



*Gold Line*

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

Environmental Assessment Appendix A Technical Report

# **Final Section 4(f) and 6(f) Evaluation**

September 2019



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## ATTACHMENT

**Attachment A-8-1:** *Section 4(f) Officials with Jurisdiction Consultation Meeting Materials*



## **ACRONYMS AND ABBREVIATIONS**

APE	Area of Potential Effect
BRT	Bus Rapid Transit
Council	Metropolitan Council
FTA	Federal Transit Administration
I-	Interstate
LWCF	Land and Water Conservation Fund
MnDOT CRU	Minnesota Department of Transportation Cultural Resources Unit
MnSHPO	Minnesota State Historic Preservation Office
NRHP	National Register of Historic Places
NPS	National Park Service
OWJ	Official(s) With Jurisdiction
PA	Programmatic Agreement
Project	METRO Gold Line Bus Rapid Transit Project
TH	Trunk Highway
U.S. DOT	U.S. Department of Transportation



## 8. FINAL SECTION 4(f) AND 6(f) EVALUATION

This report is the Final Section 4(f) and 6(f) evaluation for the proposed METRO Gold Line Bus Rapid Transit (BRT) Project (Project). It provides the preliminary determinations for Section 4(f) protected properties including *de minimis* impact determinations.

### 8.1. Introduction

Section 4(f) of the U.S. Department of Transportation (U.S. DOT) Act of 1966,<sup>1</sup> which this report refers to as “Section 4(f),” provides protection to parks and recreation areas, wildlife and waterfowl refuges, and historic sites. The Land and Water Conservation Fund (LWCF) Act of 1965<sup>2</sup> provides funding for parks and recreational facilities across the United States. Section 6(f)(3) of the LWCF Act, which this report refers to as “Section 6(f),”<sup>3</sup> contains provisions to protect federal investments in parks and recreation resources, and to use these funds to maintain the public benefits these resources provide. The Project’s limits of disturbance<sup>4</sup> contains public parks and recreational areas protected under Section 4(f) and Section 6(f); therefore, this evaluation identifies potential Project-related impacts to these resources.

The Project also contains historic sites<sup>5</sup> protected under Section 4(f) and as defined under Section 106 of the National Historic Preservation Act.<sup>6, 7</sup> The Federal Transit Administration (FTA), with assistance from the Minnesota Department of Transportation Cultural Resources Unit (MnDOT CRU) and in consultation with the Minnesota State Historic Preservation Office (MnSHPO), has identified 29 historic properties within the Project’s

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- <sup>1</sup> “Policy on lands, wildlife and waterfowl refuges, and historic sites,” Title 49, USC, Sec. 303. February 2010. Available at: <https://www.gpo.gov/fdsys/granule/USCODE-2009-title49/USCODE-2009-title49-subtitle1-chap3-subchapl-sec303/content-detail.html>. Accessed November 2018.
- <sup>2</sup> Land and Water Conservation Fund Act of 1965, Pub. L. No. 88-578, 897 Stat. 78 (1964). Available at: <https://www.gpo.gov/fdsys/pkg/STATUTE-78/pdf/STATUTE-78-Pg897.pdf>. Accessed December 2018.
- <sup>3</sup> Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965. “Conservation,” Title 16, USC, Sec. 4601a – 4 et seq. 2006 ed. Supplement 4. Available at: <https://www.gpo.gov/fdsys/pkg/USCODE-2010-title16/html/USCODE-2010-title16-chap1-subchapLXIX-partB-sec4601-4.htm>. Accessed November 2018.
- <sup>4</sup> The “limits of disturbance” is the estimated area, at this stage of design, in which the Project would be constructed. It includes the physical Project footprint including alignment, stations and related infrastructure.
- <sup>5</sup> Per “Definitions,” Title 23, CFR, Sec. 774.17, the term “historic site” includes any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register. For the Project’s Section 4(f) evaluation, “historic site” means the same as “historic property.”
- <sup>6</sup> “Protection of Historic Properties,” Title 36, CFR, Part 800. December 2000. Available at: <https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=4d6e96ee8621f248ff93759fb1c8e4d6&rqn=div5&view=text&node=36:3.0.6.1.1&idno=36>. Accessed November 2018.
- <sup>7</sup> Section 106 of the National Historic Properties Act requires federal agencies including the Federal Transit Administration to consider the effects of federally funded projects on historic properties.



architecture/history and archaeological Areas of Potential Effect (APEs)<sup>8</sup> that are listed in, or have been determined eligible for inclusion in, the National Register of Historic Places (NRHP), or that the FTA is treating as eligible for the purpose of the Project.

To guide the completion of the Section 106 process for the Project, the FTA and Metropolitan Council (Council), MnDOT CRU, and MnSHPO consulted with other consulting parties to prepare a Programmatic Agreement (PA). **Appendix C** includes the PA and consultation materials related to its development. The PA establishes roles and responsibilities for implementation and includes processes for identifying and evaluating properties for the NRHP, assessing effects on historic properties, and resolving any adverse effects. After FTA assesses the effects of the Project on historic properties under Section 106, it will assess if the effects constitute a use under Section 4(f). If FTA identifies a Section 4(f) use of a historic property, the Council will prepare a supplemental Section 4(f) evaluation for the historic property.

In accordance with rules implementing *de minimis* determinations<sup>9</sup>, the FTA and Council have coordinated with local officials with jurisdiction (OWJs) regarding Section 4(f) properties to indicate the intent by FTA to make a *de minimis* impact determination and documented these preliminary determinations in this report. The FTA and Council will make this document available for public review, concurrent with the notice of public availability of this Environmental Assessment. After public review and comment, the OWJ must concur in writing that the Project will not adversely affect the activities, features or attributes that make a property eligible for Section 4(f) protection. FTA will make its final Section 4(f) determinations in the Project's environmental decision document, after consideration of public and agency comments received during the comment period.

## 8.1.1. Project Description

### 8.1.1.1. Project Location

The Project is a planned 9- to 10-mile transitway located in Ramsey and Washington counties in the eastern part of the Twin Cities Metropolitan Area. The Project generally would operate parallel to Interstate 94 (I-94) and would better connect downtown Saint Paul with the suburban cities of Maplewood, Landfall, Oakdale and Woodbury.

More broadly, the Project would better connect the eastern Twin Cities Metropolitan Area to the regional transit network via the Union Depot multimodal hub in downtown Saint Paul. The Project also intends to serve and draw ridership from other portions of the metropolitan area, including portions of eastern Washington County, Dakota County to the south, and the City of Minneapolis and Hennepin County to the west.

While the intended service area for the Project is larger, the documentation of the Project purpose and need focuses on those communities the Project expects to serve most directly: communities within 2 miles of the proposed Build Alternatives (see **Figure 8.1-1**). These are either communities in which the Project is physically located (Saint Paul, Maplewood, Landfall, Oakdale and Woodbury) or a contributing community within 2 miles of the proposed alignment (Lake Elmo). Together, these communities make up the Project area discussed next.

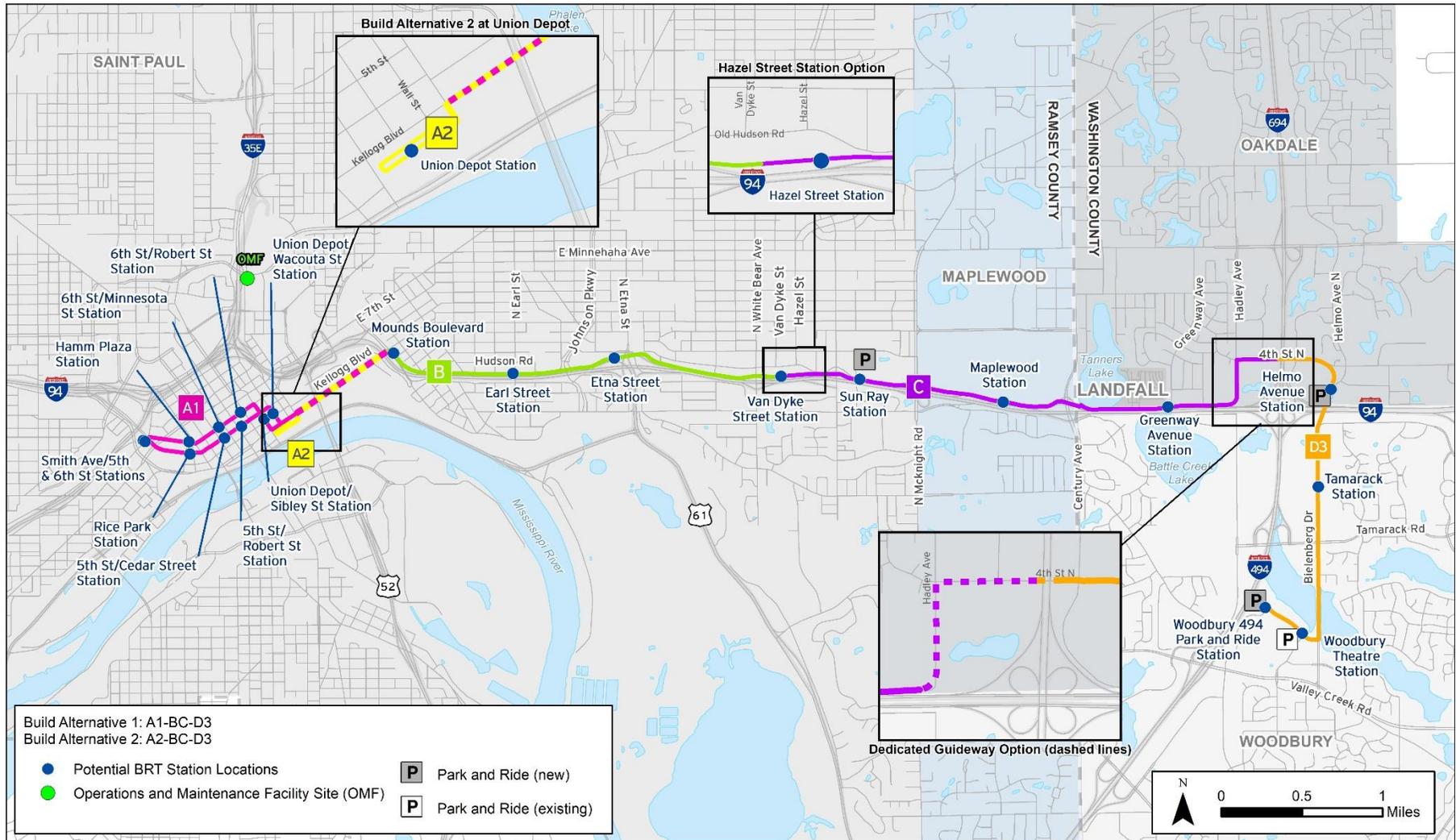
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<sup>8</sup> The area of potential effect (APE) is the geographic area in which the Project could directly or indirectly produce alterations to the character or use of historic properties. See the Cultural Resources Technical Report in **Appendix A** for the Project's APE and the methodology used to determine the APE.

<sup>9</sup> "Coordination," Title 23, CFR, Sec. 774.5. 2011 edition. Available at: <https://www.gpo.gov/fdsys/pkg/CFR-2011-title23-vol1/pdf/CFR-2011-title23-vol1-sec774-5.pdf>. Accessed December 2018.



FIGURE 8.1-1: BUILD ALTERNATIVES 1 AND 2





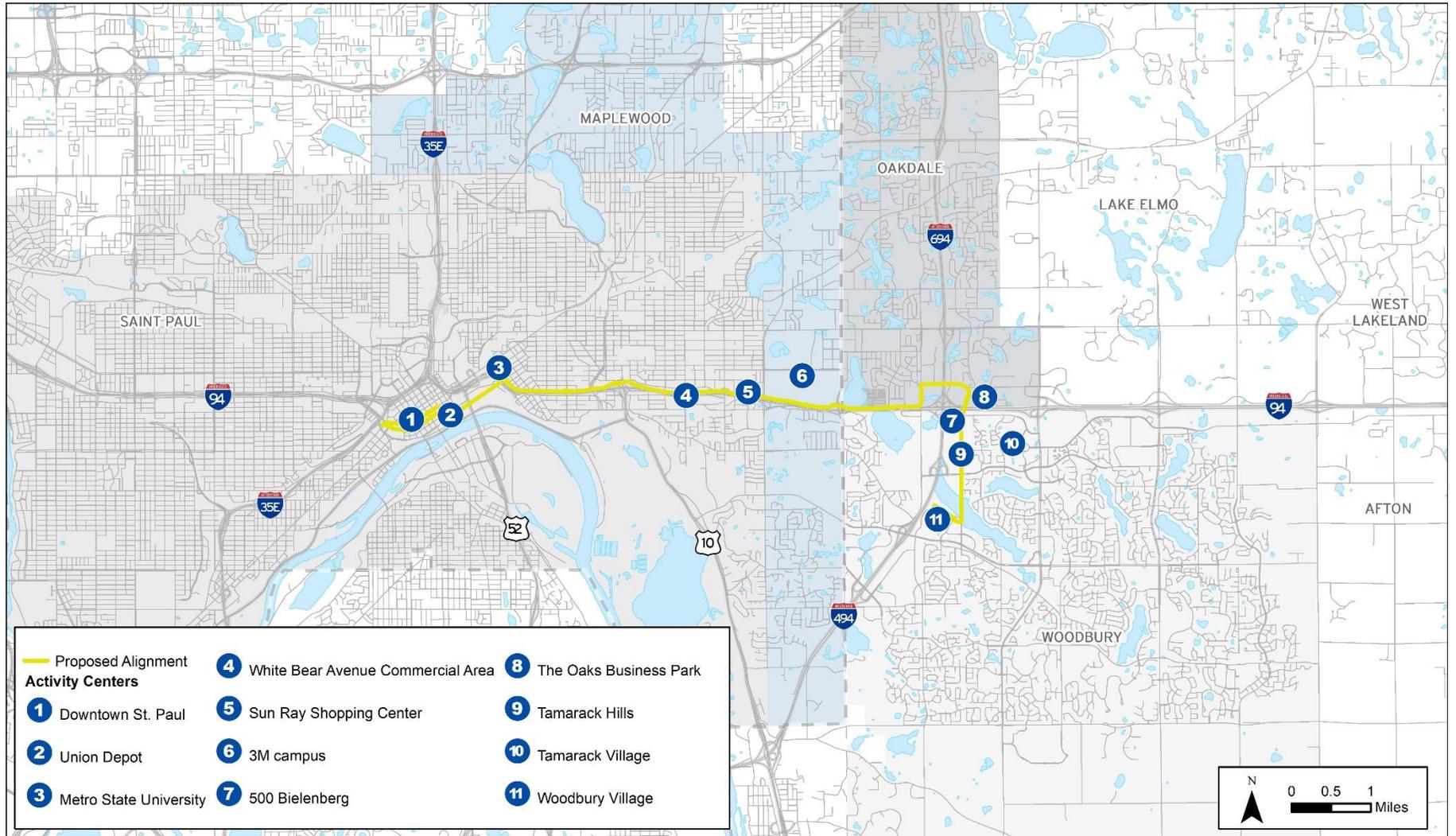
### 8.1.1.2. Project Setting

The character of the Project area changes from an urban setting in downtown and the east side of Saint Paul to a transitional suburban setting as it extends further east. The Project area includes a wide range of land uses including single-family, multifamily and mixed use residential; retail and other commercial; office; mixed use commercial; industrial; utility; parks; and undeveloped areas. Low-density, auto-oriented land uses heavily influenced much of the area's existing development patterns, which primarily reflect highway-oriented regulations and traditional suburban development forms.

The communities within the Project area include several key activity centers located along I-94 including downtown Saint Paul, Union Depot, Metro State University, the White Bear Avenue commercial area, Sun Ray Shopping Center, 3M campus, The Oaks Business Park, Tamarack Hills, 500 Bielenberg, and the Tamarack and Woodbury villages (see **Figure 8.1-2**). This report defines key activity centers as employment, education and shopping destinations. Key transportation facilities in the Project area include the Interstate-94 corridor, Saint Paul Downtown Airport, the regional transitway system, and multiple freight railways.



FIGURE 8.1-2: METRO GOLD LINE BUS RAPID TRANSIT PROJECT AREA AND ACTIVITY CENTERS





## 8.1.2. Project Purpose and Need

The purpose of the Project is to provide transit service to meet the existing and long-term regional mobility and local accessibility needs for businesses and the traveling public within the Project area.

The following primary factors contribute to the need for the Project:

- Limited existing transit service throughout the day and demand for more frequent service over a larger portion of the day
- Policy shift toward travel choices and multimodal investments
- Population and employment growth, increasing access needs and travel demand
- Needs of people who depend on transit
- Local and regional objectives for growth and prosperity

The *Purpose and Need Technical Report* in **Appendix A** provides a detailed discussion of the Project's purpose and need.

## 8.2. Section 4(f) and 6(f) Resources

This section provides the Section 4(f) and Section 6(f) regulatory context and evaluation methodology, and it describes Section 4(f) property types, determinations and definitions. This section also identifies Section 4(f) and Section 6(f) properties present in the Project corridor.

### 8.2.1. Regulatory Context and Methodology

#### 8.2.1.1. Section 4(f)

Section 4(f) is a federal law that established requirements for the U.S. DOT, which includes the FTA, to consider when developing transportation projects all publicly owned parks and recreational areas that are accessible to the public, publicly owned wildlife/waterfowl refuges, and publicly or privately owned historic sites of federal, state or local significance. Section 4(f) prohibits use of these resources for transportation projects unless they meet one of the following two criteria:

- It is proven that there is no feasible and prudent alternative to the use and the project includes all possible planning to minimize harm
- Use of the property, including any measures to minimize harm, will have a *de minimis* impact on the property

The Federal Highway Administration's *Section 4(f) Policy Paper*<sup>10</sup> provides additional guidance regarding Section 4(f) implementation. The FTA has formally adopted FHWA's guidance, and the Council conducted this analysis consistent with its requirements.

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<sup>10</sup> Office of Planning, Environment, and Realty Project Development and Environmental Review. "Section 4(f) Policy Paper". Federal Highway Administration. July 20, 2012. Available at: <https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.pdf>. Accessed December 2018.



### 8.2.1.2. Types of Section 4(f) Properties

The Project may receive federal funding; therefore, it must comply with Section 4(f) requirements, which includes consideration of the following properties:

- Publicly owned parks and recreational areas of national, state or local significance that are open to the public<sup>11</sup>
- Publicly owned wildlife and waterfowl refuges of national, state or local significance that are open to the public to the extent that public access does not interfere with the primary purpose of the refuge
- Publicly or privately owned historic sites of national, state or local significance regardless of whether they are open to the public

### 8.2.1.3. Section 4(f) Definitions

#### USE

Section 4(f) protects specific resources of federal, state or local significance that a transportation project proposes to use. The meaning of the term “use” in the context of Section 4(f) is specific<sup>12</sup> and applies to the following three potential types:

- **Permanent incorporation:** A proposed transportation project permanently removes or integrates a Section 4(f) resource due to partial or full acquisition, permanent or temporary easement
- **Temporary occupancy:** Short-term use of a Section 4(f) resource that is adverse in terms of the preservationist purpose of the statute; a temporary occupancy of a resource does not constitute a “use” of a Section 4(f) resource when all the following conditions are satisfied:<sup>13</sup>
  - The use would be temporary, or less than the time needed for construction of the project, and ownership of the land would not change
  - The scope of work would be minor both in the nature and magnitude of change to the Section 4(f) resource
  - There would be no anticipated permanent adverse physical impacts, nor would there be interference with the protected activities, features or attributes of the resource, either temporarily or permanently
  - The land being used would be fully restored to a condition that is at least as good as before the project

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<sup>11</sup> According to the Federal Highway Administration’s “Section 4(f) Policy Paper” (2012), available at <https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.pdf>: “Publicly owned land is considered to be a park, recreation area or wildlife and waterfowl refuge when the land has been officially designated as such by a Federal, State or local agency, and the officials with jurisdiction over the land determine that its primary purpose is as a park, recreation area, or refuge. Primary purpose is related to a property’s primary function and how it is intended to be managed. Incidental, secondary, occasional or dispersed activities similar to park, recreational or refuge activities do not constitute a primary purpose within the context of Section 4(f).”

<sup>12</sup> “Definitions,” Title 23, CFR, Sec. 774.17. 2016 edition. Available at: <https://www.gpo.gov/fdsys/pkg/CFR-2016-title23-vol1/xml/CFR-2016-title23-vol1-sec774-17.xml>. Accessed November 2018.

<sup>13</sup> “Exceptions,” Title 23, CFR, Sec. 774.13. 2016 edition. Available at: <https://www.gpo.gov/fdsys/pkg/CFR-2016-title23-vol1/xml/CFR-2016-title23-vol1-sec774-13.xml>. Accessed November 2018.



- The appropriate federal, state and local OWJ document their agreement regarding the above conditions
- **Constructive use:** A transportation project does not permanently incorporate land from the Section 4(f) resource, but the proximity of the project produces impacts such as noise, vibration, diminished visual quality or property access that substantially impair the activities, features or attributes that qualify a resource for Section 4(f) protection<sup>14</sup>

### DE MINIMIS

Before approving a project that uses Section 4(f) resources, the FTA must determine that the project would have a *de minimis* impact<sup>15</sup> on the property, or it must undertake an individual Section 4(f) evaluation to determine that there is no feasible and prudent avoidance alternative to that use, and that all measures to minimize harm to the resource have been undertaken. A *de minimis* impact is one that, after accounting for avoidance, minimization, mitigation and enhancement measures, would not adversely affect the activities, features or attributes that qualify lands or sites for Section 4(f) protection.

For historic sites, a *de minimis* impact is one that the FTA<sup>16</sup> determines that either the project would not affect a historic property, or it would have "no adverse effect" on the historic property, per Section 106.

#### 8.2.1.4. Section 4(f) Determinations

The FTA may not approve the use of Section 4(f) property unless it determines one of the following findings:

- There is no feasible and prudent avoidance alternative to the use of the property, and the action includes all possible planning<sup>17</sup> to minimize harm to the property resulting from its use
- The use of the Section 4(f) property, including any measures to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures) to which the applicant commits, would have a *de minimis* use on the Section 4(f) property

A *de minimis* impact determination requires agency coordination and public involvement. For parks, recreation areas, or wildlife and waterfowl refuges, the FTA must inform OWJs of their intent to make *de minimis* impact determination and then must provide an opportunity for public review and comment.

For historic sites, the OWJ, which is MnSHPO, must be notified of the intent to make a *de minimis* impact determination. As the OWJ for the Section 4(f) historic sites, MnSHPO must concur in writing with a *de minimis* finding.

The FTA is considering a *de minimis* impact determination for three resources the Project Build Alternatives would affect.

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<sup>14</sup> "Constructive use determinations," Title 23, CFR, Sec. 774.15. 2016 edition. Available at: <https://www.gpo.gov/fdsys/pkg/CFR-2016-title23-vol1/xml/CFR-2016-title23-vol1-sec774-15.xml>. Accessed November 2018.

<sup>15</sup> "Definitions," Title 23, CFR, Sec. 774.17. 2016 edition. Available at: <https://www.gpo.gov/fdsys/pkg/CFR-2016-title23-vol1/xml/CFR-2016-title23-vol1-sec774-17.xml>. Accessed November 2018.

<sup>16</sup> "Protection of Historic Properties," Title 36, CFR, Part 800. December 2000. Available at: <https://www.gpo.gov/fdsys/pkg/CFR-2012-title36-vol3/xml/CFR-2012-title36-vol3-part800.xml>. Accessed November 2018.

<sup>17</sup> "Definitions," Title 23, CFR, Part 774, Sec. 774.17. March 2008. <https://www.gpo.gov/fdsys/pkg/CFR-2013-title23-vol1/pdf/CFR-2013-title23-vol1-sec774-13.pdf>. Accessed November 2018.



### 8.2.1.5. Section 6(f)

Section 6(f) of the LWCF provides additional protection for outdoor recreational lands. Section 6 created the LWCF as a funding source to implement the law's outdoor recreation goals, and it requires all funded lands to be retained and used solely for outdoor recreation in perpetuity.

If the planning, acquisition or development of a property used LWCF funds, the National Park Service (NPS) must approve any conversion of that property to uses other than outdoor recreation. The NPS will consider approval only if all alternatives to the conversion have been evaluated and rejected on a sound basis. These properties may be converted to a non-outdoor recreational use only if replacement land of at least the same fair market value and reasonable equivalent usefulness and location is assured.

If use of a Section 6(f) resource lasts less than six months, and if afterward, a project restores the property to at least its previous condition, the NPS may approve a temporary nonconforming use of the Section 6(f) resource.

Minnesota allocates half of each annual apportionment to state agencies for facilities including state parks, historical interpretive sites, state trails, wildlife management areas, and water access. Through its Outdoor Recreation Grant Program,<sup>18</sup> the State provides matching grants to local units of government for up to 50 percent of the cost of acquisition, development or redevelopment of local parks and recreation areas. The program finances projects using federal funds through the LWCF. All land improved or acquired with assistance from this grant program must be retained and operated solely for outdoor recreation. A project cannot convert this property to other uses without the prior written approval of the state. Like LWCF properties, a project must provide replacement land of at least the same fair market value and reasonable equivalent usefulness and location must be assured.

## 8.2.2. Identification of Section 4(f) Resources

Parks, recreational areas, and wildlife and waterfowl refuges within 350 feet of the Project limits of disturbance were evaluated under Section 4(f). The 350-foot distance beyond the limits of disturbance was used as the study area because this is the unobstructed screening distance for FTA noise impact assessments and will allow identification of potential noise impacts to park resources. The study area includes 16 public parks and recreational resources.

The Project's Section 106 architecture/history and archaeological APEs were used for evaluation of historic sites. Based on surveys completed to date, the FTA identified 29 historic properties in the Project's architecture/history APE that are listed in, or have been determined eligible for inclusion in, the NRHP, or which FTA is treating as eligible for inclusion in the NRHP for the Project. No archaeological properties have been identified within the archaeological APE. See the *Cultural Resources Technical Report* in **Appendix A** for descriptions and maps of the Project's archaeological and architecture/history APEs.

**Figure 8.2-1** and **Figure 8.2-2** show the Section 4(f) resources, and **Table 8.2-1** provides the locations, a general description and the OWJs. Map numbers in the figures correspond to a specific historic site identified in **Table 8.2-1**.

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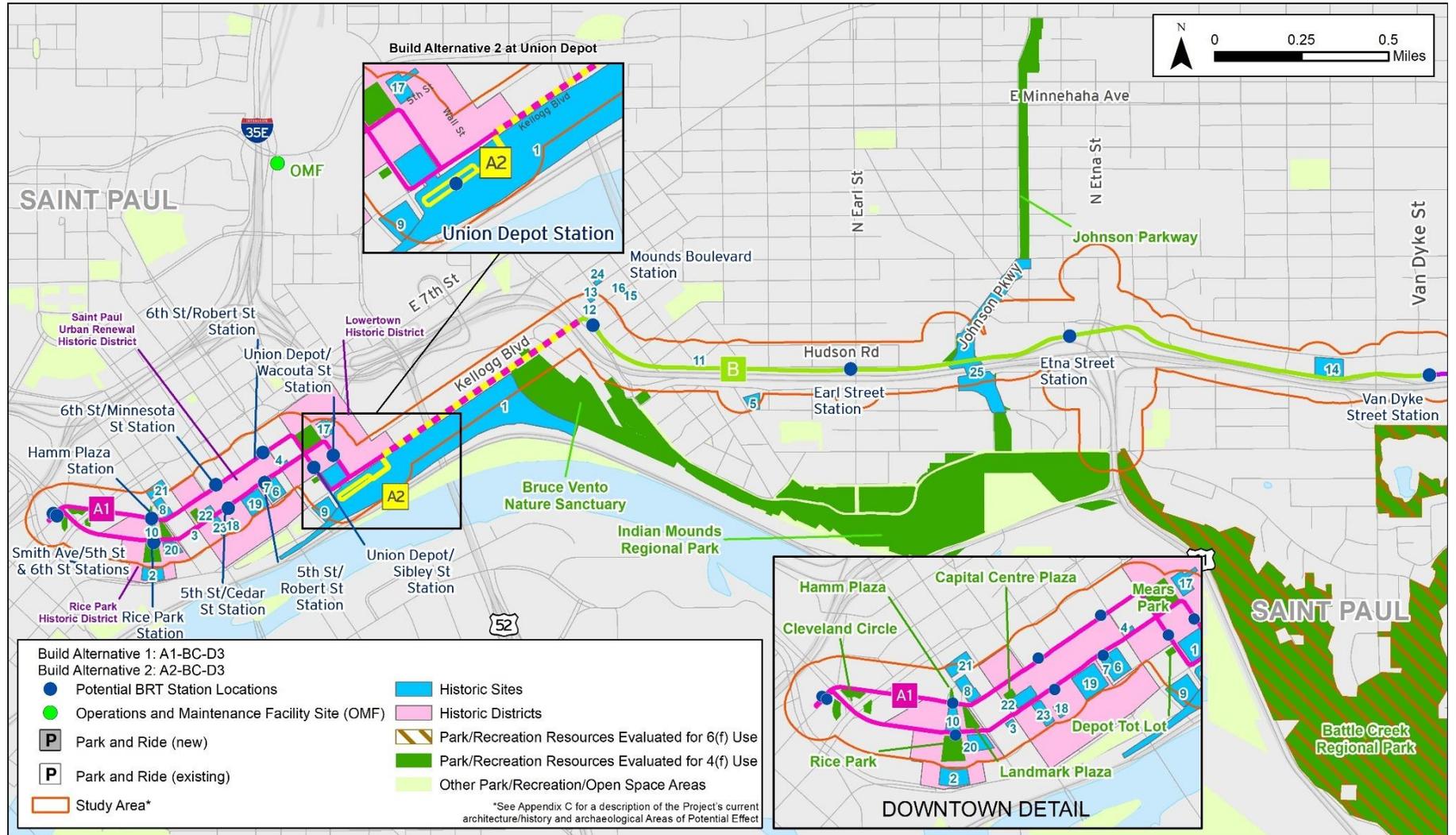
<sup>18</sup> "Local Recreation Grants," *Minnesota Statutes, Sec. 85.019, 2018*. Available at: <https://www.revisor.mn.gov/statutes/cite/85.019>. Accessed December 2018.



