



**CHAPTER VI
DRAFT SECTION 4(f) EVALUATION FOR THE
MARTH/FISCHER BARN (2LF66.1)**

**INTERSTATE 70 SIU 2
LAFAYETTE COUNTY**

Prepared Pursuant to 23 USC 138 and 49 USC 303

**By the
United States Department of Transportation
Federal Highway Administration
and the
Missouri Department of Transportation**

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Title

A. Introduction

1. BACKGROUND

The following Section 4(f) discusses the proposed improvements to Section of Independent Utility No. 2 of the I-70 Corridor and the impacts to historic properties. Extensive planning efforts to avoid and minimize impacts have been conducted and are addressed in this document as well as potential mitigation and enhancement for the resource impacts. In summary, the Preferred Alternative includes widening I-70 across the SIU 2 Study Corridor from two lanes to three lanes in each direction, demolition and reconstruction of interchanges and overpasses to accommodate the additional lanes and a wider median and other ancillary I-70 improvements.

One historic resource, the Marth/Fischer Barn (2LF66.1), would be impacted by implementation of the Preferred Alternative. The historic resource presented in this document was identified during the historic survey and was recommended eligible for the National Register of Historic Places (NRHP) by the Center for Archaeological Research (CAR).

2. GENERAL 4(f) PROCESS

The Section 4(f) legislation, as established under the U. S. Department of Transportation Act of 1966 (49 USC 303, 23 USC 138) provides protection for publicly owned parks, recreation areas, or wildlife and/or waterfowl refuges of national, state or local significance or land of an historic site of national, state, or local significance from conversion to transportation usage. Section 4(f) also applies to all archaeological sites on or eligible for inclusion on the National Register and which warrant preservation in place. The Federal Highway Administration (FHWA) may not approve the use of publicly owned land of a publicly owned park; recreation area; wildlife and waterfowl refuge of national, state or local significance; or land of a historic site of national, state or local significance unless a determination is made that:

- There is no feasible and prudent alternative to the use of the land from the property; and
- The action includes all possible planning to minimize harm to the property resulting from such use (23 CFR 771.135).

Section 106 of the National Historic Preservation Act of 1966 requires that FHWA take the effects of federally-funded and permitted projects on historic properties into account, to coordinate these effects with the staff of the State Historic Preservation Officer (SHPO) and interested parties, and to avoid or mitigate any adverse effects on historic properties. Further, Section 106 requires that FHWA give the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such actions. Section 106 applies to properties that have been listed in the NRHP, properties that have been determined to be eligible for inclusion in the National Register, and properties that may be eligible but have not yet been evaluated. If a property has not yet been listed to the National Register or determined eligible for inclusion, it is the responsibility of the Federal agency involved to ascertain its eligibility, following procedures spelled out in Advisory regulations (36CFR800.4(c)), where the procedures and appropriate NRHP regulations are cited.

The National Register of Historic Places Criteria for Evaluation, as found in 36 CFR 60.4, include “the quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and (A) that are associated with events that have made a significant contribution to the broad patterns of our history; or (B) that are associated with the lives of persons significant in our past; (C) that embody distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction, or (D) that have yielded, or may be likely to yield, information important in prehistory or history.”

Applicability of Section 4(f) to prehistoric and historic archaeological properties usually depends on the need for “in-place preservation.” If a lesser standard of protection were appropriate to preserve the values of the properties, Section 4(f) typically would not apply.

B. Section 4(f) Resources and Applicability Evaluation

The following discussion identifies the only Section 4(f) architectural resource located within the SIU 2 Study Corridor that has been identified as being potentially impacted by implementation of the Preferred Alternative.

1. Marth/Fischer Barn (2LF66.1)

The Marth/Fischer Barn is located near mile marker 55 and is within the proposed right of way for the mainline and frontage road alignment. The barn would be directly impacted by the re-construction of the existing frontage road. It is within the limits of construction, as is the house and some grain bins. The other buildings on the property are within the area of potential effect but outside the construction limits. The barn is recommended as eligible for the NRHP as an individual building. Although a house and other agricultural buildings are present on the property, these other buildings do not have the integrity or significance to constitute a farmstead district with the barn. Therefore, the recommended NRHP boundary is the footprint of the barn. It is recommended eligible under Criterion C with Architecture as the area of significance; the period of significance is 1936-1937.

a. Avoidance Alternatives

This barn is located on the north side of I-70, the side proposed for widening, near mile marker 55. This resource would be potentially impacted by the re-construction of the existing frontage road. Various alternatives to avoid this resource have been evaluated and are presented herein.

