

7.0 SECTION 4(F) EVALUATION

7.1 Background Information and Regulatory Requirements

This chapter presents the existing conditions and potential effects to parklands and historic properties as they relate to the provisions of Section 4(f) of the U.S. Department of Transportation Act of 1966. Section 4(f) of the Department of Transportation Act of 1966 is a federal law intended to prevent the conversion of specific categories of property to transportation use, unless the U.S. Department of Transportation (USDOT) determines there is no feasible and prudent alternative to such conversion and all possible planning has been done to minimize harm. Chapter 7 of this FEIS constitutes the Section 4(f) evaluation for this proposed project; there is no stand-alone Section 4(f) evaluation.

This law, codified at 49 USC 303 and 23 USC 138, is commonly referred to as Section 4(f) and is implemented by regulations found at 23 CFR 774. The specific categories of properties protected by Section 4(f) include publicly owned parks, publicly owned recreation areas, publicly owned wildlife and waterfowl refuges, and historic properties regardless of ownership. Section 4(f) applies to all USDOT agencies; including the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the Federal Aviation Administration (FAA), and the Federal Railroad Administration (FRA).

Section 4(f) permits the Secretary of Transportation to approve a project that requires the use of any publicly-owned land from a park, recreation area, wildlife refuge, or historic property only where it is shown that:

- There is no feasible or prudent alternative to the use of the land; and
- The action includes all possible planning to minimize harm to the property resulting from such use.

Use of a Section 4(f) property is defined by 23 CFR 774.17 as occurring:

- When land is permanently incorporated into a transportation facility;
- When there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose as determined by the criteria in §774.13(d); or
- When there is a constructive use of a Section 4(f) property as determined by the criteria in §774.15.

Permanent incorporation of land into a transportation facility can be done by fee simple purchase of the land or through permanent right-of-way acquisition.

Temporary impacts to Section 4(f) properties may occur during construction and might include noise and/or vibration impacts, impacts to air and/or water quality, and visual or access limitations. Such impacts are typically minor and end before a project is completed. For a temporary occupancy of Section 4(f) land to be considered not adverse and a Section 4(f) use, it must meet the following conditions:

- The duration of the occupancy must be less than the time needed for the construction of the project and there must not be a change in ownership;

- Both the nature and magnitude of the changes to the Section 4(f) properties are minimal;
- There are no anticipated permanent adverse physical changes nor interference with activities or purposes of the resource on a temporary or permanent basis;
- The land is restored to the same or better condition; and,
- There is documented agreement of the appropriate federal, state, or local officials having jurisdiction over the resource regarding the above conditions.

A constructive use of land occurs when the project does not require permanent or temporary use of land, but has an impact on a Section 4(f) property that substantially impairs the activities, features, or attributes of the resource. Such uses are defined in 23 CFR 774.15 and include:

- The projected noise level increase attributable to a proposed project substantially interferes with the use and enjoyment of a resource protected by Section 4(f), such as hearing a performance at an outdoor amphitheater, enjoyment of a historic site where a quiet setting is a generally recognized feature of the site, or enjoyment of an urban park where serenity and quiet are significant attributes.
- The proximity of a proposed project substantially impairs aesthetic features or attributes of a resource protected by Section 4(f), where such features or attributes are considered important contributing elements to the value of the resource. An example of substantial impairment to visual or aesthetic qualities would be the location of a proposed transportation facility in such proximity that it obstructs or eliminates the primary views of an architecturally significant historical building, or detracts from the setting of a park or historic site which derives its value in substantial part from its setting.
- A proposed project results in a restriction of access to the Section 4(f) property, which substantially diminishes or eliminates the utility of the resource.
- The vibration impact from operation of a proposed project would substantially impair the use of a Section 4(f) property, such as a projected vibration level that is great enough to affect the structural integrity of a historic building or substantially diminish the utility of a historic building.
- The ecological intrusion of a proposed project substantially diminishes the value of wildlife habitat in a wildlife or waterfowl refuge adjacent to a proposed project or substantially interferes with the access to a wildlife or waterfowl refuge when such access is necessary for established wildlife migration or critical life cycle processes.

The determination of “feasible and prudent” alternatives must include supporting information that demonstrates unique problems or unusual factors involved in the use of alternatives which would avoid the use of Section 4(f) properties; or that the cost, social, economic, and environmental impacts or community disruption resulting from such alternatives reach extraordinary magnitudes. An alternative may be rejected as not being feasible and prudent if it:

- Does not meet the purpose and need of the project;
- Has excessive cost of construction of extraordinary magnitude; or,

- Results in severe operational or safety problems, unacceptable adverse social, economic or environmental impacts, serious community disruption, or, accumulation of the aforementioned impacts that combined, reach an unacceptable level.

When a proposed project would need to use a minor amount of Section 4(f) protected property, the FTA can make a *de minimis* impact determination. Such findings must include sufficient supporting documentation to demonstrate that the impacts, after avoidance, minimization, mitigation, or enhancement measures are taken into account, are *de minimis* as defined in regulation, and that the required coordination has been completed. Because of their nature as minor impacts, *de minimis* impact determinations require minimal review and documentation when compared to traditional Section 4(f) determinations.

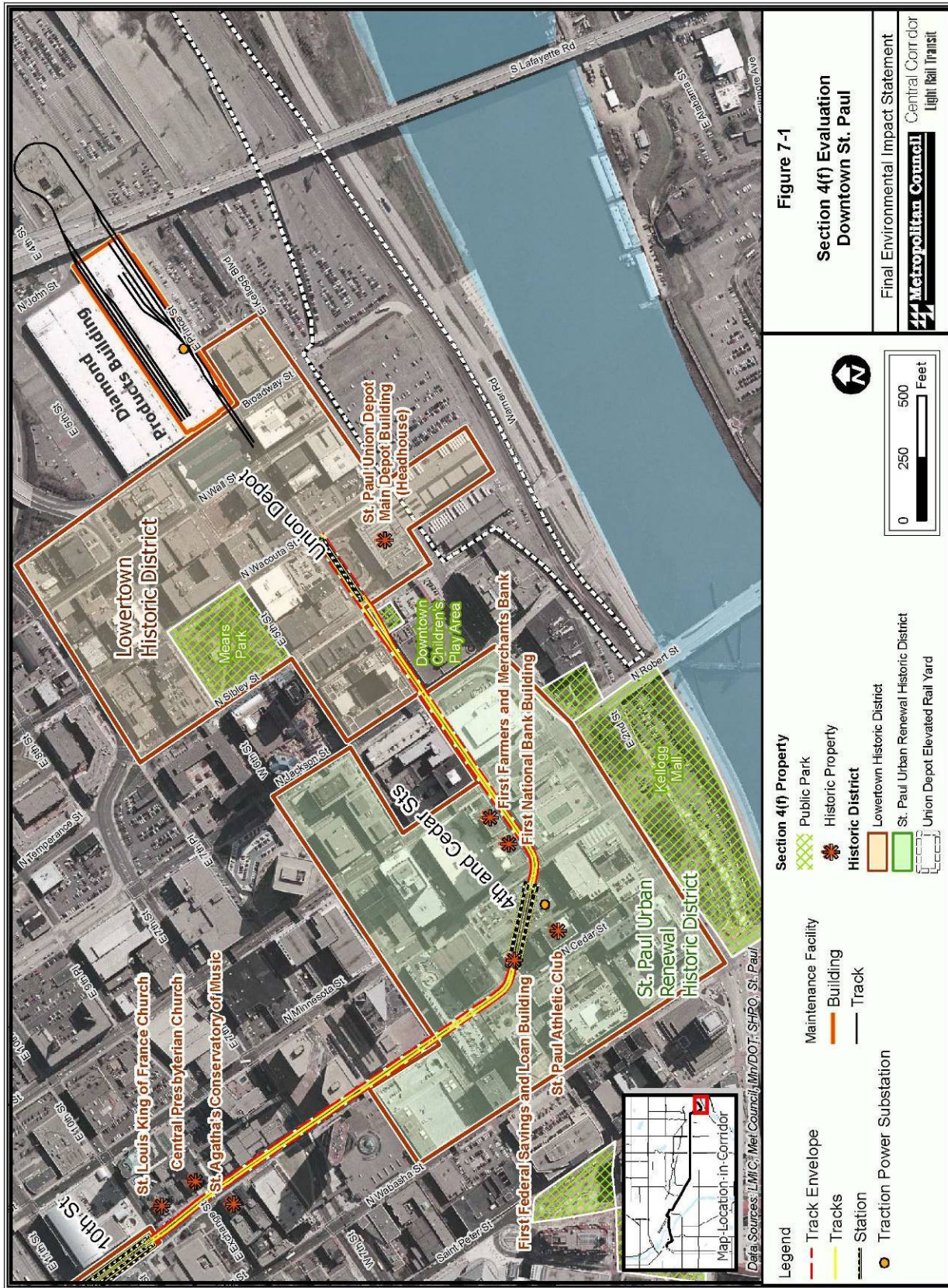
23 CFR part 774.17 defines two specific types of *de minimis* impacts.

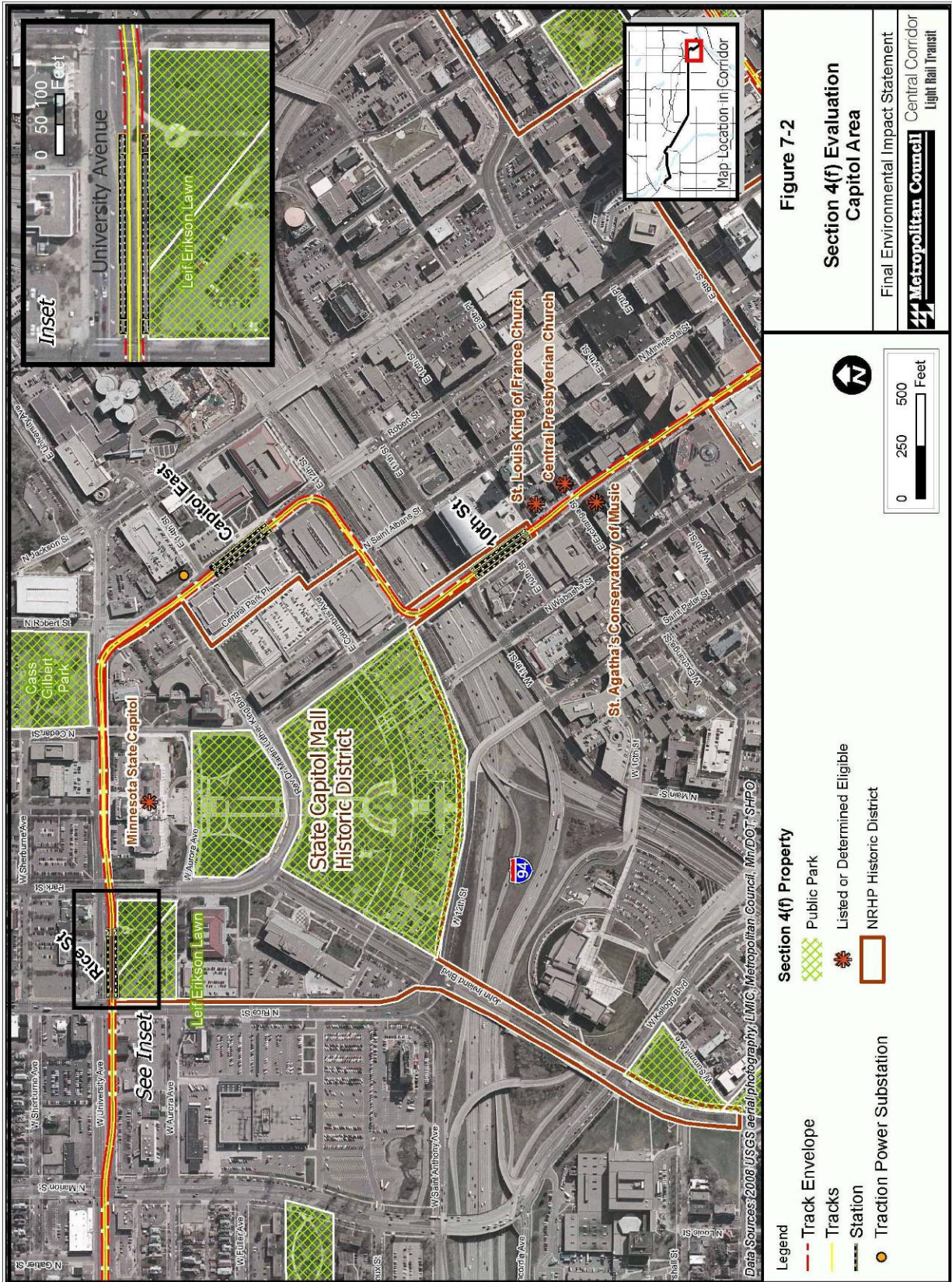
- For historic sites, *de minimis* impact means that the Administration has determined, in accordance with 36 CFR part 800 that no historic property is affected by the project or that the project will have “no adverse effect” on the historic property in question.
- For parks, recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact is one that will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f).

