

5.0 DRAFT SECTION 4(f) EVALUATION

Section 4(f) requires that special efforts be made to protect publicly owned parks, recreation areas, wildlife and waterfowl refuges, and significant historic sites. Section 4(f) was enacted as Section 4(f) of the *U.S. Department of Transportation (USDOT) Act of 1966*, set forth in *Title 49 United States Code (USC) §1653(f) and recodified at 49 USC §303 (1983)*. Due to an effort to recode the *USDOT Act* in January of 1983, it was amended and codified in *49 USC §303*. Section 4(f) states in part that:

Definitions for all acronyms can be found in Chapter 10.0 of the DEIS

“ . . . the Secretary shall not approve any program or project which requires the use of any publicly owned land from any public park, recreation area, or wildlife and/or waterfowl refuge of national, state, or local significance as determined by the federal, state, or local officials having jurisdiction thereof, or any land from a historic site of national, state, or local significance as determined by such officials unless: (i) there is no prudent and feasible alternative to the use of such land, and (ii) such program includes all possible planning to minimize harm to such park, recreation area, or wildlife and/or waterfowl refuge or historic site resulting from such use.”

Section 4(f) applies to projects that require approval by the Federal Railroad Administration (FRA), or any other USDOT agency. It requires that such a project avoid the use of any Section 4(f) resource, as defined above, unless there is no prudent and feasible alternative to that use. If a use must occur, all possible planning and measures must be included to minimize harm to that resource.

A “use” is defined as 1) when property from a Section 4(f) resource is permanently acquired (fee simple or permanent easement) and incorporated into a transportation project; 2) when there is an occupancy of land (i.e., construction access areas, detours, temporary bridges, replacement of an historic bridge, etc.) that is adverse in terms of the statute’s preservationist purposes of preserving the integrity of the resource; or 3) when the proximity impacts from a project are so great that the characteristics that qualify the resources as Section 4(f) are substantially impaired.

Section 4(f) coordination was conducted with municipal officials throughout the project area as well as Pennsylvania’s State Historic Preservation Office (SHPO). It was determined that there are a number of public parks, recreation areas, and historic resources located along and immediately adjacent to the proposed alternative alignments for this project that could potentially be impacted by the project.

This chapter begins with a description of the proposed action. Based on that action, the chapter provides a description of the Section 4(f) resources potentially used by the project, followed by a detailed analysis of how each alternative examined would impact these resources. The chapter then examines avoidance alternatives to the use of each resource, as well as measures to minimize harm and mitigation for the proposed use of the resource if it cannot be avoided. Based on the measures to minimize harm and proposed mitigation, an assessment of least harm is provided, along with information on the coordination efforts made in assessing the impacts and mitigation options.

5.1 Proposed Action

Background information on the proposed action, including a detailed discussion of its purpose and need, is found in Chapter 1.0. This information is supplemented by the in-depth discussion on the

development of project alternatives found in Chapter 2.0. The information provided in these two chapters forms much of the groundwork for obtaining a thorough understanding of this Draft Section 4(f) Evaluation. To aid in efficiently organizing, studying, and describing the various resources and alternatives, the Section 4(f) analysis was separated into the same three planning analysis zones (Section A, Section B, and Section C) used for studying other potential impacts (Figure 5.1-1).

5.2 Section 4(f) Resources

The following is a description of the Section 4(f) resources that would be used by one or more of the alternative alignments in Sections A, B, and C. The general locations of these Section 4(f) resources are depicted on Figures 5.2-1, 5.2-2, and 5.2-3, respectively. A summary table of the resources potentially used in each section is also provided in Table 5.2-1 below.

Table 5.2-1 Section 4(f) Resources Impacted: Sections A, B, and C

Section A	Section B	Section C
Oil Extraction Facility #2	Highland Park	Cottonwood Park
Pittsburgh and Lake Erie Railroad Complex	East Railroad Community Park	Valley Sports Fields
	Penn Hills Community Park	Lauffer/Radakovich Farm
		Lauffer/Blank Farm

5.2.1 Section A

5.2.1.1 Oil Extraction Facility #2

The Oil Extraction Facility #2 is situated on a large wooded lot at the edge of a modern residential neighborhood, southeast of Elliot Drive and north of Lakeview Drive in Robinson Township (Figure 5.2.1-1). This resource and its location to other Section 4(f) resources within Section A are shown in Figure 5.2.1-2.

This resource was determined eligible for listing in the National Register of Historic Places (NRHP) in 2002 under Criterion C (architectural significance), as an intact example of the oil extraction technology employed in Allegheny County during the early decades of the twentieth century, as concurred with by SHPO (April 3, 2002 letter, Appendix B). The historic resource survey form for the Oil Extraction Facility #2 can be found in the *Pennsylvania High-speed Maglev Project, Allegheny and Westmoreland Counties, Historic Resource Survey and Determination of Eligibility* report (FRA, PAAC, and PENNDOT, March 2002).

The period of significance for this particular site extends from 1890, when it was likely drilled, to 1953. Drilling and pumping rigs such as this one are rare. The pumping rigs associated with the Oil Extraction Facility #2 retain integrity of design, materials, and workmanship, as well as feeling and association. The property gains additional significance under Criterion A (site of an important event or associated with a historic trend) for its association with Pennsylvania’s petroleum industry.