

# I-205 Toll Project

## MEMORANDUM



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**Subject** Historic Properties Methodology Memorandum – Draft #4

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## 2 INTRODUCTION

3 This memorandum describes the methods that will be used in the I-205 Toll Project (Project)  
4 Environmental Assessment (EA) analysis to evaluate the impacts the Project alternatives may  
5 have on historic properties. Historic properties are defined as any "prehistoric or historic  
6 district, site, building, structure, or object included in, or eligible for inclusion on, the National  
7 Register of Historic Places (NRHP), including artifacts, records, and material remains related to  
8 such a property or resource' [54 U.S.C 300308]. The analysis and results will be documented in  
9 the EA that will be developed to comply with federal guidelines and regulations, including the  
10 National Environmental Policy Act (NEPA) and local and state policies, standards, and  
11 regulations.

12 The historic properties analysis will evaluate impacts from the construction, operations, and  
13 maintenance of the Project and will identify mitigation measures as needed.

## 14 LEGAL REGULATIONS AND STANDARDS

### 15 Laws, Plans, Policies, Regulations, and Guidance

16 The following is a list of federal, state and local laws, regulations, plans, policies, and guidance  
17 documents that guide or inform the assessment of historic properties:

- 18 • Section 106 of the National Historic Preservation Act (NHPA) of 1966, 16 U.S.C Section 470  
19 et seq. (Implementing regulations are in 36 CFR 800)
- 20 • NEPA of 1969, 42 U.S.C Section 4321 et seq. The implementing regulations are 40 CFR 1500-  
21 1508
- 22 • American Indian Religious Freedom Act of 1978, 42 U.S.C Section 1996
- 23 • Section 4(f) of the U.S. Department of Transportation Act of 1966 49 U.S.C Section 101 et seq.  
24 (Implementing regulations for Section 4(f) are 23 CFR 774)
- 25 • Oregon Revised Statutes (ORS) 358.905-358.961, Archaeological Objects and Sites

- 1 • ORS 97.740-97.760, Indian Graves and Protected Objects
- 2 • ORS 358.653, Protection of Publicly Owned Historic Properties
- 3 • ORS 390.805-390.925, Scenic Waterways
- 4 • ORS 390.235-390.240, Permits and Conditions for Excavation or Removal of Archaeological
- 5 or Historical Material; Removal without Permit; and Mediation and Arbitration of Disputes
- 6 (implementing regulations are included in Oregon Administrative Rules (OAR) 736-051)
- 7 • Oregon Statewide Land Use Planning Goal 5 (Implementing regulations are included in
- 8 OAR 660-023 and OAR 660-016)

