



METRO GOLD LINE BUS RAPID TRANSIT PROJECT (FORMERLY GATEWAY CORRIDOR)

Section 106 Programmatic Agreement



**Quarterly Report No. 4
(October 1 – December 31, 2020)**

Prepared by:

Metropolitan Council
METRO Gold Line Project Office
171 7th Place East, Suite 102
St. Paul, MN 55101



On behalf of:

Federal Transit Administration
Region V
200 West Adams Street, Suite 320
Chicago, IL 60606



December 2020

Introduction

The METRO Gold Line Bus Rapid Transit (BRT) Project (Project) is a proposed 10 mile-long BRT line located in Ramsey and Washington counties, Minnesota. The line will begin at the existing Smith Avenue Transit Center in downtown Saint Paul and extend along an easterly and southerly alignment, operating both in mixed traffic and on a dedicated guideway, to connect the cities of Saint Paul, Maplewood, Landfall, Oakdale, and Woodbury. The Project includes 21 stations, four of which will include park-and-ride lots; accommodations for passenger drop-off at some stations; pedestrian and bicycle access; roadway and landscape improvements; and restructured local bus route connections in both counties.

The Project sponsor, the Metropolitan Council (Council), may receive funding from the Federal Transit Administration (FTA), permits from the United States Army Corps of Engineers (USACE) and an interstate right-of-way use agreement from the Federal Highway Administration (FHWA) to construct the Project. Therefore, the Project is a federal undertaking and must comply with Section 306108 (previously Section 106 and hereinafter referred to as Section 106) of the National Historic Preservation Act of 1966, as amended (54 United States Code § 306108) and its implementing regulations, 36 Code of Federal Regulations (CFR) Part 800 et. seq. In accordance with 36 CFR Part 800.2(a)(2), the USACE and FHWA have recognized FTA as the lead federal agency for fulfilling their collective responsibilities for the Project under Section 106.

Due to the two-year limit for completing environmental reviews under FTA's Capital Improvement Grants Program, FTA determined that a phased process was appropriate for completing the Section 106 process for the Project. In accordance with 36 CFR Part 800.4(b)(2), FTA, with assistance from the Minnesota Department of Transportation Cultural Resources Unit and Council, consulted with the Minnesota State Historic Preservation Office, other consulting parties, and the public to prepare a Programmatic Agreement (PA) to guide the completion of the Section 106 process. The PA, which was executed on January 7, 2020, establishes roles and responsibilities for its implementation and includes processes for identifying and evaluating properties for the National Register of Historic Places, assessing effects on historic properties, and resolving any adverse effects. The PA also spells out design development and review processes and requirements for protecting historic properties during Project construction.

This quarterly summary report was prepared to meet the reporting requirements of PA Stipulation XIII.A. It provides an itemized listing of all measures required to implement the terms of the PA, identifies actions FTA has taken during the reporting period to implement those measures, and includes a timetable of activities proposed for implementation within the following reporting period. It also identifies any problems or unexpected issues encountered during the reporting period, any proposed scheduling changes, any disputes and objections submitted or resolved as part of FTA's efforts to carry out the terms of the PA, and any changes recommended in implementation of the PA.

Acronyms and Abbreviations

The following is a list of commonly used acronyms and abbreviations that may be found in the reporting table in the Implementation Efforts section of this report.

APE	Area of Potential Effect
BRT	Bus Rapid Transit
CFR	Code of Federal Regulations
COR	Change Order Request
Council	Metropolitan Council
CRU	Cultural Resources Unit
FTA	Federal Transit Administration
FHWA	Federal Highway Administration
MnDOT	Minnesota Department of Transportation
MnSHPO	Minnesota State Historic Preservation Office
NRHP	National Register of Historic Places
PA	Programmatic Agreement
Project	METRO Gold Line BRT Project
Q1	Quarter of the year, in this example, the First Quarter
SOI	Secretary of the Interior
USACE	United States Army Corps of Engineers

Implementation Efforts

This quarterly report No. 4 was prepared under the terms of the Project PA and covers the reporting period from October 1, 2020, through December 31, 2020.