### **8.2.3. Identification of Section 6(f) Resources**

Two Section 6(f) resources were identified with the study area: Battle Creek Regional Park and Tamarack Nature Preserve. These properties received Minnesota Department of Natural Resources funding through the Outdoor Recreation Grant Program, a portion of which includes LWCF funds.

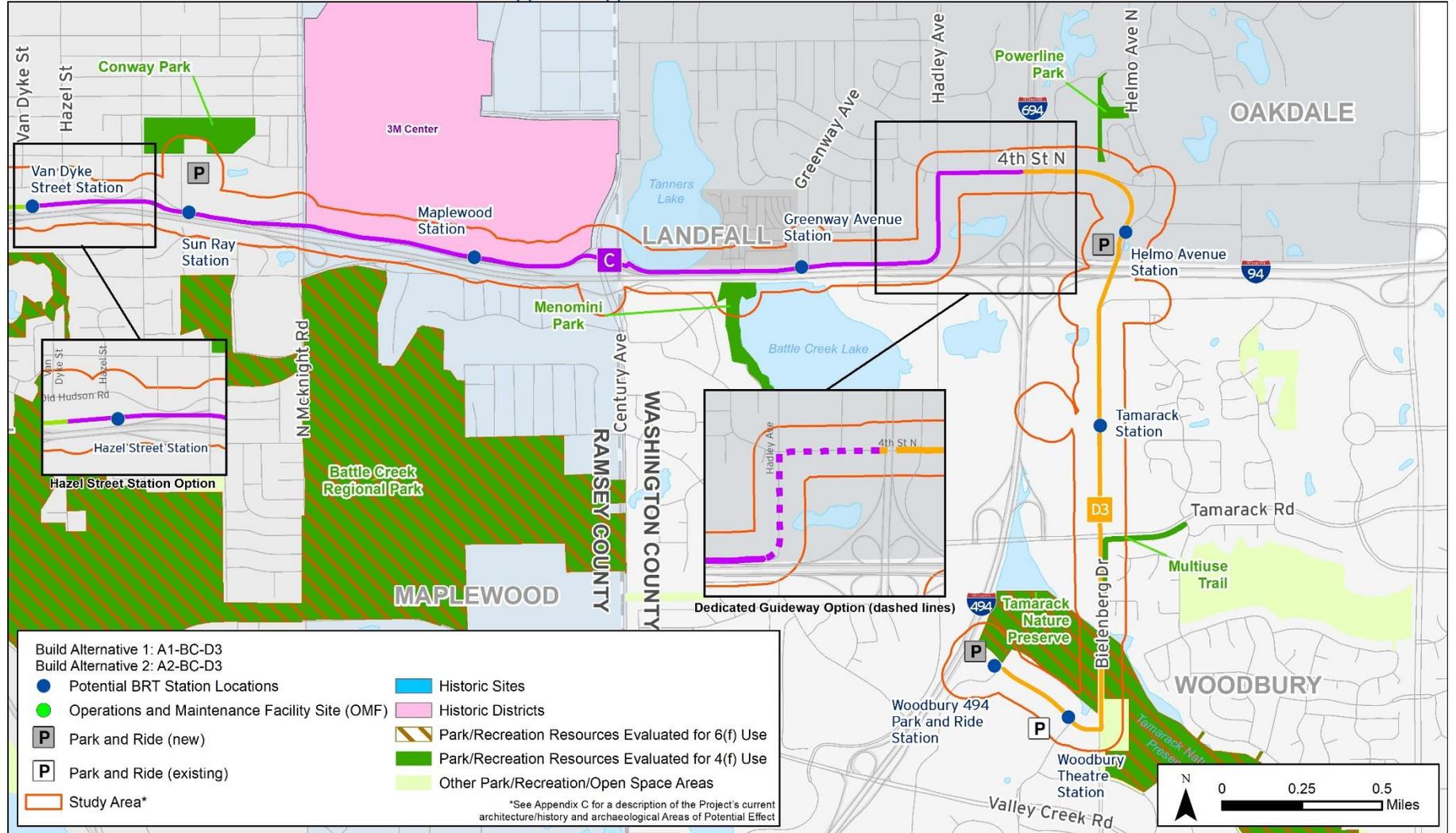
FIGURE 8.2-1: ALIGNMENTS A1, A2 AND B SECTION 4(f) AND 6(f) RESOURCES WITHIN THE STUDY AREA<sup>a</sup>



<sup>a</sup> See Table 8.2-1 for a description of historic sites identified by map reference number.



FIGURE 8.2-2: ALIGNMENTS C AND D3 SECTION 4(f) AND 6(f) RESOURCES WITHIN THE STUDY AREA





**TABLE 8.2-1: SECTION 4(f) RESOURCES**

Resource	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment(s)</li> <li>• Nearest Station</li> </ul>	Section 4(f) Qualifying Description	OWJ
<b>Parks and Recreational Areas<sup>a</sup></b>				
Cleveland Circle	5th West and 7th West streets, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Smith Avenue/5th Street Station</li> </ul>	Three public gardens and open lawns on three corners of the intersection of 5th and 7th streets	City of Saint Paul
Hamm Memorial Plaza	99 6th St. W., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Hamm Plaza Station</li> </ul>	Small seating area with trees, benches and water feature	City of Saint Paul
Landmark Plaza	379 Saint Peter St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Hamm Plaza Station</li> </ul>	Lawns, trees and public art fronting historic Landmark Center; converted to free ice-skating rink in winter	City of Saint Paul
Rice Park	109 4th St. W., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Rice Park Station</li> </ul>	Bounded by Saint Paul Hotel, Landmark Center, Ordway Center for the Performing Arts, and the Downtown Central Library; fountain and shaded lawns	City of Saint Paul
Capital Centre Plaza	376 Wabasha St. N., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Cedar Street Station</li> </ul>	Plaza with trees, benches and public art; locally called Ecolab Plaza	City of Saint Paul
Mears Park	221 5th St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Union Depot/Sibley Street Station</li> </ul>	Urban park covering one city block with a covered band shell, seasonal flower gardens, and shaded seating areas, with a stream running diagonally through	City of Saint Paul



Resource	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment(s)</li> <li>• Nearest Station</li> </ul>	Section 4(f) Qualifying Description	OWJ
Depot Tot Lot	4th East and North Sibley streets, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Union Depot/Sibley Street Station</li> </ul>	Transportation-themed playground with benches	City of Saint Paul
Bruce Vento Nature Sanctuary	4th and Commercial streets, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignments A1/A2/B</li> <li>• Mounds Boulevard Station</li> </ul>	29-acre park just east of downtown Saint Paul; part of the Bruce Vento Regional Trail corridor and component of regional parks system the <i>2040 Regional Parks Policy Plan</i> governs; purchased by City in 2005; former commercial area being restored with native plantings and interpretations of the site's significance to Native Americans. Park is within Mississippi National River and Recreation Area (river park) that is under NPS jurisdiction. Northern boundary of river park is Kellogg Boulevard	City of Saint Paul
Indian Mounds Regional Park	10 Mounds Blvd., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Etna Street Station</li> </ul>	Regional park with six Native American burial mounds, biking and hiking trails, overlooks, playground, public art, restrooms and picnic areas with shelters. Park is within the Mississippi National River and Recreation Area (river park) that is under NPS jurisdiction. Northern boundary of river park coincides with regional park boundary	City of Saint Paul



Resource	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment(s)</li> <li>• Nearest Station</li> </ul>	Section 4(f) Qualifying Description	OWJ
Battle Creek Regional Park	2300 Upper Afton Road, Maplewood	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignments B/C</li> <li>• Maplewood Station</li> </ul>	1,840-acre park with playground, outdoor waterpark, sledding hill, picnic shelter and pavilion rentals, dog park, paved trails for mountain biking and cross-country skiing, and handicap-accessible restrooms	Ramsey County
Johnson Parkway	Johnson Parkway at I-94, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Earl Street and Etna Street stations</li> </ul>	Part of Saint Paul Grand Round chain of parkways and park space connecting Saint Paul's lakes and Mississippi River	City of Saint Paul
Conway Park	2090 Conway Ave., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment C</li> <li>• Sun Ray Station</li> </ul>	Park with basketball and tennis courts, community garden, baseball, football, soccer and softball fields, and splash pad; includes Conway Community Recreation Center; and park surrounds Sun Ray Library on three sides	City of Saint Paul
Menomini Park	255 Meadow Lane, Woodbury	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment C</li> <li>• Greenway Avenue Station</li> </ul>	10.82-acre neighborhood park with accessible play structure, basketball court, fishing pier, paved trails and picnic tables	City of Woodbury
Powerline Park	4th Street North, south of 10th Street North, Oakdale	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment C</li> <li>• Helmo Avenue Station</li> </ul>	Park surrounding existing power lines with paved trail network	City of Oakdale
Tamarack Nature Preserve	1825 Tower Drive, Woodbury	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment D3</li> <li>• Woodbury Theatre Station</li> </ul>	Tamarack with 2 miles of trails for walking and skiing	City of Woodbury



Resource	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment(s)</li> <li>• Nearest Station</li> </ul>	Section 4(f) Qualifying Description	OWJ
Multiuse Trail	Located along east side of Bielenberg Drive between Nature Path and Tamarack Road	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment D3</li> <li>• Tamarack Road Station</li> </ul>	Defined as open space in City's comprehensive plan and shown as trail in City's parks plan	City of Woodbury
<b>Historic Resources</b> (see Figure 8.2-1 and Figure 8.2-2 for locations by #)				
New Palace Theater/St. Francis Hotel (#22)	1-33 7th Place W., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Hamm Plaza Station</li> </ul>	Eligible	MnSHPO
Hamm Building (#8)	408 Saint Peter St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Hamm Plaza Station</li> </ul>	Listed	MnSHPO
Saint Paul Public Library/James J. Hill Reference Library (#2)	80-90 4th St. W., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Rice Park Station</li> </ul>	Listed (contributing to Rice Park Historic District)	MnSHPO
U.S. Post Office, Courthouse and Customs House (Landmark Center) (#10)	109 W. 5th St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Rice Park Station</li> </ul>	Listed (contributing to Rice Park Historic District)	MnSHPO
Saint Paul Hotel (#21)	350 Market St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Rice Park Station</li> </ul>	Eligible (contributing to Rice Park Historic District)	MnSHPO



Resource	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment(s)</li> <li>• Nearest Station</li> </ul>	Section 4(f) Qualifying Description	OWJ
Rice Park Historic District	Approximately in area roughly bounded by Kellogg Boulevard West, Market, Washington and Saint Peter streets, and 4th West, 5th West, and 6th West streets, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Rice Park Station</li> </ul>	Eligible	MnSHPO
Germania Bank (#3)	6 5th St. W., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Cedar Street Station</li> </ul>	Listed	MnSHPO
Saint Paul Athletic Club (#19)	340 Cedar St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Cedar Street Station</li> </ul>	Eligible	MnSHPO
First Farmers and Merchants Bank/First National Bank (#20)	332 Minnesota St. and 339 Robert St. N., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Minnesota Street Station</li> </ul>	Eligible	MnSHPO
Osborn Building (#23)	390 Wabasha St. N., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Hamm Plaza Station</li> </ul>	Eligible (contributing to Urban Renewal Historic District)	MnSHPO
Mutual Life Insurance Company Building (#24)	345 Cedar St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Cedar Street Station</li> </ul>	Listed (contributing to Urban Renewal Historic District)	MnSHPO
Saint Paul Urban Renewal Historic District	Roughly bounded by Kellogg Boulevard and Jackson, 6th, and Wabasha streets, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Union Depot/Sibley Street Station</li> </ul>	Eligible	MnSHPO



Resource	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment(s)</li> <li>• Nearest Station</li> </ul>	Section 4(f) Qualifying Description	OWJ
Manhattan Building (#7)	360 Robert St. N., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Robert Street Station</li> </ul>	Listed	MnSHPO
Pioneer Press and Endicott Buildings (#6)	332 Robert St. N. and 142 5th St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Robert Street Station</li> </ul>	Listed	MnSHPO
Merchants National Bank Building (#4)	366-368 Jackson St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Robert Street Station</li> </ul>	Listed	MnSHPO
U.S. Post Office and Custom House (#9)	180 Kellogg Blvd. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 2</li> <li>• Alignment A2</li> <li>• Union Depot</li> </ul>	Listed	MnSHPO
Saint Paul Union Depot (#1)	214 4th St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Union Depot/Wacouta Street Station</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• Build Alternative 2</li> <li>• Alignment A2</li> <li>• Union Depot</li> </ul>	Listed	MnSHPO
Finch, VanSlyck and McConville Dry Goods (#18)	366 Wacouta St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Union Depot/Wacouta Street Station</li> </ul>	Listed (contributing to Lowertown Historic District)	MnSHPO



Resource	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment(s)</li> <li>• Nearest Station</li> </ul>	Section 4(f) Qualifying Description	OWJ
Lowertown Historic District	Roughly bounded by Shepard Road, Kellogg Boulevard and 7th, Sibley, and Broadway streets, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Union Depot/Wacouta Street and Union Depot/Sibley Street stations and</li> <li>• Build Alternative 2</li> <li>• Alignment A2</li> </ul>	Listed	MnSHPO
Tandy Row (#13)	668-674 4th St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible	MnSHPO
Peter Bott House and Garage (#25)	326 Maria Ave., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible <sup>b</sup>	MnSHPO
Frederick Reinecker House #2 (#16)	700 3rd St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible <sup>b</sup>	MnSHPO
Frederick Reinecker House #1 (#15)	702 3rd St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible <sup>b</sup>	MnSHPO
Bell-Weber House (#12)	661 3rd St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible	MnSHPO
Texas Company Service Station (#11)	847 Hudson Road, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible	MnSHPO



Resource	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment(s)</li> <li>• Nearest Station</li> </ul>	Section 4(f) Qualifying Description	OWJ
Giesen-Hauser House/Peter and Mary Giesen House (#5)	827 Mound St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Earl Street Station</li> </ul>	Listed	MnSHPO
Johnson Parkway (#26)	Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Earl Street Station</li> </ul>	Eligible <sup>c</sup>	MnSHPO
Grace Lutheran Church (#14)	1730 Old Hudson Road, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Van Dyke Station</li> </ul>	Eligible	MnSHPO
3M Center (historic district)	2501 Hudson Road, Maplewood	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment C</li> <li>• Maplewood Station</li> </ul>	Eligible	MnSHPO

<sup>a</sup> All listed Section 4(f) parks are publicly owned, publicly accessible and of local significance.

<sup>b</sup> In accordance with the “level of effort” provisions of 36 CFR Sec. 800.4(b)(1), which require agencies to take into account as part of their efforts to identify historic properties “the magnitude and nature of the undertaking and the degree of Federal involvement, the nature and extent of potential effects on historic properties, and the likely nature and location of historic properties within the area of potential effects”, the FTA determined, and MnSHPO concurred, that a Phase II evaluation of this property was not required, but that for the purpose of consultation under Section 106 for the Project, the FTA will treat this property as eligible for inclusion in the NRHP.

<sup>c</sup> On Feb. 22, 2018, the FTA found that Johnson Parkway no longer had sufficient historic integrity to convey its significance under either Criterion A (in the areas of Entertainment/Recreation and Community Planning and Development) or C (in the area of Design). In a response dated April 3, 2018, MnSHPO did not concur with the FTA’s determination, stating that although some parkway segments have been altered, the overall integrity of the entire parkway is high enough that the property is eligible for listing in the NRHP under both Criterion A and Criterion C. Therefore, for the purposes of Section 106 and Section 4(f), the FTA will treat this property as eligible for inclusion in the NRHP.



## 8.3. Assessment of Use of Section 4(f) Parks and Recreational Resources

This section assesses potential Project-related impacts to and use of Section 4(f) parks and recreational resources for the Build Alternatives.

### 8.3.1. Build Alternative 1 (A1-BC-D3)

Of the 16 public parks or recreational resources within the study area, Build Alternative 1 would impact one parkway and surrounding park space (Johnson Parkway), one park (Menomoni Park), and one multiuse trail on Bielenberg Drive in Woodbury. No public wildlife or waterfowl refuges are within the resource study area.

For the remaining 13 resources, the FTA determined that Build Alternative 1 would not constitute a use of public parks or recreational resources for the following reasons:

- The Project would not require right-of-way in this area, nor would it permanently incorporate land from these resources. Section 4(f) resources would have no permanent use.
- The Project would not require use of any part of these resources for construction-related or other temporary activities; therefore, the Project would not have temporary occupancy of these Section 4(f) resources.
- The Project would not produce impacts to noise (see Section 5.8. Noise and Vibration in the *Physical and Environmental Resources Technical Report* in **Appendix A**), it would not produce impacts to the resources' activities, features or attributes; therefore, these Section 4(f) resources would have no constructive use.

**Table 8.3-1** summarizes the Project-related impacts and potential use of parks and recreational resources for Build Alternative 1.



TABLE 8.3-1: SUMMARY OF ASSESSMENT OF BUILD ALTERNATIVE 1 PARKS AND RECREATIONAL RESOURCE USE

Section 4(f) Property	Project Interaction	Use
Cleveland Circle	Alignment A1 would travel through Cleveland Circle in mixed traffic on West 5th and West 6th streets within existing transportation right-of-way. Project would not disturb parks and recreational facilities.	Project would not constitute a use
Hamm Memorial Plaza	Alignment A1 would travel adjacent to property in mixed traffic on West 6th Street within existing right-of-way. The proposed BRT station and pedestrian connection would be within existing transportation right-of-way and would not disturb parks and recreational facilities.	Project would not constitute a use
Landmark Plaza	Alignment A1 would travel adjacent to property in mixed traffic on West 5th and West 6th streets within existing transportation right-of-way. Project would not disturb parks and recreational facilities.	Project would not constitute a use
Rice Park	Alignment A1 would travel adjacent to property in mixed traffic on West 5th Street within existing right-of-way. Proposed BRT station and pedestrian connection would be within existing transportation right-of-way and would not disturb parks and recreational facilities.	Project would not constitute a use
Capital Centre Plaza	Alignment A1 would travel adjacent to property in mixed traffic on West 5th and West 6th streets, within existing transportation right-of-way. Project would not disturb parks and recreational facilities.	Project would not constitute a use
Mears Park	Alignment A1 would travel adjacent to property in mixed traffic on West 5th and Sibley streets, within existing transportation right-of-way. Project would not disturb parks and recreational facilities.	Project would not constitute a use
Depot Tot Lot	Alignment A1 would travel adjacent to property in mixed traffic on Sibley Street within existing transportation right-of-way. Project would not disturb parks and recreational facilities.	Project would not constitute a use
Bruce Vento Nature Sanctuary	Alignment A1 would travel on Kellogg Boulevard on existing bridge structure over the sanctuary. Project would not disturb parks and recreational facilities.	Project would not constitute a use
Indian Mounds Regional Park	Potential new pedestrian connections on both sides of Trunk Highway (TH) 61, north of Burns Avenue; property located on south side of Burns Avenue. Project would not disturb parks and recreational facilities.	Project would not constitute a use



Section 4(f) Property	Project Interaction	Use
Battle Creek Regional Park	Alignment C would be on north side of I-94; property located on south side of I-94. Project would not disturb parks and recreational facilities.	Project would not constitute a use
Johnson Parkway	Alignment B would travel across the parkway (including a new BRT-exclusive bridge over park space and parkway street). Approximately 0.07 acres permanent easement for portion of alignment within Johnson Parkway right-of-way and reconstructed Wakefield Avenue cul-de-sac; approximately 0.29 acres of parkway right-of-way regraded for new BRT-exclusive bridge and reconstruction of Wakefield Avenue cul-de-sac. Approximately 0.13 acres (5,805 square feet) permanent easement and 0.009 acre (380 square feet) of temporary easement for new sidewalk in park space. Approximately, 0.45 acres permanent easement to construct storm sewer pipes and 0.22 acres temporary easement for excavation, grading and landscape restoration. BRT construction would require temporary closure and reconstruction of portion of regional trail.	<i>Permanent Incorporation; use has a de minimis impact</i>
Conway Park	Park-and-ride lot and pedestrian connection in southeast corner of Wilson Avenue/Pederson Street intersection; property located on north side of Wilson Avenue. Project would not disturb parks and recreational facilities.	Project would not constitute a use
Menomini Park	Potential stormwater detention pond and access road within park, immediately south of I-94. Access road for Project construction would produce temporary disruption to trail.	<i>Permanent Incorporation; use has a de minimis impact</i>
Powerline Park	Potential stormwater detention pond on south side of 4th Street North; property located on north side of 4th Street North. Project would not disturb parks and recreational facilities.	Project would not constitute a use
Tamarack Nature Preserve	Alignment D3 would travel in mixed traffic on Bielenberg Drive within existing transportation right-of-way through the nature preserve; proposed park-and-ride lot located adjacent to park. Project would not disturb parks and recreational facilities.	Project would not constitute a use



Section 4(f) Property	Project Interaction	Use
Multiuse Trail	Alignment D3 would travel in dedicated BRT lanes and mixed traffic on Bielenberg Drive within existing transportation right-of-way. Multiuse trail is within existing transportation right-of-way, except for portion of trail in publicly owned right-of-way on east side of Bielenberg Drive between Nature Path and Tamarack Road. BRT construction would require reconstructing and relocating portions of multiuse trail.	<i>Permanent Incorporation; use has a de minimis impact</i>



### 8.3.1.1. Johnson Parkway – Preliminary *de minimis* Determination

#### PROPERTY DESCRIPTION

Johnson Parkway connects Lake Phalen to Indian Mounds Park (see **Figure 8.2 1**). The parkway is part of the City of Saint Paul's Grand Round, a "park system connecting all parts of Saint Paul with expansive boulevards and luxurious greenery that would serve cyclists and pedestrians"<sup>19</sup> (see **Figure 8.3-1**). The parkway is approximately 2.25 miles long and features green space and medians along portions of its corridor. The parkway includes some sections that have a more naturalistic setting and one section that has a more urban setting.

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<sup>19</sup> City of Saint Paul. *Saint Paul for All 2040 Comprehensive Plan. Official Public Hearing Draft. November 2, 2018. Page 96.* Available at: <https://www.stpaul.gov/departments/planning-economic-development/planning/2040-comprehensive-plan>. Accessed November 2018.



FIGURE 8.3-1: SAINT PAUL GRAND ROUND

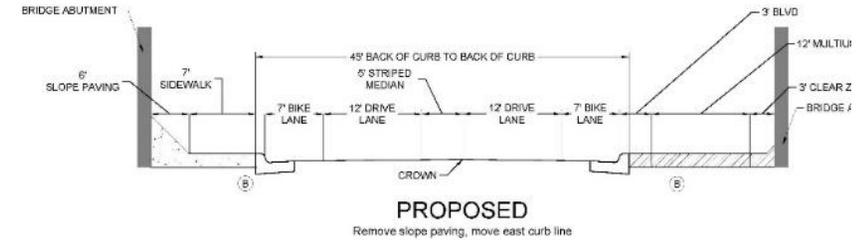
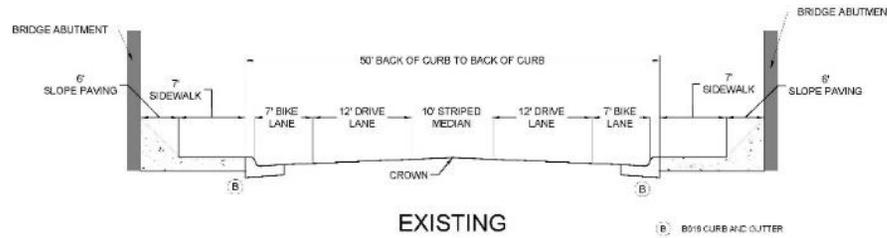
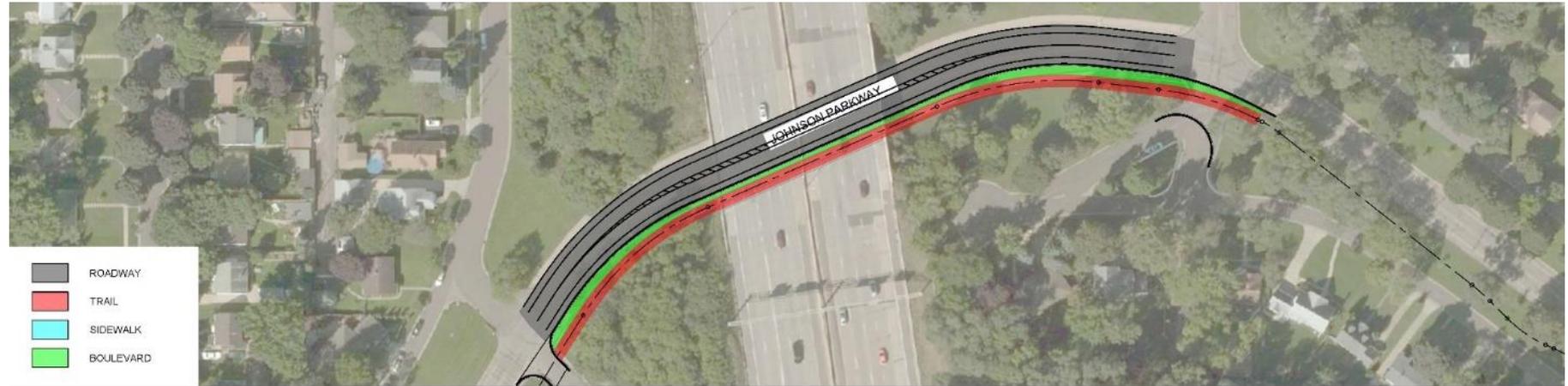


Park space owned by the City of Saint Paul and managed by the Parks & Recreation Department is located on the east and west sides of Johnson Parkway, and it includes vegetated open areas within the Project limits of potential disturbance where the parkway would travel under Alignment B and I-94. The City of Saint Paul, in coordination with Ramsey County, initiated a project to construct an off-street regional walking and biking trail along Johnson Parkway (see **Figure 8.3-2**). The regional trail will be constructed along the east side of Johnson Parkway between Burns Avenue and Phalen Boulevard in 2020.<sup>20</sup>

<sup>20</sup> Available at: <https://www.stpaul.gov/departments/public-works/projects/johnson-parkway-regional-trail>.



FIGURE 8.3-2: PROPOSED JOHNSON PARKWAY REGIONAL TRAIL





### ASSESSMENT OF SECTION 4(f) USE

Build Alternative 1 utilizes portions of Johnson Parkway for various infrastructure elements, including guideway and sidewalk construction and storm sewer pipes for connection to a stormwater facility located to the west of the park property. Construction of the Project also requires temporary closure of 730 feet and reconstruction of 50 feet of the regional trail to construct the new guideway bridge over Johnson Parkway.

Table 8.3-2 summarizes the Project-related impacts at Johnson Parkway, which Figure 8.3-3 illustrates.

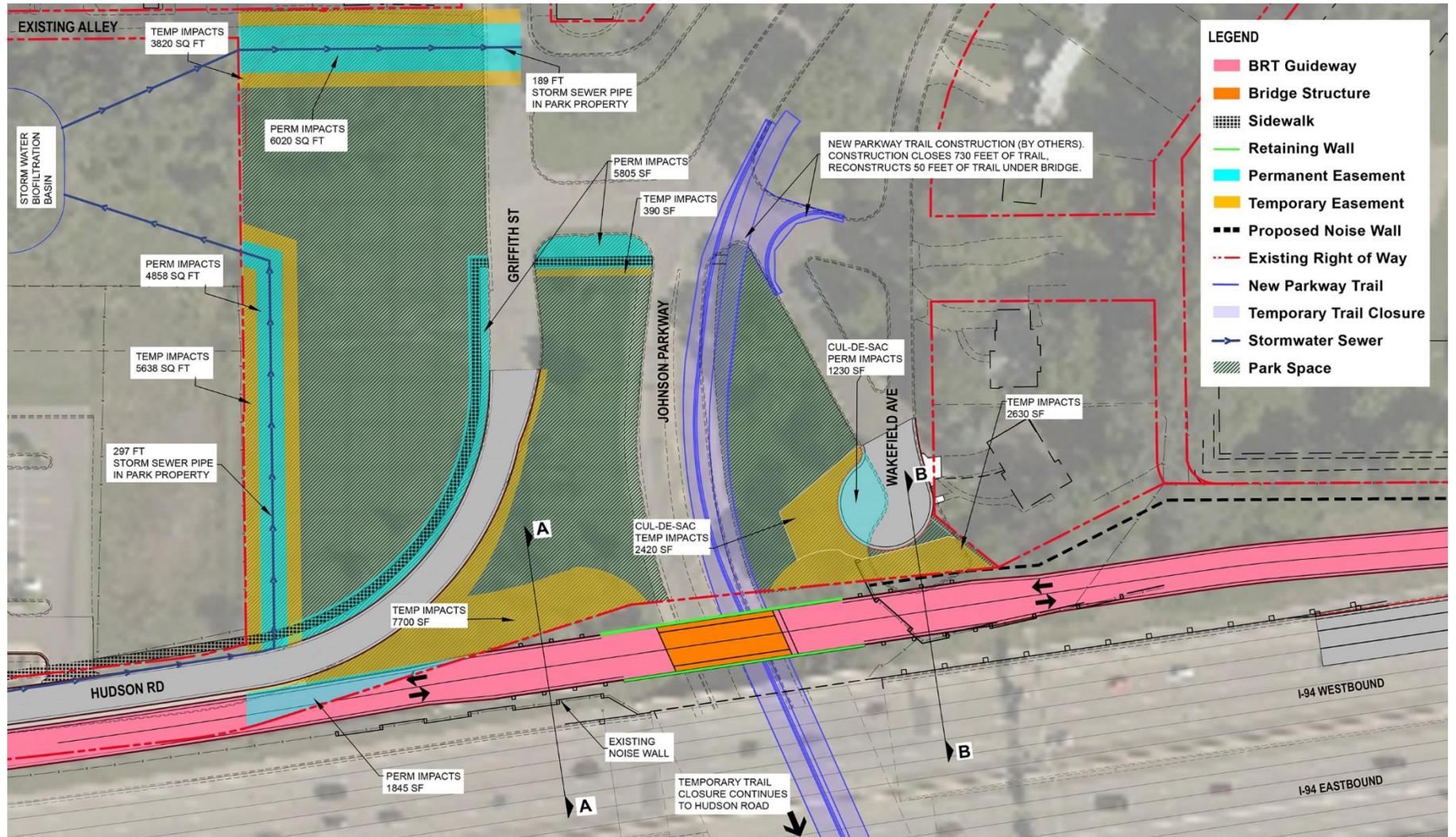
**TABLE 8.3-2: SUMMARY OF IMPACTS AT JOHNSON PARKWAY**

Infrastructure Element	Permanent Impact	Temporary Impact
Guideway	0.07 acres (3075 square feet) easement for new BRT-exclusive bridge over park space and parkway street and reconstructed Wakefield Avenue cul-de-sac	0.29 acres (12,750 square feet) regraded for new BRT-exclusive bridge and reconstruction of Wakefield Avenue cul-de-sac
Regional Park Trail	N/A	730 linear feet of regional trail closed for 90 days to construct BRT-exclusive bridge. Approximately 50 feet of the trail will be reconstructed in place
Sidewalks	0.13 acres (5,805 square feet) easement for new sidewalk in park space and along Griffith Street/Hudson Road	0.009 acres (380 square feet) regraded for new sidewalk in park space
Storm Sewer Pipes	0.25 acres (10,878 square feet) easement to construct storm sewer pipes	0.22 acres (9458 square feet) for excavation, grading and landscape restoration for storm sewer pipes
Total Acres	0.45 acres (19,758 square feet)	0.52 acres (22,588 square feet) + 50 linear feet of regional trail reconstruction

The following sections provide details about the infrastructure elements.