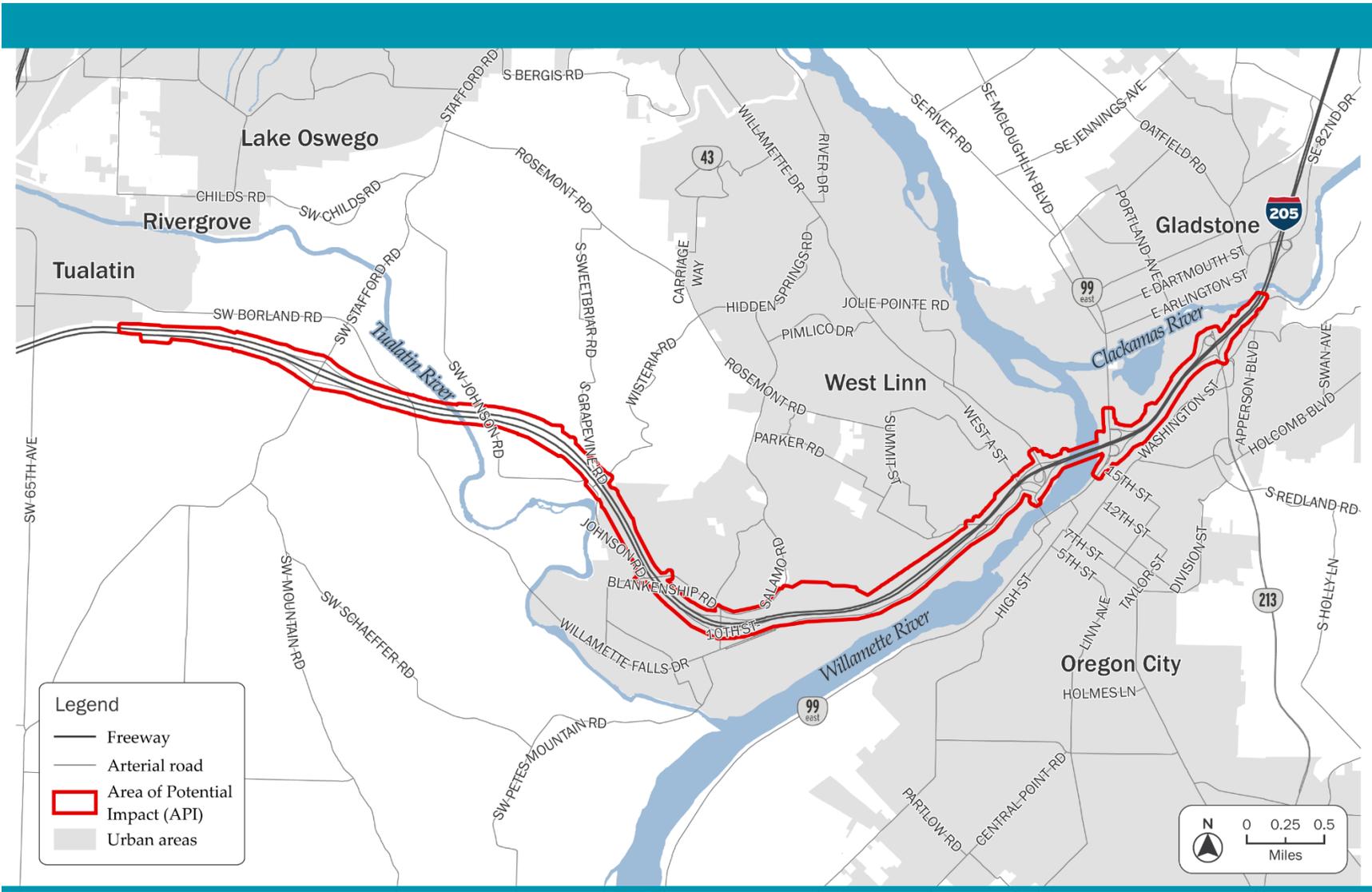
9 Consultation with affected parties, under Section 106 of the NHPA, will be the responsibility of  
10 ODOT.

## 11 **AREA OF POTENTIAL EFFECTS**

12 The area of potential effects (APE) can be defined as “the geographic area or areas within which  
13 an undertaking may directly or indirectly cause changes in the character or use of historic  
14 properties, if any such properties exist” [36 CFR Part 800.16(d)]. For the purposes of the Project,  
15 the APE for historic properties encompasses the area that could be impacted by the Project  
16 alternatives.

17 Using recent guidelines provided by the Advisory Council on Historic Preservation, direct  
18 effects to historic properties within the APE include the physical, visual, and auditory impacts  
19 associated with the construction of the tolling gantries; associated signage; and routing  
20 associated electrical and communications infrastructure (ACHP 2019). Indirect effects to historic  
21 properties include changes in traffic volume, noise, air pollution, and road vibration that may  
22 occur on non-freeway roadways where traffic volumes increase as a result of drivers rerouting  
23 to avoid tolls once tolling is implemented. At present, the APE for indirect effects cannot be  
24 easily defined as Project alternatives are still being identified, and traffic analysis of the  
25 alternatives that will be assessed in the EA has not been completed; this analysis would be used  
26 to identify nearby roads and communities expected to experience changes in traffic volume as a  
27 result of tolling. Until more accurate traffic modeling is available, the APE for direct and  
28 indirect effects on historic properties is provisionally defined as the I-205 right-of-way between  
29 Stafford Road and Oregon Route 213 (OR 213), which is about 7 miles long and is between 175  
30 and 275 feet wide. The APE also includes the interchanges at Stafford Road, 10th Street, Oregon  
31 Route 43, and OR 213 where it widens to as much as 1,000 feet. Because the proposed tolling  
32 gantries and associated signage may be located in areas just outside of the existing I-205 right-  
33 of-way, the APE will extend 100 feet outward in all directions from the edges of the right-of-  
34 way, as shown in Figure 1. Prior to preparation of the EA, this APE may be modified once the  
35 alternatives to be studied in the EA have been identified and projected traffic volumes have  
36 been refined.

