



Transportation Committee

Meeting date: January 23, 2012

Metropolitan Council Meeting: February 8, 2012

ADVISORY INFORMATION

Date: January 13, 2012
Subject: Minneapolis Interchange Project – Programmatic Agreement
District(s), Member(s): All
Policy/Legal Reference: 16 U.S.C. Section 470(f)
Staff Prepared/Presented: Brian Lamb, General Manager 612-349-7510
 Mark Fuhrmann, Deputy General Mgr, 651-602-1942
 Kathryn O'Brien, Project Manager, Environmental Services, 651-602-1927
 MarySue Abel, Lead Project Manager, 612-349-7638
Division/Department: Metro Transit

Proposed Action

That the Metropolitan Council authorize the Regional Administrator to take the following actions required to satisfactorily complete the National Environmental Policy Act (NEPA) process:

- Sign the Minneapolis Interchange Project Programmatic Agreement, developed jointly between the Federal Transit Administration, Hennepin County Regional Railroad Authority, the Metropolitan Council, and the Minnesota State Historic Preservation Office pursuant to federal regulations.
- Execute a Cooperative Agreement with Hennepin County and Hennepin County Regional Railroad Authority identifying the County as the entity with primary responsibility for implementing the terms of the Programmatic Agreement.

Background

Consultation regarding potential effects of the Interchange Project on historic and cultural resources has been ongoing as part of fulfilling requirements of the National Environmental Policy Act (NEPA). As an outcome of this process, the Federal Transit Administration determined that the project will have adverse effects on properties included, or eligible for inclusion, in the National Register of Historic Places. In consultation with the Minnesota State Historic Preservation Office and other consulting parties, a Programmatic Agreement has been developed committing Hennepin County and the Metropolitan Council to actions that will avoid, minimize, and/or mitigate adverse effects to historic properties resulting from Interchange Project construction. This Programmatic Agreement must be executed prior to completion of the NEPA process and project construction. Hennepin County's schedule calls for completion of the NEPA process by early March 2012.

There are no stipulations of the Programmatic Agreement for which the Council would be responsible. Any stipulations where the Council would potentially be responsible would have to be mutually agreeable by Hennepin County and the Council in the form of a letter agreement.

Rationale

Developing and executing a Programmatic Agreement is a statutory requirement as part of implementing the Interchange Project pursuant to federal regulations at 36 CFR Part 800 implementing Section 106 of the National Historic Preservation Act (16 U.S.C. Section 470f), as amended. As the recipient of federal funds obligated for the Interchange Project, the Metropolitan Council is party to this process.

Funding

Funding required to implement the stipulations of the Programmatic Agreement will come from committed Interchange Project funds.

Known Support / Opposition

Hennepin County Regional Railroad Authority supports this Programmatic Agreement.