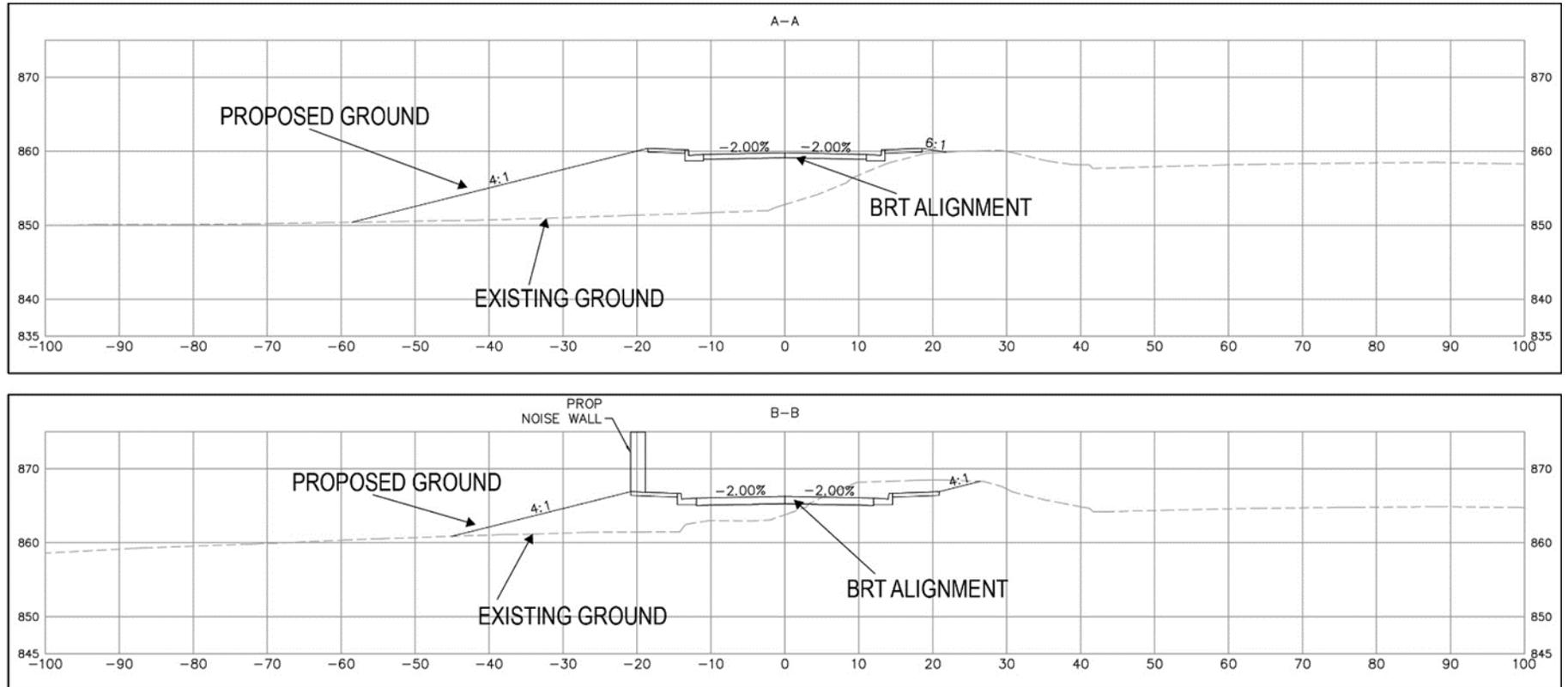
FIGURE 8.3-3: GOLD LINE BRT PROJECT IMPACT AT JOHNSON PARKWAY<sup>a</sup>



<sup>a</sup> See Figure 8.3-4 for cross-sections A-A and B-B.



FIGURE 8.3-4: CROSS-SECTIONS A-A AND B-B AT JOHNSON PARKWAY





## Guideway

Build Alternative 1 utilizes Alignment B along I-94, where the guideway crosses Johnson Parkway on a new BRT-exclusive bridge (see **Figure 8.3-3**). The Council would construct the guideway largely within existing I-94 right-of-way for this alignment, except for 0.04 acres (1,845 square feet) of permanent easement that would be acquired at the far western end of the park space between Hudson Road and I-94 (see **Figure 8.3-3**). Approximately 0.03 acres (1,230 square feet) of permanent easement would also be required to reconstruct the cul-de-sac on Wakefield Avenue. Approximately 0.29 acres (12,750 square feet) of temporary easement on the park space, north of I-94, would be required to regrade open area for the approaches to the BRT-exclusive bridge over Johnson Parkway and for reconstructing the Wakefield Avenue cul-de-sac. The cross-sections in **Figure 8.3-4** illustrate these grade changes.

During construction, grading in both permanent and temporary easement areas would remove up to 0.04 acres of landscaping (including approximately three trees and shrubs) to accommodate the BRT-exclusive bridge in park space on the west side of Johnson Parkway, and 0.06 acres (including approximately one tree and shrubs) in park space on the east side.

Construction would require temporarily closing Johnson Parkway and the regional trail for approximately 90 days to install the new BRT-exclusive bridge.

The Project would close approximately 730 feet of the regional trail from Wakefield Avenue north of I-94 to Hudson Road south of I-94. Approximately 50 feet of the trail would be impacted by construction and rebuilt. The trail would be restored to its existing location after Project construction is complete (see **Figure 8.3-3**).

Traffic on Johnson Parkway and the regional trail would be detoured to Earl Street over I-94 via 3rd Street and Burns Avenue. Total construction duration for bridge construction would be approximately 12 months. These closures would be of shorter duration (90 days) than the two-year construction period for the Project and would restore the parkway and trail in the current location to preconstruction conditions.

During the Engineering Phase, the Council will consult with the City of Saint Paul Parks & Recreation Department to develop a landscaping plan to restore disturbed park space in Johnson Parkway. Restoration of park space would occur during construction.

## Sidewalk

Build Alternative 1 would install a new sidewalk along the north end of the park space between Griffith Street and Johnson Parkway and then extend along Griffith Street and Hudson Road, as **Figure 8.3-3** shows. Sidewalk construction would require approximately 0.13 acres (5,805 square feet) of permanent easement in park space. Approximately 0.009 acres (380 square feet) of temporary easement on the park space between Griffith Street and Johnson Parkway would be required to regrade open area for new sidewalks.

## Storm Sewer Pipes

Build Alternative 1 would use portions of Johnson Parkway right-of-way to install storm sewer pipes on the western edge of Johnson Parkway, west of Griffith Street (see **Figure 8.3-3**). These pipes would connect to a stormwater facility located to the west of Johnson Parkway right-of-way. The Project would construct a 297-foot inlet pipe in park space which would require 0.11 acres (4858 square feet) of permanent easement and 0.13 acres (5638 square feet) of temporary easement. The Project would construct a 189-foot outlet pipe on park space which would require 0.14 acres (6020 square feet) of permanent easement and 0.09 (3820 square feet) of temporary easement.

Temporary access for stormwater facility construction will be from Hudson Road and Griffith Street using temporary easements. Access for routine stormwater facility maintenance will be provided via the permanent easement over the inlet and outlet pipes and from an existing alley on the north side of the stormwater facility.



## PRELIMINARY SECTION 4(f) DETERMINATION

The Council conducted coordination with the City of Saint Paul Planning & Economic Development, Public Works and the Parks & Recreation departments to present Project impacts and a preliminary assessment of a *de minimis* impact. Based on this coordination and the 15% Concept Plans (see **Appendix B**), FTA has made a preliminary determination that the Project would constitute a use under Section 4(f) with a *de minimis* impact on Johnson Parkway park space. This use includes permanent and temporary construction impacts for the proposed guideway over Johnson Parkway and regional trail, construction of a new sidewalk and two storm sewer pipes, and grading and landscaping within existing park space in Johnson Parkway designated right-of-way.

This preliminary determination is based on the minor area of permanent (0.45 acres) and temporary (0.52 acres) impacts in the 2.25-mile parkway and minimal disturbance of landscaped areas and restoration of landscaping in the park space. The preliminary determination is also based on the temporary closure of a portion of the regional trail that will be of shorter duration (90 days) than the two-year construction period for the Project, and the trail will be fully reconstructed in place to preconstruction conditions. The use would not impact the parkway's function of connecting all parts of Saint Paul with boulevards and greenery that serve motorists, cyclists and pedestrians.

The FTA anticipates that the minimization, mitigation and enhancement measures developed for the Project would avoid adverse effects to the protected activities, features and attributes of the property, which supports the preliminary determination. These measures will be refined in consultation with the City of Saint Paul Planning & Economic Development, Public Works and the Parks & Recreation departments during the Engineering Phase and implemented during construction. Measures include:

- Steepened grading slopes from 6:1 to 4:1 to reduce the grading footprint in the parkway
- Retain and/or restore vegetation, including using native vegetation mix, where appropriate
- Develop landscape plans for areas adjacent to elevated structures, retaining walls, and noise walls
- Continued coordination with city to define the landscape and planting plan for the park space
- Provide parkland diversion for impacts within parkland per city charter Section 13.01.1, Disposal or Diversion of Park Property. Use communication tools to notify the public about the parkway closure and associated detours before closing.

The Council met with the City of Saint Paul Planning & Economic Development and Public Works department on Sept. 4, 2018, Jan. 9, 2019 and April 2, 2019 and with the City of Saint Paul Planning & Economic Development and Parks & Recreation departments on April 26, 2019 to review Project impacts and receive input on its preliminary assessment of *de minimis* impact at Johnson Parkway. See **Attachment A-8-1** for materials discussed during these meetings.

Prior to FTA's final determination, the city must concur in writing with the *de minimis* impact determination after the opportunity for public comment on the preliminary determination.

### 8.3.1.2. Menomoni Park – Preliminary *de minimis* Determination

#### PROPERTY DESCRIPTION

Menomoni Park in Woodbury is located directly west of Battle Creek Lake. The long and narrow, 10.82- acre neighborhood park features an accessible play structure, basketball court, fishing pier, and picnic tables with a paved trail running the length of the park. The park is owned and managed by the City of Woodbury.



## ASSESSMENT OF SECTION 4(f) USE

Alignment C along I-94 includes a stormwater facility at Menomini Park. The stormwater facility would require removing approximately 5,000 cubic yards of soil for a 0.62-acre stormwater pond on the south side of I-94 within Menomini Park. A 335-foot storm sewer inlet pipe would extend under I-94 to convey stormwater to the pond in Menomini Park. Approximately 90 feet of the pipe would be located within the park. Another 50-foot storm sewer outlet pipe would drain from the pond to Battle Creek Lake, which is east of the pond. The pond and pipe installations would require approximately 0.65 acres of permanent easement from the City of Woodbury.

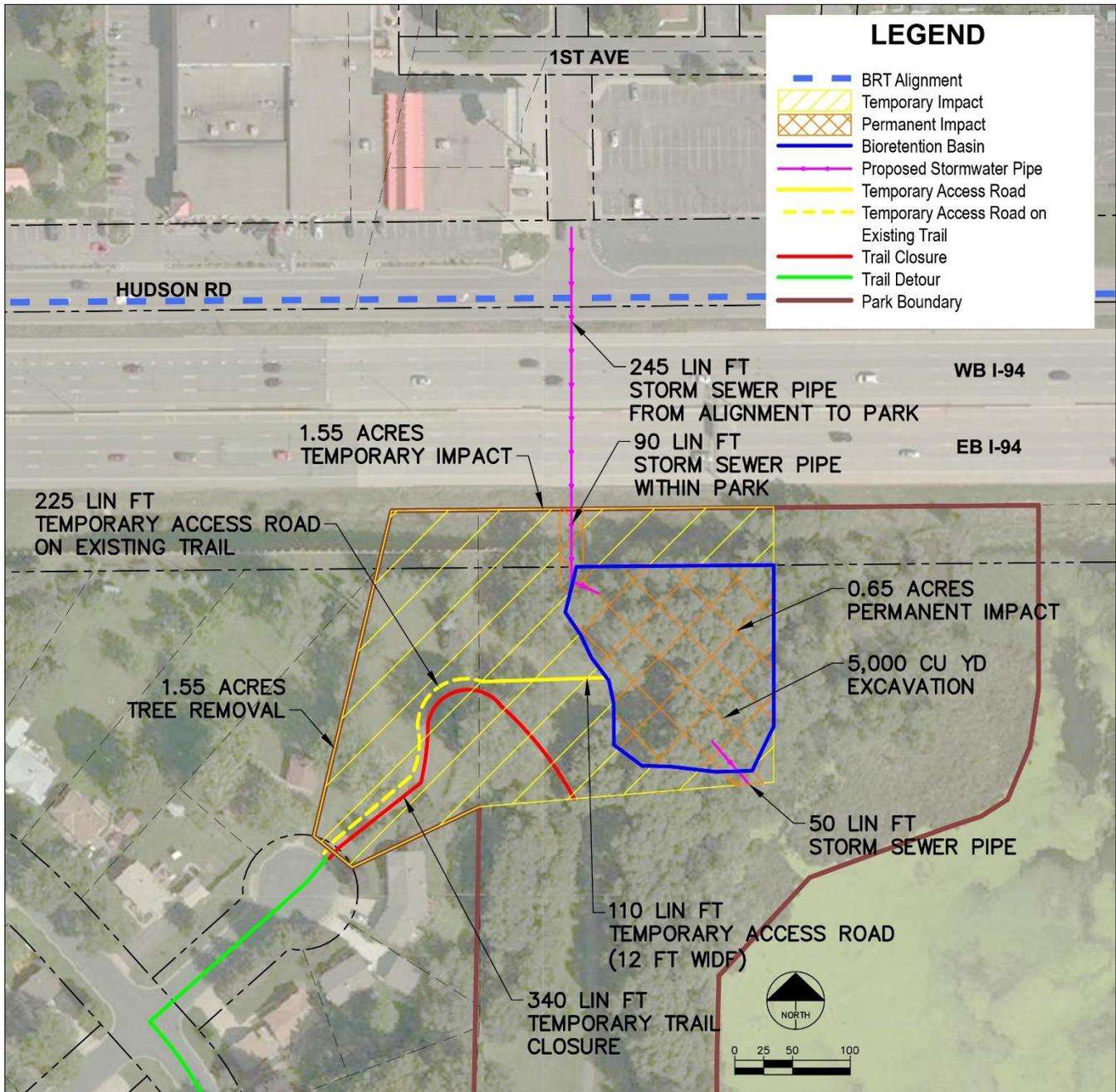
Based on discussions with the City of Woodbury, the OWJ proposed the pond in an area not used for recreational purposes. The pond is located to maximize drainage function and water quality benefits and avoid a designated Regionally Significant Ecological Area (see the *Physical and Environmental Resources Technical Report* in **Appendix A**).

Project construction would produce 1.55 acres of temporary impact related to access road construction, pond excavation, site grading, and trail and landscape restoration at the pond site. Construction excavation would permanently remove approximately 0.62 acres of trees of varying degrees of maturity at the pond site. The Project would remove approximately 0.93 acres of trees due to temporary disturbance from construction activities and storm sewer installation. The Council would restore natural landscaping in the temporary disruption area and reseed the new pond with a native vegetation mix of herbaceous species.

**Figure 8.3-5** shows the Project-related impacts to Menomini Park from Alignment C.



FIGURE 8.3-5: PROJECT IMPACT AT MENOMINI PARK



A temporary construction access road from Woodbine Court to the proposed pond site would temporarily close about 340 feet of an existing 8-foot-wide bike and pedestrian trail in the park for one construction season (approximately six months). The temporary, 12-foot-wide, construction access road would use approximately 225 feet of the existing trail and the remaining 115 feet of trail closure would prevent bike and pedestrian traffic from entering the construction area. An additional 110 feet of a new temporary access road would extend from the



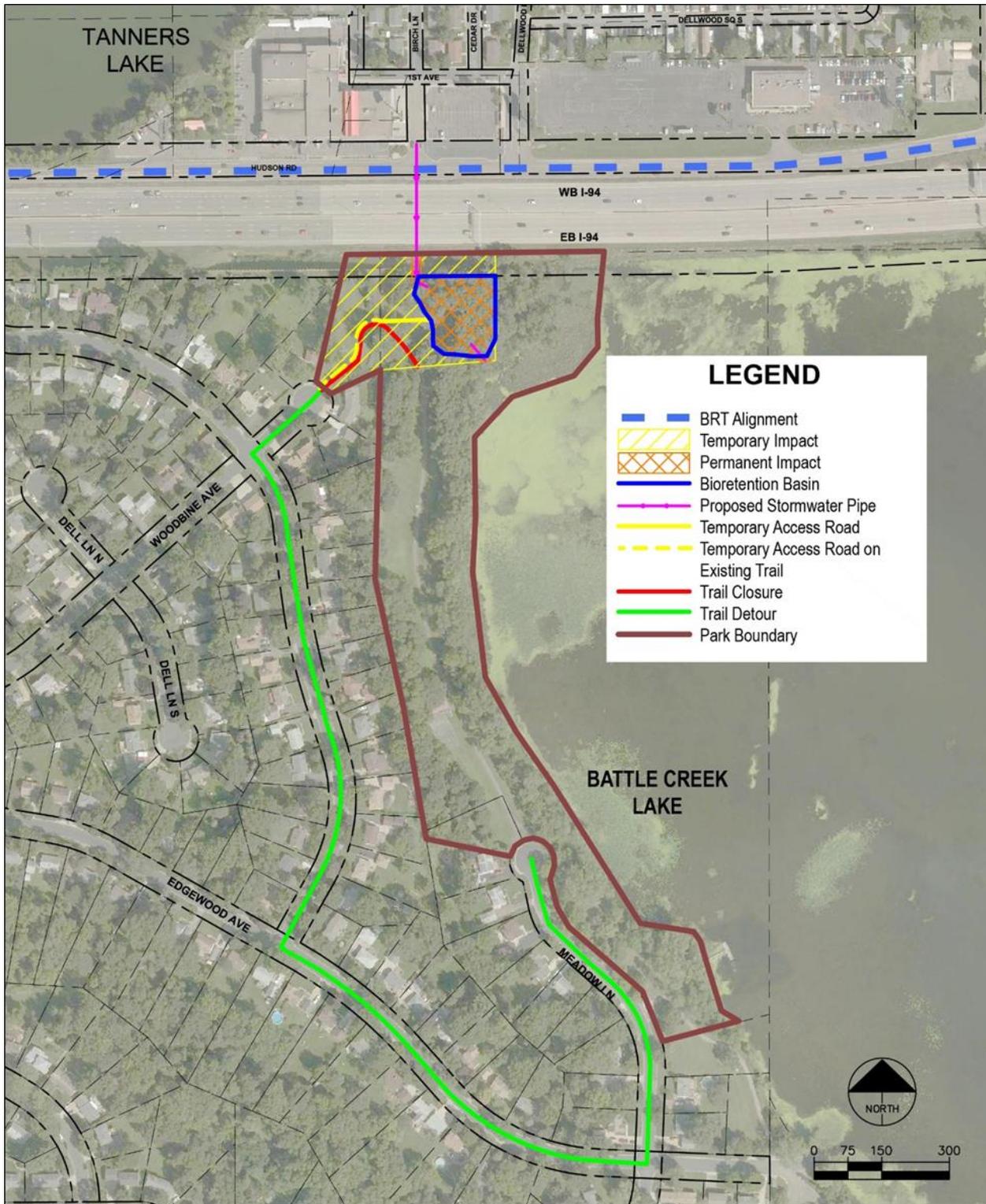
existing trail to the pond site. For future stormwater facility maintenance, the city of Woodbury confirmed vehicles would use the existing trail to access the park and then drive overland to access the pond and other stormwater facility infrastructure.

During construction, the construction contractor would detour the trail south on Woodbine Court to Sherrie Lane, Edgewood Avenue and Meadow Lane, and then connect back to the existing trail in Menomini Park. The contractor would install signage for trail detours, minimize the construction timeframe, and restore the trail to its existing condition, while also allowing pond access and maintenance.

**Figure 8.3-6** shows the proposed detour into Menomini Park for the bike and pedestrian trail.



FIGURE 8.3-6: PROPOSED DETOUR OF BIKE AND PEDESTRIAN TRAIL INTO MENOMINI PARK





## PRELIMINARY SECTION 4(f) DETERMINATION

The Council completed early coordination with the City of Woodbury to present Project impacts and a preliminary assessment of *de minimis* impacts (See **Attachment A-8-1**). Based on this coordination and 15% Concept Plans (see **Appendix B**), the FTA is making a preliminary determination that the Project would constitute a use under Section 4(f) with a *de minimis* impact at Menomini Park. The preliminary determination is based on temporary construction impacts of the proposed stormwater facility, the minor area of permanent easement (0.65 acres) in the 10.82-acre park and restoration of the paved trail. The FTA and Council coordinated with the city to identify a stormwater facility location that avoids the protected activities of the park, including the recreational structures and picnic areas, as well as a sensitive ecological area immediately east of the proposed stormwater facility. The stormwater facility location would be further refined with the City of Woodbury during the Project Development and Engineering phases.

The FTA anticipates that the mitigation measures developed for the Project would avoid adverse effects to the protected activities, features and attributes of the property, which supports the preliminary determination. These measures will be refined in consultation with the City of Woodbury during the Project Development Engineering phases and implemented during construction. See **Section 8.7.1** for the mitigation measures. Prior to FTA's final determination, the city must concur in writing with the *de minimis* impact determination after the opportunity for public comment on the preliminary determination that the Section 4(f) use has a *de minimis* impact.

### 8.3.1.3. Multiuse Trail – Preliminary *de minimis* Determination

#### PROPERTY DESCRIPTION

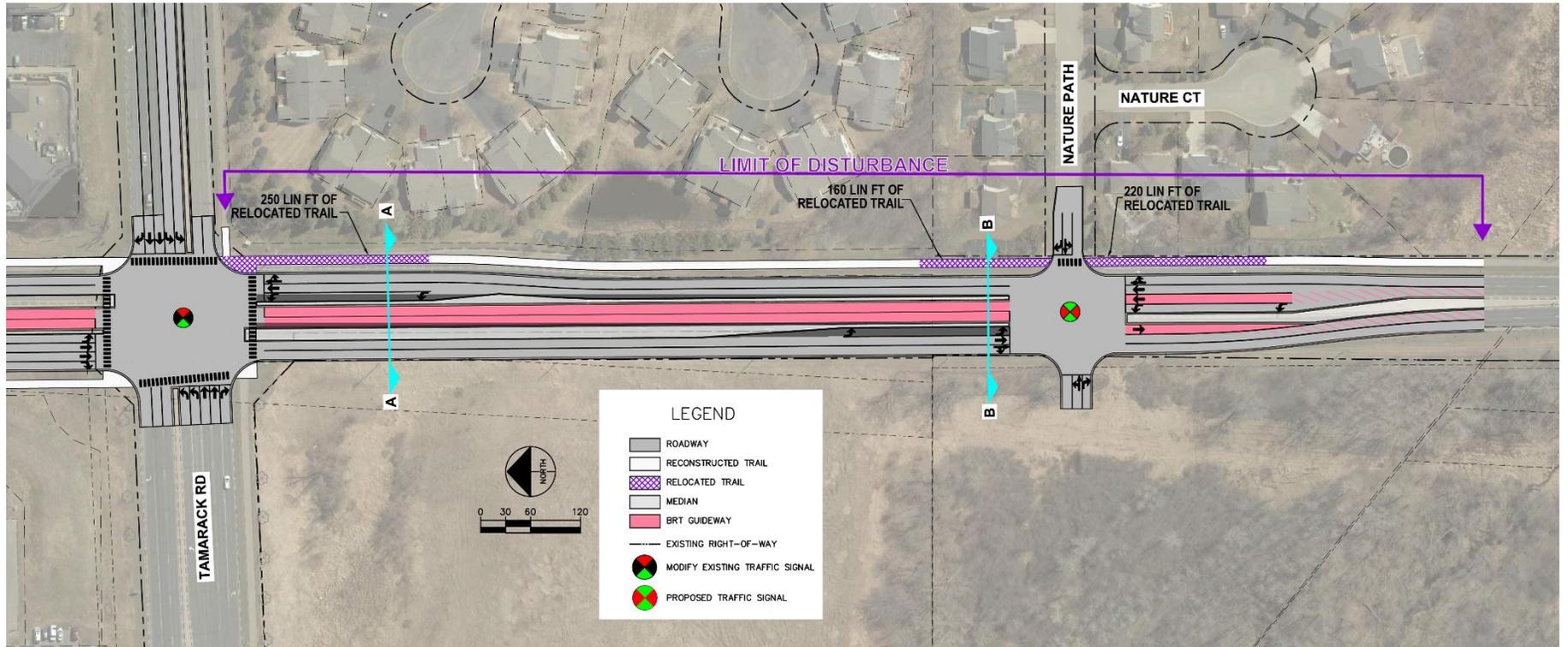
The paved trail is within and owned by the City of Woodbury. The trail is part of a larger network of paved trails connecting Woodbury's parks. Near the Project area the trail runs on the south side of Tamarack Road to the east side of Bielenberg Drive and continues south to Tamarack Nature Preserve. The trail is accessible to bicyclists and pedestrians.

#### ASSESSMENT OF SECTION 4(f) USE

Build Alternative 1 would utilize Alignment D3 along Bielenberg Drive. To construct BRT infrastructure, the Project would close approximately 1,475 feet of the multiuse trail from Tamarack Road to about 450 feet south of Nature Path (see **Figure 8.3-7**). The Project would close the trail for one construction season (approximately six months) to construct BRT infrastructure. The Project would reconstruct the trail within the existing public right-of-way. Approximately 845 feet of the trail would be reconstructed in its existing location. As shown in **Figure 8.3-7**, 250 feet of the trail that approaches the Tamarack Road intersection shifts about 4.5 feet east of the existing trail to accommodate ramps to comply with the Americans with Disability Act (ADA) (See cross-sections in **Figure 8.3-8**). Similarly, 380 feet of the trail at Nature Path (160 feet north and 220 feet south of the intersection) would shift about 2 feet east of the existing trail to accommodate ramps at the intersection (see cross-sections in **Figure 8.3-9**). The trail closure will be of shorter duration than the two-year construction period for the Project and would restore it to preconstruction conditions.



FIGURE 8.3-7: PROJECT IMPACT AT MULTIUSE TRAIL<sup>a</sup>



<sup>a</sup> See Figure 8.3-8 and Figure 8.3-9 for cross-sections A-A and B-B, respectively.