1 **Figure 1. Preliminary Historic Properties Direct Impacts APE**



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1 Once the alternatives to be studied in the EA have been identified and more detailed projected  
2 traffic volumes have been estimated, roadways that would experience increased traffic volumes  
3 as a result of the tolling will be identified. The APE for indirect effects to historic resources will  
4 be developed and will include the roads, bridges, and communities that would experience a  
5 substantial increase in traffic volume during peak travel times relative to other parts of the  
6 Portland metro area.

## 7 **DESCRIBING THE AFFECTED ENVIRONMENT**

### 8 **Published Sources and Databases**

9 Data used in the 2018 Documented Categorical Exclusion (DCE) prepared for the I-205  
10 Improvements Project will be reviewed to confirm its relevancy and applicability to this study.  
11 To identify previously recorded archaeological resources, records on file at the Oregon  
12 Archaeological Records Remote Access (OARRA) database managed by the Oregon State  
13 Historic Preservation Office (SHPO) will be reviewed. The records search will include  
14 identifying archaeological resources that were documented by professional and amateur  
15 archaeologists or were recorded based on anecdotal information from local residents.

16 To identify previously recorded historic structures, pertinent registers and databases  
17 maintained at the local, state, and federal levels will be reviewed. These will include the Oregon  
18 SHPO's Historic Sites Database, the NRHP, Oregon City's historic resources webmap of the  
19 Canemah and McLoughlin historic districts, and the city of West Linn's website that lists  
20 historic structures including the Willamette Historic District.

21 The research will be supplemented by published historical and cartographic materials to  
22 provide an overview of the developmental history of the APE including maps prepared by the  
23 Sanborn Fire Insurance Company, General Land Office (GLO), United States Geological Survey  
24 (USGS), and Metsker Maps. Historic-era aerial photographs taken of the APE available from the  
25 Clackamas County Tax Assessor will also be reviewed.

### 26 **Contacts and Coordination**

27 ODOT will conduct Section 106 consultation as part of the NEPA process. The I-205 Toll  
28 Project may require coordination with multiple consulting parties at the local, state, and federal  
29 levels. Depending on which Project alternatives are analyzed, these may include, the cities of  
30 Oregon City and West Linn, the Oregon SHPO, the United States Army Corps of Engineers  
31 (USACE), the National Park Service (NPS), the Federal Highway Administration (FHWA), and  
32 the Clackamas County Historic Review Board. The consulting parties may change as tolling  
33 alternatives are finalized.

### 34 **Field Surveys or Testing**

35 The APE is located in a thoroughly urbanized setting characterized by a modified natural  
36 environment. Much of the ground surface in the APE consists of the paved I-205 roadway and  
37 the SW Stafford Road, 10th Street, OR 43, and OR 213 interchanges. Construction of the

1 roadway and interchanges has altered the surrounding area indicated by road cuts, buried  
2 utility lines, and traffic fencing. At this time, no archaeological fieldwork is planned as Project  
3 alternatives are still conceptual in design.

4 Once ODOT has consulted with all affected parties and a preferred alternative has been  
5 identified, some form of fieldwork may be necessary if the Project improvements (e.g., locations  
6 of tolling gantries, locations of signage and utilities, etc.) or increased traffic conditions have the  
7 potential to directly or indirectly impact existing pre-contact or historic-era archaeological  
8 resources outside of the paved parts of the APE. Fieldwork may include a pedestrian survey or  
9 subsurface testing.

