
2. Access to the trail from Oregon Way and other local streets would remain unchanged
3. Changes in noise, air quality, and the visual setting from the trail would not significantly alter the experience of trail users
4. Noise, dust, and visual disruptions during construction would be temporary in nature.
5. Only the eastern most portion of the trail between 17th Avenue and Oregon Way would be temporarily closed during construction (up 1.5 years during closure of Oregon Way under the GSA Alternative; less time under the PGSB Alternative), and users would still be able to access the remaining length of the trail from other access points.
6. Acquisitions from the City of Longview parcels in which the trail is located would represent a small portion of these parcels. The existing trail facility does not extend into the portion of the parcels that would be acquired.
7. Temporary easements from the City of Longview parcels would also represent a small portion of the area owned by City for the trail and would only be in effect during project construction, which could last up to 5 years under the GSA Alternative or 3.5 years under the PGSB Alternative.

3. For parks, recreational facilities, and wildlife and waterfowl sanctuaries:
   a. Describe the public outreach that has been or is being conducted (leave blank for historic sites).

   The primary trail users are likely those that live in the adjacent Highlands Neighborhood. Project team staff have attended and presented project information at four Highlands Neighborhood Association meetings to-date, provided project update mailings, flyers, and other outreach. In addition, four public open houses have been held for the project to-date. A public hearing and open house will take place during the Draft EIS and Section 4(f) comment period.

   b. Attach written concurrence of the official with jurisdiction over the 4(f) resource with the *de minimis* determination.

   The project team met with the City of Longview (Official with Jurisdiction) to discuss the impacts to the Highlands Trail and the *de minimis* determination for this resource on August 9, 2017. Written concurrence dated October 18, 2017 is attached.
8. For historic resource, attach Section 106 documentation (include SHPO concurrence in project-level findings (DOEs and or FOEs) and Programmatic Agreement Memos for archaeological resources).

Not applicable
October 18, 2017

Joanna Lowrey, PE
Kelso Area Engineer
WSDOT Kelso Engineering Office
2400 Talley Way
Kelso, Washington 98626

RE: Industrial Way/Oregon Way Intersection Project
   De Minimis Section 4(f) Evaluation

Dear Ms. Lowrey:

The City of Longview Parks and Recreation Department has been contacted by the Washington State Department of Transportation (WSDOT) and Cowlitz County about the Industrial Way/Oregon Way Intersection Project. The Industrial Way/Oregon Way Intersection Project proposes improvements to the critical connection of two highways, State Route (SR) 432 and SR 433, in Longview. The Federal Highway Administration (FHWA), WSDOT, and Cowlitz County are considering three alternatives to improve this intersection, including a No Build Alternative, and two build alternatives: the Grade-Separated Option A (GSA) and Partial-Grade Separated Option B (PGSB) Alternatives. The City of Longview is a cooperating agency on the project and has been involved throughout the alternatives development and analysis process.

As discussed at a meeting between City of Longview, WSDOT, and project team staff on August 9, 2017, the City of Longview understands that the GSA and PGSB Alternatives would require: acquisition of a portion of the parcel in which the Highlands Trail is located; a temporary construction easement on this parcel; and temporary detours for trail users during construction. We understand that the trail is not located in the portion of the parcel that would be acquired, so the physical trail would not be shortened or otherwise altered, and that neither the GSA or PGSB Alternative would preclude the planned extension of the trail east of Oregon Way.

We have reviewed the draft Section 4(f) De Minimis evaluation for the Highlands Trail. We concur that the proposed project will not adversely affect the activities, features, or attributes that make the Highlands Trail eligible for Section 4(f) protection. We agree that this project will have de minimis impacts on this resource. The City of Longview Recreation Department understands that FHWA, with concurrence from us, is authorized to determine the work will have de minimis impacts to the 4(f) resource.

