



COMMONWEALTH of VIRGINIA

L. Preston Bryant, Jr.
Secretary of Natural Resources

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Director

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December 7, 2007

Ms Angela Tucker
City of Charlottesville
Department of Neighborhood Services
City Hall
P.O. Box 911
Charlottesville, Virginia 22902

Re: Environmental Assessment (EA) and Section 4(f) Evaluation for
Route 250 Bypass Interchange at McIntire Road
City of Charlottesville and Albemarle County
VDOT Project # 0250-104-130, PE101
DHR File # 2006-1589

Dear Ms Tucker:

We have received for our review and comment the Environmental Assessment (EA) and Section 4(f) Evaluation for the Route 250 Bypass Interchange at McIntire Road project located in the City of Charlottesville. The EA and Section 4(f) Evaluation was forwarded to us by the consultants at Rummel, Klepper & Kahl (RK&K) at our request.

Our review of the document comes after the consulting parties meeting of 26 November and our letter dated 30 October. In that correspondence, and reiterated at the consulting parties meeting, we informed the City of our concern regarding the adequateness of the Area of Potential Effect (APE) due to the proposed overpass across McIntire Road. We believe that this design feature may necessitate increasing the APE due to the potential for the facility to impact significant historic viewsheds and increase traffic noise over a wide area. It is our understanding from the conversations at the consulting parties meeting that the City will direct RK&K to re-evaluate the scope of the APE in order to ensure that it properly takes into account the potential for historic properties to be indirectly affected by environmental changes such as increased noise and visual intrusions. For example, a tour of the project area indicated that additional portions of McIntire Park, a property eligible for listing to the National Register, would be included in the revised APE. We look forward to the opportunity to review and comment on the results of the new analysis for the APE.

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Another issue brought up by the Department of Historic Resources (DHR) in our letter and at the consulting parties meeting is the potential for cumulative effects to historic properties resulting from the subject interchange project and the proposed McIntire Road Extension (VDOT Project No. U000-104-V02, P101, PPMS 02529). As previously stated in our 30 October letter, the regulations that govern Section 106, 36 CFR Part 800, consider it appropriate to evaluate the effects of these two undertakings jointly since one may be interpreted as a reasonably foreseeable consequence of the other (36 CFR Part 800.5(a)(1)). This is true even if the road extension project is state funded rather than federally funded. Therefore, we still believe it necessary to include the McIntire Road Extension project in the overall APE and assess the impacts to historic properties, particularly McIntire Park, of that project along with the bypass.

In addition to issues concerning the extent of the APE, supplemental information regarding historic properties not previously known to the City, it consultants or DHR was revealed by Dr. Daniel Bluestone. Specifically, Dr. Bluestone believes that the two dwellings designed by Eugene Bradbury, 501 and 502 Park Hill, should be considered eligible for individual listing to the National Register. After consultation between DHR and the City, we concurred that both houses should be included in an expanded courthouse historic district, but do not warrant individual listing. Since the City accepts 501 and 502 Park Hill as historic properties because they contribute to the expanded historic district, whether they rise to individual prominence is academic for the purposes of Section 106. However, it is important for the City to define the boundaries for the properties, and by extension the historic district, so as to accurately determine the effect of the project on these two contributing resources and their settings. The revision of the historic district boundaries may require a new noise analysis from others points on the properties than the dwellings themselves. It should be noted that if the owners of 501 or 502 Park Hill wish to pursue individual consideration for listing to the National Register in the future, the determination through the Section 106 process that they only contribute to a larger historic district will not preclude such efforts.

Dr. Bluestone also questioned the evaluation of a third resource, the terraced gardens at the Rock Hill estate. The City, with DHR concurrence, believes that the terraced gardens do not constitute an historic landscape due to alterations that it has sustained, thereby compromising its historic integrity. If Dr. Bluestone has any further information that he can provide the City, the City and DHR will take the new information into account and reexamine our earlier recommendation.

Finally, Dr. Bluestone proposed two additional alternatives at the consulting parties meeting he states will limit effects to historic properties. We believe that the Federal Highway Administration (FHWA) and the City should assess the feasibility of these options as part of the federal agency's responsibility to avoid and minimize the effects of its undertaking on historic properties.

If you have any questions regarding our comments, please contact me at (804) 367-2323, Ext. 114.

Sincerely,



Marc Holma, Architectural Historian
Office of Review and Compliance