10 If the proposed developments have the potential to directly or indirectly impact the historic  
11 built environment, then fieldwork may include revisiting NRHP-listed structures, landmarks,  
12 and districts to determine if their overall character has been altered since being listed. If it is  
13 determined that structures 45 years or older are to be impacted by the proposed developments, the  
14 fieldwork may include an inventory of the structures and an evaluation of their eligibility for  
15 listing on the NRHP.

## 16 **IMPACT ASSESSMENT METHODS**

17 The impacts analysis will address the long- and short-term, indirect, and cumulative impacts  
18 upon historic properties for each of the Project alternatives.

### 19 **Long-Term Impact Assessment Methods**

20 The analysis of direct long-term impacts to historic properties resulting from the Project will  
21 consider the potential for:

- 22 • Construction activities related to the installation of toll gantries and utilities to disturb or  
23 destroy pre-contact and historic-era archaeological resources
- 24 • Toll gantries, associated signage, and increased traffic to permanently alter the viewsheds,  
25 setting, and/or defining characteristics of historic properties

26 It is anticipated that the installation of toll gantries and associated utilities would avoid direct  
27 impacts to historic properties. Considering that the location of toll gantries and utilities may not  
28 be determined for the EA, the assessment would primarily be qualitative in nature and rely on  
29 information collected during a desktop analysis.

### 30 **Short-Term Impact Assessment Methods**

31 The analysis of direct short-term impacts to historic properties that would occur during Project  
32 construction will consider the potential for increased noise, road vibration, traffic, and air  
33 pollution to temporarily change the setting and defining characteristics of historic properties.

1 **Indirect Impacts Assessment Methods**

2 The analysis of indirect impacts to historic properties will consider the auditory and visual  
3 effects, as well the effects of street vibration, caused by changes in traffic patterns following the  
4 implementation of the tolling. As mentioned in the description of a potential indirect APE, this  
5 analysis will include the use of a model to forecast traffic patterns, which would be used to  
6 identify roads and communities that would likely experience increased traffic, potentially  
7 altering the setting and defining characteristics of historic properties.

8 **Cumulative Impacts Assessment Methods**

9 The analysis of cumulative impacts to historic properties is described in the I-205 Toll Project  
10 Cumulative Impacts Methodology Memorandum.

11 **MITIGATION APPROACH**

12 Potential mitigation measures will be developed if there are adverse effects to historic  
13 properties in coordination with all consulting parties. A variety of measures would be  
14 considered which would be dependent on the nature of the effect, type of resource, and  
15 priorities of the consulting parties. For pre-contact and historic-era archaeological resources,  
16 mitigation measures could include documentation of newly identified resources, updating  
17 inventory forms of existing sites, development of an inadvertent discovery plan that describes  
18 the procedure for treating archaeological finds, and data recovery excavations. For historic  
19 structures, mitigation of adverse effects could include completing an Oregon SHPO Clearance  
20 Form or an Historic American Buildings Survey (HABS)/Historic American Engineering Record  
21 (HAER) documentation for each resource.

22 **PERFORMANCE MEASURES**

23 1 presents a preliminary list of performance measures identified to evaluate how the  
24 alternatives compare in terms of impacts and benefits to historic properties.

25 **Table 1. Historic Properties Performance Measures**

Performance Measure	Tool and/or Data Source used for Assessment of Measure
Number, type, and location of historic properties (including archaeological sites) directly impacted by the project	Development footprint of the tolling gantries, associated signage, and utilities
Number, type, and location of historic properties (including archaeological sites) indirectly impacted by the project	Information obtained from traffic model showing forecasted changes in traffic volumes that would result from tolling on roadways adjacent to historic properties

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27 Additional performance measures may be identified during the course of analysis.

1 **REFERENCES**

- 2 Advisory Council on Historic Preservation (ACHP). 2019. Recent Court Decision Regarding the  
3 Meaning of "Direct" in Sections 106 and 110(f) of the National Historic Preservation Act.  
4 Memorandum to ACHP Staff, Washington, D.C.

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