Avoidance Alternative A: No Action

Implementation of the No Action alternative would avoid impacts to this resource by not constructing the frontage road through this area (Figure VI-1). Although the implementation of this alternative would not impact the barn, it would restrict ingress/egress access for not only

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this farmstead, but also the farmstead located to the east that uses the same frontage road. Based on the fact that implementation of this alternative would discontinue ingress/egress access for two different farmsteads, the No Action alternative is not considered as a prudent or feasible alternative.

Avoidance Alternative B: Reduce the Horizontal Clear Zone

The implementation of this alternative would reduce the design criteria separation between the mainline and frontage road from 80 feet (24 meters) to 30 feet (9 meters). Although reducing this separation distance would avoid impacts to the Marth/Fischer Barn, it would require a design exception from MoDOT and would reduce the safety of the facility through this area. The implementation of this alternative would require a deviation from the standards set forth for this project. The implementation of this alternative would also increase the related noise impacts to this farmstead. As shown on Figure VI-2, this alternative would require a slight curve in the frontage road towards the mainline. This slight curve would extend the length of the frontage road by approximately 50 feet (15 meters) and would also reduce the clear zone between the frontage road and the barn. Although the costs associated with implementing this alternative would not be substantially different than the other build alternatives, the safety issues associated with the reduced separation of the mainline from the frontage road and a structure within 20 feet (6 meters) of the frontage road outweigh the benefits of this alternative.

Avoidance Alternative C: Relocate the Frontage Road

The implementation of this alternative would route the configuration of the proposed frontage road around the back of Marth/Fischer Barn and associated farmstead. Although this alternative would avoid impacts to the resource, this design would cause severance of the Fischer parcel, re-direct frontage road traffic through currently undeveloped lands and create an island residence located between the mainline I-70 and the frontage road (Figure IV-3). The costs associated with implementing this alternative would be approximately \$200,000. The relocated frontage road would extend across a wooded stream and would impact an additional 0.5 acres (0.20 hectares) of prime farmland. In addition, the implementation of this alternative would increase the noise impacts to this farmstead as it would be bound on the south by mainline I-70 and to the north by the frontage road.

Avoidance Alternative D. Shift Mainline Widening to the South

The implementation of this alternative would shift the widening of I-70 to the south through this area and create two additional mainline I-70 crossovers in SIU 2 (Figure IV-4). The first crossover would be from the north to the south on the west side of the barn and back to the north from the south on the east side of the barn. The southern widening strategy was evaluated in the First Tier EIS and re-evaluated as part of the Second Tier Environmental Assessment. The southern alignment would displace two additional residences, impact two additional property parcels, cause impacts to a wooded stream that was not previously impacted and would require the filling of two additional acres (0.8 hectares) of floodplain.

The addition of these two crossovers in this one-mile (1.6 kilometer) section of I-70 would cause substantial logistical and traffic control problems during construction. The detouring of I-70 traffic during construction would not only present safety concerns associated with vehicle to vehicle and worker to vehicular crashes but also present construction operation challenges. In addition, the cost associated with implementing this alternative would be approximately \$600,000. For these reasons, the implementation of Alternative D is not considered a feasible alternative.

Measures to Minimize Harm

Measures to minimize harm include agreement among SHPO, ACHP and FHWA through the Section 106 process. This scenario anticipates an adverse effect without relocation. Photographic and other records would be supplied via existing data and with additional documentation. Although the documentation effort does not avoid an adverse effect, it does result in mitigating the adverse effect. Procedures for determining the level of documentation necessary for each resource are included in draft PA, which is located in Appendix K of the EA.

Summary

Subsequent steps in the Section 4(f) Evaluation process will determine if there is no prudent and feasible alternative to displacing the Marth/Fischer Barn (2LF66.1).

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Figure VI-1

Figure VI-2

Figure VI-3

Figure VI-4