459.01 Visual Impacts Analysis Requirements

(1) Why we do visual analysis

Visual perception is an important component of environmental quality that can be impacted through changes created by transportation projects. Visual impacts occur as a result of the relationship between people and the physical environment. Public concern over adverse visual impacts can be a major source of project opposition.

The location, design, and maintenance of highway, ferry, rail, and aviation facilities may adversely or positively affect the visual features of the landscape that are experienced by people. This chapter focuses on highway projects, but the same, or similar, requirements apply to other transportation modes and facilities (see Section 459.02).

Because of the public nature and visual importance of transportation projects, both negative and positive visual impacts must be adequately assessed and considered during project development. Understanding the sensitivity of viewer groups is as important as understanding the physical environment and the proposed project actions.

In discussing and reviewing the visual impacts of a highway project, two views must be considered: the view *from* the road and the view *toward* the road. Research has shown that the view from the road is the basis for much of what people know about the everyday environment and their mental image of their surroundings. Visual cues can also contribute to traffic calming and stress reduction for motorists. However, pleasing vistas for travelers should not be developed at the expense of views from surrounding homes or vantage points. Projects must be carefully planned to ensure the facility blends into the community and its environment. (For related information on historic and cultural resources, (see Chapter 456).

(2) Summary of Requirements

Washington State Department of Transportation (WSDOT) roadside policy is found in the *Roadside Policy Manual* M 3110. It covers the requirements for roadside restoration, which is the baseline that can be assumed for addressing a project's visual impacts within the roadside.

A Visual Impact Assessment (VIA) is intended to provide decision makers with information on both the positive and negative visual quality impacts that may result from a project. The assessment, along with recommendations, provides designers with information on minimizing negative impacts on visual quality, and concepts to enhance existing visual quality and community aesthetics within the scope of the project.

All visual analyses are to be performed and written by, or coordinated through, the Region Landscape Architect, or through the Headquarters (HQ) Roadside and Site Development Section for regions without a Landscape Architect.

WSDOT uses Federal Highway Administration (FHWA) VIA methodology. For more information on VIA methodology and procedures, see the HQ Roadside and Site Development visual quality website. Visual assessments must be sized appropriately to anticipated project impacts. (See Chapter 300 for project classifications.) The following are guidelines for the level of analysis that can be expected:

- For projects that are **Categorically Excluded or Exempt (CE)**, no analysis or documentation is needed. It is assumed that, when projects follow the policies found in the *Roadside Policy Manual* M 3110 or the requirements in environmental permits, there will be no substantial visual impacts.
- For projects that fall under a **Documented Categorical Exclusion (DCE)**, the visual analysis and minor documentation is done within the Environmental Classification Summary (ECS). It is assumed that, when projects follow WSDOT roadside policy and environmental permit conditions, visual impacts will be minimized to an acceptable level.
  - **Exceptions that may require a VIA** – This applies to projects that have sensitive viewers and noticeable changes, such as screening vegetation removed, large cuts or fills, new or larger structures, or new or greatly expanded alignments in the following locations:
    - On a State or National Scenic Byway or an All-American Road
    - Along a designated Wild and Scenic River or within a National Scenic Area
    - On Tribal, U.S. Forest Service, or National Park land
    - Adjacent to a public park, recreation area, wildlife and waterfowl refuge, and public or private historical sites (Section 4(f) or 6(f) area – any visual analysis would be in coordination with the Section 4(f) or Section 6(f) technical study)
    - In a rural community that values its view of stars and the night sky if new or brighter lighting is being proposed

    People viewing from these locations can be especially sensitive to visual changes.

    Documentation must include an analysis of viewer sensitivity and potential impacts, and may be in the form of a memo or short report depending on the degree of impacts found in the analysis.
- For projects that fall under an **Environmental Assessment (EA)** or an **Environmental Impact Statement (EIS)**, a VIA must be completed for projects that change the roadside or facility character. Project examples include:
  - Changes in road alignment
  - Expansion of the roadway
  - New interchanges
  - Changes to historic buildings or other structures
  - Ferry terminal improvements
  - Increased lighting
  - Removal of screening or large areas of vegetation

During project development, visual impacts, including aesthetics, light, glare, and night sky impacts, should be considered for all project alternatives. The views from the road or facility and views toward the road or facility that will be in existence during the construction phase and the operational phase must be evaluated.

The VIA is documented within the EA or EIS after a detailed analysis of potential viewers, their sensitivities and the project area. A photographic log of the affected viewshed is part of that documentation. The documentation must include an analysis of all representative views from and toward the facility throughout the project length.

The number of views needed depends upon the geographic extent of the project; its setting in the landscape; the extent of change or impact to resources expected in a particular location; the effects on the identified viewer groups; and the viewers' sensitivity to changes in the view. If there is more than one landscape unit within the project limits, a minimum of one viewpoint per landscape unit is analyzed.

Project alternatives will need to be sufficiently developed for a complete analysis to occur. The person doing the visual analysis must have an understanding of the changes that each alternative will have on the visual environment. Large cuts or fills, walls, bridges, changes to character due to extensive vegetation removal or addition of structures, and horizontal and vertical alignments must be described and analyzed.

Mitigation measures and opportunities to avoid or minimize visual impacts must be provided in the report. The use of Context Sensitive Design principles during design, and restoration according to the *Roadside Policy Manual* M 3110 are the baseline that can be assumed.

