



IN REPLY REFER TO:

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
Custom House, Room 244
200 Chestnut Street
Philadelphia, Pennsylvania 19106-2904



August 8, 2012

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ER 12/365

Mr. Jack Van Dop
U.S. Department of Transportation, Federal Highway Administration
Eastern Federal Lands Highway Division
21400 Ridgetop Circle
Sterling, VA 20166-6511

Dear Mr. Van Dop:

The Department of the Interior (Department) has reviewed the Draft Section 4(f) Evaluation for *Route 1 Improvements at Fort Belvoir, Fairfax County, Virginia* and offers the following comments and recommendations for your consideration.

SECTION 4(f) EVALUATION COMMENTS

The Department appreciates your consideration of properties in the Section 4(f) Evaluation; however, because there is no Preferred Alternative selected, we cannot concur that there is no feasible or prudent alternative to the Preferred Alternative selected in the document, and that all measures have been taken to minimize harm to these resources. We recommend that once you have selected a Preferred Alternative, specific mitigation measures be solidified for each of the affected Section 4(f) properties and documented in the Section 4(f) Evaluation.

We appreciate the Federal Highway Administration's (FHWA) consideration of a feasible and prudent alternative for the widening of Route 1 that would minimize the use of historic resources in compliance with Section 4(f) of the Department of Transportation Act, 49 U.S.C. § 303(c), 23 U.S.C. § 138, Section 110 (f) of the National Historic Preservation Act, 16 U.S.C. § 470h-2(f).

In addition to the general CEQ regulation, we recommend that FHWA include the specific 4(f) requirements of 23 CFR 771 and consider applying the *Overton Park* criteria (Citizens to Preserve Overton Park v. Volpe, 401 U.S. 402 (1972)) to the analysis of alternatives. The criteria that the Supreme Court established in the *Overton Park* case stipulate that Section 4(f) lands are "...not to be lost unless they are truly unusual factors present ...or...the cost of community disruption resulting from alternative routes reaches extraordinary magnitudes."

General Comments

In general one of the largest omissions in the EA and Draft Section 4(f) Evaluation is any discussion of cumulative impacts of the project with the Richmond Highway-Telegraph Road Connector. In particular, under Alternative C the cumulative impacts would result in almost six acres of property being taken from the National Historic Landmark. The FHWA should include a thorough evaluation of cumulative impacts on historic properties.

We encourage FHWA to develop a meandering, scenic, natural surface trail as a segment of the Potomac Heritage Scenic Trail (POHE) within the Mount Vernon Memorial Highway-Telegraph Road Project that would complement other existing and planned trail segments. For background on the POHE, you can find a draft “Foundation for Planning” on the NPS website at <http://nps.gov/pohe/parkmgmt/planning/htm>.

Specific Comments

- Sec. II.D.(a)/page 15 - add date of Woodlawn Plantation construction.
- Sec. II.D.(a)/page 17 - provide number of graves within the Woodlawn Baptist Church cemetery and any relationship of those buried with the historic district.
- Sec. II.D.(a)/page 17 - explain the Sharpe Stable bank barn’s significance and context for the relationship of the Sharpe Stable Complex to the historic district and National Historic Landmark.
- Sec.II.D./page 19 - add reference to the Woodlawn Quaker Meetinghouse cemetery throughout this section.
- Sec. III.D.page 19 - provide specific information about what contributing and non-contributing barns/buildings would be displaced.
- Sec. III.D./page 19 - expand in greater detail specifically how the alternatives would encroach on Section 4(f) properties, in particular the Sharp Stable Complex, Grandview, Woodlawn Baptist Church and cemetery, and the Woodlawn Quaker Meetinghouse and cemetery.
- Sec. IV.(c)/page 21 and Sec. V.D./page 24 - include an alternative of 11-foot-wide driving lanes through the historic district, and another alternative that would remove the median through the historic district while reserving the remainder of the right-of-way as open space to the north or south of the alignment, thus addressing “all possible planning to minimize harm”. Add discussion on how once the landscaped median is removed and paved over that the asphalt will be almost 110 feet wide and through a historic district.
- Sec VI.(i)-(ii)/page 25 – add discussion on how the preferred alternative (Alt. B) would reduce harm when compared to Alternative C.

The Department has a continuing interest in working with FHWA to ensure that impacts to resources of concern to the Department are adequately addressed. For questions related to the Section 4(f) Evaluation comments, please contact Joel Gorder, joel_gorder@nps.gov, 202-619-7405.

We appreciate the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Lindy Nelson", with a long horizontal flourish extending to the right.

Lindy Nelson
Regional Environmental Officer

cc:

Virginia DOT (tom.fahrney@vdot.virginia.gov)

Virginia SHPO (Kathleen.kilpatrick@dhr.virginia.gov)

J. Gorder- NPS, NCR