



*Preserving America's Heritage*

October 30, 2009

Mr. John Simpkins  
Environmental Protection Specialist  
Federal Highway Administration  
Virginia Division  
P.O. Box 10249  
400 N. 8<sup>th</sup> Street Rm. 750  
Richmond, VA 23240

REF: *Draft Memorandum of Agreement regarding the U.S. Route 250 Bypass/  
McIntire Road Interchange  
DHR File No. 2006-1589  
City of Charlottesville, Virginia*

Dear Mr. Simpkins:

The ACHP appreciates your participation in the consulting party meeting on October 9, 2009 in Charlottesville, and the follow up discussion with the participating government agencies on October 21<sup>st</sup>. During the meetings, a number of questions were raised about the relationship of proposed sewer line improvements to the interchange project and the proposed McIntire Road Extended. The City of Charlottesville (City) provided us with additional information on the rights-of-way associated with the new interchange, recreational path, and a proposed sewer line improvement in relation to the Rock Hill Landscape. This information helped us to better understand the magnitude of the impact of these proposed improvements on McIntire Park, the Rock Hill Landscape, and homes in the adjacent historic district. We understand that the City has further explored the possibility of acquiring an easement from the owner of the Rock Hill Landscape, the Monticello Area Community Action Agency (MACAA), and relocating the pedestrian and bicycle trail that is currently proposed for the north side of US Route 250 east of the interchange. The willingness of the City to explore ideas proposed by consulting parties for mitigating the effects of the undertaking on historic properties is appreciated and, we believe, may lead to more meaningful mitigation of the adverse effects of this undertaking.

Since we have convened the meetings with other consulting parties that allowed us to hear their concerns regarding direct, indirect, and cumulative effects, the ACHP has prepared the following recommendations for your consideration in finalizing the Memorandum of Agreement (MOA) for the US Route 250 Bypass/McIntire Road Interchange Project:

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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1. Stipulations I through IV are acceptable as worded, and should be retained in the MOA.
2. A new stipulation should be drafted to clarify that decisions regarding the long-term management of McIntire Park, including whether to continue to retain a golf course at this location, cannot be made outside of the City's planning process. Language about public participation and further consideration of the historic features that contribute to McIntire Park's eligibility for inclusion in the National Register should be highlighted in the city's master planning process for parks.
3. We do not recommend relocating the pedestrian/bicycle path to the north of its current location along US Route 250 east of the interchange, as we believe breaching the wall of the Rock Hill Landscape and accommodating bicycle traffic within this historic property would result in a greater impact to the historic character of the landscape than what is currently proposed. A stipulation should, however, be added to the MOA ensuring that the City will refine the design of the interchange project to minimize ground disturbance and other impacts to the Rock Hill Landscape as much as possible, and to ensure that the project and associated construction activities fully avoid direct impacts to the inner stone wall and terraced gardens. This stipulation should also require that the City educate the construction contractor about the sensitivity of this area, and place restrictions, as needed, to minimize damage to the Rock Hill Landscape.
4. We agree with the recommendation of the Virginia State Historic Preservation Officer (SHPO) in her letter of August 27, 2009, that public access and restoration of the Rock Hill Landscape should be further explored as part of the mitigation for this project. The MOA should affirm that the City will continue to work with MACAA to explore possibilities for a partnership to rehabilitate the historic Rock Hill Landscape, and if feasible, consistent with local planning requirements, to acquire a public easement through the gardens. At a minimum, the City should develop for MACAA an accurate restoration planting plan for the gardens based on the results of historical research and archaeological investigations at the site.
5. Steps that have been taken by the City and Virginia Department of Transportation (VDOT) to minimize traffic related noise and the interchange's visibility from historic properties should be more fully documented in the MOA. This would include a commitment to install signage that prohibits trucks from entering and using McIntire Road Extended; posting a speed limit of no higher than 35 miles per hour; and the use of signal optimization to minimize delays for emergency response vehicles.
6. The replacement of vegetation to screen historic properties from the new interchange should be more clearly described in the MOA. The agreement should distinguish between the screening and the landscape planning proposed along McIntire Road Extended. The City should also be required to provide effective screening between the new interchange and historic properties, to the extent possible.

We appreciate your consideration of these recommendations, and look forward to reviewing a revised MOA that incorporates the changes soon. If you have any questions, please contact Carol Legard, our FHWA Liaison at (202)606-8522 or by e-mail at [clegard@achp.gov](mailto:clegard@achp.gov).

Sincerely,



Charlene Dwin Vaughn, AICP  
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Federal Permitting, Licensing, and Assistance Section  
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