Table 1. PA Implementation

PA Action Item	Implementation Schedule	Implementation Status
Stipulation I. Applicability		
• Offer other entities Consulting Party status	As needed during duration of PA implementation	On-going, as needed, no activity during reporting period
Stipulation II. Standards	Duration of PA implementation	On-going, as needed, no activity during reporting period
Stipulation III. Deliverables and Review Procedures	Duration of PA implementation	Ongoing, as needed. FTA provided copies of the executed PA to consulting parties on January 24, 2020. Also see Stipulations IV-XIII.
Stipulation IV. Area of Potential Effect		
• Review of Project Design to Determine if APE Revisions are Required	On-going through Project construction: <ul style="list-style-type: none"> • 30% Plans: complete February 2020 • 60% Plans: complete August 2020 • 90% Plans: anticipated Q1 2021 • 100% Plans: anticipated Q3 2021-2022 • Design modifications during construction: anticipated 2022-2024 	In process <ul style="list-style-type: none"> • The 60% Plans were completed in Q3 2020. MnDOT CRU updated parameters to revise the APE and documented the revision to the APE which was reviewed by FTA during this reporting period. Also see Stipulation VII.
• Survey of Areas Added to the APE	As needed through during duration of PA implementation	In process, see Stipulation VII
Stipulation V. Survey and Evaluation	As needed through during duration of PA implementation	
	• Supplemental Phase I archaeology survey of Study Areas 41 and 116: anticipated schedule 2019-Q2 2020	The survey has been submitted to MnSHPO during the last reporting period. MnDOT CRU and FTA addressed comments from MnSHPO during this reporting period. Also see Stipulations III and IV.
	• Supplemental architecture/history survey: anticipated schedule 2018-Q2 2020 <ul style="list-style-type: none"> ○ Survey of areas added to the APE in November 2018 ○ Resurvey of areas previously in the APE to identify properties constructed after 1969 that will be 50 years of age or older at the start of construction 	The survey has been submitted to MnSHPO during the last reporting period. MnDOT CRU and FTA addressed comments from MnSHPO during this reporting period. Also see Stipulations III and IV.

PA Action Item	Implementation Schedule	Implementation Status
Stipulation VI. Project Design Development and Review	On-going through completion of the 100% Plans, anticipated schedule: Q1 2020-2024	On-going, also see Stipulations VII, VIII and IX
<ul style="list-style-type: none"> • Consultation with Consulting Parties to Gain Input on Project Design Development and Effects to Historic Properties 	<ul style="list-style-type: none"> • As needed during Project design development and construction, anticipated timeframe: Q2 2020-2024 	In process. FTA provided direction during this reporting period that consultation to gain input on advanced design will wait until the Assessment of Effects consultation for 30% design is complete. Also see Stipulations VII, VIII and IX.
<ul style="list-style-type: none"> • Review of 30% Plans 	<ul style="list-style-type: none"> • MnDOT CRU and FTA review, anticipated schedule: Q1 2020-Q3 2020 • Consulting Parties review, anticipated schedule: Q4 2020 	Complete. The 30% Plans were completed in February 2020. MnDOT CRU and FTA assessed effects of the Project on historic properties. MnDOT CRU and FTA also determined revisions to the APE are necessary and revised those during this reporting period. The assessment of effects for 30% design was submitted to MnSHPO and Consulting Parties for review and consultation during this reporting period. Also see Stipulations IV and VII.
<ul style="list-style-type: none"> • Review of 60% Plans 	<ul style="list-style-type: none"> • MnDOT CRU and FTA review, anticipated timeframe: Q3 2020-Q1 2021 • Consulting Parties review, anticipated timeframe: Q2 2021 	In process. The 60% Plans were completed in August 2020. MnDOT CRU is in the process of assessing effects of design updates during this reporting period. The 60% Plans may require modifications based on the results of consultation on the 30% Plans.
<ul style="list-style-type: none"> • Review of 90% Plans 	<ul style="list-style-type: none"> • MnDOT CRU and FTA review, anticipated timeframe: Q2-Q3 2021 	Not started
<ul style="list-style-type: none"> • Review of 100% Plans 	<ul style="list-style-type: none"> • To be completed prior to the start of Project construction, but may be completed in stages as the 100% Plans for different construction contract packages are completed, anticipated timeframe: Q3 2021-Q2 2021 	Not started
<ul style="list-style-type: none"> • Review of Project Modifications (CORs) 	After the completion of the 100% Plans, through the completion of Project construction, anticipated timeframe: Q3 2021-2024	Not started
Stipulation VII. Assessment of Effects on Historic Properties	As needed during duration of PA implementation	
<ul style="list-style-type: none"> • Based on 30% Plans 	Q1 2020 - Q1 2021	In process. The 30% Plans were completed in February 2020. MnDOT has completed assessing effects of the Project on historic properties during the last reporting period. FTA has reviewed the findings and finalization of this document is pending SHPO review during this and the next reporting period.