FIGURE 8.3-8: CROSS-SECTION A-A EXISTING AND PROPOSED MULTIUSE TRAIL LOCATION

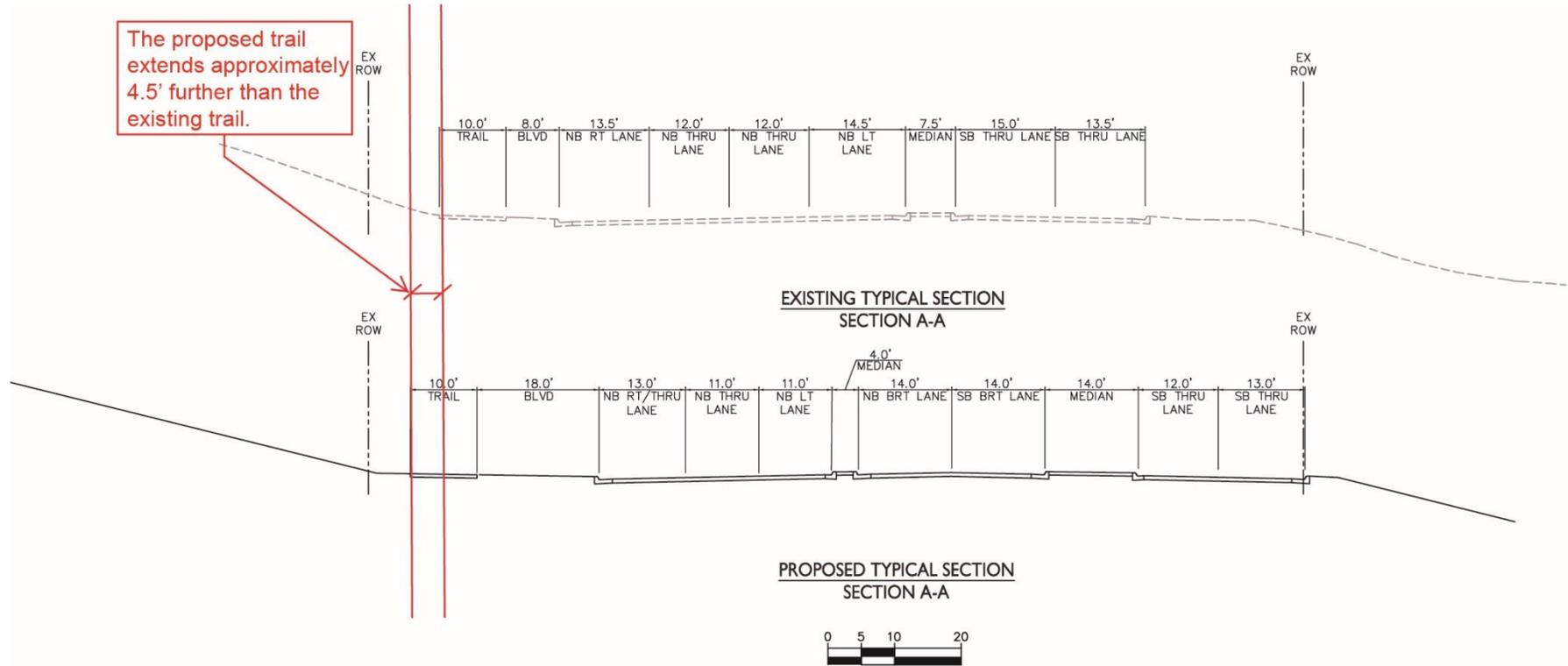
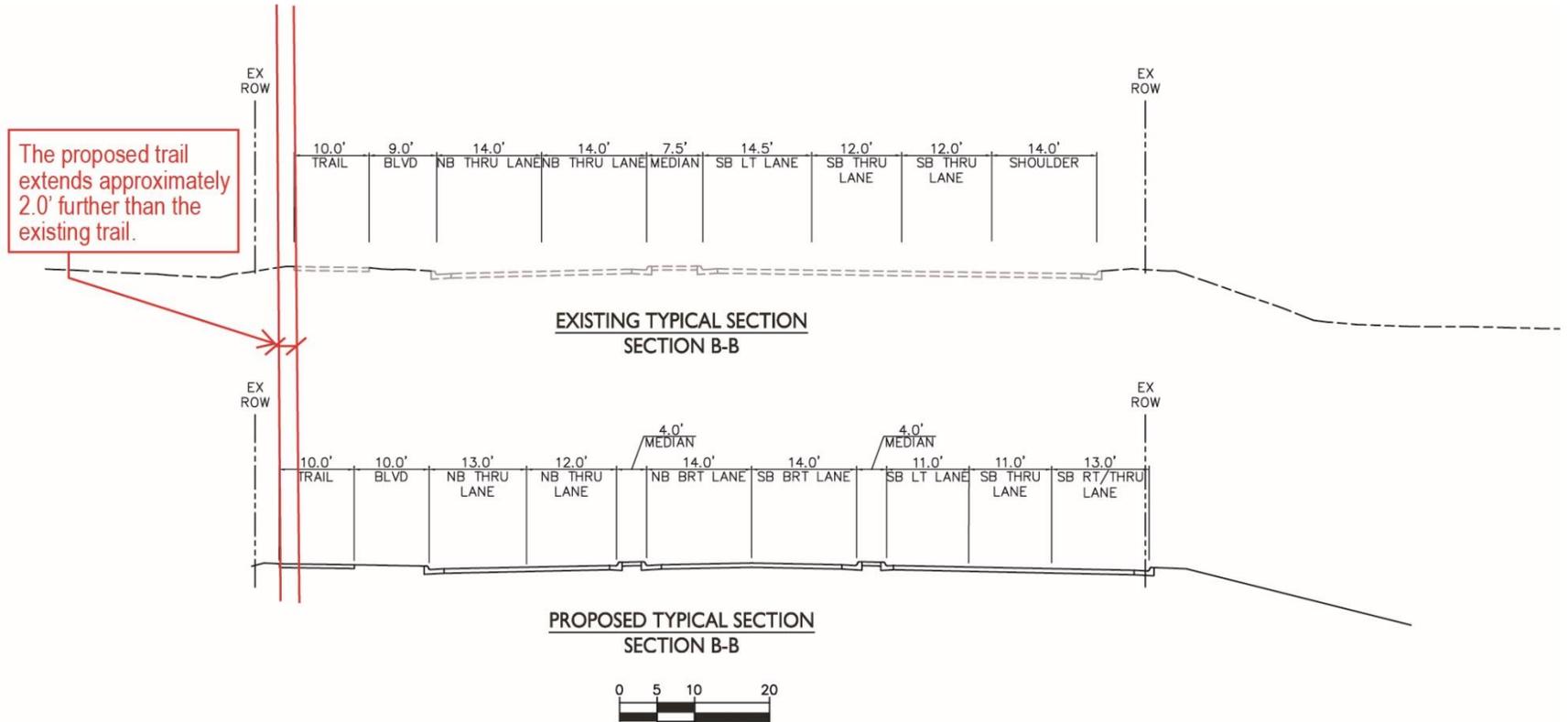




FIGURE 8.3-9: CROSS-SECTION B-B EXISTING AND PROPOSED MULTIUSE TRAIL LOCATION





## PRELIMINARY SECTION 4(f) USE DETERMINATION

The Council completed early coordination with the City of Woodbury to present Project impacts and a preliminary assessment of a *de minimis* impact (See **Attachment A-8-1**). Based on this coordination and 15% Concept Plans (see **Appendix B**), the FTA is making a preliminary determination that the Project would constitute a use under Section 4(f) with a *de minimis* impact on the multiuse trail. The preliminary determination is based on the temporary closure of a portion of the multiuse trail on the eastern side of Bielenberg Drive (1,475 feet). The trail closure will be of shorter duration (approximately six months) than the two-year construction period for the Project, and the trail will be fully reconstructed within the existing public right-of-way, slightly shifted from the trail's current location. The trail would be restored to pre-construction conditions.

The FTA anticipates that the mitigation measures developed for the Project would avoid adverse effects to the protected activities, features and attributes of the property, which supports preliminary determination. These measures will be refined in consultation with the City of Woodbury during the Engineering Phase and implemented during construction. See **Section 8.7.1** for the mitigation measures. Prior to the FTA's final determination, the City must concur in writing with the *de minimis* impact determination after the opportunity for public comment on the preliminary determination that the Section 4(f) use has a *de minimis* impact.

### 8.3.2. Build Alternative 2 (A2-BC-D3)

Build Alternative 2 would produce the same impacts to Section 4(f) properties as Build Alternative 1 in Alignments B, C and D3. Alignment A2 under Build Alternative 2 does not include downtown Saint Paul after Union Depot through Smith Avenue Transit Center and would not impact park or recreational resources in this area.

## 8.4. Assessment of Use of Section 4(f) Historic Sites

The FTA and Council, in coordination with MnDOT CRU and the Project's consulting parties, will assess effects of the Project on historic properties in accordance with the terms of the PA (see **Appendix C**). The PA will identify if any adverse effects constitute a use under Section 4(f). If FTA identifies a Section 4(f) use of a historic property, the Council will prepare a supplemental Section 4(f) evaluation for the historic property. **Table 8.2-1** includes a list of historic properties the FTA and Council will evaluate for Project effects.

## 8.5. Assessment of Section 6(f) Impacts

### 8.5.1. Description of Section 6(f) Property

Ramsey County owns Battle Creek Regional Park, which consists of 1,840 acres of natural area in the Cities of Saint Paul and Maplewood. Extensive areas of woods, wetlands and grassland attract many species of wildlife. The park includes picnic areas and shelters, a pavilion for large gatherings, a playground, paved trails, a mountain biking trail, a dog park, and hills and trails for winter sledding and skiing.

Tamarack Nature Preserve is a 169-acre wetland and woodland natural area that contains one of the southernmost stands of tamarack trees in the State of Minnesota. The preserve provides important habitat for flora and fauna and supports the biodiversity of marsh plants, birds and wildlife, and floating hummocks. Park amenities include picnic tables, an accessible play structure, an ice-skating rink and paved and unpaved trails.

The Project's limits of potential disturbance does not include additional properties that received LWCF funds.



## 8.5.2. Build Alternative 1 (A1-BC-D3)

Alignment C would operate along the north side of I-94; Battle Creek Regional Park is south of I-94, and would not impact the park, therefore, the Project will not have a Section 6(f) impact.

Alignment D3 would cross the Tamarack Nature Preserve in mixed traffic on Bielenberg Drive within the existing transportation right-of-way. In accordance with Minnesota's Outdoor Recreation Grant Program guidelines, the FTA and Council found the Project would not impact the following elements:

- The Project would not require additional right-of-way in this area, and it would not change any part of the Tamarack Nature Preserve to a non-outdoor recreational use
- The Project would not require use of the Tamarack Nature Preserve for construction-related or other temporary activities
- The Project would not affect access to or other reasonable use of the Tamarack Nature Preserve

Build Alternative 1 would not result in a conversion of the Tamarack Nature Preserve and thus would not conflict with Outdoor Recreation Grant Program guidelines; therefore, Build Alternative 1 would not produce impacts to Section 6(f) resources.

## 8.5.3. Build Alternative 2 (A2-BC-D3)

Build Alternative 2 would not convert Battle Creek Regional Park or Tamarack Nature Preserve and thus would not conflict with Outdoor Recreation Grant Program guidelines; therefore, Build Alternative 2 would not produce impacts to Section 6(f) resources.

## 8.6. Avoidance Alternatives

Because the FTA and Council anticipate that Project-related impacts to and use of parks and recreational areas would be a use under Section 4(f) with *de minimis* impacts, they do not require avoidance alternatives.

## 8.7. Measures to Minimize Harm

### 8.7.1. Parks and Recreational Areas

The Build Alternatives would not use 13 of 16 Section 4(f) or Section 6(f) resources in the Project limits of disturbance. A preliminary *de minimis* determination has been made for the proposed guideway and related infrastructure at Johnson Parkway, including construction of guideway, storm sewer pipes and a sidewalk and temporary closure of the trail; the proposed stormwater facility and temporary trail closure in Menomini Park; and the temporary multiuse trail closure on Bielenberg Drive. The FTA and Council are coordinating with local OWJs to further minimize harm to these Section 4(f) resources.

For Johnson Parkway, the Project includes steepened grading slopes from 6:1 to 4:1 to reduce the grading footprint in the parkway. The Council will grade slopes to match into the existing landform and restore landscaping consistent with the existing parkway setting. Removal of vegetation and introduction of built features would be addressed through the implementation of design and landscaping that is appropriate for the location. Vegetation would be retained and restored, as appropriate. Landscape plans for areas adjacent to elevated structures, retaining walls, and noise walls would be developed. The Council will provide parkland diversion for impacts within



parkland per city charter Section 13.01.0, Disposal or Diversion of Park Property. The Council will coordinate with the City of Saint Paul Parks & Recreation Department during the Engineering Phase to define the landscape and planting plan for the park space. While the anticipated closure of the Johnson Parkway Regional Trail would be temporary, the FTA and Council propose the following measures to reduce the impact of the closure:

- The proposed detour to Earl Street over I-94 via 3<sup>rd</sup> Street to Burns Avenue provides trail-users an alternate travel route
- Duration of closure would be as short as practicable
- The Council would communicate with the public about the closures and associated detours in advance
- The trail would be restored to pre-construction conditions

To minimize impacts of the stormwater facility on natural areas in Menomini Park, the Council will restore natural landscaping in disturbed areas, and the new stormwater facility would be reseeded with a native vegetation mix of herbaceous species. The Council will coordinate with the City of Woodbury during the Project Development and Engineering phases to finalize the stormwater facility location to further minimize impacts to mature trees and define a landscape and planting plan for the area disturbed by construction. While the anticipated closure of the trail in Menomini Park would be temporary, the FTA and Council propose the following measures to reduce the impact of the closure:

- The proposed detour via Woodbine Court, Sherri Lane, Edgewood Avenue to Meadow Lane provides trail-users an alternate travel route to Menomini Park
- Duration of closure would be as short as practicable
- The Council would communicate with the public about the closures and associated detours in advance
- The trail would be restored to pre-construction conditions

While the FTA and Council anticipate the closure of the multiuse trail on Bielenberg Drive would be temporary, no feasible trail detours exist in the immediate area during construction. The FTA and Council propose the following measures to reduce the impact of the closure:

- Duration of closure would be as short as practicable
- The Council would communicate with the public about the closure in advance
- The trail would be restored to pre-construction conditions, including restoring the boulevard between the trail and Bielenberg Drive

## 8.8. Coordination

Project staff met with OWJs to review Project-related impacts to and potential use of parks and recreation areas.

### 8.8.1. Parks and Recreational Resource Coordination

- On Aug. 29, 2018, Project staff met with the City of Oakdale to review the Project features as they relate to the City-owned Powerline Park. Based on initial review, the City concurred that the Project would avoid impacts to the park by maintaining the alignment within existing transportation rights-of-way. A proposed stormwater detention pond along 4th Street North would be placed outside of park boundaries.



- On Sept. 4, 2018, Project staff met with the City of Saint Paul Planning & Economic Development and Public Works departments to review the Project features in relation to City-owned parks and recreational facilities. Based on initial review of the Project, the City of Saint Paul concurred that the Project's alignment and stations avoid impacts by containing operations to within existing transportation rights-of-way. The team also discussed historic properties that are undergoing additional Section 106 review and consultation between MnDOT CRU and MnSHPO (see **Section 8.8.2**).
- On Sept. 13, 2018, Project staff met with the City of Maplewood to review the Project features in relation to Battle Creek Park and the historic 3M campus. The Project would avoid the park, which Ramsey County owns, and MnDOT CRU is conducting additional Section 106 consultation for the 3M campus (see **Section 8.8.2**).
- On Sept. 13, 2018, Project staff met with the City of Woodbury to review the Project features as they relate to City-owned parks and recreational facilities, including the proposed stormwater pond and access road at Menomini Park. Based on initial review, the Project impacts may not adversely affect the activities, features, or attributes qualifying a park, recreation area or refuge for protection under Section 4(f). The City indicated a *de minimis* finding for Section 4(f) impacts may be appropriate for Menomini Park, pending formal public input on impacts and implementation of effort to minimize and mitigate impacts (see **Section 8.7**).

The multiuse trail reconstruction along Bielenberg Drive was also reviewed. The City indicated a *de minimis* finding for Section 4(f) impacts may be appropriate for the multiuse trail, pending formal public input on impacts and implementation of effort to minimize and mitigate impacts (see **Section 8.7**). The City has also initially indicated that temporary closure and construction impacts at the multiuse trail on Bielenberg Drive would be minor and not providing a detour would be acceptable if the closure time is minimized to the extent possible.

- On Jan. 9, 2019, Project staff met with the City of Saint Paul Planning & Economic Development and Public Works departments to review the Project features as they relate to Johnson Parkway and surrounding park space. Based on initial review, the Project impacts may not adversely affect the activities, features, or attributes qualifying a park, recreation area or refuge for protection under Section 4(f). The City indicated a *de minimis* finding for Section 4(f) impacts may be appropriate for Johnson Parkway and the surrounding park space, pending formal public input on impacts and implementation of efforts to minimize and mitigate impacts (see **Section 8.7**).
- On April 2, 2019, Project staff met with the City of Saint Paul Planning & Economic Development and Public Works departments to review the short-term impacts to the Johnson Parkway Regional Trail from Project construction. Based on initial review, the Project impacts may not adversely affect the activities, features, or attributes qualifying a park, recreation area or refuge for protection under Section 4(f). The City indicated a *de minimis* finding for Section 4(f) impacts may be appropriate for the trail, pending formal public input on impacts and implementation of efforts to minimize and mitigate impacts (see **Section 8.7**).



- On April 26, 2019, Project staff met with the City of Saint Paul Planning & Economic Development and Parks & Recreation departments to review the guideway, sidewalk and temporary impacts to the regional trail at Johnson Parkway and surrounding park space. Based on initial review, the Project impacts may not adversely affect the activities, features, or attributes qualifying a park, recreation area or refuge for protection under Section 4(f). The city indicated a *de minimis* finding for these Section 4(f) impacts may be appropriate for Johnson Parkway and the surrounding park space, pending formal public input on impacts and implementation of efforts to minimize and mitigate impacts (see **Section 8.7**). Project staff also discussed a proposed stormwater biofiltration basin on the western edge of Johnson Parkway, west of Griffith Street. The city did not agree with a preliminary *de minimis* finding for the stormwater basin. Therefore, Project staff and the city agreed to evaluate locating the stormwater basin on a different city-owned parcel that is not parkland. This parcel is located to the northwest of the park space (see **Figure 8.3-3**). Storm sewer pipes would be a permanent easement across the park property to access the stormwater basin. The city indicated a *de minimis* finding for the stormwater pipes may be appropriate pending review of engineering plans.
- On April 30, 2019, Project staff provided **Figure 8.3-3** to the City of Saint Paul Parks & Recreation Department to review the proposed location of the stormwater pond outside of Johnson Parkway and surrounding park space and storm sewer pipes located within park space for access to the stormwater pond. The city responded that a *de minimis* finding for this Section 4(f) impact would be appropriate for Johnson Parkway and the surrounding park space, pending formal public input on impacts and implementation of efforts to minimize and mitigate impacts (see **Section 8.7**).

## 8.8.2. Historic Properties Coordination

The MnDOT CRU, on behalf of the FTA and Council, will complete Section 106 consultation with the consulting parties in accordance with the terms of the PA for the Project, which the FTA, Council and MnSHPO will execute.



*Gold Line*

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

**Appendix A: Environmental Assessment Technical Reports**

Attachment A-8-1:

**Section 4(f) Official With Jurisdiction  
Consultation Meeting Materials**

March 2019



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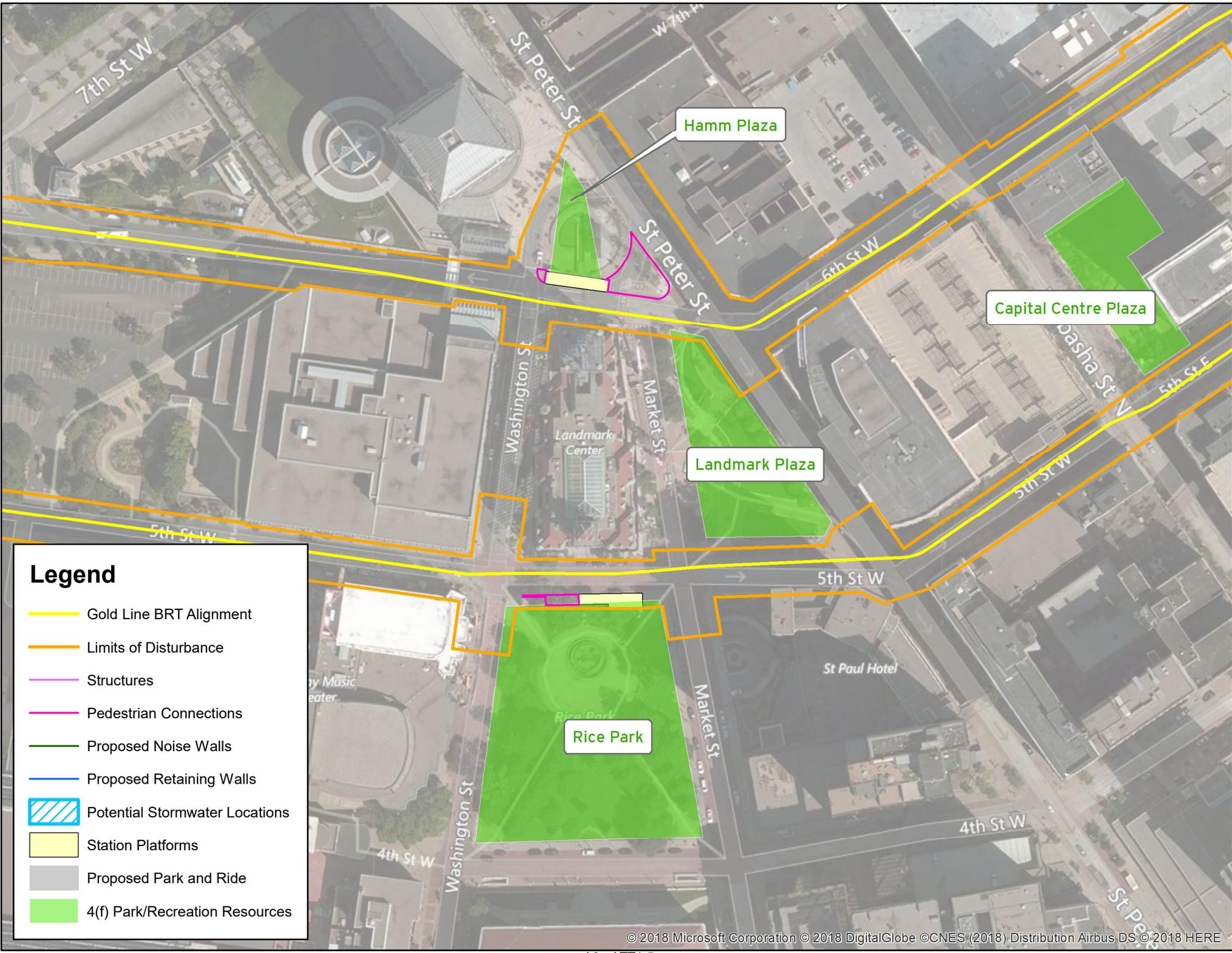
BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

## **Section 4(f) Resources Overview Maps** (as presented to St. Paul – 9/4/18 and Woodbury – 9/13/18)



### Legend

- Gold Line BRT Alignment
- Limits of Disturbance
- Structures
- Pedestrian Connections
- Proposed Noise Walls
- Proposed Retaining Walls
- Potential Stormwater Locations
- Station Platforms
- Proposed Park and Ride
- 4(f) Park/Recreation Resources



**Legend**

- Gold Line BRT Alignment
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- Station Platforms
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**Legend**

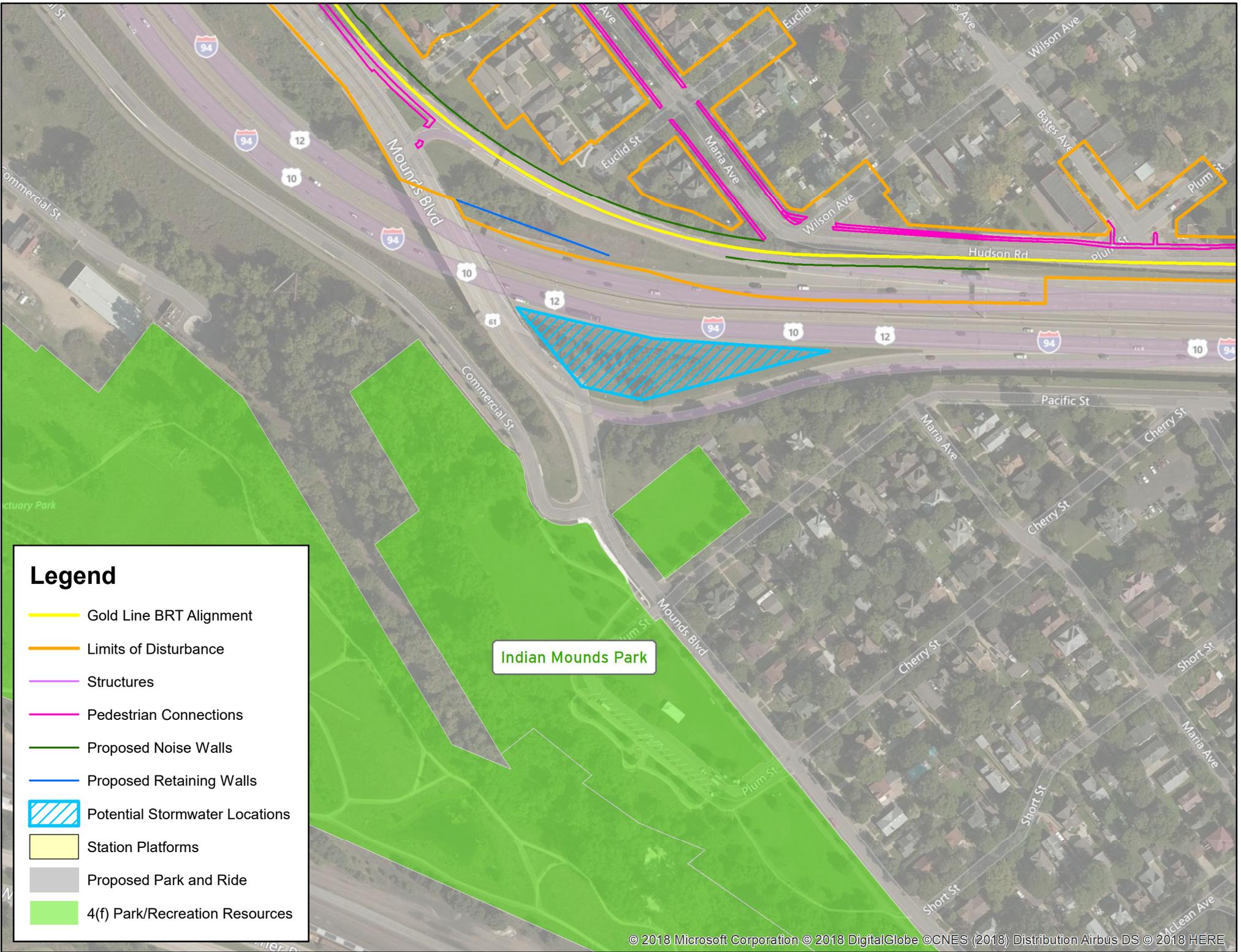
-  Gold Line BRT Alignment
-  Limits of Disturbance
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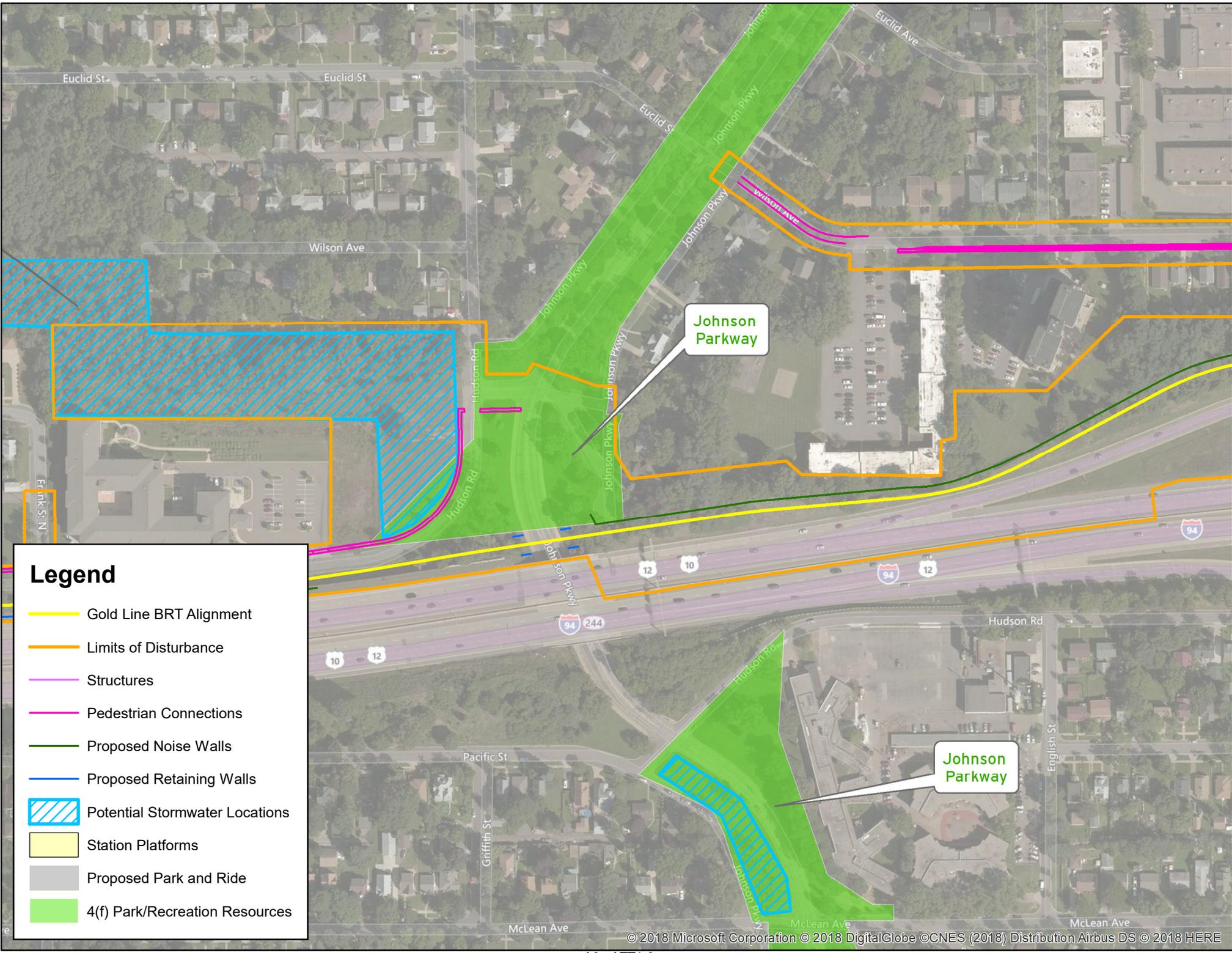
Bruce Vento  
Nature Sanctuary



