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SECTION 2100.00 - VISUAL IMPACTS - LIGHT AND GLARE

SECTION 2110.00 - INTRODUCTION

Scenic impact is an important component of environmental quality that can be affected by transportation projects. The location, design, and/or maintenance of transportation facilities may adversely affect visual features of the landscape, and concern over adverse visual impacts can lead some citizens to oppose a project. This section focuses on highway projects, but the same requirements apply to other transportation modes.

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. In discussing and reviewing the visual impacts of a highway project, two views must be considered: the view *from* the road and the view *of* the road. Americans have repeatedly ranked pleasure driving on scenic roads as one of their favorite pastimes. Researchers have also shown that the view *from* the road is the basis for much of what people know about the everyday environment and for their mental image of the landscape.

The view *of* the road has only more recently been systematically considered, but is equally important. Projects must be carefully planned to ensure that pleasing vistas for travelers are not developed at the expense of views from surrounding areas.

Not all ITD projects will have a visual impact sufficient to require extensive review and commentary. Typically a CE will not require visual impact review. If visual impact is substantial enough to require detailed review, the project probably should be elevated to an EA. This chapter provides guidance for those cases where the visual impact is substantial or significant.

2110.01 Summary of Requirements. During project development, visual impacts, including aesthetics, light, and glare, should be considered by evaluating the view from the road as well as the view of the road.

Visual Quality Assessment—A description and assessment of the view from the road, using federal criteria.

Visual Element Study—A graphic and narrative analysis that identifies the visual impacts of the project on the view from the road and the view of the road. It identifies significant adverse impacts and mitigation through design or other design elements.

2110.02 Acronyms and Abbreviations.

CE Categorical Exclusion (from NEPA)

CEQ Council on Environmental Quality (federal)

EA Environmental Assessment

FHWA Federal Highway Administration

ISTEA Intermodal Surface Transportation Efficiency Act of 1991

2110.03 Glossary.

Byway—Public road having special scenic, historic, recreational, cultural, archeological, and/or natural qualities that has been recognized as such through legislation or some other official declaration for its scenic, historic, recreational, cultural, archeological, or natural qualities.

Community Enhancement Areas—Features such as roadside parks, viewpoints, agricultural uses, and historic markers.

Corridor—Road or highway right-of-way and the adjacent area that is visible from and extending along the highway. The distance the corridor extends from the highway could vary with different intrinsic qualities.

Corridor Management Plan—A written document that specifies the actions, procedures, controls, operational practices, and administrative strategies to maintain the scenic, historic, recreational, cultural, archeological, and natural qualities of the scenic byway.

Intrinsic quality—Scenic, historic, recreational, cultural, archeological, or natural features that are considered representative, unique, irreplaceable, or distinctly characteristic of an area

Visual Element—A particular feature of the landscape.

Visual Function—Element 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 that generally gives visual value to a setting.

SECTION 2120.00 - APPLICABLE STATUTES AND REGULATIONS

2120.01 National Environmental Policy Act. The National Environmental Policy Act (NEPA), 42 USC Section 4231, requires that all actions sponsored, funded, permitted, or approved by federal agencies undergo planning to ensure that environmental considerations such as impacts related to aesthetics and visual quality are given due weight in project decision-making. NEPA 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.”

Under CEQ 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). Federal implementing regulations are at 23 CFR 771 (FHWA) and 40 CFR 1500-1508 (CEQ). For details on NEPA procedures, see [Section 200.00](#).

2120.02 Federal. The Federal statutes on visual quality are codified under several programs, described below. For general information on highway related legislation, see FHWA's web site at <http://www.fhwa.dot.gov/legsregs/legislat.html>.

2120.02.01 Intermodal Surface Transportation.

Efficiency Act (ISTEA)

ISTEA (1991) established a Transportation Enhancement Program (23 U.S.C. 101(g) 133(b), which offers broad opportunities and federal dollars to take "unique and creative actions to integrate transportation into our communities and the natural environment." Eligible activities include: acquisition of scenic easements and scenic or historic sites, scenic or historic highway programs, landscaping and other scenic beautification, historic preservation, preservation of abandoned railway corridors (including the conversion and use for pedestrian or bicycle trails), control and removal of outdoor advertising. Click for online details, [FHWA Environmental Guidebook](#) and look for Transportation Enhancements.