Sincerely,

Jennifer Wills
Parks and Recreation Director
City of Longview

Parks & Recreation  2920 Douglas Street  Longview, WA 98632-1731
(360) 442-5400  (360) 442-5955 fax  http://www.mylongview.com
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Attachment C: Reynolds Lead De Minimis Impact Determination
### Section 4(f) \textit{De Minimis} Impact Determination (per 23 CFR 771)

#### Summary Table

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<tr>
<td>Project Number:</td>
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<tr>
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<td>Industrial Way/Oregon Way Intersection Project</td>
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</tbody>
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| Project Description: | The Industrial Way / Oregon Way Intersection Project is located in the industrial area of Longview, Washington at the intersection of Industrial Way (State Route (SR) 432), Oregon Way, and SR 433. This intersection provides a critical connection of two Highways of Statewide Significance that support significant passenger and freight truck movement. The purpose of the project is to develop an affordable long-term solution that:  
  • Maintains or improves emergency response  
  • Improves travel reliability for all vehicles  
  • Accommodates current and future freight truck and passenger vehicle movement through the intersection and across the region and states.  
  Two build alternatives are being considered, as documented in the project’s Environmental Impact Statement (EIS). |
| Section 4(f) Resource: | Reynolds Lead |
| Type of 4(f) Resource: | National Register Eligible Historic Site |
| Size of the \textit{de minimis} use of the 4(f) Resource (in acres): | GSA Alternative: realign 2,000-foot segment of a 4.5-mile alignment; 1.8 acres of land acquisition  
PGSB Alternative: no realignment; 0.8 acre of permanent easement |
| Primary Purpose/Function of the 4(f) Resource: | Historic railroad alignment |
| Official with Jurisdiction: | BNSF Railway and Union Pacific Railroad |
De minimis Documentation

1. Describe the Section 4(f) property and the attributes and features that qualify it to Section 4(f) protection, attach a map showing the boundaries of the resource, the locations of key features (e.g. ball fields, structures) and the area to be used.

The Reynolds Lead, shown in Figure 1 and Photo 1, is an historic railroad segment that is part of the former Longview, Portland and Northern Railway alignment originally built in the 1920s to service the growing industrial infrastructure along the banks of the Columbia River, near the then bourgeoning town of Longview. The Reynolds Lead runs approximately 4.5 miles from the former Reynolds Aluminum Smelter to the Longview Switching Company’s rail yard. The line has changed ownership numerous times since then and is currently jointly owned and managed by the BNSF Railway and Union Pacific Railroad (UPRR). The railroad alignment averages 25 feet wide with a 4,600 feet long segment within the Section 4(f) study area. The Reynolds Lead is located within land (right-of-way) jointly owned by BNSF Railway and UPRR. The alignment parallels Industrial Way but crosses Industrial Way approximately 1,110 feet west of the Industrial Way/Oregon Way intersection and crosses Oregon Way approximately 350 feet north of the same intersection.

The current alignment of the Reynolds Lead is consistent with the original railroad constructed in the 1920s, and it retains overall integrity especially in the areas of association, location, design, materials, and feeling. Thus, the Reynolds Lead is recommended eligible to the National Register of Historic Properties (NRHP) under Criteria A, which qualifies it as a Section 4(f) property.

The area of the Reynolds Lead to be used under the GSA and PGSB Alternatives is shown in Figure 2 and Figure 3.

Photo 1. Reynolds Lead on the south side of Industrial Way west of the Industrial Way/Oregon Way intersection, looking east
Figure 1. Existing Section 4(f) Resources

LEGEND
- Highlands Trail
- Reynolds Lead
- CDID Ditch No. 3
- Study Area
- Future Trails
- Railroads
- Ditches

[Map showing existing resources and trails]
**Figure 2. GSA Alternative Impacts to Reynolds Lead**

**Figure 3. PGSB Alternative Impacts to Reynolds Lead**
2. Describe the impacts to the Section 4(f) property, and any avoidance, minimization and mitigation or enhancement measures, and why they are considered *de minimis* as defined in 23 CFR 771.17.