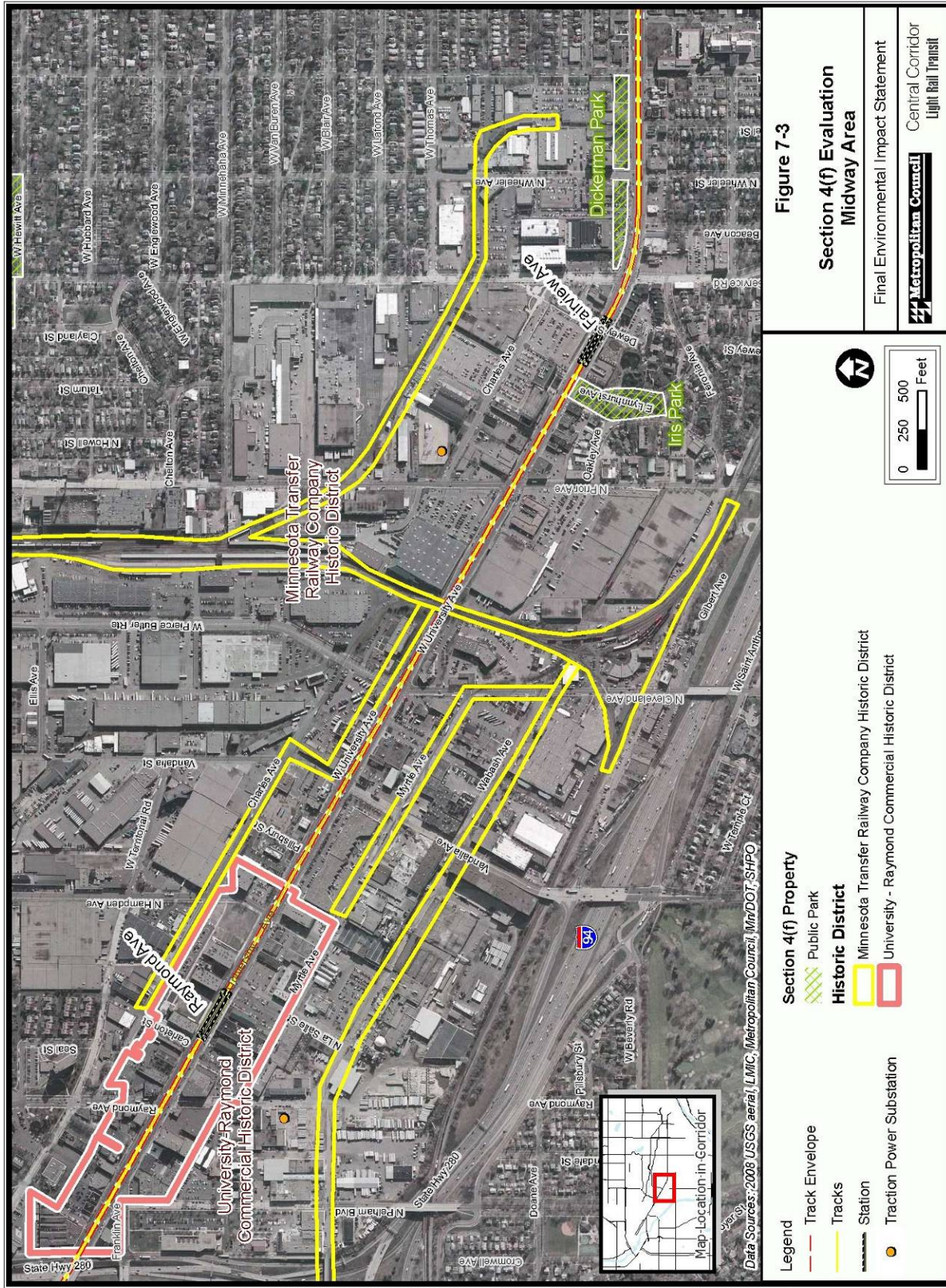
The AA/DEIS that was published in 2006 did not anticipate the need to use Section 4(f) properties and no Section 4(f) evaluation was conducted at that time. Based on proposed changes to the DEIS LPA and the results of further preliminary engineering design, the need to use Section 4(f) properties was identified. A draft Section 4(f) evaluation was published in the SDEIS in June 2008. This Section 4(f) evaluation was prepared for publication in the FEIS and will be finalized upon receipt of the written concurrence required by Section 4(f) as described above.

The Section 4(f) properties identified within the Central Corridor LRT Study Area (Figure 7-1 through Figure 7-6) include both publicly owned parklands that meet the specific criteria defined in 23 CFR 774 and historic property regardless of ownership. Section 4(f) applies to all historic properties (i.e., on or eligible for inclusion in the National Register of Historic Places (NRHP)), except for archaeological resources unless the archaeological resources merit preservation in place.

In addition to the protection provided by Section 4(f), Section 6(f) of the Land and Water Conservation Fund Act of 1965 (LAWCON) stipulates that any land or facility planned, developed, or improved with LAWCON funds cannot be converted to uses other than parks, recreation, or open space unless land of at least equal fair market value and reasonably equivalent usefulness is provided. Anytime a transportation project would cause such a conversion, regardless of funding sources, such replacement land must be provided. Tower Hill Park contains a Section 6(f) resource; however, no permanent conversion of Section 6(f) park property is proposed. Therefore, further review per Section 6(f) is not required.









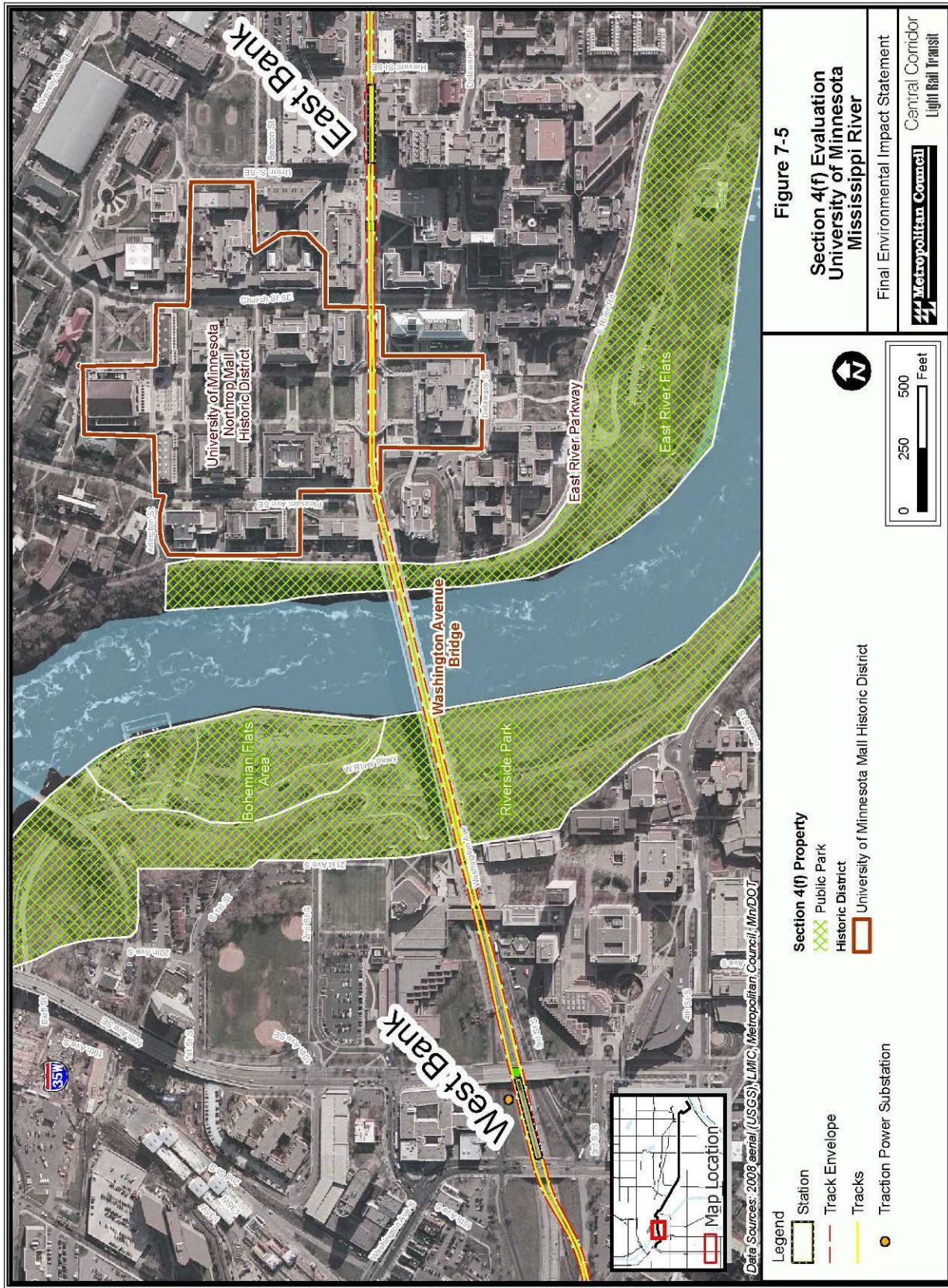


Figure 7-5

**Section 4(f) Evaluation
University of Minnesota
Mississippi River**

Final Environmental Impact Statement

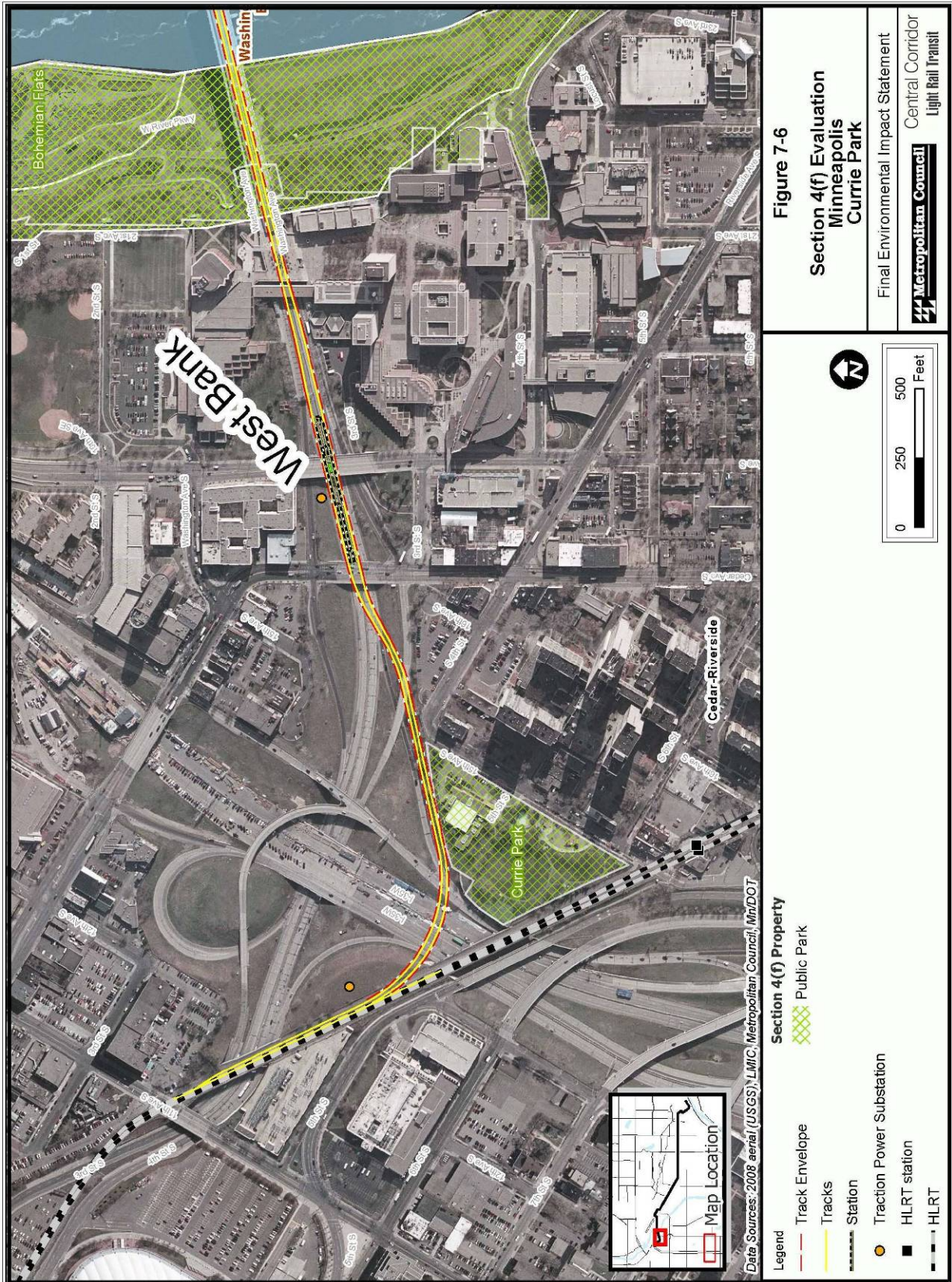


Section 4(f) Property

- Public Park
- Historic District
- University of Minnesota Mall Historic District

Legend

- Station
- Track Envelope
- Tracks
- Traction Power Substation



7.2 Methodology

The methodology used to identify likely impacts to Section 4(f) protected properties included the following steps:

- Development of detailed base maps depicting property ownership overlaid on current aerial photographs.
- In compliance with the Section 106 process, ongoing consultation has been conducted regarding historic properties within the project corridor. This consultation has been conducted by MnDOT, on behalf of the FTA, and has included the Minnesota State Historic Preservation Office (SHPO). The results of the Section 106 consultation process completed to date for the project are summarized in Section 3.4 of this FEIS.
- Parks and public land within 0.25 mile of the corridor were identified and are documented in Section 3.5. Those parks and public lands that qualify as 4(f) properties and are found within 350 feet of the project corridor were evaluated in greater detail for their potential to be used by the proposed project.
- The construction limits were projected onto the base map to determine if any of the 4(f) properties would be used by the proposed action.
- Where there appeared to be a project-related use of 4(f) properties, additional analysis was conducted to determine the type and magnitude of the use.
- Where there appeared to be a project related use of a 4(f) property, additional engineering analysis was conducted to determine if such use could be avoided or minimized through the planning and design process.

The results of this analysis led to a series of coordination meetings with the parties that control these properties and the regulatory agencies responsible for these resources.

7.3 Proposed Action

The following sections summarize the Project Location and Description and the Purpose and Need for the project. Additional detail is provided in this FEIS in Chapter 1, Purpose and Need for the Proposed Action.

7.3.1 Project Location and Description

The project is located within the city limits of the cities of St. Paul, Minnesota and Minneapolis, Minnesota. As discussed in Chapter 2 of this FEIS, the route begins at the passenger station in front of the St. Paul Union Depot. It extends to the southwest for three blocks along 4th Street before shifting diagonally to the proposed 4th and Cedar Streets Station. The route then extends to the northwest along Cedar Street for five blocks before coming to the proposed 10th Street Station. The route continues along Cedar Street for one additional block and then makes a 90 degree turn and extends along 12th Street for two blocks before making a 90 degree turn onto Robert Street. The route extends northwest along Robert Street for one block before reaching the proposed Capitol East Station. The route continues along Robert Street for about two more blocks before making a 45 degree turn onto University Avenue and heads west to the proposed Rice Street Station. The proposed route runs west along University Avenue, with proposed stations at Dale Street, Lexington Parkway, and Snelling Avenue. The route continues along University Avenue toward the northwest with proposed stations at Fairview Avenue, Raymond Avenue, Westgate, and at 29th Avenue. The route crosses the U of M campus with stops at the Stadium Village Station, East Bank Station, and West Bank Station. The route then crosses over I-35W before extending into downtown Minneapolis and connecting near the Metrodome with the Hiawatha LRT and its four downtown Minneapolis stations.

7.4 Purpose and Need

The purpose and need for the Central Corridor LRT was presented in the AA/DEIS and approved by FTA in 2006. A summary of the purpose and need is presented below. For a detailed discussion of the purpose of and need for the proposed project, please refer to Chapter 2.0 of this FEIS.