### Legend

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Indian Mounds Park



**Legend**

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Johnson Parkway

Johnson Parkway

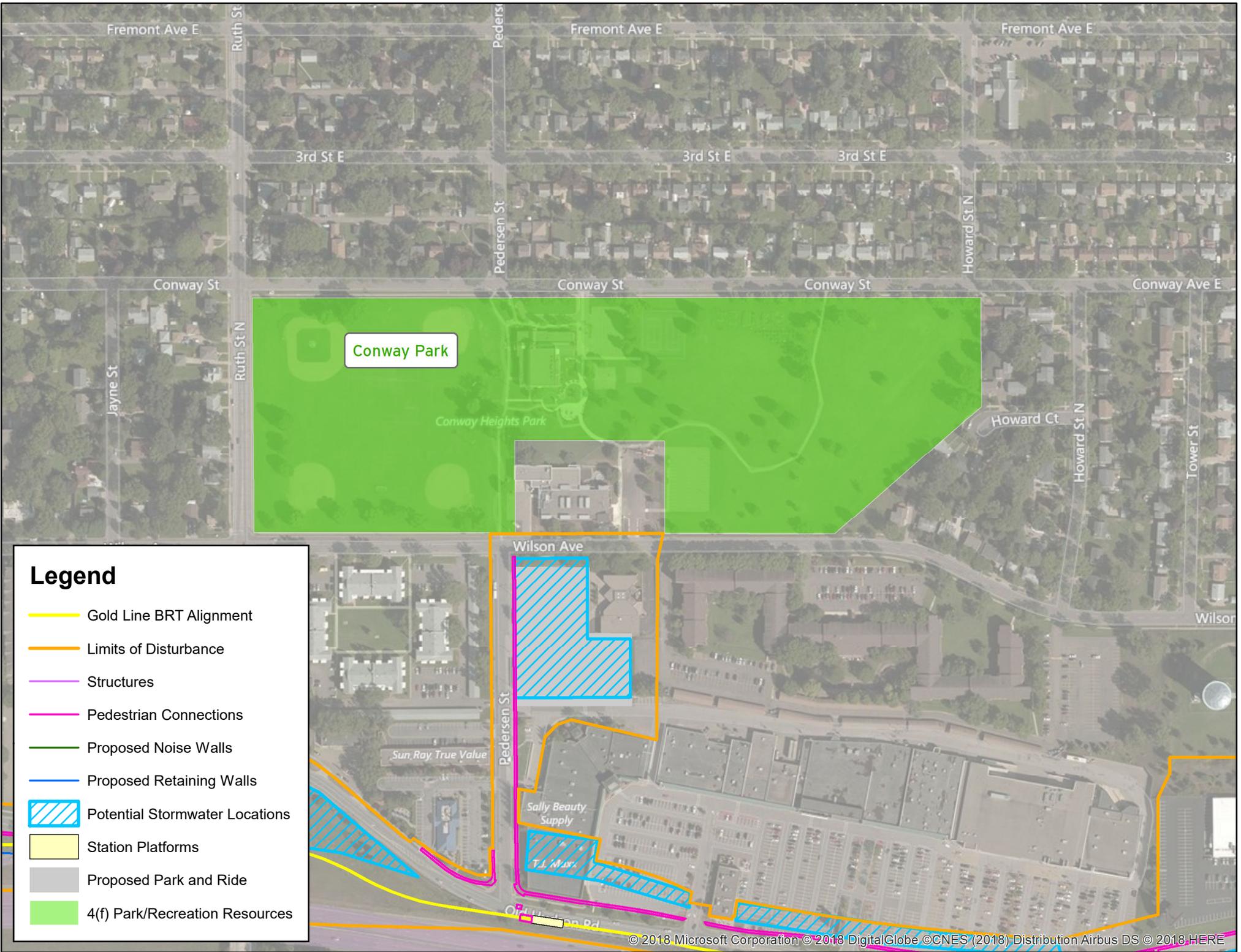


**Legend**

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- Proposed Noise Walls
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- ▨ Potential Stormwater Locations
- Station Platforms
- Proposed Park and Ride
- 4(f) Park/Recreation Resources

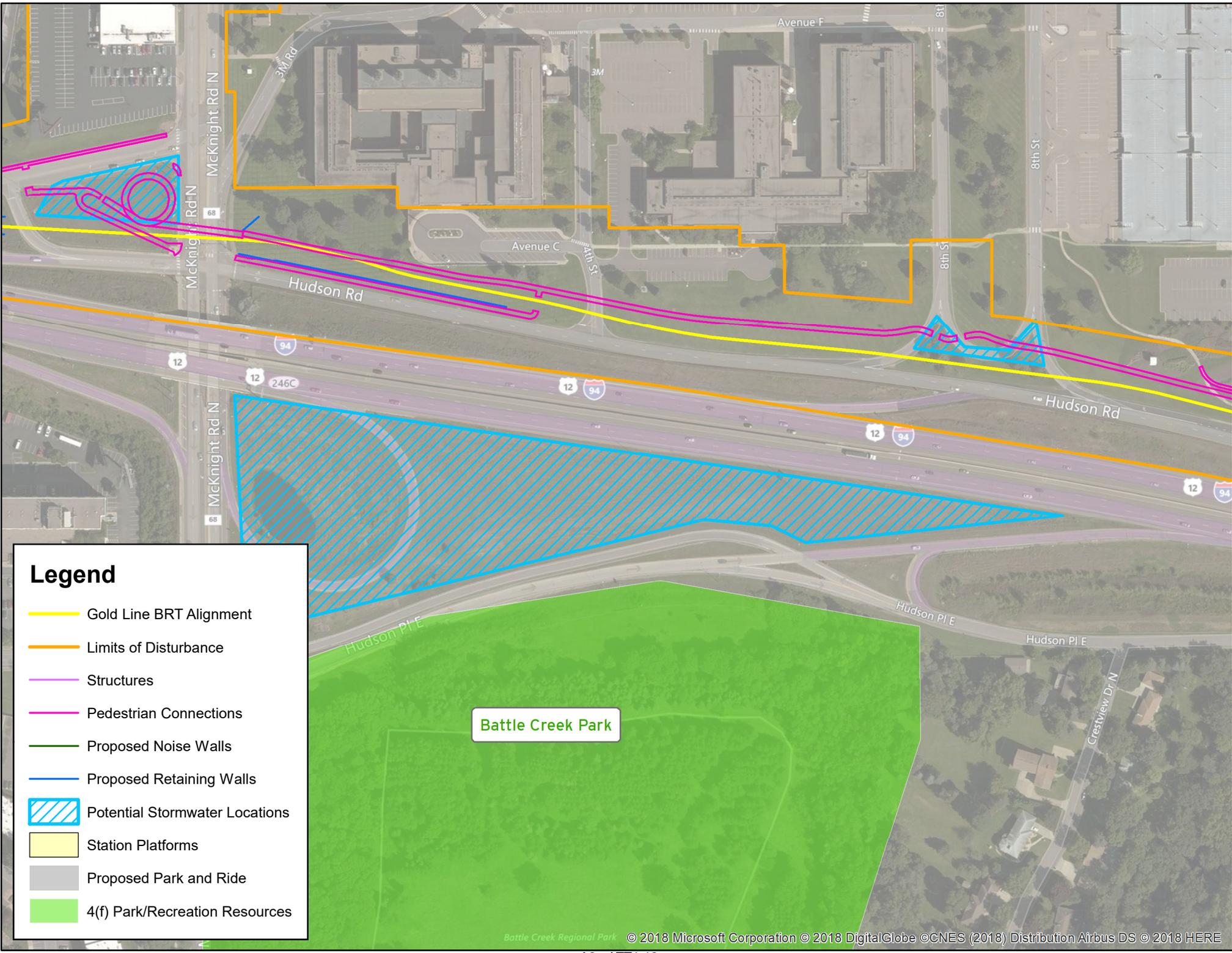
Indian Mounds Park

Battle Creek Park



**Legend**

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- Limits of Disturbance
- Structures
- Pedestrian Connections
- Proposed Noise Walls
- Proposed Retaining Walls
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### Legend

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- Potential Stormwater Locations
- Station Platforms
- Proposed Park and Ride
- 4(f) Park/Recreation Resources

Battle Creek Park

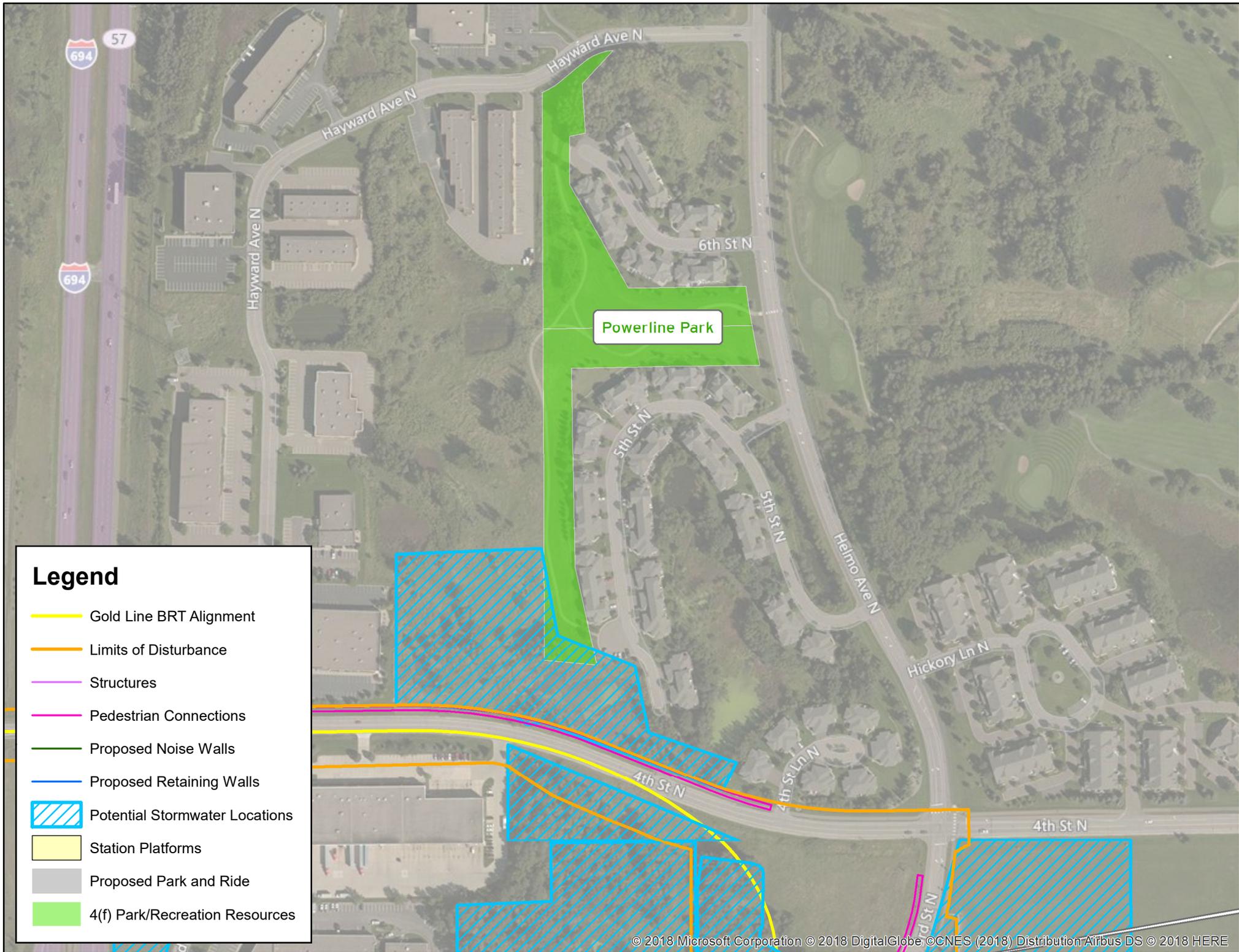


**Legend**

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- Limits of Disturbance
- Structures
- Pedestrian Connections
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- Proposed Retaining Walls
- Potential Stormwater Locations
- Station Platforms
- Proposed Park and Ride
- 4(f) Park/Recreation Resources

Menomini Park

Battle Creek Lake



**Legend**

- Gold Line BRT Alignment
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**Legend**

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- 4(f) Park/Recreation Resources

Tamarack Nature Preserve



*Gold Line*

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

## **Saint Paul Section 4(f) Resources Overview Packet** (as presented on 9/4/18)



# CITY OF ST. PAUL

This packet is intended to provide an overview of potential Section 4(f) resources evaluated as part of the Gold Line Bus Rapid Transit Project.

## 1. SECTION 4(f) RESOURCES IDENTIFIED

Below is a table of properties that will be evaluated for potential Section 4(f) use in the City of St. Paul. The status of impacts is preliminary and for discussion purposes only. This will advance with design refinements and will be included in the analysis in the EA.

Resource	Address	Description	Project Interaction	Status
<b>Park/Recreation/Wildlife &amp; Waterfowl Refuge Properties</b>				
Cleveland Circle	5 <sup>th</sup> and 7 <sup>th</sup> Streets W, Saint Paul	Three public gardens and open lawns on three corners of the intersection; designated a City of Saint Paul park <sup>A</sup>	Alignment travels through Cleveland Circle within existing right of way. The current limits of disturbance intersect with existing open space.	Avoid potential <i>de minimis</i> impact <sup>1</sup> by maintaining alignment within existing transportation right of way.
Hamm Memorial Plaza	99 6 <sup>th</sup> Street W, Saint Paul	Small seating area with trees, benches, and water feature; a City of Saint Paul park <sup>A</sup>	Current limits of disturbance includes the plaza associated with BRT stop and pedestrian connections at the plaza.	Avoid potential <i>de minimis</i> impact <sup>1</sup> by maintaining BRT station stop and alignment within existing transportation right of way.
Landmark Plaza	379 Saint Peter Street, Saint Paul	Green lawns, trees, and public art fronting historic Landmark Center; converted to a free ice skating rink in the winter months; a City of Saint Paul park <sup>A</sup>	Current limits of disturbance includes portions of Landmark Plaza.	Avoid potential <i>de minimis</i> impact <sup>1</sup> by maintaining alignment within existing transportation right of way.
Rice Park	109 4 <sup>th</sup> Street W, Saint Paul	Bounded by the Saint Paul Hotel, Landmark Center,	Current limits of disturbance touches Rice Park. BRT stop	Avoid potential <i>de minimis</i> impact <sup>1</sup> by



		Ordway Center for the Performing Arts, and the Downtown Central Library, home to a fountain and shaded lawns; a City of Saint Paul park <sup>A</sup>	and pedestrian connections at the park along 5 <sup>th</sup> Street.	maintaining BRT station stop and alignment within existing transportation right of way.
Capital Centre Plaza	376 Wabasha Street N, Saint Paul	Plaza with trees, benches, and public art, colloquially known as Ecolab Plaza; a City of Saint Paul park <sup>A</sup>	Adjacent to current limits of disturbance.	No impact anticipated.
Mears Park	221 5 <sup>th</sup> Street E, Saint Paul	Urban park covering one city block featuring a covered band shell, seasonal flower gardens, and shaded seating areas, with a stream running diagonally through; a City of Saint Paul park <sup>A</sup>	Adjacent to current limits of disturbance.	No impact anticipated.
Depot Tot Lot	4th St E & N Sibley St, Saint Paul	Transportation themed playground with benches. A city of St. Paul Park. <sup>A</sup>	Adjacent to current limits of disturbance.	No impact anticipated.
Bruce Vento Nature Sanctuary	4 <sup>th</sup> Street and Commercial Street, Saint Paul	29-acre park just east of downtown Saint Paul; part of the Bruce Vento Regional Trail corridor and a component of the regional parks system, governed by the <i>2040 Regional Parks Policy Plan</i> ; purchased by the City in 2005, the former commercial area is being restored with native	Alignment travels on Kellogg Blvd, over the sanctuary.	No impact anticipated.



		plantings and interpretations of the site's significance to Native Americans <sup>A</sup> & <sup>B</sup>		
Indian Mounds Regional Park	10 Mounds Boulevard, Saint Paul	A regional park with six Native American burial mounds, biking and hiking trails, overlooks, a playground, public art, restrooms and picnic areas with shelters. <sup>A</sup>	In close proximity to current limits of disturbance.	No impact anticipated.
Johnson Parkway	Johnson Parkway at I-94, Saint Paul	Part of Saint Paul Grand Rounds, a chain of parkways connecting Saint Paul's lakes and the Mississippi River <sup>C</sup>	Portions of the parkway are within the current limits of disturbance. BRT crosses the parkway on new structure within I-94 right of way. City Attorney's Office determined that the Project's physical encroachment at Johnson Parkway is completely within the MnDOT I-94 ROW, and does not count as a parkland diversion.	Maintain alignment within existing transportation right of way. No impact anticipated.
Conway Park	2090 Conway Avenue, Saint Paul	Park featuring baseball field, basketball court, community garden, football field, soccer fields, softball fields, tennis courts, and a splash pad; Conway Community Recreation Center is on site and the Sun Ray Library is surround by the park on three sides; a City of Saint Paul park <sup>A</sup>	Adjacent to current limits of disturbance.	No impact anticipated.

**Historic Properties**



Lowertown Historic District	Vicinity of Kellogg Boulevard and Jackson, 7 <sup>th</sup> , and Broadway Streets, Saint Paul	16-block warehousing and wholesaling district comprises 37 properties built between 1870-1920; listed on the NRHP for significance of its river and rail connections, economic impact, architecture, and urban planning <sup>D</sup>	BRT alignment travels through the district using 5 <sup>th</sup> Street and 6 <sup>th</sup> Street	Section 106 determination of effect analysis in process
Union Depot in Saint Paul	214 E 4 <sup>th</sup> Street, Saint Paul	Classical Revival stone passenger terminal/freight depot designed by Charles Frost and built between 1917 and 1923 by seven railroads serving Saint Paul <sup>D</sup>	Adjacent to alignment and serves as station	Section 106 determination of effect analysis in process
Union Depot Historic District (Union Depot Elevated Rail Yards)	Roughly bounded by Shepard Road and Wacouta, 4 <sup>th</sup> , and Sibley Streets, Saint Paul	Designed by Frederick Mears and constructed circa 1920 <sup>D</sup>	Adjacent to alignment and serves as station	Section 106 determination of effect analysis in process
Urban Renewal Historic District	Roughly bounded by Kellogg Boulevard and Jackson, 6 <sup>th</sup> , and Wabasha Streets, Saint Paul	Dense commercial area of Modern-era mid- to high-rise buildings constructed between 1955 and 1974 as part of a national response to the US Housing Act of 1949, which formalized urban renewal as a public policy <sup>D</sup>	Alignment travels through the district with stations	Section 106 determination of effect analysis in process
Rice Park Historic District	Includes five properties adjacent to	Includes Rice Park, Landmark Center, Minnesota Club,	Alignment travels through the district with stations	Section 106 determination of



	Rice Park, Saint Paul	Saint Paul Public Library/James J. Hill Reference Library, and Tri-State Telephone Company Building <sup>D</sup>		effect analysis in process
Rice Park	Market Street and 5 <sup>th</sup> Street W, Saint Paul	Constructed in 1849 through a donation by Henry M. Rice and John M. Irvine <sup>D</sup>	New BRT alignment and station at 5 <sup>th</sup> Street	Section 106 determination of effect analysis in process
US Post Office, Courthouse, and Customs House (Landmark Center)	75 5 <sup>th</sup> Street W, Saint Paul	Chateausque granite building with clock towers and ornate interiors designed by Willoughby J. Edbrooke and built in 1894 <sup>D</sup>	BRT alignment on 6 <sup>th</sup> Street and 5 <sup>th</sup> Street with stations on both sides of the Landmark Center	Section 106 determination of effect analysis in process
Saint Paul Public Library/James J. Hill Reference Library	80-90 W 4 <sup>th</sup> Street, Saint Paul	Renaissance Revival marble building housing two libraries, one endowed by railroad magnate Hill; designed by Electus D. Litchfield and built in 1917 <sup>D</sup>	1 block south of alignment (along 5 <sup>th</sup> Street) and limits of disturbance	Section 106 determination of effect analysis in process
Hamm Building	408 Saint Peter Street, Saint Paul	Built between 1915 and 1920, the Renaissance Revival office building is clad in terra cotta and was the first to use a new type of glazing called “pulsichrome” that was created especially for the building <sup>D</sup>	Adjacent to BRT alignment at St. Peter Street and 6 <sup>th</sup> Street.	Section 106 determination of effect analysis in process
Saint Paul Athletic Club	340 Cedar Street	Renaissance Revival style building constructed in 1916-1918 <sup>D</sup>	½-block south of the alignment (along 5 <sup>th</sup> Street) and station	Section 106 determination of effect analysis in process



First Farmers and Merchants Bank /First National Bank	332 Minnesota Street and 339 Robert Street North, Saint Paul	Art Deco style building constructed in 1931 <sup>D</sup>	Directly adjacent to alignment at 5 <sup>th</sup> Street	Section 106 determination of effect analysis in process
Saint Paul Hotel	350 Market Street, Saint Paul	Renaissance Revival style building constructed in 1909-1910 <sup>D</sup>	Directly adjacent to alignment at 5 <sup>th</sup> Street	Section 106 determination of effect analysis in process
Manhattan Building \	360 Robert Street North	1890 multi-story commercial building that is an example of the commercial buildings constructed in Saint Paul during a decade-long building boom; also significant for its association with architect Clarence H. Johnston, Sr. and for its use of the Renaissance Revival style <sup>D</sup>	Manhattan Building (DT StP IRT)	360 Robert Street North
Germania Bank	6 Fifth Street West, Saint Paul	Last remaining of the city's brownstone "skyscrapers" was built in 1889 in a combination of the Richardsonian Romanesque and Italian Renaissance styles <sup>D</sup>	South of BRT alignment (along 5 <sup>th</sup> Street)	Section 106 determination of effect analysis in process
Degree of Honor Protective Association Building	325 Cedar Street, Saint Paul	1961 building built to serve as the national headquarters for the Degree of Honor Protective Association, a woman's fraternal benefit society <sup>D</sup>	1 block south of the BRT alignment (along 5 <sup>th</sup> Street)	Section 106 determination of effect analysis in process



Osborn Building (DT StP IRT)	390 Wabasha Street North, Saint Paul	Designed in 1968 to serve as the headquarters for Economics Laboratory, Inc. (now Ecolab), the property is an example of an International Style skyscraper and served as the centerpiece for Saint Paul's "Capital Centre" urban renewal program <sup>D</sup>	Adjacent to BRT alignment along 5th Street	Section 106 determination of effect analysis in process
Mutual Life Insurance Company Building	345 Cedar Street, Saint Paul	Built in 1955, the property served as the home for the largest insurance company in the city and is an excellent example of an International Style office building <sup>D</sup>	Adjacent to BRT alignment along 5 <sup>th</sup> Street	Section 106 determination of effect analysis in process
Pioneer Press and Endicott Buildings	332 Robert Street North and 142 Fifth Street East, Saint Paul	Multi-story commercials buildings constructed between 1889 and 1910 that are significant both for their design and for their role in Saint Paul's late 19th century commercial boom <sup>D</sup>	BRT alignment along 5 <sup>th</sup> Street is adjacent to the Endicott Building and 1 block north of the Pioneer Press Building	Section 106 determination of effect analysis in process
Merchants National Bank Building	366–368 Jackson Street, Saint Paul	1892 Romanesque Revival commercial building is significant for its architectural design and for serving as a financial, political, and legal center during a period of profound growth in Saint Paul <sup>D</sup>	Adjacent to BRT alignment along 5 <sup>th</sup> Street.	Section 106 determination of effect analysis in process



U.S. Post Office and Custom House	180 Kellogg Boulevard East, Saint Paul	Served as the center of Saint Paul's postal operations from 1934 until 2010 <sup>D</sup>	Adjacent to BRT alignment (near turn at Kellogg/Sibley)	Section 106 determination of effect analysis in process
Finch, VanSlyck and McConville Dry Goods	366 Wacouta Street, Saint Paul	1911 reinforced concrete warehouse built to house the city's largest dry goods wholesaler; also significant for its structural design by C.A.P. Turner <sup>D</sup>	Adjacent to BRT alignment (near turn at 5th/Wacouta)	Section 106 determination of effect analysis in process
Mickey's Diner	36 7 <sup>th</sup> Street W, Saint Paul	Dining car restaurant; the only building of its kind in the state <sup>D</sup>	1 block northwest of the alignment (along 6 <sup>th</sup> Street) and limits of disturbance	Section 106 determination of effect analysis in process
Tandy Row	668–674 Fourth Street East, Saint Paul	1888 building is an excellent example of Queen Anne style row house and of a design by architect John H. Cox <sup>D</sup>	1 block north of the BRT alignment near the turn at Kellogg/Mounds	Section 106 determination of effect analysis in process
Peter Bott House and Garage	326 Maria Avenue, Saint Paul	Ca. 1879 residence is a significant local example of a type of three-bay, hip, or gable-roofed Italianate style house built for Dayton's Bluff's <sup>D</sup>	2 blocks north of the BRT alignment near the turn at Kellogg/Mounds	Section 106 determination of effect analysis in process
Frederick Reinecker House #2	700 Third Street East, Saint Paul	1886 residence is an example of the pattern book-influenced Queen Anne houses of the 1880s Dayton's Bluff building boom <sup>D</sup>	2 blocks west of the BRT alignment near the turn at Kellogg/Mounds	Section 106 determination of effect analysis in process
Frederick Reinecker House #1	702 Third Street East, Saint Paul	1883 residence is an example of the pattern book-influenced Queen	2 blocks east of the BRT alignment near the turn at Kellogg/Mounds	Section 106 determination of effect analysis in process



		Anne houses of the 1880s Dayton's Bluff building boom <sup>D</sup>		
Bell-Weber House	661 Third Street East, Saint Paul	Ca. 1871 residence is a distinctive example of the Saint Paul/Dayton's Bluff Italianate style houses built by middle class residents during this period <sup>D</sup>	½-block east of the BRT alignment near the turn at Kellogg/Mounds	Section 106 determination of effect analysis in process
Euclid View Flats	234-238 Bates Avenue, Saint Paul	Apartment building designed to appeal to middle class, constructed 1894-1895 in a Queen Anne/Romanesque Revival style <sup>D</sup>	Building is 2 blocks north of alignment (at Hudson Road) outside of limits of disturbance	Section 106 determination of effect analysis in process
SchorNSTein Grocery and Saloon	707 E Wilson Avenue/223 N Bates Avenue, Saint Paul	Ornate 1884 Victorian commercial building with design by Augustus Gauger <sup>D</sup>	Building is 1 blocks northeast of alignment (at Hudson Road) outside of limits of disturbance	Section 106 determination of effect analysis in process
Giesen-Hauser House	827 Mound Street, Saint Paul	Queen Anne brick residence designed in 1891 by Albert Zschocke for bookbinder/publisher Peter Giesen; later owned by contractor Eric Hauser <sup>D</sup>	Pedestrian bridge at Mounds and Maple limits of disturbance adjacent to property	Section 106 determination of effect analysis in process
Johnson Parkway	Between Burns Avenue and Wheelock Parkway, Saint Paul	Linear green built in 1914-1915 <sup>D</sup>	Portions of the parkway are within the current limits of disturbance. BRT crosses the parkway on new structure within I-94 right of way.	Section 106 determination of effect analysis in process
Grace Lutheran Church	1730 Old Hudson Road, Saint Paul	Mid-Century Modern style building constructed from 1959-1961 <sup>D</sup>	Adjacent to alignment along and limits of disturbance	Section 106 determination of effect analysis in process



			Adjacent to alignment along 5 <sup>th</sup> Street	Section 106 determination of effect analysis in process
New Palace Theater / St. Francis Hotel	1–33 Seventh Place West, Saint Paul	The 1916 Beaux Arts style property was an early mixed-use building designed to combine theaters, retail space, and a hotel under one roof <sup>D</sup>	½-block north of BRT alignment and station at Hamm Plaza	Section 106 determination of effect analysis in process
Phalen Creek Tunnel	Approximately 600 Fourth Street East, Saint Paul	Last point in Saint Paul where the creek, which served as an important landmark in the city’s early history, is still visible; significant engineering design <sup>D</sup>	BRT alignment runs south of the visible portion along the elevated Kellogg Boulevard	Section 106 determination of effect analysis in process
Texas Company Service Station	847 Hudson Road, Saint Paul	1929 service station built in the Pueblo Revival style to serve the busy Hudson Road automobile corridor <sup>D</sup>	Adjacent to BRT alignment at Hudson Road and Bates Avenue	Section 106 determination of effect analysis in process

Sources:

A: *Find a Park or Facility*. City of St. Paul. Available at: <https://www.stpaul.gov/departments/parks-recreation/parks/facilities>

B: *Bruce Vento Nature Sanctuary*. National Park Service. Available at: <https://www.nps.gov/miss/playourvisit/ventosanctuary.htm>

C: *Saint Paul Grand Round*. City of St. Paul. Available at: <https://www.stpaul.gov/departments/parks-recreation/design-construction/current-projects/saint-paul-grand-round>

D: *Historic Properties within the Gold Line APE*. Minnesota Department of Transportation Cultural Resources Unit.