**Rail Facility**

Under the GSA Alternative, a segment of the Reynolds Lead, approximately 2,000 feet long, would be realigned as shown in Figure 2. Under this realignment, the Reynolds Lead would pass under the new elevated intersection to avoid at-grade rail/roadway crossings, making the transition from the south side of Industrial Way to the north side of Industrial Way further east than under the current alignment. All at-grade crossings of the Reynolds Lead with Oregon Way or Industrial Way would be eliminated. The realigned segment (approximately 2,000 feet) represents a small portion (less than 10 percent) of this 4.5-mile rail line. The overall alignment that connects the Reynolds Lead from the former Reynolds Aluminum Smelter to the Longview Switching Company’s rail yard would remain unchanged, and trains would be able to continue to operate on the Reynolds Lead in the same manner that they do under present conditions. Approximately 4.9 acres of new right-of-way would be acquired for the realigned segment of the Reynolds Lead as shown in Figure 2. Approximately 1.8 acres of land owned by BNSF and UPRR would be acquired to accommodate roadway widening and stormwater treatment, and a temporary construction easement of approximately 0.2 acre would be needed for up to 5 years.

The PGSB Alternative would leave the Reynolds Lead alignment in its current location. Under this alternative, the existing segment of the Reynolds Lead would remain physically unchanged, as shown in Figure 3, and trains would be able to continue to operate on the Reynolds Lead in the same manner that they do under present conditions. Two new elevated structures would be built for Oregon Way and Industrial Way to cross over the Reynolds Lead, and the at-grade crossings of these roadways would be reconstructed as part of the project to accommodate the wider roadways. Permanent easements for approximately 0.8 acre of land owned by BNSF and UPRR would be acquired to accommodate roadway widening, and a temporary construction easement of approximately 0.2 acre would be needed for up to 3.5 years.

**Rail Access**

During construction, rail access on the Reynolds Lead would be maintained under both alternatives.

**Noise Level, Visual Setting, and Air Quality**

Temporary construction impacts could include noise from construction equipment, visual changes in the setting due to the presence of construction equipment, signage, and lights, and dust generated by construction activities. These impacts, however, would be temporary in nature and would not change the setting and context of the historic resource.

**Avoidance, Minimization, and Mitigation or Enhancement Measures**

Measures to avoid, minimize, and mitigate impacts or provide enhancement to the Reynolds Lead under both the GSA and PGSB Alternatives include:

1. The project has been designed to maintain the overall alignment of the rail line and ensure that trains can continue to operate in the same manner that they do today.
2. Rail operations would not be interrupted during construction.
3. The new elevated structures have been designed to avoid interference with or changes to rail operations.

Additional measures under the PGSB Alternative include:
1. The project has been designed to avoid changes to the historic rail alignment.

Summary
In summary, construction of the GSA Alternative would result in a de minimis impact to the Reynolds Lead for the following reasons:

1. The realigned segment of the rail line represents a small portion of the historic alignment
2. The overall alignment of the rail line would remain unchanged
3. Trains would continue to operate on the line in the same manner they do today
4. Acquisitions from the Reynolds Lead right-of-way would represent a small portion of the total area owned by BNSF Railway and UPRR for the Reynolds Lead.
5. Temporary easements from the Reynolds Lead right-of-way would also represent a small portion of the area owned by BNSF Railway and UPRR for the Reynolds Lead and would only be in effect during project construction, which could last up to 5 years under the GSA Alternative
6. Changes in noise, air quality, and the visual setting would not substantially alter the context and setting
7. Noise, dust, and visual disruptions during construction would be temporary in nature.