The purpose of the Central Corridor LRT is to meet the future transit needs and economic development goals of the Central Corridor LRT Study Area and the region. The Metropolitan Council's regional 2030 Transportation Policy Plan identified this corridor as a top priority for early implementation. Due to increasing traffic congestion and major redevelopment in the physically constrained corridor connecting St. Paul and Minneapolis, a need currently exists for a viable alternative to auto travel. The introduction of fixed-guideway transit to the Central Corridor LRT Study Area is proposed as a cost-effective measure aimed at improving mobility by offering an alternative to auto travel for commuting and discretionary trips. The Central Corridor LRT would help to minimize congestion increases, offer travel time savings, provide better transit service and capacity to the diverse population of existing and future riders in the corridor, and optimize significant public investments in the regional transit system.

The Central Corridor LRT Study Area is one of the region's most ethnically, racially, and culturally diverse areas and it is experiencing rapid growth in population, housing, and employment. According to the U.S. Census Bureau's Census 2000 Summary File 1 (SF 1-2001), 119,038 people lived in the Central Corridor LRT Study Area in 2000. The Central Corridor LRT Study Area comprises one of the most densely populated parts of the Twin Cities metropolitan area and has some of the highest household growth rates. The Central Corridor LRT Study Area also has a high percentage of minorities, households without automobiles, low-income populations, and households below poverty level. Much of the population in the Study Area depends on transit for mobility and access to jobs. The presumption is that a substantial percentage of that population depends on transit to get to work, healthcare facilities, shopping destinations, schools, and recreational facilities.

By 2030, the Twin Cities metropolitan region is expected to add approximately one million people to its year 2000 population base of approximately 2.7 million. Household growth is projected throughout the Central Corridor LRT Study Area, especially in the downtowns and their riverfront areas where new developments are under construction with many already open for occupancy. Of particular note are the population projections for Downtown St. Paul, Midway West, and Downtown Minneapolis planning segments, where the population is projected to increase by 114 percent, 27 percent, and 59 percent, respectively by 2030. Downtown St. Paul and Downtown Minneapolis, at 114 percent and 59 percent respectively, have the highest projected growth. The overall percentage of housing growth for the Central Corridor LRT Study Area is projected to be 41 percent. The highest regional concentrations of urban activity, government, commerce, education, regional services, transit, and highways are all located in the Central Corridor LRT Study Area.

7.5 Properties Protected by Section 4(f)

The Section 4(f) properties found in the project vicinity include both publicly owned parks and recreation areas, and historic properties. A list of the publicly owned parks, open spaces, and recreation areas located in the vicinity of the Central Corridor LRT project is found in Table 3.5-2, in Section 3.5 of this FEIS. Note that not all of the locations listed as parks actually qualify as a Section 4(f) property based on the criteria set forth in the rules and discussion with the regulatory agencies. There are no wildlife or waterfowl refuges found in the project vicinity. The West River Parkway and East River Parkway do provide wildlife and waterfowl habitat; however, they are not formal wildlife and/or waterfowl refuges protected by Section 4(f). A list of historic properties within the Central Corridor LRT vicinity is found in Table 3.4-2, in Section 3.4 of this FEIS.

The Hiawatha LRT (HLRT) Bike Trail is not discussed as a Section 4(f) property because it is primarily used for transportation and is an integral part of the local transportation system. The HLRT Bike Trail and its usage and features are discussed in Section 6.4, Other Transportation Facilities.

The following sections describe the Section 4(f) properties identified in the project vicinity. The properties have been categorized based on whether a use will occur from the project. The findings presented below have been developed through coordination with Minnesota SHPO and agencies with jurisdiction over the properties.

For historic properties, concurrence from Minnesota SHPO on Section 106 findings of effect is needed for those properties that are also protected under Section 4(f). The findings of effect are important in the determination of whether or not there is a Section 4(f) use and the type of that use. For *de minimis* findings on historic property, FTA is required to notify Minnesota SHPO of the intent to conclude the use on specific historic properties is *de minimis* based on an FTA finding of no adverse effect. For the *de minimis* findings for parks and recreation areas, written concurrence from the agency with jurisdiction over the specific park or recreation area is required.

7.5.1 Properties Not Used

Table 7-1 Describes Section 4(f) properties adjacent to or in the immediate vicinity of the project that will not have a Section 4(f) use.

Table 7-1 Section 4(f) Properties Not Used in Project Vicinity

| Property Name | Property Description | Direct or Constructive 4(f) Use |
|---|---|---------------------------------|
| Union Depot Elevated Railyard | Historic Property Owned by Ramsey County Regional Rail Authority | None |
| Downtown Children's Play Area | Public park, less than 0.2 acre Owned by the City of St. Paul | None |
| St. Paul Athletic Club | Historic Property Private ownership | None |
| St. Agatha's Conservatory of Music and Fine Arts | Historic Property Private ownership | None |
| Central Presbyterian Church | Historic Property Private ownership | None |
| St. Louis King of France Church and Rectory | Historic Property Private ownership | None |
| Dickerman Park | Public park of 1.75 acres Owned by the City of St. Paul | None |
| Iris Park | Public park of 0.5 acre Owned by the City of St. Paul | None |
| Minnesota Transfer Railway Company Historic District | Historic Property (District) Private Ownership | None |
| University – Raymond Commercial Historic District | Historic Property (District) Most buildings in private ownership. Public ownership of streets and sidewalks by City of St. Paul | None |
| Tower Hill Park | Public park of 4.5 acres Owned by the Minneapolis Park and Recreation Board | None |
| Prospect Park Residential Historic District | Historic Property (District) Most buildings in private ownership. Public ownership of streets and sidewalks by City of Minneapolis | None |
| University of Minnesota Campus Mall Historic District | Historic Property (District) Owned by the University of Minnesota | None |
| East River Parkway | Historic Property (road), part of the Grand Rounds Historic District Owned by the Minneapolis Park and Recreation Board | None |

| Property Name | Property Description | Direct or Constructive 4(f) Use |
|--------------------------|---|---------------------------------|
| East River Flats | Public park of 26 acres Owned by the Minneapolis Park and Recreation Board | None |
| Washington Avenue Bridge | Historic Property (Road Bridge) Owned by Hennepin County | None |
| Bohemian Flats | Public park/open space component of West River Parkway. Owned by the Minneapolis Park and Recreation Board | None |
| Currie Park | Public park of 4.8 acres Owned by the Minneapolis Park and Recreation Board | None |

7.5.1.1 Union Depot Elevated Railyard

The Union Depot Elevated Railyard is a National Register-eligible component of the Union Depot. This elevated railyard was constructed as an integrated component of the overall Union Depot and consists of an earthen ramp and concrete deck approximately 40 acres in size. The elevated railyard leads to the Union Depot, which was built between 1917 and 1922. It was required in order to raise the train tracks out of the flood plain of the adjacent Mississippi River.

During preliminary engineering, it was determined that the proposed Operation and Maintenance Facility (OMF) would be sited on a portion of the elevated railyard, which would have required the demolition of a portion of this historic property. Additionally, the tracks necessary to get the train to the OMF were proposed to be constructed on an additional portion of the elevated railyard. The adverse effect associated with the demolition of the elevated railyard triggered an avoidance analysis for this proposed use of Section 4(f) protected property (see Section 7.6.4.3). During this avoidance analysis, an alternative was developed that sited the OMF within the currently vacant Diamond Products Building (also known as the Gillette Building). The Diamond Products Building is a large industrial building that was built in the early 1960s and covers several city blocks. An engineering analysis conducted in late 2008 found that the building could be modified to house the OMF operation with less cost than the use of the Union Depot Elevated Railyard site. This avoidance analysis resulted in a feasible and prudent alternative that avoided the use of this Section 4(f) protected property. The revised alignment and the OMF facility would be approximately one block away from the Union Depot Elevated Railyard. The line of sight between the Union Depot Elevated Railyard and the revised alignment and OMF locations would largely be blocked by multi-story buildings. The proposed project would not be in proximity to the Union Depot Elevated Railyard and would not result in any impacts that would substantially impair the features and attributes that qualify this historic property for Section 4(f) protection. The proposed project would not substantially impair the esthetic features or attributes of this historic property. The proposed project would not result in any permanent changes in access to the Union Depot Elevated Railyard. Therefore, there would be no constructive use of the Union Depot Elevated Railyard, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no additional avoidance analysis is required.

7.5.1.2 Downtown Children's Play Area

The Downtown Children's Play Area was identified as a Section 4(f) resource after the SDEIS was published. It is owned by the City of St. Paul and operated by the Parks and Recreation Department under the guidance of the St. Paul Parks and Recreation Commission. Less than 0.2 acre in size, it provides play equipment, landscaped areas, shade trees, benches, and a mural.

Subsequent to the publication of the SDEIS, it was learned that the proposed project would require the incorporation of a strip of property up to 10 feet wide from the 4th Street side of the Downtown Children's Play Area. However, redesign at this location eliminated that need and the proposed project would not require the incorporation of property from the Downtown Children's Play Area. The project may require temporary occupancy of a minor amount of land along Fourth Street during construction; however, access disruption would be temporary and the park would be restored to as good or better condition upon completion of the temporary occupancy, should one be necessary. The proposed project would pass along Fourth Street, which is in proximity to the north side of the Downtown Children's Play Area. The proposed project would not result in any permanent restriction of access that substantially diminishes the utility of this public park. The proposed project would not substantially impair the esthetic features or attributes of this public park or otherwise obstruct or eliminate any of the primary views found within this public park. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this public park. The proposed project would reduce traffic on Fourth Street, which would reduce traffic-generated noise in this location. Thus, the proposed project would not substantially impair the features and attributes that qualify the Downtown Children's Play Area for Section 4(f) protection. There would be no constructive use of the Downtown Children's Play Area, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.3 St. Paul Athletic Club

The St. Paul Athletic Club is a historic property in private ownership. This National Register-eligible historic building is near the proposed alignment along Cedar Street and is adjacent to the proposed 4th and Cedar Streets Station.

The proposed project would require temporary occupancy of a minor amount of property from the edge of the St. Paul Athletic Club lot and would cause temporary access disruptions during construction. The St. Paul Athletic Club building, which is historic, would not be used or altered by the proposed project.

The proposed project would not require the incorporation of property from the St. Paul Athletic Club and would have no constructive use of this property. The proposed project would be in proximity to the rear of the St. Paul Athletic Club; however, the proposed project would not obstruct or eliminate the primary view of this historic building. The proposed project would not result in vibration or noise levels that would substantially diminish the utility of this historic building. The proposed project would not substantially impair the esthetic features or attributes of this historic property. Access to this historic building would not be permanently altered. Thus, the proposed project would not substantially impair the features and attributes that qualify this historic property for Section 4(f) protection. There would be no constructive use of the St. Paul Athletic Club, as discussed in Section 7.1 and as defined in

23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.4 St. Agatha's Conservatory of Music and Fine Arts

The St. Agatha's Conservatory of Music and Fine Arts building is a historic property in private ownership. This National Register-listed historic building is immediately adjacent to the proposed alignment along Cedar Street and near the proposed 10th Street Station.

The proposed project would not require the incorporation of property from St. Agatha's Conservatory of Music and Fine Arts. The proposed project may require temporary occupancy of land along Cedar Street and may cause temporary access disruptions during construction. The existing sidewalk within the Cedar Street right-of-way may be reconstructed.

The proposed project would not require the incorporation of property from the St. Agatha's Conservatory of Music and Fine Arts. The proposed project would be in proximity to the front and side of St. Agatha's Conservatory of Music and Fine Arts; however, the proposed project would not obstruct or eliminate the primary view of this historic building and would not result in vibration or noise levels that would substantially diminish the utility of this historic building. Access to this historic building would not be permanently altered. The proposed project would not substantially impair the esthetic features or attributes of this historic property. Thus, the proposed project would not substantially impair the features and attributes that qualify this historic property for Section 4(f) protection. There would be no constructive use of the St. Agatha's Conservatory of Music and Fine Arts, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.5 Central Presbyterian Church

The Central Presbyterian Church is a historic property in private ownership. This National Register-listed historic building is immediately adjacent to the proposed alignment along Cedar Street and near the proposed 10th Street Station.

The proposed project would not require the incorporation of property from the Central Presbyterian Church. The proposed project may require temporary occupancy of land along Cedar Street and may cause temporary access and parking disruptions during construction. The existing sidewalk within the Cedar Street right-of-way would be reconstructed. Access to the parcel from Cedar Street will not be available for regular day-to-day use. However, the Central Presbyterian Church is a consulting party and access alternatives are in discussion. Day-to-day access may be provided by arranging for weekday, business-hour parking arrangements in the surface lot on the south side of the church owned by Minnesota Public Radio. The church does have rights of access by easement to this parking lot and rights to park during weekday evenings and weekends as specified in the easement agreement with Minnesota Public Radio. The remaining lane of Cedar Street will also be used to provide access for special events. Noise and vibration modeling indicate that there would be no adverse effect to this building due to the incorporation of attenuation features during project design, as described in Appendix J. Noise and vibration issues will continue to be addressed during design so that noise and vibration would not have an adverse effect upon this building or its occupants.

The proposed project would not require the incorporation of property from the Central Presbyterian Church. The proposed project would be in proximity to the front of the Central Presbyterian Church; however, the proposed project would not obstruct or eliminate the primary view of this historic building. Impacts resulting from groundborne noise during LRT operations have been identified; however, mitigation commitments have been made (see Section 4.7 of this FEIS). The proposed project would change existing access to this building, specifically by curtailing the existing north alleyway access; however, mitigation committing to a new and enhanced south access and purchase of additional off-street parking has been committed. Special access for hearses, wedding vehicles or other special vehicles will be provided along Cedar Street, with parking allowed in proximity to the existing main front entrance to the church (see Section 3.2 of the FEIS for a description of access changes and mitigation). The proposed project would not substantially impair the esthetic features or attributes of this historic property. Thus, the proposed project would not substantially impair the features and attributes that qualify this historic property for Section 4(f) protection. There would be no constructive use of the Central Presbyterian Church, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.6 St. Louis King of France Church and Rectory

The St. Louis King of France Church and Rectory are historic properties in private ownership. These two National Register-eligible historic buildings are immediately adjacent to the proposed alignment along Cedar Street and are near the proposed 10th Street Station.

The proposed project would not require the incorporation of property from the St. Louis King of France Church and Rectory buildings. The proposed project may require temporary occupancy of land along Cedar Street and may cause temporary access and parking disruptions during construction. The existing sidewalk within the Cedar Street right-of-way would be reconstructed. Noise and vibration modeling indicate that there would be no adverse effect to these buildings due to the incorporation of attenuation features during project design, as described in Appendix J. Noise and vibration issues will continue to be addressed during design so that noise and vibration would not have an adverse effect upon these buildings.