459.02 Non Road Project Requirements

Environmental documentation for aviation, ferry, or rail projects must address aesthetics and visual issues during the environmental review process, including specific details about lighting; height, size, and location of structures; and alignment and use of the facility that might impact viewers.

Federal agencies follow different methodologies, but all include the requirement for a visual assessment. For example, the Federal Rail Administration, The Federal Aviation Administration, the U.S. Forest Service, and the Bureau of Land Management have their own methodologies, which vary slightly from the FHWA methodology. Projects must determine and follow the appropriate methodology for their project type.

459.03 Applicable Statutes and Regulations

This section lists the primary statutes and regulations applicable to visual impacts.

(1) Federal

The federal statutes on visual impacts are codified under several programs, described below.

1. **National Environmental Policy Act** – The National Environmental Policy Act (NEPA), 42 USC 4321, Section 101(b)(2) states that it is the "continuous responsibility" of the federal government to "use all practicable means" to "assure for all Americans safe, healthful, productive, and esthetically and culturally pleasing surroundings." For details on NEPA procedures. (See Chapters 400 and 412.)

Federal implementing regulations are at 23 CFR 771 (FHWA) and 40 CFR 1500-1508. According to the Council on Environmental Quality implementing regulations, environmental analysis is to consider impacts on urban quality, historic and cultural resources, and the design of the built environment" (Section 1502.6). Agencies shall … "identify methods and procedures . . . to insure that presently unquantified environmental amenities and values may be given appropriate consideration" (Section 1507.2).

2. **Highway Beautification Act** – The Highway Beautification Act of 1965 was enacted to provide effective control of outdoor advertising and junkyards, protect public investment, promote the safety and recreational value of public travel, and preserve natural beauty, and provide landscapes and roadside development reasonably necessary to accommodate the traveling public. Implementing procedures are set forth in 23 CFR 750, 751, and 752.
3. **National Historic Preservation Act** – Implementing regulations for Section 106 of the National Historic Preservation Act of 1966 (see Section 456.02), adopted in 1976, define criteria of adverse effect (36 CFR 800.5) to include the "introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features."
4. **DOT Act, Section 4(f)** – This act declares a national policy to make a special effort to preserve the natural beauty of the countryside and public park and recreation sites, wildlife and waterfowl refuges, and historic sites." For details on Section 4(f). (See Chapters 400, 455, and 457.)
5. **Wild and Scenic Rivers Act** – This act, as amended, directs that "each component of the national wild and scenic rivers system shall be administered in such manner as to protect and enhance the values which caused it to be included, without, insofar as it is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration, primary emphasis shall be given to protecting its esthetic, scenic, historic, archaeological, and scientific features." For information on wild and scenic rivers in Washington. (See Chapter 455.)

(2) State

1. **State Environmental Policy Act** – The State Environmental Policy Act (SEPA), requires that all major actions sponsored, funded, permitted, or approved by state and/or local agencies undergo planning to ensure environmental considerations such as impacts related to aesthetics and visual quality are given due weight in decision making. State implementing regulations are in WAC 197-11 and WAC 468-12.
2. **Highway Beautification Act** – Washington's Highway Beautification Act (RCW 47.40.010), adopted in 1961, declared improvement and beautification of any state highway right of way to be a "proper highway purpose." The act specifically mentions the following improvements: "planting and cultivating of any shrubs, trees, hedges or other domestic or native ornamental growth; the improvement of roadside facilities and viewpoints; and the correction of unsightly conditions."

3. **Open Space Land Preservation** – In RCW 84.34, the legislature declared that "it is in the best interest of the state to maintain, preserve, conserve and otherwise continue in existence adequate open space lands for the production of food, fiber and forest crops, and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of the state and its citizens." Open space was defined as including any land area that would preserve visual quality along highway, road, and street corridors or scenic vistas. One of the criteria to be used in determining open space classification for current use or conservation futures is whether granting this classification would preserve visual quality along highway, road, and street corridors or scenic vistas (RCW 84.34.037).

459.04 Glossary

Landscape Unit – An area or volume of distinct landscape character that forms a spatially enclosed unit at ground level, differentiated from other areas by its slope and its pattern of land cover. A unique segment of the landscape. Not all projects will have multiple landscape units.

Scenic Byway – Public road having special scenic, historic, recreational, cultural, archaeological, and/or natural qualities that have been recognized as such through legislation or some other official declaration for its scenic, historic, recreational, cultural, archaeological, or natural qualities. Washington State Scenic Byways are designated in RCW 47.39.020.

Viewshed – All the surface areas visible from an observer's viewpoint.

Viewer Group – Classes of viewers differentiated by their activity, awareness, and values.

Viewer Sensitivity – The viewer's variable receptivity to the elements within the environment they are viewing. Sensitivity is affected by viewer activity and awareness, exposure to the project, and cultural and community values. Indication of viewer sensitivity can be found in local zoning codes, planning documents, laws, and advocacy groups such as Scenic Byway organizations.

Visual Function – The component of a transportation project that is designed and experienced primarily from a visual perspective; includes positive guidance and navigation, distraction screening, corridor continuity, roadway and adjacent property buffering, and scenic view preservation.

Visual Quality – Character of the landscape, which generally gives visual value to a setting.