Construction of the PGSB Alternative would result in a de minimis impact to the Reynolds Lead for the following reasons:

1. The rail alignment would not be physically altered
2. The new elevated structures over the rail segment would not alter the rail alignment
3. Trains would continue to operate on the line in the same manner they do today
4. Permanent easements from the Reynolds Lead right-of-way would represent a small portion of the total area owned by BNSF Railway and UPRR for the Reynolds Lead.
5. Temporary easements from the Reynolds Lead right-of-way would also represent a small portion of the area owned by BNSF Railway and UPRR for the Reynolds Lead and would only be in effect during project construction, which could last up to 3.5 years.
6. Changes in noise, air quality, and the visual setting would not substantially alter the context and setting
7. Noise, dust, and visual disruptions during construction would be temporary in nature.
3. For parks, recreational facilities, and wildlife and waterfowl sanctuaries:
   a. Describe the public outreach that has been or is being conducted (leave blank for historic sites).

      Not applicable

   b. Attach written concurrence of the official with jurisdiction over the 4(f) resource with the *de minimis* determination.

      Not applicable

4. For historic resource, attach Section 106 documentation (include SHPO concurrence in project-level findings (DOEs and or FOEs) and Programmatic Agreement Memos for archaeological resources).

   The Washington State Department of Archaeology and Historic Preservation (DAHP) concurred with the determination of eligibility (DOE) for the Reynolds Lead railway segment on January 24, 2017 (see attached letter). The project’s cultural resource report (submitted to DAHP on September 25, 2017) disclosed that FHWA intends to make a *de minimis* determination for this resource. DAHP concurred with the finding of effect (FOE) of No Adverse Effect for this resource on October 16, 2017 (see attached letter).
January 24, 2017

Mr. Roger Kiers  
WA State Dept. of Transportation  
P.O. Box 47332  
Olympia, WA. 98512-7332

In future correspondence please refer to:  
Project Tracking Code: 102315-02-FHWA  
Property: Industrial Way / Oregon Way Intersection Project  
Re: Determination of Eligibility

Dear Mr. Kiers:

Thank you for contacting the State Historic Preservation Officer (SHPO) and the Washington State Department of Archaeology and Historic Preservation regarding the above referenced project.

First, we concur that the CDID Ditch No. 3 and BNSF railway segment are eligible for inclusion in that National Register of Historic Places (NRHP) under Criteria A. We do not concur that the property located at 304 Oregon Way is not eligible for inclusion in that NRHP. Finally, we concur that the remaining 28 historic buildings within the area of potential effect (APE) are not eligible for inclusion in the NRHP.

We look forward to further consultation regarding your determination of the project effect on National Register eligible properties in the APE.

Please provide us any correspondence or comments from concerned tribes and other parties that you receive as you consult under the requirements of 36 CFR 800.4(a)(4), and the survey report when it is available.

These comments are based on the information available at the time of this review and on behalf of the SHPO pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR 800. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to review and comment. Should you have any questions, please feel free to contact me.

Sincerely,

Dennis Wardlaw  
Transportation Archaeologist  
(360) 586-3085  
dennis.wardlaw@dahp.wa.gov
October 16, 2017

Mr. Roger Kiers
WA State Dept. of Transportation
P.O. Box 47332
Olympia, WA. 98512-7332

In future correspondence please refer to:
Project Tracking Code: 102315-02-FHWA
Property: Industrial Way / Oregon Way Intersection Project
Re: NO Adverse Effect

Dear Mr. Kiers:

Thank you for contacting the State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) regarding the above referenced project. This action has been reviewed on behalf of the SHPO under provisions of Section 106 of the National Historic Preservation Act of 1966 (as amended) and 36 CFR Part 600. Our review is based upon documentation contained in your communication.

First, we concur that the property at 254 Oregon Way (Property #709368) is not eligible for inclusion in the National Register of Historic Places (NRHP). We also concur that the current project as proposed will have "NO ADVERSE EFFECT" on The Consolidated Diking Improvement District Ditch No. 3 (Property #680894) and the segment of the BNSF Railway alignment (Property #680893), both of which have been previously determined eligible for the NRHP. As a result of our concurrence, further contact with DAHP on this proposal is not necessary.

However, if new information about affected resources becomes available and/or the project scope of work changes significantly, please resume consultation as our assessment may be revised. Also, if any archaeological resources are uncovered during construction, please halt work immediately in the area of discovery and contact the appropriate Native American Tribes and DAHP for further consultation.