The proposed project would not require the incorporation of property from the St. Louis King of France Church and Rectory. The proposed project would be in proximity to the front façade of the St. Louis King of France Church and the front of its associated Rectory; however, the proposed project would not obstruct or eliminate the primary view of these historic buildings. Impacts resulting from groundborne noise during LRT operations have been identified; however, mitigation commitments have been made (see Section 4.7 of this FEIS). The proposed project would not result in a permanent acquisition of existing church access, however, there would no longer be on-street parking directly in front of the historic church entrance on Cedar Street. Special access for hearses, wedding vehicles or other special vehicles will be provided along Cedar Street, with parking directly in front of the main front entrance to the church (see Section 3.2 of the FEIS for a description of access changes and mitigation). The proposed project would not substantially impair the esthetic features or attributes of this historic property. Thus, the proposed project would not substantially impair the features and attributes that qualify this historic property for Section 4(f) protection. There would be no constructive use of the St. Louis King of France Church

and Rectory, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.7 Dickerman Park

Dickerman Park is owned by the City of St. Paul and operated by the Parks and Recreation Department under the guidance of the St. Paul Parks and Recreation Commission. It consists of an approximately 1.75-acre linear open space. It is located between Fairview Avenue and Aldine Street along the north side of University Avenue. Dickerman Park includes substantial parking, open space, and playground equipment. The playground equipment is maintained by the adjacent YMCA for public use, primarily by children from the YMCA and the adjacent Community Learning Center charter school.

The proposed project would not require the incorporation of park property from Dickerman Park. The proposed project would require temporary occupancy of land along University Avenue and would cause temporary access disruptions during construction. The existing sidewalk within the University Avenue right-of-way would be reconstructed. The nature and magnitude of these changes would be minimal and the property would be restored to the same or better condition. The proposed project would pass along University Avenue in proximity to the south side of Dickerman Park. The proposed project would not result in any permanent restriction of access that substantially diminishes the utility of Dickerman Park. The proposed project would not substantially impair the esthetic features or attributes of this public park or otherwise obstruct or eliminate any of the primary views found within this public park. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this public park. Thus, the proposed project would not substantially impair the features and attributes that qualify Dickerman Park for Section 4(f) protection. There would be no constructive use of Dickerman Park, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.8 Iris Park

Iris Park is owned by the City of St. Paul and operated by the Parks and Recreation Department under the guidance of the St. Paul Parks and Recreation Commission. It consists of an approximately 0.5-acre walking park with paths, benches, and a restored water fountain. It is located adjacent to the south side of University Avenue.

The proposed project would not require the incorporation of park property from Iris Park and would not have constructive use of this property. The proposed project would require temporary occupancy of land along University Avenue and would cause temporary access disruptions during construction. The existing sidewalk within the University Avenue right-of-way would be reconstructed. The nature and magnitude of these changes would be minimal and the property would be restored to the same or better condition. The proposed project would pass along University Avenue, which is in proximity to the north side of Iris Park. The proposed project would not result in any permanent restriction of access that substantially diminishes the utility of Iris Park. The proposed project would not substantially impair the esthetic features or attributes of this public park or otherwise obstruct or eliminate any of the primary views found within this public park. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this public park. Thus, the proposed project would not substantially impair the features and attributes that qualify Iris Park for Section 4(f) protection. There would be no constructive use of Iris Park, as

discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.9 Minnesota Transfer Railway Company Historic District

The Minnesota Transfer Railway Company Historic District crosses University Avenue between Transfer Road and Prior Avenue. This privately owned, National Register-eligible historic district consists primarily of railroad tracks, yards, a roundhouse, and a railway bridge across University Avenue. The Minnesota Transfer Railway Company provides transportation services to the numerous commercial and industrial properties in this area.

University Avenue beneath the existing Minnesota Transfer Railway Company bridge would be reconfigured to accommodate the changes necessary for the proposed alignment. This reconfiguration would not alter the bridge itself. The proposed project would reconfigure noncontributing elements of the roadway underneath this National Register-eligible railway bridge.

The proposed project does not incorporate any land from contributing elements of the Minnesota Transfer Railway Company Historic District. The proposed project would pass directly beneath the existing Minnesota Transfer Railway Company bridge across University Avenue. The proposed project would not obstruct or eliminate the primary view of this historic bridge. The proposed project would not result in vibration or noise levels that would substantially diminish the utility of the bridge as a historic property. The proposed project would not substantially impair the esthetic features or attributes of this historic property. Thus, the proposed project would not substantially impair the features and attributes that qualify this historic district for Section 4(f) protection. There would be no constructive use of the Minnesota Transfer Railway Company Historic District, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.10 University – Raymond Commercial Historic District

The University – Raymond Commercial Historic District, located in St. Paul, consists primarily of commercial buildings along both sides of University Avenue. This district is bounded on the east by Hampden Avenue and on the west by Cromwell Avenue. The majority of the contributing elements of this National Register-eligible district are privately owned commercial buildings. The University–Raymond Commercial Historic District is a Certified Local Historic District.

The proposed project would result in changes to University Avenue, which bisects this historic district. This reconstruction includes widening the roadway and reconstruction of the adjacent sidewalks within the existing right-of-way. The proposed project would require temporary occupancy of land along University Avenue, including construction along the boundaries between the historic buildings within the district and the noncontributing roadway of University Avenue and would result in temporary access disruptions during construction. However, University Avenue is not a contributing element of this historic district.

The proposed project does not incorporate any land from contributing elements of the University–Raymond Commercial Historic District. The proposed project would travel along University Avenue and would pass through the existing University–Raymond Commercial Historic District. The proposed project would not substantially impair the esthetic features or

attributes of this historic district. The proposed project would not obstruct or eliminate the primary views of any of the historic buildings within the district. The proposed project would not result in vibration or noise levels that would substantially diminish the utility of the historic buildings found within this district. Thus, the proposed project would not substantially impair the features and attributes that qualify this historic district for Section 4(f) protection. There would be no constructive use of the University–Raymond Commercial Historic District, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.11 Tower Hill Park

Tower Hill Park is owned and operated by the Minneapolis Park and Recreation Board. It consists of an approximately 4.5-acre historic neighborhood park and includes the National Register-listed Prospect Park Water Tower as well as tennis court, turf, sidewalks, and mature trees. The park is entirely located along the south side of University Avenue in the Prospect Park neighborhood.

The proposed project would not require the incorporation of property from Tower Hill Park and would not have constructive use of this property. The proposed project may require temporary occupancy of land along University Avenue and may cause temporary access disruptions during construction. The existing sidewalk within the University Avenue right-of-way would be reconstructed. Access points at University and Malcolm and at University and Clarence would be reconstructed within existing right-of-way to permit right in/right out turning movements only. Park property would be restored to the same or better condition upon completion of the reconstruction of the right-of-way at this location. The proposed project would pass along University Avenue, which is in proximity to the north side of Tower Hill Park. The proposed project would not result in any permanent restriction of access that substantially diminishes the utility of Tower Hill Park. The proposed project would not substantially impair the esthetic features or attributes of this public park or otherwise obstruct or eliminate any of the primary views found within this public park. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this public park. Thus, the proposed project would not substantially impair the features and attributes that qualify Tower Hill Park for Section 4(f) protection. There would be no constructive use of Tower Hill Park, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.12 Prospect Park Residential Historic District

The Prospect Park Residential Historic District consists of a primarily residential, planned neighborhood along the south side of University Avenue. This National Register-eligible historic district is bounded by University Avenue, Southeast Williams Avenue, Interstate 94, and Emerald Street Southeast. The majority of the contributing elements of this district are privately owned residential buildings. The Prospect Park Water Tower, which is located within the Prospect Park Historic District, is individually listed on the National Register of Historic Places.

The proposed project would be located within the existing right-of-way of University Avenue and would not require the incorporation of property from the Prospect Park Residential Historic District. The proposed project would require temporary occupancy of land along University Avenue and would cause temporary access disruptions during construction. The

existing sidewalk within the University Avenue right-of-way would be reconstructed. Access points at University and Malcolm and at University and Clarence would be reconstructed within existing right-of-way to limit turning movements to right in/right out movements only.

The proposed project does not incorporate any land from contributing elements of the Prospect Park Residential Historic District. The proposed project would travel along University Avenue and would pass in proximity to the north side of the Prospect Park Residential Historic District. The proposed project would not substantially impair the esthetic features or attributes of this historic district. The proposed project would not obstruct or eliminate the primary views of any of the historic buildings within the district. The proposed project would not result in vibration or noise levels that would substantially diminish the utility of the historic buildings found within this district. The proposed project would not result in any permanent restriction of access that substantially diminishes the utility of the Prospect Park Residential Historic District. Thus, the proposed project would not substantially impair the features and attributes that qualify this historic district for Section 4(f) protection. There would be no constructive use of the Prospect Park Residential Historic District, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.13 University of Minnesota Campus Mall Historic District

The University of Minnesota Campus Mall Historic District (National Register-eligible) consists of campus buildings, lawns, and associated open space found on the north and south sides of Washington Avenue. Washington Avenue is a noncontributing element of the district.

The proposed project would not require the incorporation of property outside of the existing Washington Avenue right-of-way. The proposed project may require temporary occupancy of land along Washington Avenue and it may cause temporary access disruptions. The construction of a pedestrian transit mall along Washington Avenue would result in the removal of automobile traffic from this part of campus. The construction would also result in the removal of modern, intrusive features, such as a modern fence down the median of Washington Avenue and the possible removal of modern bus shelters. The proposed project would introduce overhead catenary system elements, including poles and wires, into the viewshed of the University of Minnesota Campus Mall Historic District. These would; however, be designed to blend into the existing setting to the greatest extent possible in order to not be visually intrusive. The proposed project would not generate significant increases in the levels of noise or vibration in this area that cannot be minimized or mitigated through project design.

The changes proposed for Washington Avenue at the University of Minnesota Campus Mall Historic District would have no adverse effect on the attributes of this historic district. The proposed project would travel along Washington Avenue and would pass through the University of Minnesota Campus Mall Historic District. However, the proposed project would not substantially impair the esthetic features or attributes of this historic district. The proposed project would not obstruct or eliminate the primary views of any of the historic buildings within the district. Impacts resulting from vibration during LRT operations have been identified; however, mitigation commitments have been made (see Section 4.7 of this FEIS). The proposed project would result in a permanent change to existing vehicular access through the District, specifically by converting Washington Avenue to a Transit Mall; however, mitigation has been committed (see Chapter 6 for a discussion of access changes

and mitigation). The proposed project would not substantially impair the features and attributes that qualify this historic district for Section 4(f) protection. There would be no constructive use of the University of Minnesota Campus Mall Historic District, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.14 East River Parkway

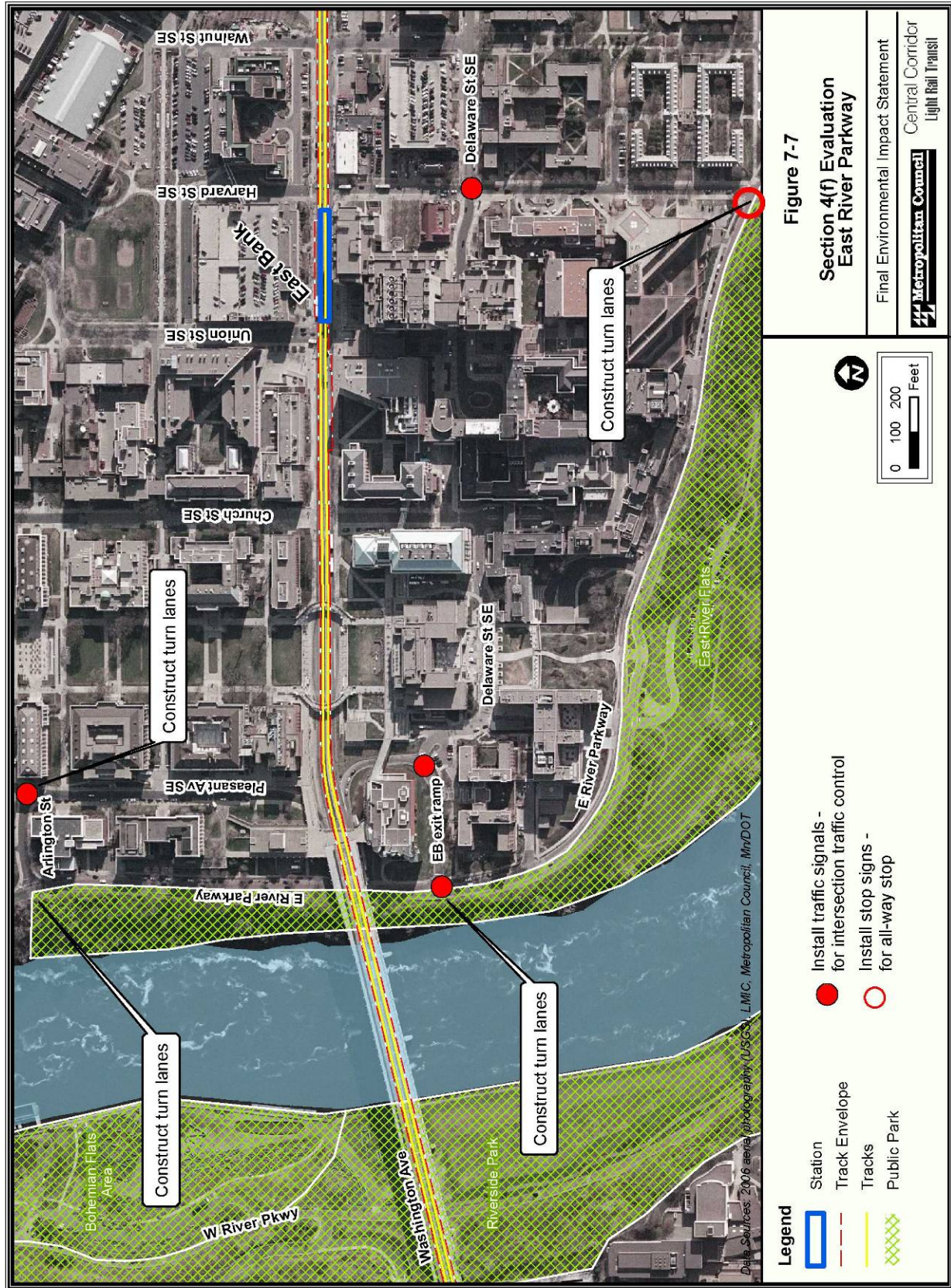
East River Parkway is owned and operated by the Minneapolis Park and Recreation Board (Figure 7-7). It is a contributing element of the National Register-eligible Grand Rounds Historic District.