PA Action Item	Implementation Schedule	Implementation Status
<ul style="list-style-type: none"> Properties in Areas Added to the APE 	Anticipated Q3 2020-2024	In process. FTA also determined revisions to the APE are necessary and revised those during this reporting period. Historic properties were reviewed as part of the APE revision. Nineteen previously identified historic properties were removed from the APE. This effort also included re-assessing identification efforts based on the extension of the project into 2024. One new property was identified but determined to need no further survey work or evaluation. The Eastern Heights State Bank, previously identified within the APE but requiring additional survey work as requested by SHPO, received a Phase II evaluation. FTA has reviewed the revised APE memo and identification efforts and finalization of this document is pending.
Stipulation VIII. Consultation to Resolve Adverse Effects	If needed: anticipated Q3 2020-2024	Not started
Stipulation IX. Design Requirements		
<ul style="list-style-type: none"> Design Project in Accordance with the SOI's Standards for the Treatment of Historic Properties 	As needed after the completion of assessment of effects based on the 30% Plans, anticipated schedule: Q3 2020-2022	Not started, also see Stipulations VI, VII and VIII
<ul style="list-style-type: none"> Consultation with Consulting Party to Gain Input on Project Design within SOI's Standards Design Limits 	As needed after the completion of assessment of effects based on the 30% Plans, anticipated schedule: Q3 2020-2022	Not started, also see Stipulations VI, VII and VIII
Stipulation X. Construction Protection Plan for Historic Properties		
<ul style="list-style-type: none"> Construction Protection Plan 	Draft to be developed during 60% Assessment of Effects. To be finalized prior to the start of Project construction, anticipated schedule: Q4 2020- Q4 2021	In progress. The 60% Plans were completed in August 2020. MnDOT CRU is in the process of assessing effects of design updates during this reporting period. Draft CPPHP will be developed during the next reporting period for recommended historic properties.
Stipulation XI. Unexpected Discoveries	As needed during Project construction, anticipated timeframe: 2022-2024	Not started
Stipulation XII. Unanticipated Effects to Historic Properties	As needed during Project construction, anticipated timeframe: 2022-2024	Not started
Stipulation XIII. Reviewing and Reporting of Agreement Implementation		

PA Action Item	Implementation Schedule	Implementation Status
<ul style="list-style-type: none"> Quarterly PA Implementation Summary Report 	Every 3 months following PA execution until it expires or is terminated, anticipated schedule: Q2 2020-Q1 2030, or earlier if all PA measures implemented	On-going. Quarterly summary report for previous reporting period submitted to MnSHPO and other consulting parties on July 17, 2020. Next quarterly report to be prepared and submitted at the end of the next reporting period.
Stipulation XIV. Dispute Resolution	As needed during duration of PA implementation	On-going, as needed, no activity during reporting period
Stipulation XV. Amendments	As needed during duration of PA implementation	On-going, as needed, no activity during reporting period
Stipulation XVI. Duration	As needed during duration of PA implementation	On-going, as needed, no activity during reporting period
Stipulation XVII. Termination	As needed during duration of PA implementation	On-going, as needed, no activity during reporting period