Thank you for the opportunity to review and comment. Should you have any questions, please feel free to contact me.

Sincerely,

Dennis Wardlaw
Transportation Archaeologist
(360) 586-3085
dennis.wardlaw@dahp.wa.gov
Attachment D: CDID Ditch No. 3 De Minimis Impact Determination
Section 4(f) De Minimis Impact Determination (per 23 CFR 771)

### Summary Table

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| Project Description:| The Industrial Way / Oregon Way Intersection Project is located in the industrial area of Longview, Washington at the intersection of Industrial Way (State Route (SR) 432), Oregon Way, and SR 433. This intersection provides a critical connection of two Highways of Statewide Significance that support significant passenger and freight truck movement. The purpose of the project is to develop an affordable long-term solution that:  
- Maintains or improves emergency response  
- Improves travel reliability for all vehicles  
- Accommodates current and future freight truck and passenger vehicle movement through the intersection and across the region and states.  
Two build alternatives are being considered, as documented in the project’s Environmental Impact Statement (EIS). |
| Section 4(f) Resource: | Consolidated Diking Improvement District #1 (CDID) Ditch No. 3 |
| Type of 4(f) Resource: | National Register Eligible Historic Site |
| Size of the de minimis use of the 4(f) Resource (in acres): | GSA Alternative: 1.2 acres of 24.8 acres  
PGSB Alternative: 0.1 acres of 24.8 acres |
| Primary Purpose/Function of the 4(f) Resource: | Historic diking ditch used to provide flood control |
| Official with Jurisdiction: | Consolidated Diking Improvement District No. 1 (CDID #1) |
De minimis Documentation

1. **Describe the Section 4(f) property and the attributes and features that qualify if to Section 4(f) protection, attach a map showing the boundaries of the resource, the locations of key features (e.g. ball fields, structures) and the area to be used.**

Prior to development by the Long Bell Lumber Company, the Longview area was protected from flooding by seven independent operating diking districts. In 1923, the seven diking districts merged into what is now known as the Consolidated Diking Improvement District No. 1 (CDID #1). CDID Ditch No. 3 traverses the Section 4(f) study area parallel to Industrial Way, located on the north side of the roadway, as shown in Figure 1. It is unknown exactly when CDID Ditch No. 3 was originally built. CDID Ditch No. 3 is approximately 3 miles long from the intersection with Ditch No. 5 at Washington Way to the intersection with Ditches No. 4 and No. 11 near Tennant Way. CDID Ditch No. 3 also intersects with Ditch No. 1 west of Douglas Street. The segment of CDID Ditch No. 3 within the study area measures approximately 30 feet wide by 2,500 feet long. A 6-foot drainage pipe from Lake Sacajawea connects and drains into CDID Ditch No. 3 with an energy dissipation feature on the north side of the ditch near Oregon Way (see Photo 1), and the Oregon Way Pump Station is located on the south side of the ditch west of Oregon Way; both features are modern additions to the system that are not contributing elements to the historic resource.

Two 48-inch diameter concrete culverts, also non-contributing modern additions, convey the water under Oregon Way (see photo). The ditch retains overall integrity, especially in the areas of association, location, design, materials, and feeling. The ditch is recommended eligible to the National Register of Historic Properties (NRHP) under Criteria A for its association with the development of Longview, which qualifies it as a Section 4(f) property.

CDID Ditch No. 3 is located within land (right-of-way) owned by CDID #1 that totals approximately 25 acres. The area of these parcels to be used under the GSA and PGSB Alternatives is shown in Figure 2 and Figure 3, respectively.
Figure 1. Existing Section 4(f) Resources
Figure 2. Impacts to CDID Ditch No. 3 under the GSA Alternative

Figure 3. Impacts to CDID Ditch No. 3 under the PGSB Alternative
2. Describe the impacts to the Section 4(f) property, and any avoidance, minimization and mitigation or enhancement measures, and why they are considered de minimis as defined in 23 CFR 771.17.