The proposed project would require the construction of traffic signals and turn lanes on land within East River Parkway. The proposed project would cause temporary access disruptions to East River Flats; however, the proposed changes would not use parkland from East River Flats. The modifications to East River Parkway would have no adverse effect on the historic attributes of this road. The modifications to the East River Parkway constitute an exception as defined at 23 CFR 774.13(a)(1) because they would not substantially alter the features and attributes that make this parkway historic. The proposed project would result in changes to East River Parkway; however, the proposed project would not substantially impair the esthetic features or attributes of this historic property. The proposed project would not obstruct or eliminate any of the primary views found within this historic parkway. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this historic parkway. The proposed project would not substantially impair the features and attributes that qualify the East River Parkway for Section 4(f) protection. The proposed project would not result in any permanent restriction of access that substantially diminishes the utility of this historic property. Thus, there would be no constructive use of the East River Parkway, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.15 East River Flats

East River Flats is a 26-acre public park that is owned and operated by the Minneapolis Park and Recreation Board. It is situated below 25-foot limestone bluffs on a large bend in the river and just below the U of M East Bank Campus. It is the site of the recently completed boathouse for the U of M's women's rowing team. User facilities are limited to a pay parking lot, walking and biking paths, and picnic tables.

Closure of a portion of Washington Avenue to vehicle traffic would require construction of signal lights and turn lanes along East River Parkway, which runs along the eastern border of East River Flats. This proposed construction activity would not require the conversion of recreational land from East River Flats to a transportation use. The proposed project would require temporary occupancy of land in East River Flats for staging areas. Construction activity along East River Parkway would cause temporary park access disruptions during construction. The nature and magnitude of these changes would be minimal and any property temporarily occupied would be restored to the same or better condition.



The proposed project would not substantially impair the esthetic features or attributes of East River Flats. The proposed project would not obstruct or eliminate any of the primary views found within this public park. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this public park. The proposed project would not result in any permanent restriction of access that substantially diminishes the utility of this public park. Thus, the proposed project would not substantially impair the features and attributes that qualify East River Flats for Section 4(f) protection. There would be no constructive use of East River Flats, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.16 Washington Avenue Bridge

The Washington Avenue Bridge, completed in 1965, is a modern steel and concrete bridge owned and operated by Hennepin County. This National Register-eligible historic property is publicly owned and in public use as a road and pedestrian bridge across the Mississippi River. It is a primary surface connection between the East Bank and West Bank campuses of the U of M.

The Washington Avenue Bridge is currently being evaluated for retrofit due to the fact that it is a fracture-critical bridge. Regardless of the proposed action, modifications must be made to the bridge to bring it into compliance with recently revised State rules. Additional modifications, beyond those needed to strengthen the bridge, will be required in order for it to accommodate the proposed LRT traffic. The proposed modifications would have no adverse effect on the qualities and attributes of this historic bridge, in part due to the implementation of measures to minimize harm that is outlined in the Programmatic Agreement that has been developed to address impacts to historic properties. The modifications to the Washington Avenue Bridge constitute an exception as defined at 23 CFR 774.13(a)(1) because they would not substantially alter the features and attributes that make this bridge historic. The proposed project would result in changes to the Washington Avenue Bridge; however, the proposed project would not substantially impair the esthetic features or attributes of this historic bridge. The proposed project would not obstruct or eliminate any of the primary views of this historic bridge. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this historic bridge. The proposed project would change vehicular traffic patterns on the bridge by limiting it to one-lane in each direction of travel. However, this does not substantially diminish the utility of this historic bridge. Thus, the proposed project would not substantially impair the features and attributes that qualify the Washington Avenue Bridge for Section 4(f) protection. There would be no constructive use of the Washington Avenue Bridge, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.17 Bohemian Flats

Bohemian Flats is a park under the ownership of the Minneapolis Park and Recreation Board through which West River Parkway runs. The majority of Bohemian Flats consists of passive use open space between the river and West River Parkway. Facilities at or near Bohemian Flats include a biking path, walking path, tennis courts, picnic areas, parking, restroom facilities, playground, and a well.

The proposed project would not require the incorporation of park property from Bohemian Flats. The proposed project would require temporary occupancy of land along West River Parkway and would cause temporary access disruptions during construction. The nature and magnitude of these changes would be minimal and any property temporarily occupied would be restored to the same or better condition. The proposed project would not substantially impair the esthetic features or attributes of the nearby Bohemian Flats. The proposed project would not obstruct or eliminate any of the primary views found within this public park. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this public park. The proposed project would not result in any permanent restriction of access that substantially diminishes the utility of this public park. Thus, the proposed project would not substantially impair the features and attributes that qualify Bohemian Flats for Section 4(f) protection. There would be no constructive use of Bohemian Flats, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.1.18 Currie Park

Currie Park is a public park of approximately 4.8 acres. It is owned and operated by the Minneapolis Park and Recreation Board. Currie Park includes a recreation center, ball fields, tennis courts, and practice courts. A portion of this park is on land owned by MnDOT under a limited use permit granted in 1974. Currie Park is an important destination as the only park in the immediate area off of Cedar Avenue.

During the development of the SDEIS, it appeared that a temporary occupancy of the northeast edge of Currie Park was going to be required during construction of the alignment. However, additional design adjustments resulted in an alignment that minimizes the potential need for temporary occupancy. While it is likely that this temporary occupancy will be avoided, it remains possible that temporary occupancy may still be required. However, the proposed project would not require the incorporation of park property from Currie Park. The proposed project would pass along the north (rear) side of Currie Park and would not substantially impair the esthetic features or attributes of this public park. The proposed project would not result in any permanent restriction of access which substantially diminishes the utility of Currie Park. The proposed project would not obstruct or eliminate any of the primary views found within this public park. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this public park. Thus, the proposed project would not substantially impair the features and attributes that qualify Currie Park for Section 4(f) protection. There would be no constructive use of Currie Park, as discussed in Section 7.1 and as defined in 23 CFR 774.15. Therefore, there is no Section 4(f) use of this property and no avoidance analysis is required.

7.5.2 Properties Used

Table 7-2 summarizes the potential for the proposed project to use Section 4(f) properties.

Table 7-2 Use of Section 4(f) Property

| Property Name | Property Description | Direct and Constructive 4(f) Use |
|--|--|---|
| St. Paul Union Depot | <p>Historic Property</p> <p>Front portion of building is in private ownership, rear portion currently owned by US Postal Service</p> | <p>Yes, the proposed passenger station in front of the Union Depot building would require the conversion of up to 14 feet of land from the street-side part of the building's lot, alteration of landscaping, and the closure of the historic semi-circular driveway. There would be no direct use or constructive use of the historic Union Depot building. See Section 7.6.7.1 for the avoidance analysis for this property.</p> |
| Lowertown Historic District | <p>Historic District</p> <p>Most buildings in private ownership. Public ownership of streets and sidewalks by City of St. Paul</p> | <p>Yes, the proposed passenger station in front of the Union Depot building would require the conversion of up to 14 feet of land from the street-side part of the Union Depot lot. No other contributing elements of the historic district would be used either directly or constructively. See Section 7.6.7.1 for the avoidance analysis for this resource.</p> |
| St. Paul Urban Renewal Historic District | <p>Historic Property</p> <p>Most buildings in private ownership. Public ownership of streets and sidewalks by City of St. Paul</p> | <p>Yes, the diagonal station alignment would require the demolition of the vacant First Federal Savings and Loan building, a contributing element of the St. Paul Urban Renewal Historic District. No other contributing elements of the historic district would be used either directly or constructively. See Section 7.6.4.1 for the avoidance analysis for this resource.</p> |
| State Capitol Mall Historic District – Rice Street Station, Tenth Street Station, and the proposed alignment along University Avenue and Robert Street | <p>Historic Property (District)</p> <p>Owned by the State of Minnesota and the City of St Paul</p> <p>Managed by the Capitol Area Architectural and Planning Board (CAAPB) and the City of St Paul</p> | <p>Yes, the construction of the proposed Rice Street Station at the southeast corner of the intersection of Rice Street and University Avenue and the construction of the Tenth Street Station at Cedar Street and Tenth Street both have the potential to use portions of the State Capitol Mall Historic District. No other contributing elements of the historic district would be used either directly or constructively. See Section 7.6.4.4 and 7.6.4.5 for the avoidance analysis for construction within this district.</p> |

| Property Name | Property Description | Direct and Constructive 4(f) Use |
|---------------------------------------|--|--|
| State Capitol Mall, Leif Erikson Lawn | <p>Triangular 4 acre open space that meets the Section 4(f) definition of a public park. Not managed or planned as such by the property manager</p> <p>Owned by the State of Minnesota, Department of Administration (DOA)</p> <p>Managed by the Capitol Area Architectural Planning (CAAPB) Board</p> | <p><i>De Minimis</i> use of a portion of the Leif Erikson Lawn. No direct or constructive use of the remainder of Leif Erikson Lawn.</p> |

7.5.2.1 St. Paul Union Depot

The St. Paul Union Depot, also known as the Union Depot Headhouse, is a very significant historic building and the front lawn and semicircular driveway are designed landscape features that have been in place since the building was completed in 1922. The proposed project would require the incorporation of a minor amount of land along Fourth Street from the front of the Union Depot lot, the alteration of landscaping on the lot, and the closure of the semi-circular driveway in front of the building. The proposed use of this historic property triggers the 4(f) requirement to consider avoidance alternatives. This is discussed in detail in Section 7.6.4.2. Aside from the specific discussions regarding the proposed use of a portion of the front lawn of the St. Paul Union Depot, the proposed project would not substantially impair the esthetic features or attributes of this historic property. The proposed project would not result in any permanent restriction of access which substantially diminishes the utility of this historic building. The proposed project would not obstruct or eliminate any of the primary views of this historic building. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this historic building. Thus, the proposed project would not substantially impair the features and attributes that qualify the St. Paul Union Depot for Section 4(f) protection. There would be no constructive use of this historic building, as discussed in Section 7.1 and as defined in 23 CFR 774.15.

7.5.2.2 Lowertown Historic District

The Lowertown Historic District is a National Register-listed historic district in downtown St. Paul. The majority of the contributing elements of this district are warehouses, commercial office buildings, and residential buildings built between 1900 and 1940 that were important in the rise of downtown St. Paul as a regional center of business activity. Non-contributing elements of this district include city streets, sidewalks, and non-period infill development.

The proposed project would require the incorporation of a minor amount of non-contributing property from the edges of lots located within the Lowertown Historic District; however, no alterations of any of the contributing buildings within the district would be required. The proposed project would require temporary occupancy of land within the district and would cause temporary access disruptions during construction.

The proposed project does require the incorporation of property from one contributing element of the Lowertown Historic District. The placement of a passenger station in front of the St. Paul Union Depot would require the conversion of land from the lot along 4th Street.

This is discussed in detail in Section 7.6.4.2. The proposed project would pass through the Lowertown Historic District. The proposed project would not result in any permanent restriction of access which would substantially diminish the utility of this historic district. The proposed project would not obstruct or eliminate any of the primary views found within this historic district. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this historic district. Thus, the proposed project would not substantially impair the features and attributes that qualify the Lowertown Historic District for Section 4(f) protection. There would be no constructive use of the Lowertown Historic District, as discussed in Section 7.1 and as defined in 23 CFR 774.15.

7.5.2.3 St. Paul Urban Renewal Historic District

The St. Paul Urban Renewal Historic District is a National Register-eligible historic district in downtown St. Paul. The majority of the contributing elements of this district are commercial office buildings built after World War II that revitalized the economy of the downtown area. Non-contributing elements of this district include city streets and sidewalks.

The First Federal Savings and Loan Building, built in 1971 is in private ownership. It is a contributing element in the St. Paul Urban Renewal Historic District. Under the Preferred Alternative, this building would be demolished and a passenger station and associated trackage would be constructed in its place.

The proposed project would not use any other contributing element within the St. Paul Urban Renewal Historic District. It would cause temporary access disruptions during construction. This demolition of a contributing element to the district triggers the avoidance analysis requirement, which is discussed in detail in Section 7.6.4.1. The proposed project would pass through the St. Paul Urban Renewal Historic District. Aside from the specific discussions regarding the incorporation of property from the First Federal Savings and Loan Building, the proposed project would not substantially impair the esthetic features or attributes of this historic district. The proposed project would not result in any permanent restriction of access which substantially diminishes the utility of the historic district. The proposed project would not obstruct or eliminate any of the primary views found within this historic district. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this historic district. Thus, the proposed project would not substantially impair the features and attributes that qualify the St. Paul Urban Renewal Historic District for Section 4(f) protection. There would be no constructive use of the St. Paul Urban Renewal Historic District, as discussed in Section 7.1 and as defined in 23 CFR 774.15.