## 2. SECTION 4(f) RESOURCES FOR FURTHER DISCUSSION

### 2.1 Forested Area North of Housing Development (South of Euclid between Earl St and Griffith Street)



#### PROPERTY INFORMATION

- Ownership: City of St. Paul.
- Use: existing use is undeveloped with future land use shown as “urban neighborhood”



- Not identified in any park plans reviewed
- Google Streetview indicates informal trails

## POTENTIAL PROJECT IMPACTS

Potential site for stormwater detention pond

## INFORMATION REQUESTED

- Confirmation of City's planned use for the site (urban neighborhood). What are the planned uses?
- Significance of the site for recreational use
- Comments in writing on the existing and planned used of the property, significance of the property as a recreational resource (if applicable) and comments on the proposed stormwater detention facility.
- Other documentation on use of property



*Gold Line*

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

**Saint Paul Issue Resolution Team  
Meeting No. 20 Meeting Notes (9/4/18)**

# Meeting Notes

**Title:** St. Paul Issue Resolution Team (IRT) – Meeting No. 20

**Date:** 09/04/2018

## Attendees

Gold Line Project Office	Chris Beckwith, Hally Turner, Marc Briese, Joe Klein, Chelsa Johnson, Nik Costello; Grant Wyffels, Tracy Fosmo, Lisa Wall, Sean Clarke, Andrea Arnoldi, Michael Jischke, Eric Schmidt (ESC); Chris Weyer, Nani Jacobson (HNTB)
City of St. Paul	Bill Dermody, Mark Finken
City of Maplewood	Steve Love
Ramsey County	Andy Gitzlaff, Joe Lux
MnDOT	Marcell Walker, Greg Mathis, Lee Williams

## McKnight Bridge

- Three pedestrian connection alternatives presented.
- **Switchback** → Shifted south to reduce 3M impacts but removes at-grade McKnight crossing.
  - All pedestrians traveling east-west from McKnight will be routed onto switchback.
  - Switchback + southern at-grade crossing will not advance due to higher 3M impacts and reduced benefits for east-west movement.
- **Parallel** → Includes southern at-grade crossing to serve east-west movements. At-grade crossing would be required to prevent pedestrians from doubling back to Sun Ray to access crossing.
  - Greatest potential impact to 3M campus.
- **No grade-separated crossing** → Northern and southern at-grade crossings proposed.
  - Trail north of guideway would require grading of 3M campus. 200' wall required approaching intersection which could create a tunneling effect.
  - Southern at-grade crossing would cross guideway west of first 3M driveway. Ramsey County not supportive of unsignalized crossing due to operational and safety concerns.
- Section 106/CRU analysis still underway. No alternatives can be eliminated due to 106/4(f) at this time.
- If switchback not included, southern at-grade crossing identified as most important to preserve Maplewood Station access.
- McKnight pedestrians are likely to approach on west side of road. MnDOT said that a trail along the east side of McKnight is very unlikely to be constructed.
- Parallel + at-grade, switchback + no at-grade, and northern at-grade only options will advance pending input on other east-west connections and Section 106 process.

## *Hudson Road (Etna to White Bear)*

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- ESC developed evaluation matrix comparing dedicated guideway and mixed-traffic alternatives.
- Site visit to Hudson Rd confirmed previous findings for impacts and helped inform matrix.
- Curb line would shift north under mixed traffic alternative, impacting six significant trees within right of way. Impacts to north of road could be minimized by spot reductions in on-street parking.
  - Dedicated guideway would shift curb line 8' north, increasing impacts to fencing and driveways that abut public right of way. Noncompliant garage would not be impacted as it would be 4' from curb face. Vegetation and several concrete steps would be removed.
  - 31 total trees impacted in mixed-traffic alternative. 56 would be removed for dedicated guideway (six of the 56 are ash)
- Striped gore assumed to separate traffic and dedicated guideway if alternative pursued.
  - 45 mph design speed not feasible without physical gore, which may reduce travel time benefits of dedicated guideway.
- GPO is meeting with CM Prince on two alternatives. CMC will be asked to confirm which design alternative should be included in EA scope.

## *St. Paul Traffic Meeting Debrief*

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- Project met with St. Paul traffic staff on 8/28.
- Some concerns expressed about Kellogg/Wacouta-Sibley routing and signal modifications, Mounds/Kellogg/guideway intersection, one-way conversion of Hudson Rd, design speeds where no physical barrier exists between road and guideway, and Old Hudson/Pedersen area.
  - Project can alleviate several of these concerns with additional modeling info at follow-up.
  - Concern that Hudson Rd conversion would increase cut-through traffic in neighborhood.
    - Community preference was strongly for one-way traffic to keep on-street parking.
    - Two-way road is feasible for design, but no traffic need.
    - Project could sign eastbound traffic from SB Earl to EB Euclid.
- **Nik will schedule follow-up meeting. ESC will explore alternatives for Hudson Rd conversion.**

## *Right of Way Overview*

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- Met Council will purchase right of way in their own name for this project.
- Approximately 250 parcels anticipated, including minor acquisitions and temporary easements. \$50-60 million budget currently anticipated for right of way acquisition.
- 20 months anticipated between preparing ROW package preparation and title & possession.
  - Right of way package would include title opinion, work map, field title, and attorney condition of title.
  - Project is currently identifying parcels for acquisition and doing title research.
- MnDOT will retain contractor to perform appraisals. Appraisal review certification will be completed by MnDOT counsel staff after review period ends.
- Met Council approval required for condemnation over \$1 million. FTA approval required for appraisals/offers over \$1 million and settlements > \$100,000 over certified offer.
  - Offers cannot be made until Record of Decision is issued.
- Offers will lead to direct purchase at certified amount or condemnation process.

- Uniform Relocation Act of 1970 requires compensation for relocation expenses including property search and reestablishment. MnDOT has relocation advisor to assist.
- Early acquisitions can be performed before ROD for protective buys, hardship, or corridor preservation.
- No expectation that the city will be required to purchase land within the corridor.
  - Cities *can* purchase property, however, but should coordinate with project before to not jeopardize NEPA process.

### Section 4(f) Update

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- Section 4(f) is an environmental law required for all DOT projects. Under 4(f) parks, wildlife refuges, water fowl refuges, and public/private historic properties cannot be used for transportation purposes unless no other alternative is available.
  - 4(f) resources identified by Metropolitan Council 2040 Parks Plan.
- Project is identifying areas along route that may trigger 4(f) review. No impacts anticipated for bulk of sites not covered under Section 106.
- If Section 106 finds any adverse effects for historic properties, 4(f) is triggered.
  - All potential sites in St. Paul (outside of Downtown) are in Dayton’s Bluff. Some may be removed pending removal of Maria Ave alternative.
  - 4(f) requires documentation that project is pursuing the only prudent and feasible alternative despite potential impacts. 45-day comment period would be required.
  - If 4(f) triggered, project would try to overlap EA and 4(f) comment periods.

### CMC Preview

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- Remainder of EA Scope will be presented at September meeting. Project will request confirmation of full EA scope and a decision on Mounds / Maria Station location.
- Edgar Torres (Kimley-Horn) will give presentation on dedicated guideway in project and benefits of situational mixed-traffic operations.
- Downtown routing alternatives under discussion but will not be discussed until October or November meetings.

### Action Items (new in italics)

Research previous scenarios of noise wall / project scope reimbursement	MnDOT
Determine whether MSA designation variances would be needed on Mounds	St. Paul
Determine whether express buses on guideway would benefit project rating	Gold Line
Share Gold Line Design Criteria with city after revisions completed	GPO
Provide schedule / geographic limits of 6 <sup>th</sup> Street test closure	Mark Finken
Schedule follow-up meeting with St. Paul Traffic staff	Nik Costello

### Next Meeting

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- Tuesday, September 18, 2018 – 12:30p-2:30p



*Gold Line*

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

## **Saint Paul Section 4(f) Resources Overview Packet** (as presented 1/9/19)



# CITY OF ST. PAUL

This packet is intended to provide an overview of potential Section 4(f) park and recreational resources evaluated as part of the Gold Line Bus Rapid Transit Project. Material in this document updates information related to Johnson Parkway from information presented in September 2018.

Historic properties listed on or eligible for listing on the National Register of Historic Places are also protected under Section 4(f). Assessment of historic properties, in compliance with Section 106 of the Historic Preservation Act, will be completed under a Programmatic Agreement between the FTA, Metropolitan Council (Council), MnDOT Cultural Resources Unit and the Minnesota State Historic Preservation Office. After FTA assesses the effects of the Project on historic properties under Section 106, it will evaluate if the effects constitute a use under Section 4(f). If FTA identifies a Section 4(f) use of a historic property, the Council will prepare a supplemental Section 4(f) evaluation for the historic property.

## 1. SECTION 4(f) RESOURCES IDENTIFIED

The analysis is based on 15% Concept Plans.

Resource	Address	Description	Project Interaction	Section 4(f) Use
<b>Park/Recreation/Wildlife &amp; Waterfowl Refuge Properties</b>				
Johnson Parkway	Johnson Parkway at I-94, Saint Paul	Part of Saint Paul Grand Round, a chain of parkways connecting Saint Paul's lakes and the Mississippi River	Alignment B would travel across the parkway, including a new BRT-exclusive bridge over park space and parkway street. Approximately 0.07 acres permanent easement for portion of alignment within Johnson Parkway right-of-way and reconstructed Wakefield Avenue cul-de-sac; approximately 0.27 acres of parkway right-of-way regraded for new BRT-exclusive bridge and reconstruction of Wakefield Avenue cul-de-sac.	<i>de minimis</i> impact

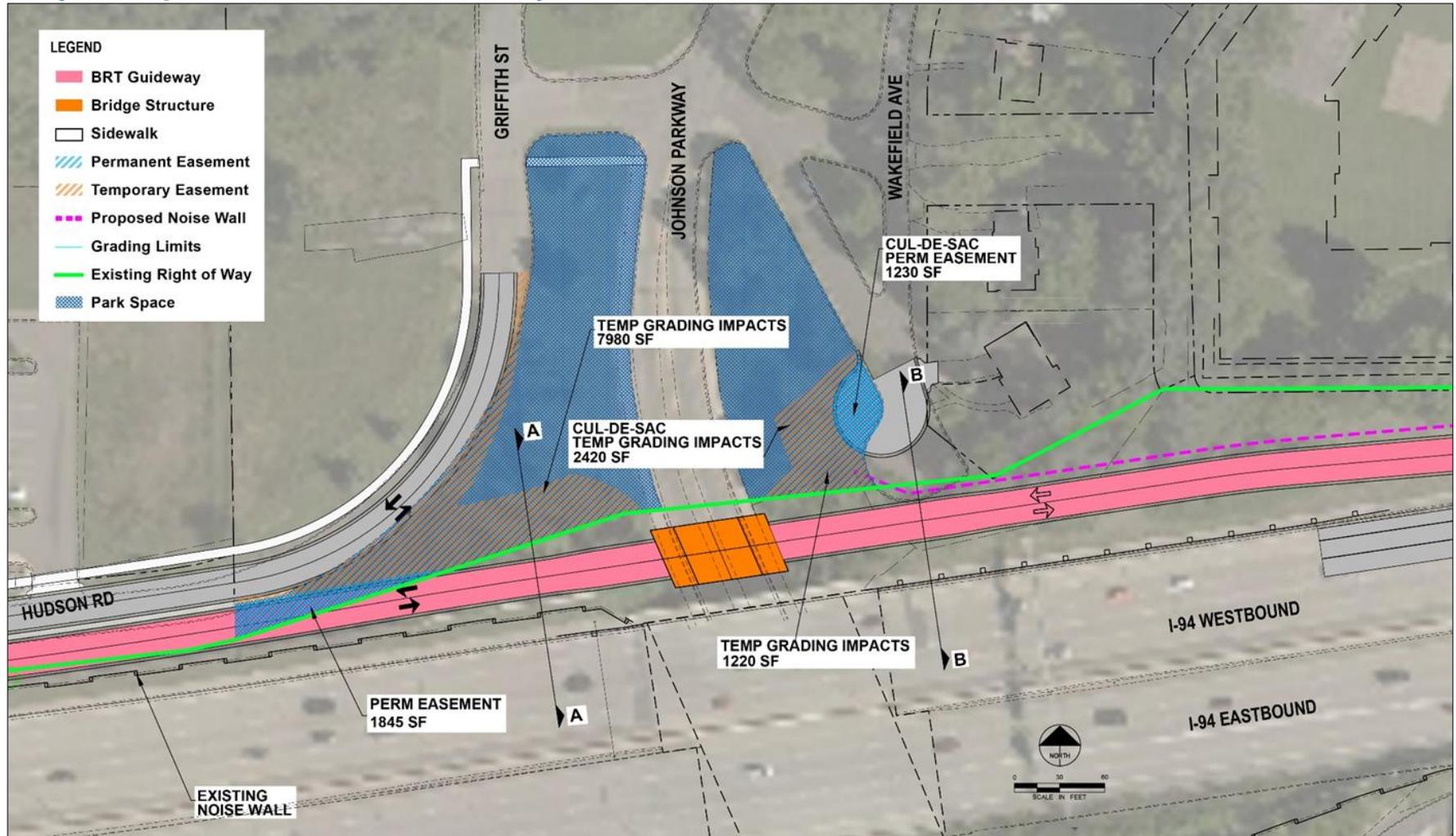
Source:

*Saint Paul Grand Round*. City of St. Paul. Available at: <https://www.stpaul.gov/departments/parks-recreation/design-construction/current-projects/saint-paul-grand-round>



## 2. SECTION 4(f) RESOURCES FOR FURTHER DISCUSSION - PARKS

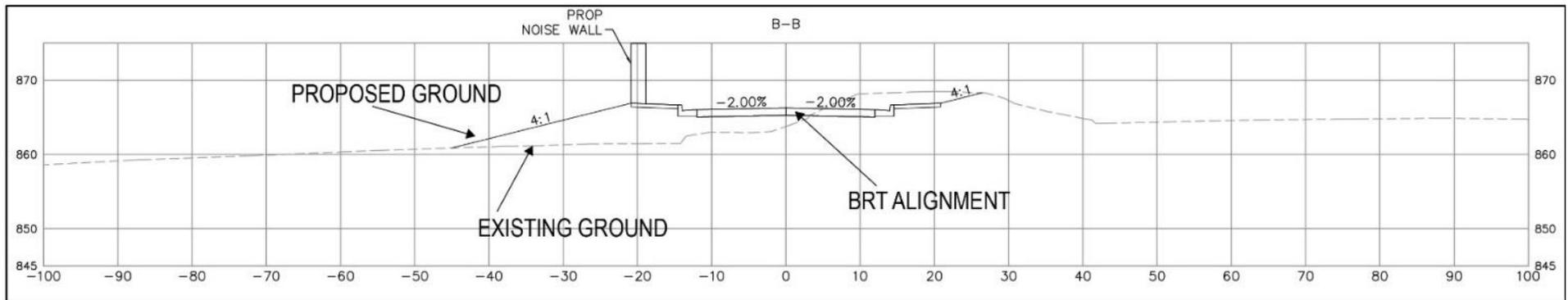
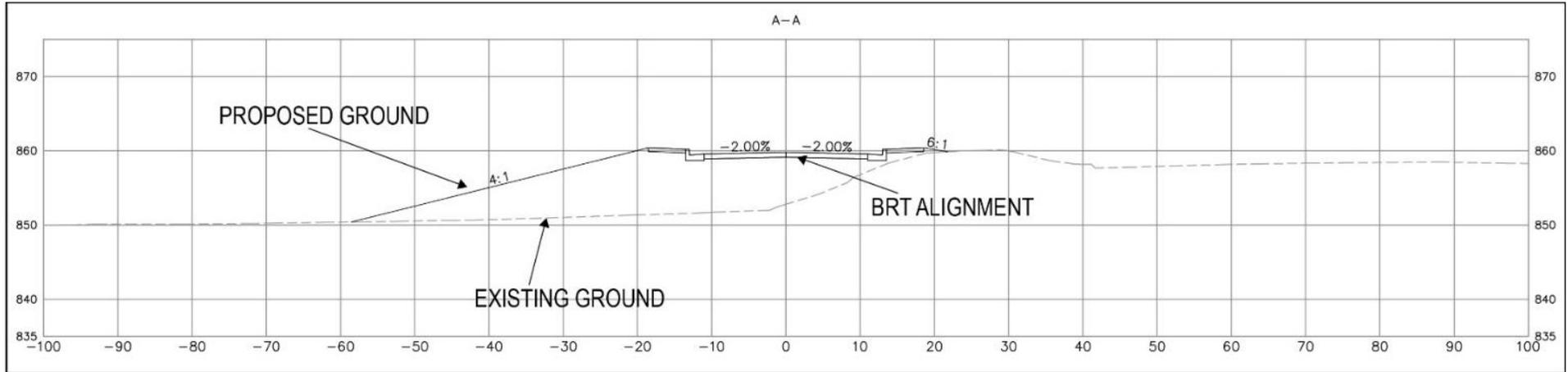
### 2.1 Project Impact at Johnson Parkway<sup>a</sup>



<sup>a</sup> See next figure for cross sections A-A and B-B.



CROSS SECTIONS A-A AND B-B AT JOHNSON PARKWAY





## PROPERTY INFORMATION

- Ownership: City of St. Paul.
- Use: Part of City of Saint Paul's Grand Round park system. Impacted area consists of parkway pavement and landscaped and naturalized park space on either side of parkway, adjacent to I-94.

## POTENTIAL PROJECT IMPACTS

Were the guideway crosses Johnson Parkway on a new BRT-exclusive bridge. Construction of the guideway would largely be within existing I-94 right-of-way, except for 0.04 acres (1,845 square feet) of permanent easement acquired at the far western end of the park space between Hudson Road and I-94 (see Figures above). An additional approximate 0.03 acres (1,230 square feet) of permanent easement is required to reconstruct the cul-de-sac on Wakefield Avenue.

Approximately 0.27 acres (11,620 square feet) of temporary easement on the park space, north of I-94, would be required to regrade open area for the approaches to the BRT-exclusive bridge over Johnson Parkway and for reconstructing the Wakefield Avenue cul-de-sac. The cross-sections above illustrate these grade changes. During construction, the Council would remove up to 0.18 acres of landscaping (including approximately four trees and shrubs) to accommodate the BRT-exclusive bridge in park space on the west side of Johnson Parkway, and 0.12 acres (including approximately one tree and shrubs) in park space on the east side.

Construction would require temporarily closing Johnson Parkway for approximately 90 days to construct the new BRT-exclusive bridge. Traffic on Johnson Parkway would be detoured to Earl Street over I-94 via 3rd Street and Burns Avenue. Total construction duration for bridge construction would be approximately 12 months. After construction is complete, the Council would restore landscaping on the disturbed park space on either side of Johnson Parkway.

## PROPOSED MITIGATION MEASURES

The Project includes steepened grading slopes from 6:1 to 4:1 to reduce the grading footprint in the parkway. The Council will grade slopes to match into the existing landform and restore landscaping consistent with the existing parkway setting. Removal of vegetation and introduction of built features would be addressed through the implementation of design and landscaping that is appropriate for the location. Vegetation would be retained and restored, as appropriate. Landscape plans for areas adjacent to elevated structures, retaining walls, and noise walls would be developed. The Council will coordinate with the City of St. Paul during final design to define the landscape and planting plan for the park space.

## INFORMATION REQUESTED

- Comments on impacts
- Comments on proposed mitigation measures
- Initial comment from City of St. Paul on preliminary determination of *de minimis* impact



*Gold Line*

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

**Saint Paul Design Advancement  
and Refinement Team – Meeting No. 1  
Meeting Notes (1/9/19)**

# Meeting Notes

**Title:** St. Paul Design Advancement and Refinement Team (DART) – Meeting No. 1

**Date:** 01/09/2019

## Attendees

Gold Line Project Office	Charles Carlson, Chris Beckwith, Lyssa Leitner, Marc Briese, Chelsa Johnson, Nik Costello, Joe Klein (GPO); Lisa Wall, Grant Wyffels, Tracy Fosmo, Michael Jischke (Kimley-Horn); Chris Weyer, Nani Jacobson (HNTB)
City of St. Paul	Bill Dermody
Ramsey County	Joe Lux
MnDOT	Greg Mathis, Carl Jensen
Metro Transit	Berry Farrington

## Design Advancement and Refinement Team (DART) Introduction

- Goals of DART process are to continue collaboration which begun in IRTs and resolve specific design-related issues.
- Initial topics: Mounds Blvd Station, Etna St Station development, pedestrian connections (including Pedersen St sidewalk), Hazel/Van Dyke St Station location, two-way traffic on Hudson Rd, Park and Ride design, Sun Ray Station crossover, and McKnight bridge layout
  - Maintenance IRT recommended not pursuing west Etna pedestrian connection due to capital/maintenance costs and potential network redundancy.
  - St. Paul IRT agreed to resolve Pedersen St sidewalk width during DART and explore ROW/other potential impacts.
  - McKnight bridge layout will require coordination with Section 106 process with goal of avoiding/minimizing potential adverse effects to 3M campus.
- Resolutions of support (if pursued by city) would be targeted for Q2 2019 adoption. **City staff will let GPO know by early February on plan for potential adoption.**
- Maintenance and Stormwater IRTs are nearing conclusion. Draft ownership & maintenance memo is currently being reviewed. Stormwater items will be integrated into DARTs going forward.
- Future St. Paul DART staffing will be discussed at next meeting, as several city departments should receive a project update or be looped into future meetings as relevant.
- DART design decisions will directly inform project’s application to enter Engineering, as FTA requires updated cost estimate as part of application.

## *MnDOT Layout Process and Schedule*

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- Draft review schedule has MnDOT review of all thirteen layouts completed by November. This is an aggressive, but achievable schedule: bridge plans cannot advance until layouts are signed.
  - Nine of the thirteen layouts are in St. Paul.

## *Johnson Parkway 4(f)*

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- A Section 4(f) property has been identified as part of the EA analysis process since Section 4(f) was discussed with the IRT in September 2018. This is based on a better understanding of the MnDOT and city right-of-way in the area surrounding Johnson Parkway.
- The city-owned park space in and around Johnson Parkway is identified as a Section 4(f) resource and will be included in Draft EA.
  - 0.07 acre permanent impact and 0.27 acre temporary impact for guideway bridge and reconstruction of Wakefield Ave cul-de-sac.
  - *De minimis* impact anticipated. Project will coordinate with city (as Official with Jurisdiction) throughout design, with goal of restoring pre-project conditions to greatest extent possible.
  - Under Section 4(f) the project will work with the city on minimization and mitigations measures such as matching existing grade and restoring landscaping.
  - Assuming the city agrees, the city will then need to provide written concurrence on the Section 4(f) impact after the EA comment period, but no immediate action needed.

## *Hazel Street vs. Van Dyke Street Update*

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- Public hearing and Comprehensive/Neighborhood Planning Committee action completed on Station Area Plan amendment to include Hazel St Station. City Council action expected at 2/20 meeting.
- Layouts can advance with Hazel St option included. Public materials show Hazel St name at station, but official names are not confirmed until a later date.
- Draft EA identifies Van Dyke St as baseline and Hazel St as option: text does not need to be changed.

## *Overall GBRT Cost Update*

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- Cities need to provide verbal commitment of intent to pursue additional scope by April/May, with formal action by July/August to allow for adoption by CMC.
- \$2MM of State bonds are fully expended and remaining share of \$6MM CTIB grant will be used during Project Development. Grants from Washington and Ramsey Counties will be drawn down proportionally throughout remainder of PD.
  - Contingency cannot be drawn down until project enters Engineering.

## COST UPDATES BY CATEGORY

- DART reviewed updates to project cost broken down by category. Overall figures will be available after Met Council Chair is briefed on 1/14, but +/- \$420MM range has held steady.
- **Guideway (+55%)**: Increase from McKnight grade separation and advancement of retaining wall design substantially offset by decrease from mixed-traffic operations on Hudson Rd.
- **Stations (+8%)**: Increase from full-amenity stations downtown (including level boarding at four platforms) and new Woodbury station. No substantial change from Sun Ray center-loading platform.
- **Sun Ray P&R (-70%)**: Reduction from 500-stall structure to 186-stall surface lot.
- **Helmo P&R (+154%)**: Additional ROW impacts from relocation.
- **Woodbury P&R (-36%)**: Increased cost from 5-acre parcel acquisition offset by reduction from 250-stall structure to 200-surface lot.
- **Sitework/Bridges/Pedestrian Facilities (-9%)**: Increase from additional retaining walls at Ruth, grade separation of White Bear and Ruth, trail to Maplewood Station, and refinement of noise wall relocations offset by reduced sitework at Sun Ray, and elimination of bridge reconstructions at Earl St, NB 61-WB 94 ramp, Maple St (ped), and Hazelwood St (ped).
- **Signals (+26%)**: Increase from two new general traffic signals and two new BRT traffic signals partially offset by elimination of all six at-grade warning devices.
- **Right of Way (-31%)**: Reduction/elimination of impacts to 652 Conway, five residences between Maple and Cypress, Grace Lutheran Church, TJ Maxx, and Sun Ray Lanes. Boat Towing Company on Tanner's Lake still planned for full acquisition and relocation, but cost reduction from updated valuation. All full acquisitions in Ramsey County eliminated.
- **Vehicles (TBD)**: Pending determination on fleet propulsion; conversations will continue. Guaranteed increase from higher spare ratio regardless of propulsion.
- **Operations and Maintenance Facility (-1%)**: Project assuming use of East Metro Garage with slight modifications to accommodate fleet.
- **Professional Services (+8%)**: Increase reflects actual cost of professional service contracts and agency staff.
- **Finance Charges (+68%)**: Increase reflects planned need for Grant Anticipation Notes during construction and concurrence with Metro Transit's methodology for LRT projects.

## POTENTIAL EA SCOPE COST UPDATES

- Potential additional scope improvements presented to DART. All items are eligible for federal match and require local decision on funding/inclusion in construction scope.
- Most critical schedule drivers are potential scope related to bridges: project will only advance one bridge design per area.
- One-on-one meetings will be scheduled with CMC/TAC members in January: counties will be briefed first after Met Council Chair meeting on 1/14.

## Action Items (new in italics)

No action items identified.

## *Next Meeting*

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- Tuesday, January 22, 12:30p-2:30p
- Potential agenda items:
  - DART Staffing
  - Cost Update
  - White Bear Ave, Ruth St, Mounds Blvd layouts
  - Hudson & Earl traffic configuration
  - Other items as needed



*Gold Line*

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

**Saint Paul Section 4(f) Resources  
Overview Packet** (as presented 4/26/19)



# CITY OF ST. PAUL

This packet is intended to provide an overview of potential impacts to Johnson Parkway, a Section 4(f) park and recreational resource as defined under the U.S. Department of Transportation (U.S. DOT) Act of 1966.<sup>1</sup> The impacts are evaluated as part of the Gold Line Bus Rapid Transit Project (Project). Material in this document updates information related to Johnson Parkway previously presented in September 2018 and January 2019. The analysis is based on the Project’s 15% Concept Plans.

## 1. SECTION 4(f) RESOURCES IDENTIFIED

Resource	Address	Description	Project Interaction	Section 4(f) Use*
<b>Park/Recreation/Wildlife &amp; Waterfowl Refuge Properties</b>				
Johnson Parkway	Johnson Parkway at I-94, Saint Paul	Part of Saint Paul Grand Round, a chain of parkways connecting Saint Paul’s lakes and the Mississippi River	Alignment B would travel across the parkway, including a new BRT-exclusive bridge, stormwater facility and new sidewalk. A new regional trail proposed for construction in 2020 would be closed during bridge construction. See Section 2 for detailed description of potential impacts.	<i>De minimis</i> for BRT-exclusive bridge, sidewalks and regional trail closure.  Use to be determined for stormwater facility

Source:

*Saint Paul Grand Round*. City of St. Paul. Available at: <https://www.stpaul.gov/departments/parks-recreation/design-construction/current-projects/saint-paul-grand-round>

\*See Attachment A for detailed description of Section 4(f) definitions

<sup>1</sup> "Policy on lands, wildlife and waterfowl refuges, and historic sites," Title 49, USC, Sec. 303. February 2010. Available at: <https://www.gpo.gov/fdsys/granule/USCODE-2009-title49/USCODE-2009-title49-subtitle1-chap3-subchapl-sec303/content-detail.html>. Accessed November 2018.



## 2. SECTION 4(f) RESOURCES FOR FURTHER DISCUSSION – PARKS

Coordination with the City of St. Paul, the Section 4(f) Official with Jurisdiction (OWJ) for city-owned parks, recreation areas, and wildlife and waterfowl refuges, is required as part of the Section 4(f) Evaluation of Johnson Parkway and potential Project impacts are summarized below.

### SUMMARY OF RIGHT OF WAY IMPACTS AT JOHNSON PARKWAY

Infrastructure Element	Permanent Impact	Temporary Impact
Guideway	0.07 acres easement for new BRT-exclusive bridge over park space and parkway street and reconstructed Wakefield Avenue cul-de-sac	0.29 acres regraded for new BRT-exclusive bridge and reconstruction of Wakefield Avenue cul-de-sac
Regional Trail	N/A	730 linear feet of regional trail closed for 90 days to construct BRT-exclusive bridge; approximately 50 feet of the trail will be reconstructed in place
Sidewalks	0.13 acres easement for new sidewalk in park space and along Griffith Street/Hudson Road	0.009 acre (380 square feet) regraded for new sidewalk in park space
Stormwater Facility	0.75 acres easement to construct stormwater basin and sewer pipes	1.3 acres for excavation, grading and landscape restoration at the stormwater basin
Total Acres	0.95 acres	1.60 acres + 50 linear feet of regional trail reconstruction

### A. PRIOR COORDINATION OF POTENTIAL PROJECT IMPACTS

#### GUIDEWAY – JOHNSON PARKWAY

The Council coordinated with the city on September 4, 2018 and January 9, 2019 on preliminary agreement for a *de minimis* impact determination where the guideway crosses Johnson Parkway on a new BRT-exclusive bridge. The following impacts were discussed (see Figure 1):

- The Council would construct the guideway largely within existing I-94 right-of-way for this alignment, except for 0.04 acres (1,845 square feet) of permanent easement that would be acquired at the far western end of the park space between Hudson Road and I-94 .
- Approximately 0.03 acres (1,230 square feet) of permanent easement would also be required to reconstruct the cul-de-sac on Wakefield Avenue. Approximately 0.27 acres (11,620square feet) of temporary easement on the park space, north of I-94, would be required to regrade open area for the approaches to the BRT-exclusive bridge over Johnson Parkway and for reconstructing the Wakefield Avenue cul-de-sac. The cross-sections in Figure 2 illustrate these grade changes.
- During construction, grading in both permanent and temporary easement areas would remove up to 0.04 acres of landscaping (including approximately three trees and shrubs) to accommodate the BRT-exclusive bridge in park space on the west side of Johnson Parkway, and 0.06 acres (including approximately one tree and shrubs) in park space on the east side.