**Ditch Facility**

Under both build alternatives, the two 48-inch culverts that convey CDID Ditch No. 3 under Oregon Way would either be extended or replaced with longer culverts to accommodate the wider roadway that would cross over this segment of the ditch. The decision to extend or replace would be made during final design in coordination with CDID #1 and would depend on the structural integrity of the existing culverts. The culverts are not contributing elements of the historic resource, but they do maintain the historic alignment of the ditch.

The wider roadway proposed under each of the build alternatives would require right-of-way easements from the CDID #1 parcels in which CDID Ditch No. 3 is located. Under the GSA Alternative, approximately 1.2 acres (52,400 square feet) would be acquired to accommodate roadway widening, culvert reconstruction/lengthening, and staging, from parcels owned by CDID #1, as shown in Figure 2, and a temporary construction easement of approximately 0.7 acre (32,400 square feet) would be needed for up to 5 years during construction of this alternative. Under the PGSB Alternative, approximately 0.1 acre (4,800 square feet) would need to be acquired to accommodate roadway widening and culvert reconstruction/lengthening from parcels owned by CDID #1, and a temporary construction easement of approximately 0.7 acre (28,900 square feet) would be needed for up to 3.5 years.

**Ditch Access**

Under either alternative, the access road to the Oregon Way Pump Station would continue to provide access from Oregon Way to this facility. Under the GSA Alternative, the access road would connect to the new surface roadway that would loop under the elevated structure. Under the PGSB Alternative, the access road would connect under the elevated structure to the surface portion of Oregon Way north of the new roundabout.

**Water Conveyance**

The construction contractor would be required to maintain water flow and connectivity of CDID Ditch No. 3 during construction. The contractor would be required to submit a culvert bypass plan outlining their construction approach. There are multiple methods that could be implemented such as replacing or extending one culvert at a time while temporarily diverting all water to the other culvert, pumping water around the culvert work area, or running a smaller pipe through the work area with cofferdams at both sides.

**Noise Level, Visual Setting, and Air Quality**

Temporary construction impacts to CDID Ditch No. 3 could include noise from construction equipment, visual changes in the setting due to the presence of construction equipment, signage, and lights, and dust generated by construction activities; however, these impacts would be temporary in nature and would not change the setting and context of the historic resource.
Avoidance, Minimization, and Mitigation or Enhancement Measures

Measures to avoid, minimize, and mitigate impacts or provide enhancement to CDID Ditch No. 3 under both the GSA and PGSB Alternatives include:

1. The project has been designed to maintain the historic alignment of the ditch.
2. Access to the Oregon Way Pump Station would be maintained.
3. The construction contractor would be required to submit a culvert bypass plan and to maintain water flow and connectivity of the ditch during construction.

Summary

In summary, construction of either alternative would result in a *de minimis* impact to CDID Ditch No. 3 for the following reasons:

1. The replaced or extended culverts under Oregon Way (modern additions to the system; not contributing elements to the historic resource) would continue to convey water in CDID Ditch No. 3 in the same manner it is currently conveyed.
2. Access to CDID Ditch No. 3 and the Oregon Way Pump Station (a modern addition to the system; not a contributing element to the historic resource) would continue to be provided from Oregon Way.
3. Acquisitions from the CDID #1 parcels would represent a small portion of the total area owned by CDID #1 for CDID Ditch No. 3.
4. Temporary easements from the CDID #1 parcels would also represent a small portion of the area owned by CDID #1 for CDID Ditch No. 3 and would only be in effect during project construction, which could last up to 5 years under the GSA Alternative or 3.5 years under the PGSB Alternative.
5. Changes in noise, air quality, and the visual setting would not substantially alter the context and setting.
6. Noise, dust, and visual disruptions during construction would be temporary in nature.

3. For parks, recreational facilities, and wildlife and waterfowl sanctuaries:
   a. Describe the public outreach that has been or is being conducted (leave blank for historic sites).