7.5.2.4 State Capitol Mall Historic District and Minnesota State Capitol Building

The State Capitol Mall Historic District is owned and operated by the State of Minnesota's Department of Administration. The CAAPB manages this property on behalf of the state. This district contains the National Register-listed State Capitol Building. The Leif Erikson Lawn is located in the northwest portion of the State Capitol Mall Historic District. The Leif Erikson Lawn is bounded along the north by University Avenue and along the west by Rice Street. The Tenth Street Station location is also found within the State Capitol Mall Historic District. The Tenth Street Station would be constructed in the median of Cedar Street between I-94 and Tenth Street. Aside from the specific discussions regarding the Leif Erikson Lawn and the Tenth Street Station, the proposed project would not substantially impair the esthetic features or attributes of this historic district. The proposed project would

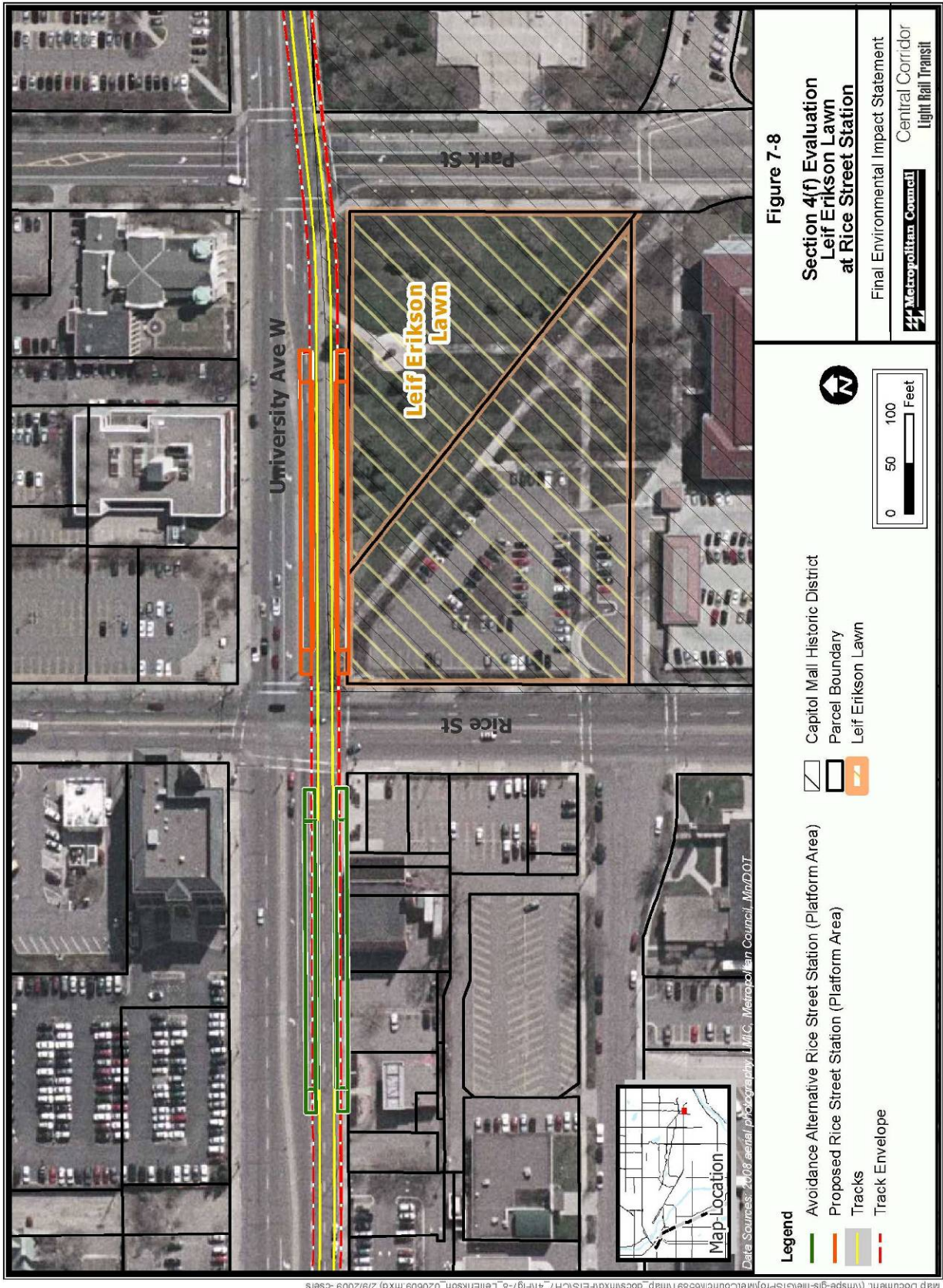
not result in any permanent restriction of access which substantially diminishes the utility of the historic district. The proposed project would not obstruct or eliminate any of the primary views found within this historic district. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this historic district. Thus, the proposed project would not substantially impair the features and attributes that qualify the State Capitol Mall Historic District and the Minnesota State Capitol Building for Section 4(f) protection. There would be no constructive use of these properties, as discussed in Section 7.1 and as defined in 23 CFR 774.15.

The Rice Street Station would use land from the Leif Erikson Lawn portion of the historic district (see Figure 7-8). Initial estimates indicate that 2,200 square feet of right-of-way from a narrow strip along the northwest edge of the historic district would be required for the construction of the Rice Street Station. A temporary construction easement may also be required at this location. Construction of the LRT extends along University Avenue to North Robert Street and includes the use of a minor amount of land from the State Capitol Building lot found at the north side of the Capitol Building. The changes proposed to take place within the State Capitol Mall Historic District would have an adverse effect on the attributes of this historic district, which constitutes a use of this historic district. An avoidance analysis for this use is found in Section 7.6.4.4.

The construction of the Tenth Street Station and approximately 400 feet of track would occur within the existing right-of-way of Cedar Street that is part of the State Capitol Mall Historic District. The streetscape in this location was planned by the landscape architecture firm of Morell and Nichols in 1944 as part of an overall Capitol area landscape plan. Cedar Street was originally intended as tree-flanked boulevards with wide, planted medians. Implementation of this landscape plan began in 1953. In the 1960s, the construction of I-94 bisected Cedar Street, resulting in the removal of the trees and buildings that flanked this portion of Cedar Street. The Cedar Street Bridge over I-94 was constructed with a planted center median (lawn panels planted with grass) that maintains the boulevard plan for Cedar Street. The area along Cedar Street south of I-94 has been extensively redeveloped and is flanked by modern buildings and is no longer flanked by trees. The proposed LRT track would replace approximately 400 feet of the grass median of Cedar Street beginning at East 12th Street and crossing the Cedar Street Bridge over I-94. Southeast of the Cedar Street Bridge, the remaining approximately 300 feet of the grass median of Cedar Street would be replaced by a center platform station at Tenth Street. The conversion of the lawn panels found in the Cedar Street median may constitute an adverse effect to the State Capitol Mall Historic District even after the terms and conditions of the PA have been carried out, therefore, an avoidance analysis for this use is found in Section 7.6.4.5.

7.5.2.5 Leif Erikson Lawn

The Leif Erikson Lawn is an approximately 4-acre triangular open space along the southeastern corner of the intersection of Rice Street and University Avenue (see Figure 7-8). This property includes sidewalks, turf, mature trees, parking, a bus stop, and a statue of Leif Erikson, a noted Norwegian explorer. The land is owned by the State of Minnesota and is managed by the CAAPB. The CAAPB does not plan for or manage this property as a public park; however, the property does qualify for protection under Section 4(f) and is being treated as such for the purposes of this analysis.



The proposed project would require the incorporation of approximately 2,200 square feet of property from the Leif Erikson Lawn. The proposed project would result in the construction of the Rice Street Station at this location, which would require the conversion of a narrow strip along the northwest edge of the property to a transportation use. It would also require temporary occupancy of land along University Avenue and would cause temporary access disruptions during construction. The existing sidewalk within the University Avenue right-of-way would be reconstructed and the planned station would be carefully integrated into the park setting. The proposed project would require the incorporation of a minor amount of property; however, this would not detract from the elements of Leif Erikson Lawn that qualify it for Section 4(f) protection as parkland. The proposed project would pass along the north side of the Leif Erikson Lawn.

The proposed project would not substantially impair the esthetic features or attributes of this public park. The proposed project would not result in any permanent restriction of access which substantially diminishes the utility of the Leif Erikson Lawn. The proposed project would not obstruct or eliminate any of the primary views found within this public park. The proposed project would not result in traffic, vibration, or noise levels that would substantially diminish the utility of this public park. Thus, the proposed project would not substantially impair the features and attributes that qualify the remaining portion of the Leif Erikson Lawn for Section 4(f) protection. There would be no constructive use of the Leif Erikson Lawn, as discussed in Section 7.1 and as defined in 23 CFR 774.15.

Measures to minimize harm include continued DOA and CAAPB involvement in the final design process so that the proposed station enhances the park property rather than detracts from it and an ongoing commitment to restore the park to as good or better condition. The project would have a *de minimis* use of this 4(f) property. Coordination with the DOA and the CAAPB during the planning process has resulted in their statements, in writing, that this minor conversion is consistent with their long-term plans for this property (see Appendix E). Therefore, there is no requirement for an avoidance analysis for the use of this property.

7.6 Avoidance Alternatives

This section evaluates the potential of various alternatives to avoid the properties protected by Section 4(f).

7.6.1 No-Build Alternative

The No-Build Alternative would result in a continuation of the transportation system that is currently in place. No substantial improvements to the existing transit system would be made and no additional mass transit system would be constructed to connect downtown Minneapolis to downtown St. Paul. No transit/pedestrian mall would be constructed at the U of M campus. The No-Build Alternative would not provide improvements to accommodate existing and future movement throughout the corridor. The No-Build Alternative does not meet the project Purpose and Need (as summarized in this 4(f) evaluation and as described in detail in Chapter 1 of this FEIS); therefore, it is not a feasible and prudent alternative for avoiding properties protected by Section 4(f).

7.6.2 Baseline Alternative

The Baseline Alternative serves as a basis for comparison to the build alternatives as part of the FTA's New Starts Process. It is also designed to do the "best that can be done" to improve transit service in the Central Corridor LRT Study Area without a major capital investment. Low capital cost infrastructure and bus transit improvements for the Central Corridor included bus operations, intelligent transportation systems (ITS) techniques, travel demand management (TDM), and other system improvements. No transit/pedestrian mall would be constructed at the U of M campus. The Baseline Alternative would not provide improvements sufficient to accommodate existing and future movement throughout the corridor. The Baseline Alternative does not meet the Purpose and Need; therefore, it is not a feasible and prudent alternative for avoiding properties protected by Section 4(f).

7.6.3 Build Alternatives Considered

The development of the Preferred Alternative and the other alternatives that were considered are described in this FEIS in Chapter 2, Alternatives Considered. The alternatives analysis began with the development of the AA/DEIS. Five alternatives were developed during the scoping process for the AA/DEIS, including some variations within those alternatives. Of the alternatives considered, only the University Avenue LRT and University Avenue BRT Alternatives were carried forward in the AA/DEIS. The AA/DEIS University Avenue LRT Alternative was adopted by the Metropolitan Council as the Locally Preferred Alternative (LPA) for the Central Corridor. In addition, it was subsequently determined that the University Avenue BRT Alternative would not meet the capacity needs of the project.; therefore, it is not a feasible and prudent alternative for avoiding properties protected by Section 4(f).

With the development of the SDEIS, the University Avenue LRT was further refined based on comments on the AA/DEIS, continued coordination with project partners and refinements during preliminary engineering. After publication of the SDEIS, the University Avenue LRT alternative was again refined based on comments and design advancement.

7.6.4 Potential for Avoiding Properties Protected by Section 4(f)

In addition to evaluating the overall project alternatives for potential for avoiding Section 4(f) properties, alternatives were also evaluated for the immediate vicinity around those Section 4(f) properties for which a direct use was identified. The following provides a summary of the avoidance analysis conducted for specific 4(f) resources.

7.6.4.1 St. Paul Union Depot Elevated Railyard Deck

Figure 7-9 depicts the alternatives described below that were considered for the St. Paul Union Depot Elevated Railyard Deck. The potential use of the St. Paul Union Depot Elevated Railyard Deck is driven primarily by the location of the proposed Central Corridor OMF. As such, the alternatives for the St. Paul Union Depot Elevated Railyard Deck cannot be discussed fully without including the OMF.

Revised LPA Alternative

During preliminary engineering for the Central Corridor LRT project, the CCPO undertook a study of vehicle storage and maintenance requirements for Central Corridor LRT operation. The initial study concluded that a separate maintenance and storage facility would be needed for the project. It also concluded that the maintenance facility should be sized to accommodate an ultimate three-car Central Corridor LRT fleet.

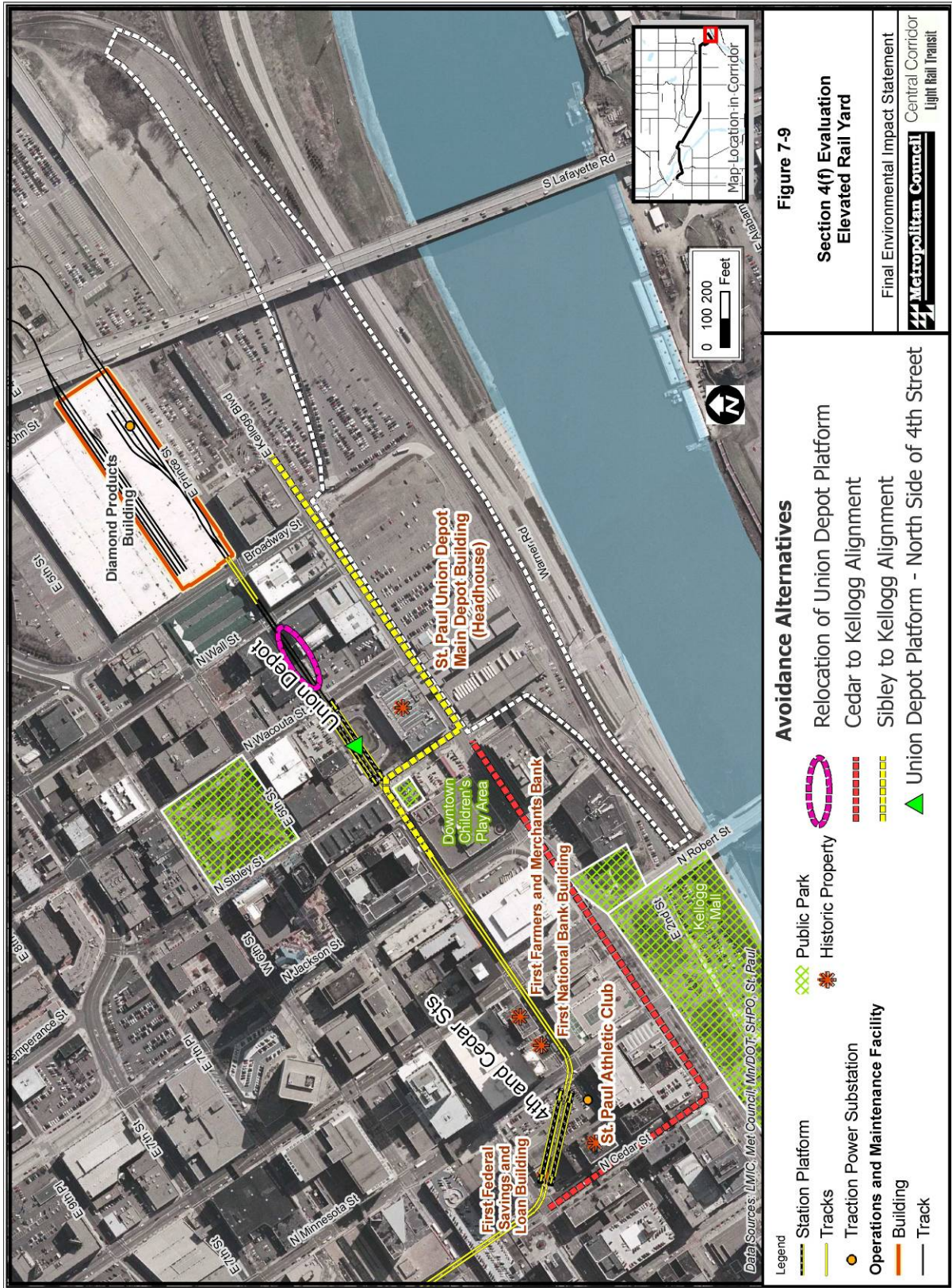
The CCPO examined potential sites along the corridor for a Central Corridor OMF, including sites in Minneapolis and downtown St. Paul. The downtown St. Paul site was identified as the preferred location to be advanced as the Revised LPA Alternative in the SDEIS because, in part, it provided end-of-the-line storage, which was preferred. It was also available for development as an OMF because it was already owned by the Ramsey County Regional Rail Authority (RCRRA), which simplified ownership transfer.