### METRO Gold Line Bus Rapid Transit Project

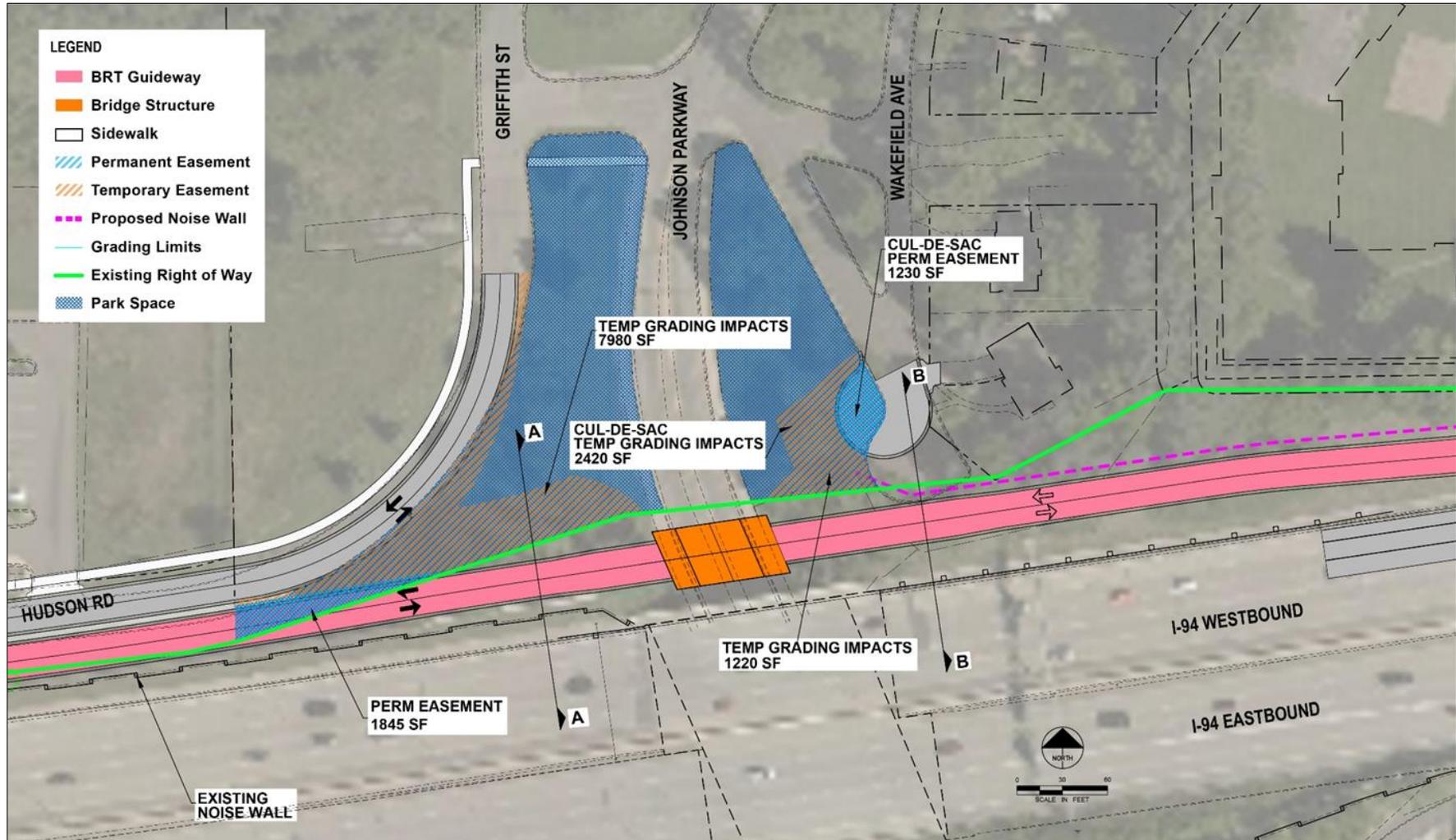


- Construction would require temporarily closing Johnson Parkway for approximately 90 days to install the new BRT-exclusive bridge. Traffic on Johnson Parkway would be detoured to Earl Street over I-94 via 3rd Street and Burns Avenue. Total construction duration for bridge construction would be approximately 12 months.
- During the Engineering Phase, the Council will consult with the City of Saint Paul to develop a landscaping plan to restore disturbed park space in Johnson Parkway. Restoration of park space would occur during construction.

Since January 9 meeting, Project impacts from the guideway have been revised to address temporary impacts that were not captured in previous discussions. See Section 2.B for updated information for ongoing OWJ coordination.



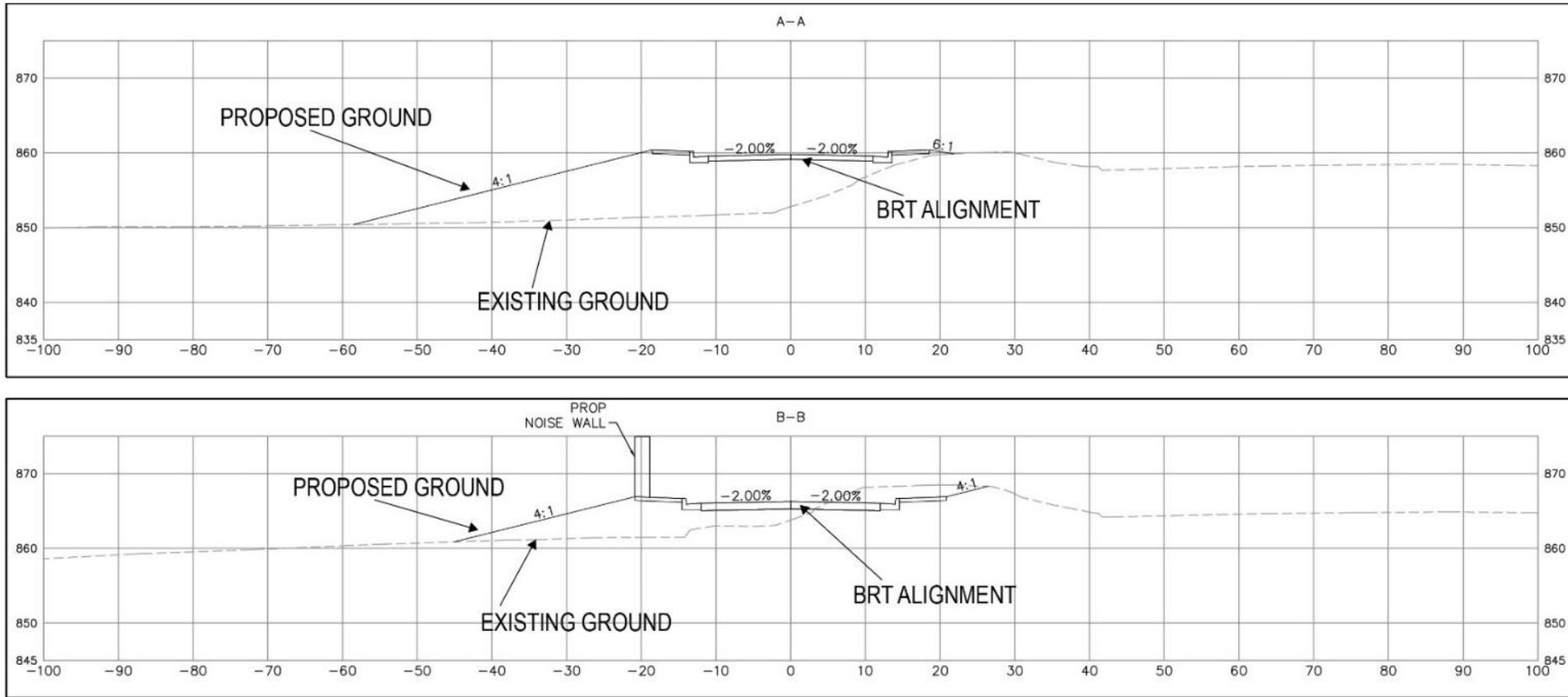
FIGURE 1: PROJECT GUIDEWAY IMPACT AT JOHNSON PARKWAY<sup>a</sup>



<sup>a</sup> See Figure 2 for cross sections A-A and B-B.



FIGURE 2: CROSS SECTIONS A-A AND B-B AT JOHNSON PARKWAY





## B. ONGOING COORDINATION OF ADDITIONAL POTENTIAL PROJECT IMPACTS

On March 19, 2019 the city provided the Project with information on the Johnson Parkway Regional Trail project scheduled for construction in 2020.

On April 1, 2019 the city provided documentation that the area proposed for use as a stormwater facility and sidewalk east of Griffin Street is considered parkland, owned by the city, and therefore the Project's use of Johnson Parkway is subject to Section 4(f).

In April, several updates were made to the initial calculations for Project-related impacts from construction of the guideway.

This section summarizes additional Project elements and impacts to Johnson Parkway for discussion with the city for consideration as a preliminary *de minimis* impact on Johnson Parkway and the Johnson Parkway Regional Trail. See Attachment A for the definition of *de minimis*. Figure 3 illustrates the permanent and temporary impacts to the Section 4(f) resource.

The information below is for OWJ coordination purposes to develop the Final Section 4(f) Evaluation and preliminary Section 4(f) findings as part of the Project's Environmental Assessment.

### GUIDEWAY - JOHNSON PARKWAY

Temporary impacts to the area to the west of Johnson Parkway was recalculated to show a reduced impact of 7,700 square feet, rather than 7,980 square feet. An additional area of temporary impact was added just south of the Wakefield Avenue cul-de-sac that increases the temporary impact area to 2,630 SF, rather than 1,220 square feet.

This brings the new temporary impacts to:

- Approximately 0.29 acres (12,750 square feet) of temporary easement on the park space, north of I-94, would be required to regrade open area for the approaches to the BRT-exclusive bridge over Johnson Parkway and for reconstructing the Wakefield Avenue cul-de-sac.

### JOHNSON PARKWAY REGIONAL TRAIL

Upon review of the city plans provided on March 19, on April 4, 2019 Project staff reported back to the city that construction of the Project would require temporary closure of the trail for approximately 90 days for construction of the Gold Line BRT. Additional information on this impact is as follows:

- Closure for approximately 90 days to install the new BRT-exclusive bridge.
- Approximately 730 feet of the regional trail would be closed from Wakefield Avenue north of I-94 to Hudson Road south of I-94.
- Approximately 50 feet of the trail would be impacted by construction and would be rebuilt.
- Regional trail users would be detoured to Earl Street over I-94 via 3rd Street and Burns Avenue.
- Total construction duration for BRT-exclusive bridge construction would be approximately 12 months.

### SIDEWALK – JOHNSON PARKWAY

The Project would install a new sidewalk along the north end of the park space between Griffith Street and Johnson Parkway and then extend along Griffith Street and Hudson Road as shown in Figure 3:

- Sidewalk construction would require approximately 0.009 acres (5,805 square feet) of permanent easement in park space.



- Approximately 390 square feet of temporary easement on the park space between Griffith Street and Johnson Parkway would be required to regrade park space for new sidewalks.

### STORMWATER FACILITY – JOHNSON PARKWAY

The Project would use portions of Johnson Parkway ROW to install a stormwater facility, west of Griffith Street.

- The stormwater facility would require removing approximately 11,000 cubic yards of soil for a 0.69-acre stormwater biofiltration basin. A 290-foot storm sewer inlet pipe would extend under Hudson Road to convey stormwater to the basin in Johnson Parkway. Approximately 90 feet of the pipe would be located within the parkway right-of-way. A 50-foot storm sewer outlet pipe would drain from the basin to an existing storm sewer under Johnson Parkway. The basin and pipe installations would require approximately 0.75 acres of permanent easement within Johnson Parkway right of way.
- Project construction would produce 0.61 acres of temporary impact related to access road construction, basin excavation, site grading, and landscape restoration at the pond site.
- Construction excavation would remove 1.3 acres of vegetation for both permanent (0.69 acres) and temporary (0.61 acres) impacts. This impact includes removing approximately 0.28 acres of trees. The Council would restore natural landscaping in the temporary disruption area, and it would reseed the new basin with a native vegetation mix of herbaceous species.
- Temporary access for construction will be from Hudson Road/Griffith Street. Access for future stormwater facility maintenance is provided via the permanent easement over the inlet and outlet pipes, and will also be from Hudson Road/Griffith Street.

### C. PRELIMINARY DETERMINATION

The FTA and Council are proposing a preliminary determination that the Project would constitute a use under Section 4(f) with a *de minimis* impact on Johnson Parkway park space, when incorporating avoidance, minimization, mitigation and enhancement measures. This preliminary determination is based on the following:

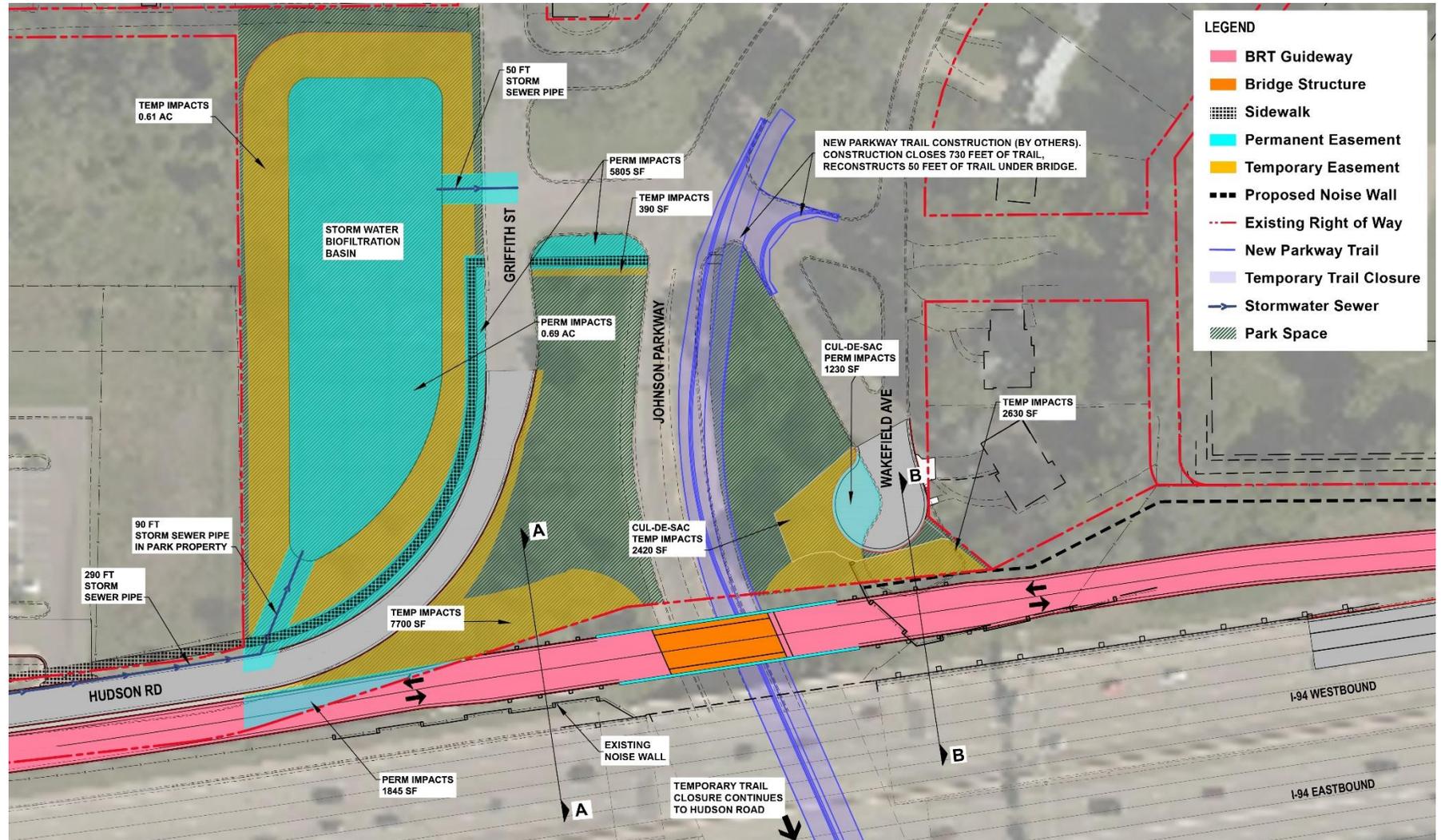
- Minor area of permanent (0.95 acres) and temporary (1.6 acres) impacts in the 2.25-mile parkway and restoration of landscaping in the park space.
- Temporary closure of a portion of the regional trail for approximately 90-days, which is a shorter duration than the two-year construction period for the Project, and the trail will be fully reconstructed in place to preconstruction conditions or better.
- The use would not impact the parkway's function of connecting all parts of Saint Paul with boulevards and greenery that serves motorists, cyclists and pedestrians.
- Incorporation of avoidance, minimization and mitigation measures such as:
  - › Steepened grading slopes from 6:1 to 4:1 to reduce the grading footprint in the parkway
  - › Retain and/or restore vegetation, as appropriate
  - › Develop landscape plans for areas adjacent to elevated structures, retaining walls, and noise walls
  - › Continued ordination with city to define the landscape and planting plan for the park space
  - › Design and construct BMP as an infiltration basin designed in accordance with standard practices for these facilities. For example, designed to drain through vegetation within 48 hours
  - › Reseed the new basin with a native vegetation mix of herbaceous species



- Implement communication tools with the public about the parkway closure and associated detours in advance



FIGURE 3: JOHNSON PARKWAY - UPDATED IMPACTS





#### D. INFORMATION REQUESTED

- Funding source for Johnson Parkway Regional Trail project (requested at April 16 DART)
- Review and provide feedback on preliminary Section 4(f) determination
- Comments on proposed mitigation measures

#### E. NEXT STEPS

- If the city agrees with the preliminary *de minimis* determination on all Project elements in Johnson Parkway, FTA and the Council would include this within the Section 4(f) Evaluation for the Project as part of the EA, which is then published for agency and public review and comment.
- If no substantial comments are received on the *de minimis* determination during the public comment period, the city would then provide written concurrence to FTA on the proposed *de minimis* determination; then
  - FTA will make a final *de minimis* determination.
- If the city does not agree with the *de minimis* determination, FTA and the Council would be required to treat all impacts as a full Section 4(f) use and will prepare a Section 4(f) Evaluation that includes an evaluation of feasible and prudent avoidance alternative and all possible planning to minimize harm to the property resulting from its use.



## ATTACHMENT A: SECTION 4(f) BACKGROUND

- Section 4(f) of the U.S. Department of Transportation (U.S. DOT) Act of 1966<sup>2</sup>, also referred to as “Section 4(f),” provides protection to parks and recreation areas, wildlife and waterfowl refuges, and historic sites.
- The Federal Transit Administration (FTA) is the lead federal agency for the METRO Gold Line BRT Project (Project), therefore the Project is subject to Section 4(f).
- The FTA may not approve the use of Section 4(f) property unless it determines one of the following findings:<sup>3</sup>
  - There is no feasible and prudent avoidance alternative to the use of the property, and the action includes all possible planning<sup>4</sup> to minimize harm to the property resulting from its use
  - The use of the Section 4(f) property, including any measures to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures) to which the applicant commits, would have a *de minimis* use on the Section 4(f) property.
  - A *de minimis* impact is one that, after accounting for avoidance, minimization, mitigation and enhancement measures, would not adversely affect the activities, features or attributes that qualify lands or sites for Section 4(f) protection.
- The FTA will provide an opportunity for public review and comment on the intent for a *de minimis* determination in a Section 4(f) Evaluation as part of the Environmental Assessment (EA) anticipated for publication in Fall 2019.
- Following an opportunity for public review and comment, the city must concur in writing that the Project will not adversely affect the activities, features or attributes that make the property eligible for Section 4(f) protection.<sup>5</sup> If concurrence is not received the impact must be evaluated as a Section 4(f) use.

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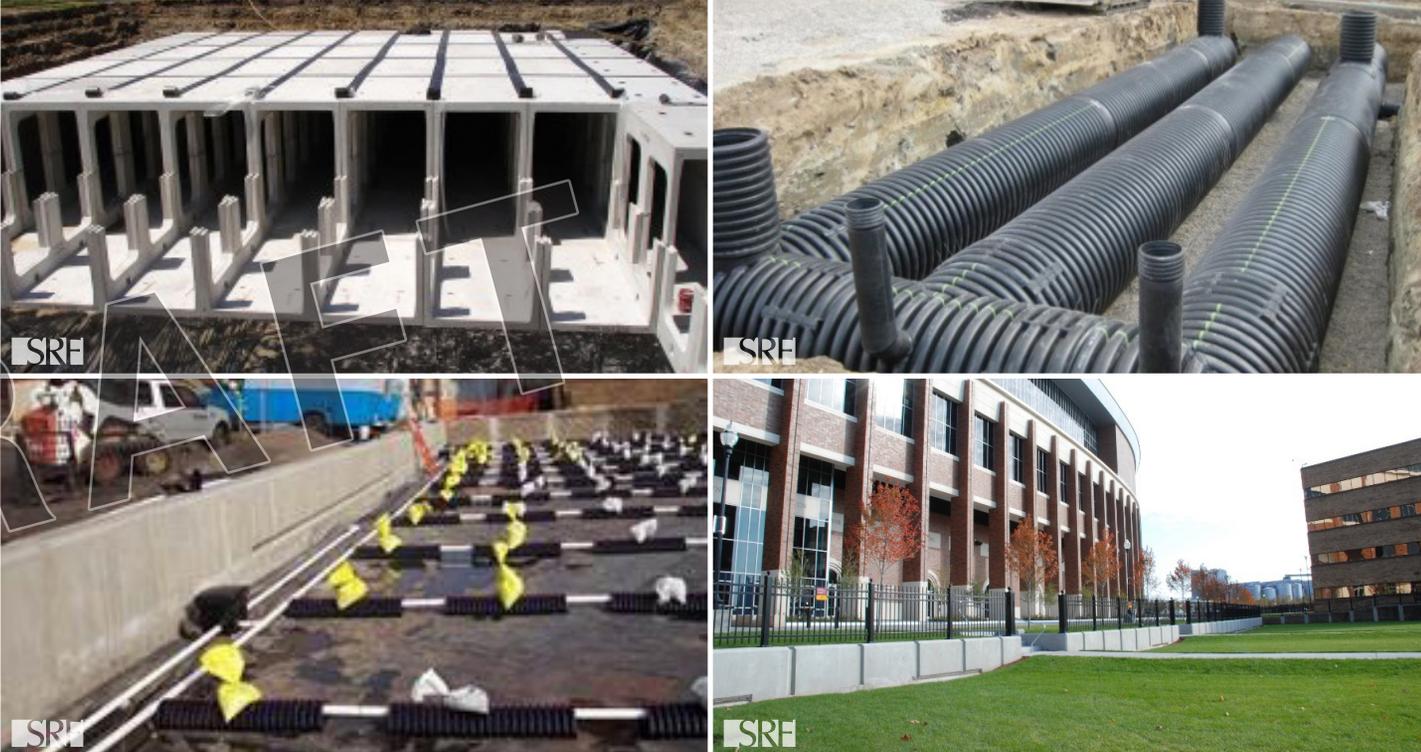
<sup>2</sup> "Policy on lands, wildlife and waterfowl refuges, and historic sites," Title 49, USC, Sec. 303. February 2010. Available at: <https://www.gpo.gov/fdsys/granule/USCODE-2009-title49/USCODE-2009-title49-subtitle1-chap3-subchapl-sec303/content-detail.html>. Accessed November 2018.

<sup>3</sup> "Section 4(f) Approvals," Title 23, CFR, Part 774, Sec. 774.3. March 2008. <https://www.gpo.gov/fdsys/pkg/CFR-2013-title23-vol1/pdf/CFR-2013-title23-vol1-sec774-13.pdf>. Accessed November 2018.

<sup>4</sup> "Definitions," Title 23, CFR, Part 774, Sec. 774.17. March 2008. <https://www.gpo.gov/fdsys/pkg/CFR-2013-title23-vol1/pdf/CFR-2013-title23-vol1-sec774-13.pdf>. Accessed November 2018.

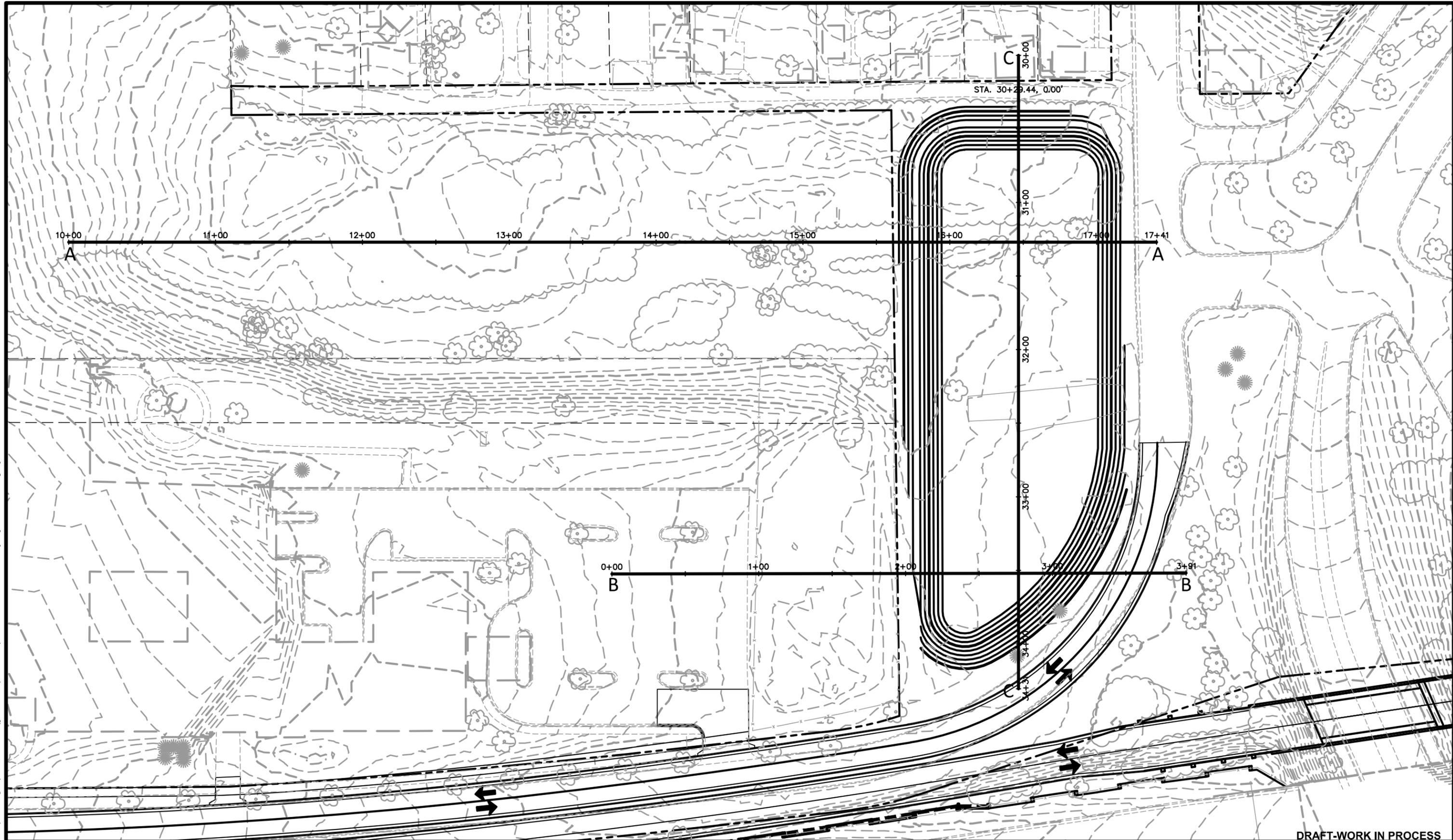
<sup>5</sup> "Coordination," Title 23, CFR, Part 774, Sec. 774.5. March 2008. <https://www.gpo.gov/fdsys/pkg/CFR-2013-title23-vol1/pdf/CFR-2013-title23-vol1-sec774-13.pdf>. Accessed November 2018.