      Not applicable

   b. Attach written concurrence of the official with jurisdiction over the 4(f) resource with the *de minimis* determination.

      Not applicable
4. For historic resource, attach Section 106 documentation (include SHPO concurrence in project-level findings (DOEs and or FOEs) and Programmatic Agreement Memos for archaeological resources).

The Washington State Department of Archaeology and Historic Preservation (DAHP) concurred with the determination of eligibility (DOE) for CDID Ditch No. 3 on January 24, 2017 (see attached letter). The project's cultural resource report (submitted to DAHP on September 25, 2017) disclosed that FHWA intends to make a de minimis determination for this. DAHP concurred with the finding of effect (FOE) of No Adverse Effect for this resource on October 16, 2017 (see attached letter).
January 24, 2017

Mr. Roger Kiers
WA State Dept. of Transportation
P.O. Box 47332
Olympia, WA. 98512-7332

In future correspondence please refer to:
Project Tracking Code: 102315-02-FHWA
Property: Industrial Way / Oregon Way Intersection Project
Re: Determination of Eligibility

Dear Mr. Kiers:

Thank you for contacting the State Historic Preservation Officer (SHPO) and the Washington State Department of Archaeology and Historic Preservation regarding the above referenced project.

First, we concur that the CDID Ditch No. 3 and BNSF railway segment are eligible for inclusion in the National Register of Historic Places (NRHP) under Criteria A. We do not concur that the property located at 304 Oregon Way is not eligible for inclusion in that NRHP. Finally, we concur that the remaining 28 historic buildings within the area of potential effect (APE) are not eligible for inclusion in the NRHP.

We look forward to further consultation regarding your determination of the project effect on National Register eligible properties in the APE.

Please provide us any correspondence or comments from concerned tribes and other parties that you receive as you consult under the requirements of 36 CFR 800.4(a)(4), and the survey report when it is available.

These comments are based on the information available at the time of this review and on behalf of the SHPO pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations 36 CFR 800. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to review and comment. Should you have any questions, please feel free to contact me.

Sincerely,

Dennis Wardlaw
Transportation Archaeologist
(360) 586-3085
dennis.wardlaw@dahp.wa.gov
October 16, 2017

Mr. Roger Kiers
WA State Dept. of Transportation
P.O. Box 47332
Olympia, WA. 98512-7332

In future correspondence please refer to:
Project Tracking Code: 102315-02-FHWA
Property: Industrial Way / Oregon Way Intersection Project
Re: NO Adverse Effect

Dear Mr. Kiers:

Thank you for contacting the State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) regarding the above referenced project. This action has been reviewed on behalf of the SHPO under provisions of Section 106 of the National Historic Preservation Act of 1966 (as amended) and 36 CFR Part 800. Our review is based upon documentation contained in your communication.

First, we concur that the property at 254 Oregon Way (Property #709368) is not eligible for inclusion in the National Register of Historic Places (NRHP). We also concur that the current project as proposed will have "NO ADVERSE EFFECT" on The Consolidated Diking Improvement District Ditch No. 3 (Property #680894) and the segment of the BNSF Railway alignment (Property #680893), both of which have been previously determined eligible for the NRHP. As a result of our concurrence, further contact with DAHP on this proposal is not necessary.

However, if new information about affected resources becomes available and/or the project scope of work changes significantly, please resume consultation as our assessment may be revised. Also, if any archaeological resources are uncovered during construction, please halt work immediately in the area of discovery and contact the appropriate Native American Tribes and DAHP for further consultation.

Thank you for the opportunity to review and comment. Should you have any questions, please feel free to contact me.

Sincerely,

Dennis Wardlaw
Transportation Archaeologist
(360) 586-3085
dennis.wardlaw@dahp.wa.gov

State of Washington • Department of Archaeology & Historic Preservation
P.O. Box 48343 • Olympia, Washington 98504-8343 • (360) 586-3065
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