During the continued development of the Revised LPA Alternative, referred to in this FEIS as the Preferred Alternative, and the associated public and agency review of the SDEIS, two important issues arose. First, a substantial portion of the RCRRA site consists of the historic St. Paul Union Depot Elevated Railyard Deck that once served the adjacent St. Paul Union Depot. The construction of the proposed OMF at the RCRRA site required construction of transfer tracks on a portion of the historic elevated railyard as well as the demolition of a substantial portion of the historic elevated railyard. These impacts to the St. Paul Union Elevated Railyard Deck, a historic property; triggered the requirement for this Section 4(f) avoidance analysis. In addition, the RCRRA site was found to contain a large area of poor (highly compressible) soils.

In order to address the requirement for a Section 4(f) avoidance analysis and the poor soils, two avoidance alternatives to the Revised LPA Alternative were developed.

In summary, the Revised LPA Alternative:

- Is approved by the Ramsey County Board and the City of St. Paul.
- Requires the use of Section 4(f) property (Union Depot Elevated Railyard Deck).
- Has the potential for aesthetic impacts to the surrounding buildings, some of which are historic.



- Is not consistent with current Ramsey County plans to develop the nearby Union Depot and limits the development of this high-speed, commuter and passenger rail platform.
- Uses a site that contains poor soils which would require substantial site preparation and generate additional cost. The additional cost can only be accommodated by reductions in the proposed OMF at this location.
- May require contaminated soil cleanup due to contamination associated with past uses of this land.
- Uses a site that is within Safety Zone A of St. Paul Downtown Airport (Holman Field), which restricts permitted land use.

Avoidance Alternative 1

This alternative would continue to use the RCRRRA site for the OMF but would access the OMF via a different route. The proposed access would extend east on 4th Street, then shift slightly south to Prince Street. The alignment would continue along Prince Street before turning south, where it would pass underneath Kellogg Boulevard and continue to the eastern end of the RCRRRA site. Avoidance Alternative 1 would avoid construction of transfer tracks on the St. Paul Union Elevated Railyard Deck but it would not avoid the requirement to demolish a portion of the St. Paul Union Elevated Railyard Deck.

In summary, Avoidance Alternative 1:

- Avoids some of the use of St. Paul Union Elevated Railyard Deck; however it still requires the demolition of a substantial part of the St. Paul Union Elevated Railyard Deck, Yard which is a use of Section 4(f) property.
- Still has engineering and operational impacts.
- Is not consistent with current Ramsey County plans to develop the nearby St. Paul Union Depot and limits the development of this high-speed, commuter and passenger rail platform.
- Specifies an OMF site that contains poor soils which would require substantial site preparation and generate additional cost. The additional cost can only be accommodated by reductions in the proposed OMF.
- May require contaminated soil cleanup due to contamination associated with past uses of this land.
- Uses a site that is within Safety Zone A of St. Paul Downtown Airport (Holman Field), which restricts permitted land use.

Avoidance Alternative 2

This alternative would extend tracks east from Union Depot along 4th Street where they would enter the existing Diamond Products building at the corner of 4th Street/Prince Street and Broadway. Under this alternative, the OMF would be located entirely within the existing Diamond Products building. Originally constructed in 1969 by the Gillette Company, the building was sold to Diamond Products in 2000 and has remained vacant since 2005. This building has been evaluated in consultation with the Minnesota SHPO and has been

determined to be ineligible for listing in the National Register. This alternative eliminates all of the uses of the St. Paul Union Elevated Railyard Deck in the Revised LPA Alternative.

In summary, Avoidance Alternative 2:

- Eliminates the requirement to demolish a portion of the St. Paul Union Elevated Rail Yard.
- Eliminates engineering and operational impacts associated with the first two alternatives.
- Enables connections to the site using public right-of-way with minimal to no access disruptions to adjacent buildings and sites on 4th Street.
- Enables reuse of the Diamond Products for the OMF and provides the functionality lacking at the OMF site included in the other two alternatives.
- May require contaminated soil cleanup due to contamination associated with past uses of this land.

Conclusion

None of the three alternatives would have an impact on revenue service. Given the proximity of the locations, none are expected to have an impact on operating and maintenance costs.

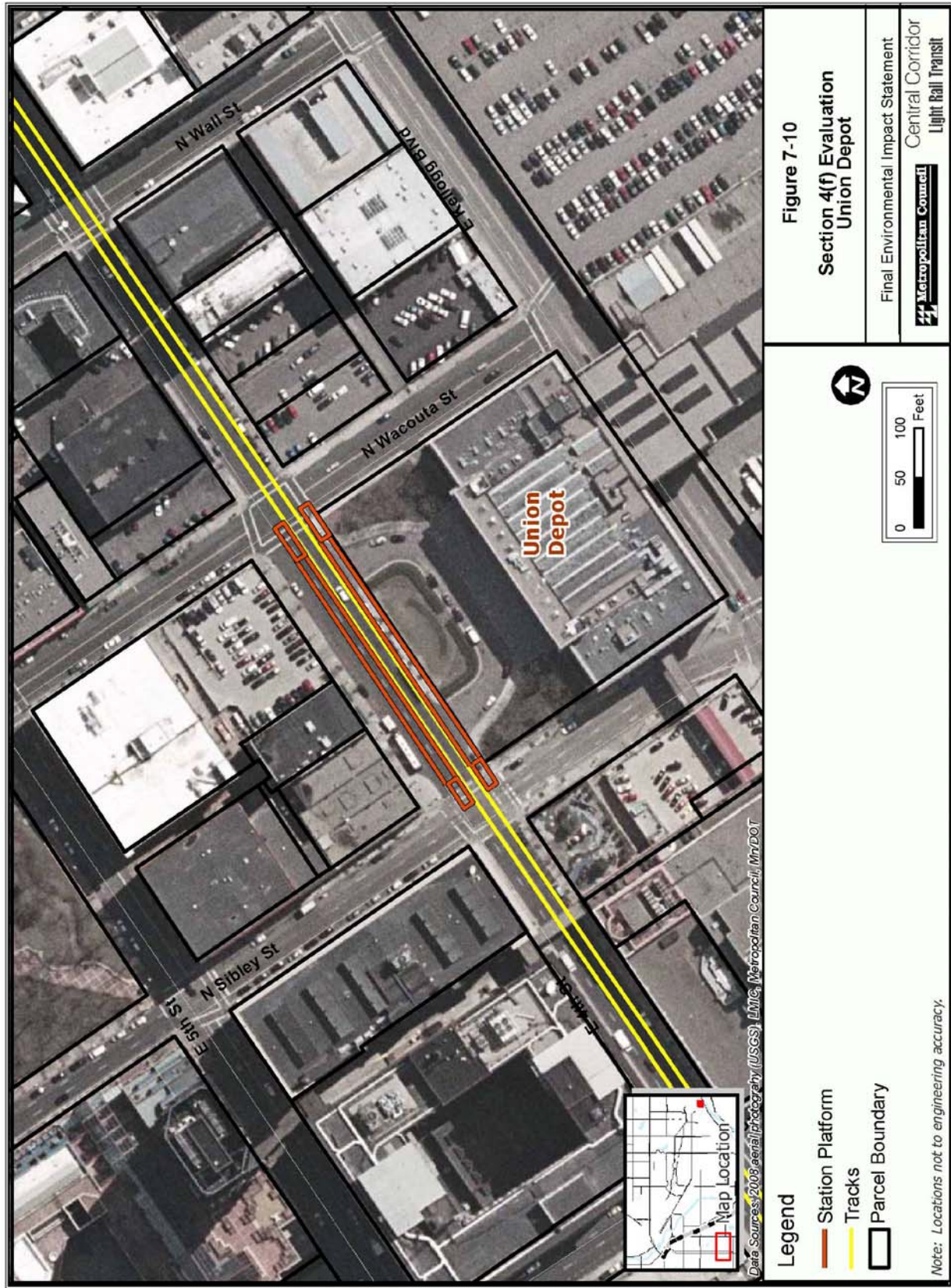
The Revised LPA Alternative was eliminated because there is a feasible and prudent alternative to this proposed use of Section 4(f) protected property. It is not evaluated in this Final Environmental Impact Statement.

Avoidance Alternative 1 reduces but does not eliminate cultural resource issues. It has a slightly higher capital cost and retains the substantial issues associated with the poor soils of the RCRRA site while providing no operational or functional improvements over the Revised LPA Alternative. Avoidance Alternative 1 still requires the use of the Section 4(f) protected property; therefore, the selection of this alternative would prevent project approval by the FTA. This would result in the loss of FTA funding for this project.

Avoidance Alternative 2 eliminates the need to use the Section 4(f) protected property. This alternative provides for substantially improved functionality and has a lower capital cost when compared to the Revised LPA Alternative. Avoidance Alternative 2 constitutes a feasible and prudent alternative to the use of Section 4(f) protected property and is carried forward in this FEIS as part of the Preferred Alternative. Because Avoidance Alternative 2 does not require the use of Section 4(f) protected property, the selection of this alternative would not prohibit project approval by the FTA and would preserve the project's eligibility to receive federal funding.

7.6.4.2 St. Paul Union Depot

Figure 7-9 and Figure 7-10 depict the alternatives described below that were considered for the St. Paul Union Depot.



Preferred Alternative

The SDEIS included the Revised LPA Alternative which has been approved by the Ramsey County Board and the City of St. Paul through the municipal consent process. It included the placement of a center-platform passenger station in front of the St. Paul Union Depot, also known as the Headhouse. Subsequent to the publication of the SDEIS, FTA reviewed the design in the area of the St. Paul Union Depot. The alignment and layout of the center-platform passenger station was modified from having both platforms located between the tracks, to a new layout with the two tracks running down the middle and the passenger platforms on the outside of the tracks. With these design modifications, the need remains to convert land from the front of the St. Paul Union Depot to a transportation use and to close the semicircular driveway to privately owned vehicles. However, the modifications reduce the amount of right-of-way that needs to be acquired, eliminate the Section 4(f) use of the Union Depot Elevated Railyard Deck, and allow Wacouta Street to remain open to through traffic. These modifications are reflected throughout this FEIS in the Preferred Alternative.

The St. Paul Union Depot is a very significant historic building and the front lawn and semicircular driveway are designed landscape features that have been in place since the building was completed in 1922, and that contribute to the eligibility of the property. The Minnesota SHPO has asserted that the passenger station, as proposed, would have an adverse effect on the Union Depot Headhouse. The proposed use of this historic property triggers the 4(f) requirement to consider avoidance alternatives. This alternative was approved through the municipal consent process by the Ramsey County Board and the City of St. Paul.

In summary, the Preferred Alternative:

- Has been approved by the Ramsey County Board and the City of St. Paul.
- Requires the use of Section 4(f) property, specifically, land from the front of St. Paul Union Depot.
- Has the potential for aesthetic impacts to the surrounding buildings.
- Is consistent with current Ramsey County plans to develop the nearby Union Depot.

Avoidance Alternative 1 – 4th Street Extension / LRT Station at Wall Street

This alternative would extend the trackage down 4th Street and place the proposed LRT passenger station one block east of the St. Paul Union Depot. Trackage would then continue to the proposed OMF facility at the Diamond Products Building.

In summary, Avoidance Alternative 1:

- Avoids the need to acquire right-of-way from the St. Paul Union Depot and may maintain limited vehicular access to the semicircular driveway.
- Terminates vehicular access to the parking garage in the lower level of the residential building at 270 4th Street East.
- Has the potential for aesthetic impacts to the surrounding buildings, some of which are historic.

- Is generally consistent with current Ramsey County plans to develop the nearby Union Depot as a transit hub, though it moves the LRT station away from the Depot.
- Will disrupt through-traffic on 4th Street and may require its closure.

Avoidance Alternative 2 – Kellogg Boulevard to Union Depot Concourse

This alternative would extend the trackage one block farther south than the Preferred Alternative before turning east on Kellogg Boulevard. The trackage would then extend behind the St. Paul Union Depot along the elevated train deck before continuing east on Kellogg to connect with the OMF facility

In summary, Avoidance Alternative 2:

- Avoids placement of the passenger station in front of the Union Depot. This alternative also avoids the previously discussed requirement to demolish the First Federal Savings and Loan building.
- Requires the construction of two passenger stations elsewhere due to the loss of the combined passenger station proposed on the diagonal block at 4th and Cedar Streets (the space now occupied by the First Federal Savings and Loan building).
- Increases traffic congestion and disrupts traffic on Kellogg Boulevard, a heavily used urban arterial road.
- Entails substantial engineering challenges due to the need to the LRT alignment within the existing right-of-way of Kellogg Boulevard. In this location, Kellogg Boulevard is a major 4-lane urban arterial with substandard width sidewalks.
- Adversely affects the historic Union Depot Elevated Railyard Deck because it would require the construction of trackage and a passenger station on a portion of the deck. This alternative would likely require the demolition of a portion of the deck in order to accommodate construction of the passenger station and its associated trackage.
- Is not consistent with current Ramsey County plans to develop Union Depot as a multimodal transportation hub.

Avoidance Alternative 3 – Sibley Street Alternative

This alternative would use 4th Street to Sibley Street like the Preferred Alternative. Rather than proceeding east on 4th Street from Sibley Street this alternative turns south on Sibley Street to the St. Paul Union Depot concourse. It then turns east onto the St. Paul Union Elevated Railyard Deck to an end-of-line passenger station connecting to the concourse.

In summary, Avoidance Alternative 3:

- Provides a direct connection to the St. Paul Union Depot concourse.
- Maintains historic patterns of passenger access using the east face of the concourse and allows the semicircular driveway to remain open to private vehicles.
- Requires the relocation of the Central Corridor LRT St. Paul Union Depot passenger station, resulting in use of the St. Paul Union Elevated Railyard Deck
- Requires the inclusion of two additional sharp turns
- Potential to negatively affect ridership forecasts and user benefits.