BMP	DESCRIPTION AND FUNCTION					
<b>Filtration/ Infiltration Basin</b>	<p>Constructed basin that captures, temporarily stores and filtrates/infiltrates design volume of water within 48 hours or less. Drawdown of stored runoff occurs through infiltration into surrounding naturally permeable soil for infiltration basins. For filtration basins the runoff drains through filtration media and into underdrains. Infiltration basins contain flat, densely vegetated floor situated naturally permeable soils. Filtration basins have engineered media with underdrains in areas without naturally permeable soils. Runoff from larger storm events is typically routed to an overflow structure/storm sewer system.</p> 					
BMP	BENEFITS	LIMITATIONS	DESIGN PERFORMANCE			BEST APPLICATIONS
<b>Filtration/ Infiltration Basin</b>	<ul style="list-style-type: none"> <li>• Can handle large amount of volume from drainage areas typically 5 to 50 acres.</li> <li>• Reduced thermal impacts.</li> <li>• Can be utilized as open space during dry periods.</li> <li>• Improved habitat, air quality, urban micro-climates.</li> <li>• Ecological benefits and enhanced aesthetics with native plantings.</li> </ul>	<ul style="list-style-type: none"> <li>• Functionality depends on native soil types.</li> <li>• Pretreatment is required prior to discharge of runoff to BMP.</li> <li>• Performance is sensitive to construction and maintenance techniques.</li> <li>• Not ideal for stormwater runoff for land uses/activities with potential for high sediment or pollutant loads.</li> </ul>	<p>VOLUME</p> <p>●</p>	<p>RATE</p> <p>●</p>	<p>QUALITY</p> <p>●</p>	<ul style="list-style-type: none"> <li>• Natural depression areas</li> <li>• Areas with native soils conducive to infiltration</li> <li>• Commercial areas</li> <li>• Park/green space areas</li> </ul>

BMP	DESCRIPTION AND FUNCTION					
<b>Underground Storage or Infiltration</b>	<p>Underground detention devices are used to store stormwater runoff temporarily and are used for rate control. They can act solely to store water for graduated release, or the water can be pumped out for reuse. Large pipe galleries, open-bottom concrete vaults, and other systems temporarily store runoff until it can infiltrate into the ground. A weir or outlet pipe controls the volume of water to be infiltrated. Additional storage volume above the outlet helps attenuate peak discharges. Water quality benefits are achieved through infiltration or filtration.</p> 					
BMP	BENEFITS	LIMITATIONS	DESIGN PERFORMANCE		BEST APPLICATIONS	
<b>Underground Storage or Infiltration</b>	<ul style="list-style-type: none"> <li>• Takes up less space, can be placed beneath other land uses.</li> <li>• Can be a stacked-function BMP.</li> <li>• Designed for rate control, infiltration or filtration.</li> <li>• Reduced thermal impacts.</li> </ul>	<ul style="list-style-type: none"> <li>• Does not provide ecological or habitat improvements.</li> <li>• Pretreatment is required prior to discharge of runoff to BMP.</li> <li>• Limited by native soils and/or high groundwater levels.</li> </ul>	VOLUME  <sup>1</sup>	RATE 	QUALITY 	<ul style="list-style-type: none"> <li>• Beneath parking lots, streets, parks, ball fields, etc.</li> <li>• Areas with native soils conducive to infiltration</li> </ul>



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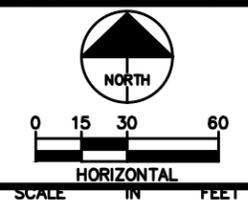


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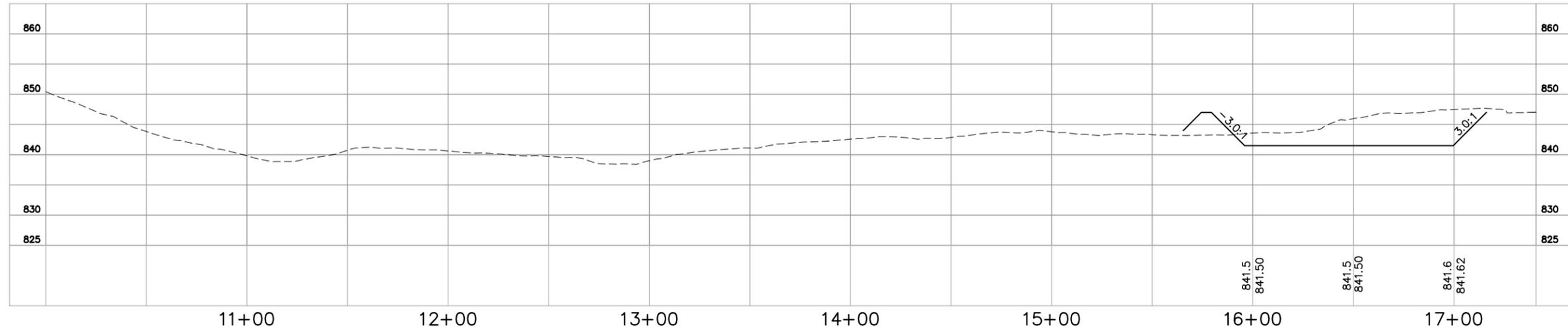


**GOLD LINE BRT**  
 JOHNSON PKWY BMP GRADING  
 PLAN VIEW

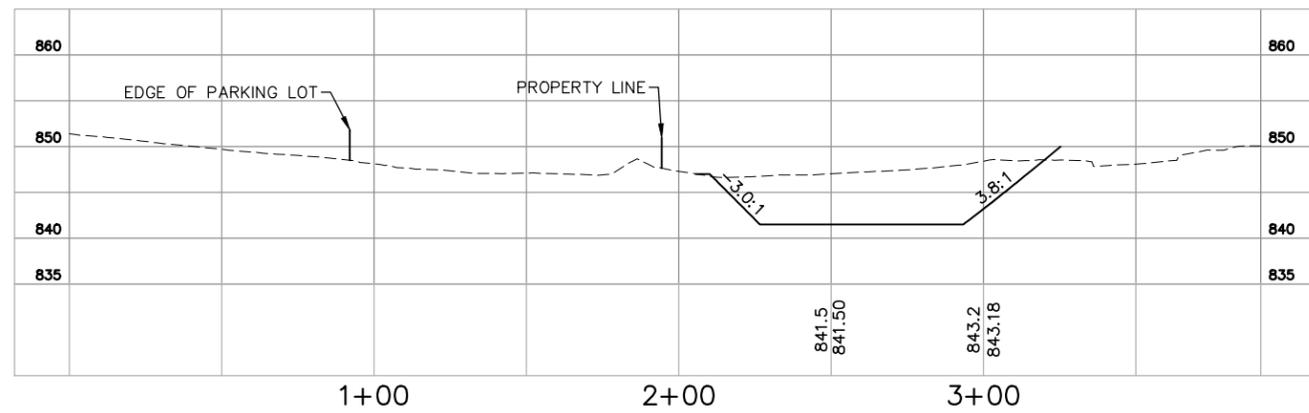
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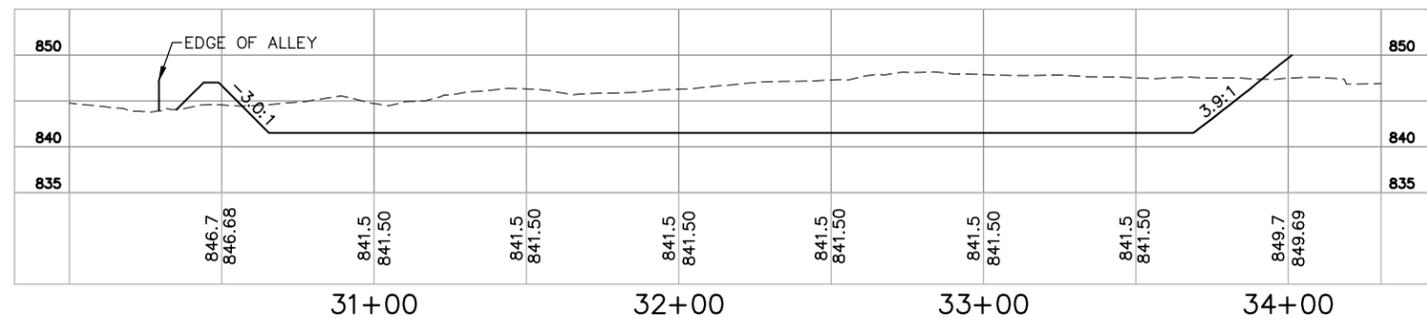
# SECTION A - A



# SECTION B - B



# SECTION C - C

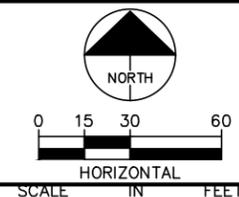


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**GOLD LINE BRT**  
JOHNSON PKWY BMP GRADING  
SECTION VIEWS

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*Gold Line*

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

**City of Saint Paul Section 4(f)  
Meeting Notes (4/26/19)**

**Section 4(f) OWJ Coordination  
GPO Large Conference Room  
April 26, 2019  
10:00 A.M. – 11:00 A.M.**

**MEETING NOTES**

**Attendees:**

City of Saint Paul – Alice Messer, Paul Sawyer, Bill Dermody

GPO – Chelsa Johnson, Lyssa Leitner, Nani Jacobson, David Filipiak, Tracy Fosmo, Banke Oyewumi

1) Section 4(f) Overview

Nani Jacobson provided a Section 4(f) summary overview.

- a) Section 4(f) is an environmental law specific to and required for all U.S. DOT projects. If a DOT project potentially impacts park, recreation, wildlife, waterfowl refuge or historic properties, it is subject to Section 4(f) evaluation.
- b) Nani reviewed the proposed Project impacts to the city owned Johnson Parkway and coordination to date on these areas. See Sections 2.A and 2.B of the meeting packet. The city, or owner with jurisdiction (OWJ), ultimately determines what is a park land.
- c) A Section 4(f) *de minimis* impact determination is recommended. The requirement is that the OWJ must agree with the *de minimis* recommendation to proceed. City staff asked if *de minimis* is only defined by example. Nani responded that it is defined in the statute, see summary in Attachment A to meeting packet.

City staff asked if staging is being proposed in the area. GPO responded that the project is not yet looking at staging, however staging on a Section 4(f) property would be avoided as much as possible.

2) Summary of Proposed Section 4(f) Impacts (Refer to Section 2.B of Meeting Packet)

- a) BRT Guideway –
  - i) Temporary impacts to the area to the west of Johnson Parkway was recalculated to show a reduced impact of 7,700 square feet, rather than the initial 7,980 square feet.
  - ii) Temporary impacts of approximately 0.29 acres (12,750 square feet).
- b) Regional Trail –
  - i) Temporary closure for approximately 90 days for construction of the Gold Line project.
  - ii) Regional trail users would be detoured to Earl Street.
  - iii) The project would replace the trail to preconstruction conditions.

- iv) Total construction duration for BRT-exclusive bridge construction would be approximately 12 months.
- c) Sidewalk –
  - i) The new sidewalk construction (Griffith Street area) would require approximately 0.009 acres (5,805 square feet) of permanent easement in park space.
  - ii) Approximately 390 square feet of temporary impacts for construction purposes.
- d) Stormwater Facility –
  - i) The stormwater facility would require removing approximately 11,000 cubic yards of soil for a 0.69-acre storm water biofiltration basin.
  - ii) A 290-foot storm sewer inlet pipe would extend under Hudson Road to convey stormwater to the basin in Johnson Parkway.
  - iii) Project construction would produce 0.61 acres of temporary impact (road construction, basin excavation, site grading, and landscape restoration).
  - iv) Temporary access for construction will be from Hudson Road/Griffith Street.
  - v) Alice Messer asked if the Wakefield Avenue cul de sac can be a designed for a smaller impact. Lyssa Leitner noted that GPO can go with the city's preference.
- e) David Filipiak presented stormwater facility/infiltration basin/BMP grading details for the proposed stormwater facility.
  - i) Infiltration Basin could take about seven acres of drainage area. The basin is taking water from the guideway and the neighborhood to the west of the apartment complex. About 36% is off-site additional and 26% is direct drainage. The Gold Line project is proposing a bio-retention area. There are methods of micro-grading such as seed mixes that handle a lot of different hydrological conditions.
  - ii) BMP Grading Cross Sections –
    - Section A-A: Approximately six feet up towards the street. In the existing condition, the water is already going higher than the property, so whatever the project does is going to have some impact.
    - Section B-B: Slightly deeper than Section A-A.
    - Section C-C: Underground system options (storage elements not filtration/volume control systems). The project could be a combination of an underground system and an open system. Trees are not typically planted on top of an open system.
- f) Preliminary *de minimis* Determination
  - i) The FTA and Metropolitan Council are proposing a preliminary determination that the project would constitute a use under Section 4(f) with a *de minimis* impact on Johnson Parkway park space, when incorporating avoidance, minimization, mitigation and enhancement measures. This impact would not impact the use of Johnson Parkway.
    - Minor area of permanent (0.95 acres) and temporary (1.6 acres) impacts and restoration of landscaping.

- 90-day trail closure, and full reconstruction to preconstruction conditions
- Incorporation of avoidance, minimization and mitigation measures include:
  - Steepened grading slopes from 6:1 to 4:1 to reduce grading footprint in the parkway.
  - Retain and/or restore vegetation, as appropriate.
  - Develop landscape plans for areas adjacent to elevated structures, retaining walls and noise walls.
  - Continued coordination with the city, to define the landscape and planting plan.
  - Design and construct BMP as an infiltration basin designed in accordance with standard practices for these facilities.
  - Re-seed the new basin with a native vegetation mix of herbaceous species.

Alice stated that the city's Planning Director is the final authority. Alice and Paul Sawyer support the *de minimis* recommendation for impacts from the BRT guideway and sidewalk and to the regional trail. However, the city is not in agreement with the proposed stormwater pond. The city would like to see that other options have been explored. The city has been planning Johnson Parkway (Grand Rounds) for over 100 years. Planning is ongoing and it's difficult to give up that land for stormwater.

Paul noted that parkland diversion, a local process governed by city charter is an absolute standard. The city can get to *de minimis* as options are explored, but it would still be a diversion, which requires separate coordination outside Section 4(f) discussions. GPO agreed that parkland diversion will be included as part of the EA for impacts to city-owner parks, outside of the Section 4(f) process.

Bill Dermody asked if it is possible to explore the parcel on the northwest. The parcel is managed by the City of Saint Paul's Public Works Department. Nani responded that the Phase I Environmental Site Assessment (ESA) showed both locations as potentially contaminated. The Project is in the process of completing a Phase II ESA to determine the extend of contamination for both parcels. This data can be used to help determine the best location for the stormwater pond. Alice noted that the city has consultants working on Johnson Parkway design that have also requested use of the area for stormwater and the city said has declined this as well

Alice suggested considering stormwater options under Johnson Parkway for as a possible solution. David noted that stormwater maintenance discussions are ongoing. The design may be different depending upon the entity maintaining it.

### 3) Next Steps

- a) Project staff will incorporate the preliminary *de minimis* recommendations for the agreed upon elements into the Section 4(f) Evaluation as part of the EA.

- b) Project staff will develop a concept plan for shifting the location of the stormwater basin to the parcel to the northwest of the current proposed location and provide this information to the city.<sup>1</sup>
- c) Upon publication of the EA, FTA and the Council will send a letter with the Section 4(f) determination to the city for concurrence.

4) Actions

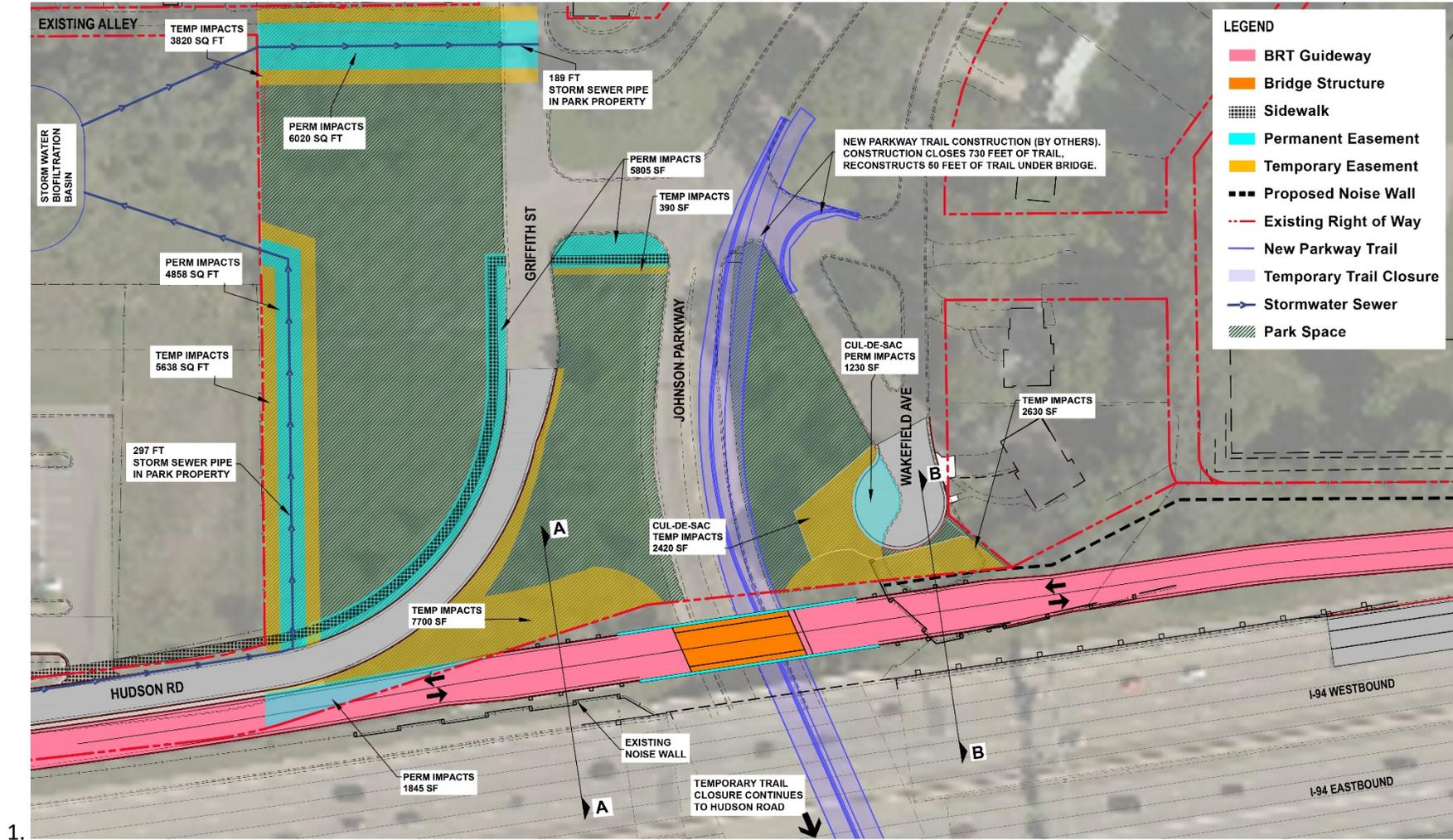
Action	Person Responsible	Status/Due Date
1. Distribute Section 4(f) packet	Nani	April - Complete
2. Develop figure for new location of stormwater basin and pipes <sup>a</sup>	Engineering Team	April - Complete
3.		
4. Provide feedback on Section 4(f) impact for new stormwater basin location	City staff	April - Complete

<sup>a</sup> Following the April 26 meeting, Figure 1 was provided to the city for preliminary concurrence. On April 30, 2019 the city responded that they agreed that the proposed storm sewer pipes and associated easements would be a *de minimis* impact.

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<sup>1</sup> Following the April 26 meeting, a revised concept plan for the location of the stormwater pond was provided to the city for preliminary concurrence. On April 30, 2019 the city responded that they agreed that the proposed storm sewer and associated easements would be a *de minimis* impacts. See Figure 1.

Figure 1. Johnson Parkway – Updated Impacts from Stormwater Basin





*Gold Line*

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

## **Woodbury Section 4(f) Resources Overview Packet** (as presented 9/13/18)



# CITY OF WOODBURY

This packet is intended to provide an overview of potential Section 4(f) resources evaluated as part of the Gold Line Bus Rapid Transit Project. The status of impacts is preliminary and for discussion purposes only. This will advance with design refinements and will be included in the analysis in the EA.

## 1. CITY OF WOODBURY

### 1.1 Section 4(f) Resource Already Identified

Below is a table of properties that will be evaluated for potential Section 4(f) use in the City of Woodbury.

Resource	Address	Description	Project Interaction	Status
<b>Recreational Properties</b>				
Tamarack Nature Preserve	1825 Tower Drive, Woodbury	Tamarack swamp with two miles of trails for walking and classical-style skiing; owned by the City of Woodbury	Adjacent to alignment and limits of disturbance.	Project impacts in this area are limited to lane striping. No impacts anticipated.



## 1.2 Section 4(f) Resources for Further Study/Discussion

### 1.2.1 Menomini Park



#### PROPERTY INFORMATION

- Ownership: City of Woodbury
- Use: Public Park

#### POTENTIAL PROJECT IMPACTS

- Potential impact from stormwater pond

#### INFORMATION REQUESTED

- Additional documentation or information on specific use of property at potential impact site? Are uses recreational?



## 1.2.2 Tamarack Road Trail



### PROPERTY INFORMATION

- Ownership: City of Woodbury
- Use: Open space in comprehensive plan
- Shown as separate parcel indicating this may not be “Right of Way”
- Shown as existing trail in parks plan



## POTENTIAL PROJECT IMPACTS

- Limits of disturbance include portions of trail parcel on Bielenberg
- Trail on Tamarack Rd not impacted by Project

## INFORMATION REQUESTED

- Is trail within transportation right of way or a separate city owned parcel?
- Is the trail's primary use for transportation or recreation?
- May not be a Section 4(f) impact if trail is within existing transportation right of way and used primarily for transportation purposes. If the trail is primarily for recreational purposes, impact may qualify as a "de minimis" impact.
- Comments on impacts



*Gold Line*

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

## **Woodbury Issue Resolution Team Meeting No. 12 Meeting Notes (9/13/18)**

## Meeting Notes

**Title:** Woodbury Issue Resolution Team (IRT) – Meeting No. 12

**Date:** 09/13/2018

### Attendees

Gold Line Project Office Chris Beckwith, Liz Jones, Nik Costello; Grant Wyffels, Andrea Arnoldi, Tracy Fosmo (KHA); Nani Jacobson (HNTB)

City of Woodbury Dwight Picha, Eric Searles, Janelle Schmitz

### *Committee Update/EA Scope Plan Walk-Thru*

- Chris provided an update on the Corridor Management Committee (CMC) meeting that was held on Thursday, September 6<sup>th</sup>. The primary agenda item was a continuation of the discussion from the previous CMC meeting to confirm what will be included in the project's Environmental Assessment (EA). Chris noted that one issue that came up during the discussion was that the Oakdale Mayor took exception to moving the end of the line station from Woodbury Theater to the proposed park & ride site adjacent to I-494, and questioned why that decision was made and why it wasn't brought to the CMC. Ultimately the CMC approved the proposed EA scope that includes the end of the line at the proposed I-494 park & ride, but Chris noted that GPO staff will likely have to recap how this decision was arrived at via the IRT/TAC process at the next CMC meeting. Eric noted that there have been numerous modifications to the project since the locally preferred alternative was developed, including several in Oakdale, and requested that GPO staff provide city staff with information detailing those modifications and the associated costs. **Action Item: GPO to provide city staff with information detailing project modifications and associated costs.**
- Chris led a brief walkthrough of the EA scope that was presented and approved at the September 6<sup>th</sup> CMC meeting. There are two locations with design options that are being carried forward through the environmental process. The first location is in Oakdale, where there are mixed traffic and dedicated guideway options on 4<sup>th</sup> Street. The second location is in St. Paul, where there are two options for the White Bear Avenue station location (Van Dyke Street vs. Hazel Street). Chris also noted that the CMC was comfortable with the mixed traffic option between Etna Street and White Bear Avenue, so the dedicated guideway option on that segment will be dropped from further study. The committee also recommended that the Mounds Blvd alignment option move forward, so the Maria alignment option will be eliminated from further study. Finally, there are two routing alternatives being studied in downtown St. Paul. One alternative includes stopping at the front of Union Depot and then proceeding through downtown St. Paul via a loop to the Smith Avenue Transit Station. The second alternative terminates at the back of Union Depot and does not include the loop through downtown.

## Stormwater Update

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- Grant provided a general stormwater update for city staff. He noted that there is a separate Stormwater IRT group that consists of stormwater representatives from each of the cities, the counties, and the two watershed districts. Woodbury’s representative on that IRT is Sharon Doucette.
- Grant walked through a map of the potential stormwater best management practice (BMP) locations that have been identified by the Stormwater IRT group. Potential locations within the City of Woodbury are as follows:
  - BMP Location 42, located on the north side of the Hartford site – This site is identified as a likely BMP location, although Grant noted that it’s located on private property and would therefore necessitate property acquisition.
  - BMP Location 43, located south of the Medtronic property on the east side of Bielenberg Drive – This site is no longer under consideration, based on discussions with the city.
  - BMP Location 44A, located south of the Hartford property on the west side of Bielenberg Drive – This site is still identified as a potential BMP location, although it’s not a preferred location based on discussions with the city. Sharon has noted that this site would pose challenges.
  - BMP Location 44B, located south of the Hartford property adjacent to I-494 – This site is identified as a likely BMP location, but Grant noted that it will need to be shifted further west toward I-494.
  - BMP Location 45, located in the northeast corner of the I-494 & Tamarack Road interchange – Grant noted that there is some debate about whether this site is a wetland, due to conflicting delineation reports. Nani updated the group and noted that the environmental team was treating it as a wetland, so this site needs to be removed from further consideration.
  - Parcel D – There are no BMP locations identified on the Parcel D property, however it’s understood by the project team that the developer will be installing a BMP that will treat stormwater from the development, Nature Path, and a portion of Bielenberg Drive. Eric asked about quantifying the cost of providing treatment for that additional stormwater from Bielenberg Drive, since the city may be asked by the developer to contribute a portion of that cost. **Action Item: Grant to work with Dave Filipiak to quantify an approximate cost of providing this additional stormwater treatment.**
  - BMP Location 48, located in the southwest corner of Bielenberg Drive & Guider Drive – This site is still on the table as a potential BMP location, although it’s looked at as “last resort” option. It would involve retrofitting the existing stormwater pond on this site.
  - BMP Location 50, located on the existing Doran/Muir parcel adjacent to I-494 – This site is identified as a likely BMP location.
  - NW corner of Bielenberg Drive & Guider Drive – This is an additional site that was identified by Sharon as a potential BMP location that the city would be open to pursuing. The project team is planning to investigate this site further.
- Grant noted that the good news is that the stormwater team believes that the project’s stormwater treatment requirements can be met with the BMP locations that have been identified.
- Eric noted that some of the identified BMP locations could be challenging, particularly ones that would potentially involve private property acquisition from property owners that aren’t necessarily supportive of the project. He suggested that the project team may want to investigate some linear treatment

options along Bielenberg Drive where the project would already be acquiring right-of-way to accommodate the roadway widening. Grant responded that the project team will indeed keep that option in mind as design progresses.

## Section 4(f) Update

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- Nani provided some background on Section 4(f) analysis, which the project team is completing as a part of the EA process. Section 4(f) is a federal law that applies to all DOT projects, which says that transportation projects, if using federal funds, cannot impact public parks, wildlife refuges, or bird/wildlife sanctuaries for transportation purposes, unless the project goes through some additional steps and can prove that there are no “feasible and prudent” alternatives. Section 4(f) also applies to both publicly-owned and privately-owned historic properties, although Nani noted that there aren’t any of those identified in Woodbury.
- Nani walked through a handout that summarized the potential Section 4(f) properties that the project team has identified along the project corridor within the City of Woodbury:
  - Tamarack Nature Preserve – This site is likely not a Section 4(f) impact, since the project isn’t proposing to widen Bielenberg Drive as it crosses the preserve.
  - Menomoni Park – This site has been identified by the Stormwater IRT team as a likely BMP location that does not have any “feasible and prudent” alternative locations, and is therefore expected to be considered a Section 4(f) impact. However, since the potential BMP location wouldn’t impact a critical part of the park or the overall function of the park, the project team believes that this should be considered a “de minimis” impact. The project team will be documenting this in a letter, which will be sent to the city, since the city is the owner of the park. Assuming the city agrees, the city will then need to provide written concurrence. Dwight noted that this was the first time that the city’s community development staff had heard about this park being used as a potential BMP location, so they would need to discuss this with their parks department staff before proceeding further. **Action Item: City staff to report back on discussions with their parks department staff regarding Section 4(f) properties.**
  - Tamarack Road Trail – Nani noted that trails used for recreation purposes are also Section 4(f) resources. Nani asked if the city had designated this trail as a transportation or recreation trail. City staff responded that they do not designate trails, and that this trail is likely used for both purposes. Nani then reviewed the proposed construction activity along Bielenberg Drive that will impact this trail during the construction period. The trail will then be replaced to the east of the guideway. Based on this, the project is recommending this as a temporary occupancy under Section 4(f). Under Section 4(f) the project will work with the city on minimization and mitigations measures such as providing directions signage during construction, minimizing the duration of construction, and reconstructing the trail in the same or better condition that existing.

## Next Meeting

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- The next IRT meeting will be held on Thursday, September 27<sup>th</sup> from 10:30 a.m. – 12:00 p.m. at the Gold Line Project Office.

## Action Items (new in italics)

Share development yield projections for parcels along Bielenberg Dr.	City of Woodbury
Share 3M employee survey results with GPO / City of Woodbury.	Sara Allen
Provide the city with copies of the project fact sheet for distribution at the Nature Path neighborhood meeting.	Hally Turner or Lyssa Leitner
Reach out to Metro Transit regarding the possibility of the city retaining station naming rights.	GPO
Update Gold Line talking points document and project website FAQ's with information on revenue vs. operational costs.	Hally Turner or Lyssa Leitner
Provide viewshed from proposed Helmo/Bielenberg bridge at a future IRT meeting.	GPO
Investigate data center risk management options.	Chris Beckwith/Lisa Wall
Reach out to Lee Williams regarding the potential timeline and process for acquiring the land area adjacent to I-494.	GPO
<i>Provide city staff with information detailing project modifications and associated costs.</i>	<i>Chris Beckwith</i>
<i>Work with Dave Filipiak to quantify an approximate cost of providing the additional stormwater treatment for a portion of Bielenberg Drive on the Parcel D property.</i>	<i>Grant Wyffels</i>
<i>City staff to report back on discussions with their parks department staff regarding Section 4(f) properties.</i>	<i>Dwight Picha</i>