ISTEA also mandated creation of a Scenic Byways Program (23 U.S.C. 101(g) 133 (e). FHWA has set criteria for designating scenic byways, based upon their scenic, historic, recreational, cultural, archeological, and/or natural intrinsic qualities. For details, see <http://www.fhwa.dot.gov/>, or click [FHWA Environmental Guidebook](#).

2120.02.02 Highway Beautification Act. The Highway Beautification Act of 1965 (23 CFR-750) 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.

2120.02.03 Historic Preservation Act. Implementing regulations for Section 106 of the Historic Preservation Act of 1966 (see Section 1800.02), adopted in 1976, define criteria of adverse effect (Section 800.8) to include the "introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting."

2120.02.04 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." (See [Section 1700.00](#) for details on Section 4(f).)

2120.02.05 Old 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." (See [Section 1500.00](#) for information on wild and scenic rivers in Idaho.)

SECTION 2130.00 - TECHNICAL ASSISTANCE

2130.01 ITD Aesthetics Report Checklist.

A checklist is no longer being used by ITD.

2130.02 ITD Environmental GIS Workbench.

(GIS site under construction)

2130.03 FHWA Technical Advisory. [FHWA Technical Advisory T 6640.8A \(Exhibit 300-4\)](#) gives brief guidelines for preparing environmental documents, including sections on visual impacts. When there is a potential for visual impacts, the environmental document should identify the impacts to the existing visual element(s), the relationship of the impacts to potential viewers of and from the project, as well as measures to avoid, minimize, or reduce the adverse impacts. The potential for impact can be recognized intuitively. The environmental document should explain the consideration given to design quality, art, and architecture in project planning. These values may be particularly important for facilities located in visually sensitive urban or rural settings.

When a proposed project will include features associated with design quality, art, or architecture, the environmental document should be circulated to officially designated State and local arts councils and, as appropriate, other organizations with an interest in design, art, and architecture. The environmental document should identify any proposed mitigation for the preferred alternative. The Technical Advisory is online via FHWA's home page: <http://www.fhwa.dot.gov/>.

2130.04 FHWA Visual Impact Assessment Guidance. FHWA has developed a methodology for assessing the visual impacts of road projects for NEPA and Section 4(f) evaluations. An FHWA field guide, Visual Impact Assessment for Highways (DOT FH-11-9694), developed with assistance from ITD and other state transportation agencies, gives detailed guidance on scoping, performing, and documenting the visual impact assessment. It also includes background on legal requirements, a scoping questionnaire for visual assessments, and guidance on graphic techniques for displaying the visual effects of highways.

Available in print form. Visual Impact Assessment for Highways (DOT FH-11-9694), reprinted September 1990.

An FHWA memorandum (August 18, 1986) provides additional guidance on aesthetics and visual quality. The latter two documents are available in the Environmental Guidebook on FHWA's web site, <http://www.fhwa.dot.gov/>. Click FHWA Programs, then Environment, then Environmental Guidebook, then Aesthetics; or go to <http://environment.fhwa.dot.gov/guidebook/index.asp>.

2130.05 Other FHWA Guidance. FHWA's supplementary guidance and procedures for EIS processing states that the visual impact assessment should include an assessment of the temporary and permanent visual impacts of the proposed action. "Where relevant, the EIS should document the consideration given to design quality, art and architecture in the project planning. These values may be important for facilities located in sensitive urban settings."

DOT Notice 5610.1C, Attachment 2, Guidance on Format and Content of Environmental Documents, includes the following statement: “This notice supplements a Secretarial decision of 7-31-77, as recommended by the DOT Task Force on Design, Art and Architecture in Transportation, that, where relevant, the Department will require consideration of design quality to be reflected in environmental impact statements (EISs). This notice is to provide further impetus to a constructive blending of esthetics and function... Design quality considerations are relevant and are to be documented in EISs where such facilities as ... major urban highways are in sensitive locations (such as parks or historic districts), or where public use areas are involved.

These examples are not all-inclusive.”

In addition, many other documents related to visual quality are available in the Environmental Guidebook on FHWA’s web site at <http://www.fhwa.dot.gov/>, or at <http://environment.fhwa.dot.gov/guidebook/index.asp>.

SECTION 2140.00 - PERMITS

No permits specifically relating to change of scenic composition are required..

SECTION 2150.00 NON-ROAD PROJECT REQUIREMENTS

Rail, aviation, and non-motorized transport systems are generally subject to the same policies, procedures, and permits that apply to road projects.