- Is not consistent with current Ramsey County plans to develop the adjacent Union Depot.
- Eliminates the Downtown Children's Play Area resulting in a direct use of Section 4(f) property.
- Violates Central Corridor LRT grade design criteria on Sibley Street.
- Compromises traffic flow on Sibley Street and at the intersection of Sibley Street and Kellogg Boulevard.
- Does not have sufficient clearance under the Headhouse to accommodate the LRT envelope.
- May require partial demolition of the TPT2 Television parking ramp and may result in total demolition.

Avoidance Alternative 4 – Single Side Platform in front of Union Depot

This alternative was developed by the Central Corridor Project Office to avoid impacts/uses of cultural resources as expressed by the Minnesota SHPO and other stakeholders. This alternative also avoids impacts to the Downtown Children's Play Area. With this alternative a single-side platform station is located on 4th Street between Sibley and Wacouta Streets in front of the St. Paul Union Depot, with the potential to add a second side-platform in the future. This proximity is desirable as part of the transformation of Union Depot back into a multimodal transportation hub. This alternative would require an extension of tail track from the St. Paul Union Depot station on 4th Street to Broadway.

In summary, Avoidance Alternative 4:

- Avoids or minimizes uses of St. Paul Union Depot Elevated Railyard Deck and the Downtown Children's Play Area.
- Adds the potential for an end-of-line station if the tail track extends east of Broadway to access the OMF facility.
- Remains a use of the St. Paul Union Depot as a portion of the property would be needed for right-of-way for the proposed Station and the circular driveway would be closed to private vehicles.
- Creates operational constraints with only having a single-side platform.

Conclusion

The Preferred Alternative would have an effect on the lot and designed landscape in front of the St. Paul Union Depot; however, it would not have any adverse impact on or use of the structural portion of St. Paul Union Depot building.

Avoidance Alternative 1 reduces but does not eliminate cultural resource issues. It has the potential for significantly higher capital and relocation costs due to the possible requirement to acquire 270 East 4th Street due to the loss of that building's on-site parking. This building, a multi-story, 41-unit residential condominium, was constructed in 2004. Based on public records maintained by the Ramsey County Assessors' Office, this building has a market value in excess of \$7 million. If required, relocation assistance to the residents of this building could exceed \$1 million. Since this alternative would result in a substantially

increased capital cost and could result in the relocation of a substantial number of residents, this alternative does not constitute a feasible and prudent alternative to the use of Section 4(f) protected property and was not be carried forward as an avoidance alternative.

Avoidance Alternative 2 eliminates the need to acquire right-of-way from the front portion of the St. Paul Union Depot but requires relocation of the St. Paul Union Depot passenger station, increases travel times, and adds two sharp turns to the alignment which would require LRVs to negotiate steep grades with retaining walls impacting local street traffic. However, this alternative creates an adverse effect on the St. Paul Union Depot Elevated Railyard, a historic structure and Section 4(f) property, due to the requirement for demolition of a portion of this railyard and construction of the passenger station and associated trackage on the remainder of this historic structure. As a result, the magnitude of the adverse effect to the St. Paul Union Depot as a historic structure is much greater under this alternative than under the Preferred Alternative. Since this alternative would result in substantial adverse effects to the historic Union Depot, especially to the elevated rail deck structure, this alternative does not constitute a feasible and prudent alternative to the use of Section 4(f) protected property and was not carried forward as an avoidance alternative.

Avoidance Alternative 3 provides a direct connection to the St. Paul Union concourse and maintains the historic patterns of passenger access that once existed when the Union Depot was a functioning rail passenger station. The use of the St. Paul Union Elevated Railyard is reduced but not eliminated with this alternative. This alternative also requires the relocation of the St. Paul Union Depot passenger station, increases travel times, and adds two sharp turns to the alignment. This alternative also eliminates the Downtown Children's Play Area, a Section 4(f) protected property. The Central Corridor LRT design criteria would need to be violated to engineer the Sibley Street alternative. Finally, there is not sufficient clearance under the skyway that connects the Union Depot Headhouse to the Elevated Railyard to accommodate the LRT envelope, which renders this alternative infeasible. Therefore, this alternative does not constitute a feasible and prudent alternative to the use of the Section 4(f) protected property and was not carried forward as an avoidance alternative.

Avoidance Alternative 4 is similar to the Preferred Alternative but maintains the location of the OMF facility at the RCRRA property, which is a Section 4(f) protected property. This results in substantial engineering difficulties associated with getting the LRT alignment from the front of the Union Depot to the RCRRA property and continues to require the use of a portion of the Elevated Railyard. In addition, the single-platform design of the St. Paul Union Depot passenger station may not be sufficient to meet the needs of projected users. Therefore, this alternative does not constitute a feasible and prudent alternative to the use of the Section 4(f) protected property and was not carried forward as an avoidance alternative.

7.6.4.3 St. Paul Urban Renewal Historic District

This discussion focuses on the First Federal Savings and Loan Building because it is the only contributing element of the district that would be used by the Preferred Alternative. Figure 7-11 depicts the alternatives described below that were considered for the First Federal Savings and Loan Building.

Preferred Alternative

The AA/DEIS prepared for this project proposed an alignment along Cedar Street to 4th Street, with a 90-degree turn from Cedar Street onto 4th Street. This alignment was included

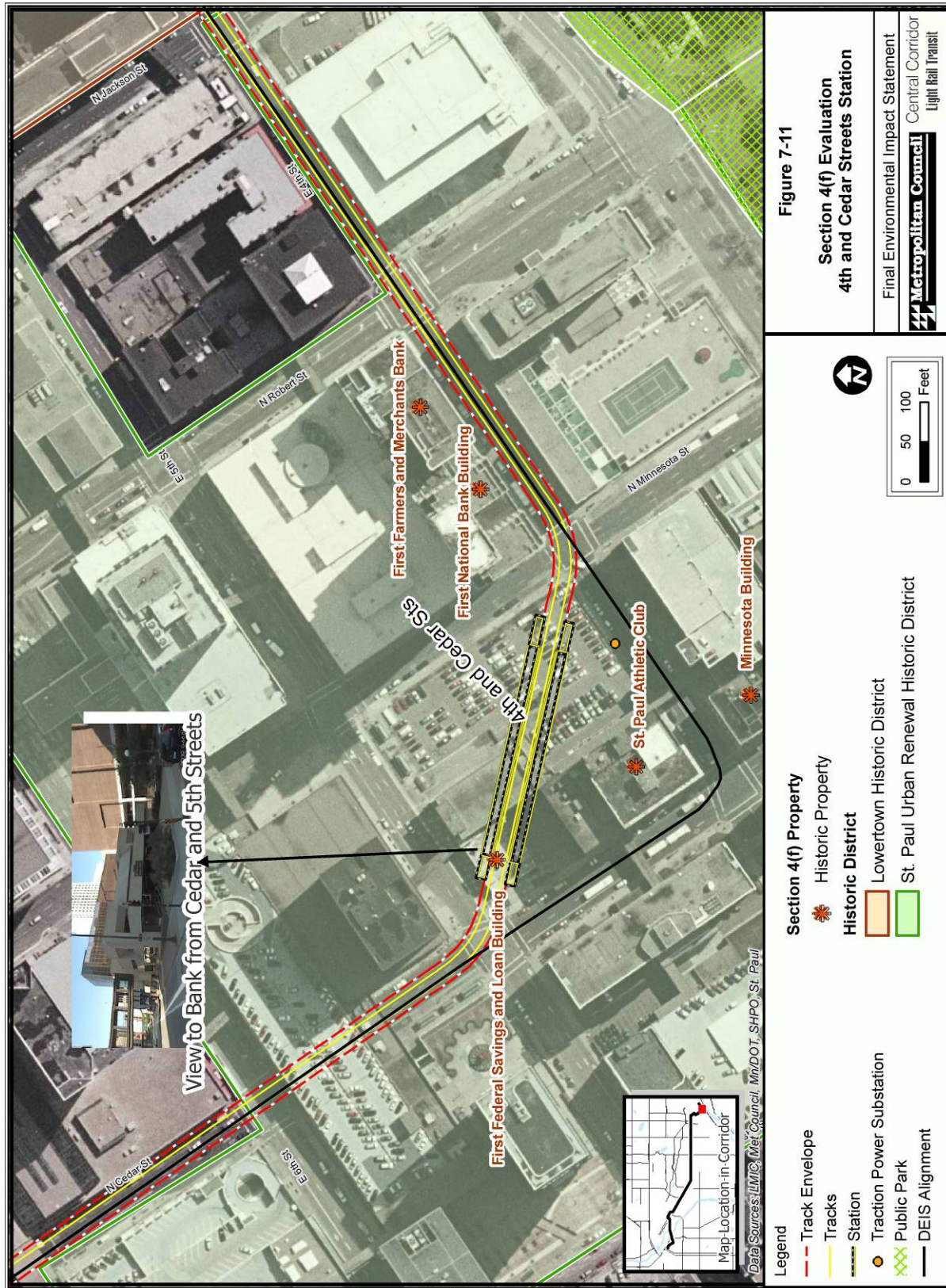
in the City of St. Paul's *Central Corridor Development Strategy* (2007) and subsequently adopted as part of the City of St. Paul's Comprehensive Plan. During the early phases of Preliminary Engineering, the CCPO determined that the transition of the tracks from Cedar Street onto 4th Street had several severe engineering challenges.

- The 90-degree turn from Cedar Street to 4th Street required the closure of one block of Cedar in order to accommodate the geometry of the turn.
- The topography at the intersection of 4th and Cedar would require substantial amounts of cut and fill and substantial retaining walls in order to have the curve as level as possible. Two historic and Section 4(f) buildings, the St. Paul Athletic Club and the Minnesota Building, are located at the intersection of Cedar Street and 4th Street. The cut, fill, and retaining walls at this location were seen as having a potentially adverse effect on the setting, feeling, and association of these two historic buildings. Additionally, given the preliminary nature of the engineering, it could not be ruled out that land would be required from the St. Paul Athletic Club lot, and the potential remained for a use of the front of this building depending on the nature of the required cut and fill.
- The original plan included placement of a passenger station in front of the First National Bank building (built in 1931) and the First Farmers and Merchants Bank building (built in 1916). Both of these historic properties are Section 4(f) properties and would have experienced adverse changes to their setting, feeling, and association due to the location of a passenger station immediately in front of them.

For these reasons, an alternative to the proposed alignment along Cedar Street and 4th Street was developed early in the NEPA process and is part of the FEIS Preferred Alternative. The Preferred Alternative includes a 45-degree turn at Cedar Street and 5th Street, extension of the LRT diagonally across one city block, and a second 45-degree turn onto 4th Street. This alternative avoids the topographic challenge of the intersection at 4th and Cedar Streets and provides space for a mid-block passenger station. However, the Preferred Alternative would require the demolition of the currently vacant First Federal Savings and Loan building, a contributing element to the St. Paul Urban Renewal Historic District. This alternative would also require temporary occupancy of land along Cedar Street and 4th Street and would cause temporary access disruptions during construction. New pedestrian elements would be added throughout the station area, including reconstructing the existing sidewalk along Cedar Street and the skyway above 5th Street. The City of St. Paul has plans to redevelop this block (City of St. Paul, 2007).

In summary, the Preferred Alternative:

- Received Approval by the Ramsey County Board through the municipal consent process and the City of St. Paul by adoption of the *Central Corridor Development Strategy* (2007) into its comprehensive plan.
- Requires the use of Section 4(f) property. The use of the district results from the demolition of the historic First Federal Savings and Loan building (built in 1971), which is a contributing element to the district.
- Eliminates engineering and operational impacts associated with the avoidance alternatives.



The proposed demolition of the First Federal Savings and Loan building triggered the requirement for a Section 4(f) avoidance analysis. One avoidance alternative has been developed.

Avoidance Alternative 1

Avoidance Alternative 1 maintains the alignment along North Cedar Street before making a 90-degree turn onto 4th Street and heading toward the Union Depot, as was initially proposed in the AA/DEIS and as is discussed above in the development of the Preferred Alternative. This alignment requires the closure of North Cedar Street between 5th Street and 4th Street because of the geometry of the track as it negotiates this curve. The topography of the area would require cuts and retaining walls at the corner of 4th Street and Cedar Street in order to construct a level alignment.

In summary, Avoidance Alternative 1:

- Introduces substantial engineering and operational impacts due to the requirement to resolve the topographic challenges at the curve located at 4th Street and Cedar Street.
- Results in the closure of Cedar Street between 5th Street and 4th Street.
- Avoids the requirement to demolish the First Federal Savings and Loan building (built in 1971); however the large cuts and retaining walls necessary to create a level curve at 4th Street and Cedar Street would result in substantial alteration of the setting, feeling, and association of the historic St. Paul Athletic Club (built in 1918) and the historic Minnesota Building (built in 1930), resulting in Section 4(f) uses.
- This alternative may require land from the front or side of the St. Paul Athletic Club which may constitute an adverse effect on this historic building, resulting in a Section 4(f) use.
- This alternative requires the placement of the proposed station to revert to its originally proposed location on Cedar Street. This passenger station would be located in front of the First National Bank building (built in 1931) and the First Farmers and Merchants Bank building (built in 1916). Both of these buildings, which are historic properties, would likely experience substantial adverse change due to the location of a passenger station immediately in front of them, potentially resulting in Section 4(f) uses.

Conclusion

The FEIS Preferred Alternative, previously identified as the Revised LPA Alternative in the SDEIS, has been adopted by the Metropolitan Council as part of the Locally Preferred Alternative. However, because the Preferred Alternative requires the use of Section 4(f) protected property, the selection of this alternative cannot be approved by the FTA unless there is no feasible and prudent alternative to this use and all possible planning has been taken to minimize harm.

Avoidance Alternative 1 eliminates the use of one property that is a contributing element to a National Register eligible historic district at the cost of using as many as four other buildings that have relatively greater historic significance. The historic significance of the First Federal Savings and Loan building, which contributes to the Urban Renewal Historic District, is

considerably less than the historic significance of the St. Paul Athletic Club Building and the Minnesota Building; both of which are individually eligible for listing on the National Register. Additionally, Alternative 1 has adverse effects to the First National Bank building and the First Farmers and Merchants Bank building due to placement of the passenger station in front of these buildings. Since this alternative requires the use of as many as four Section 4(f) protected properties, all of which are relatively more historically significant than the 4(f) property being avoided, this alternative does not constitute a feasible and prudent alternative to the use of Section 4(f) protected property and was not carried forward as an avoidance alternative.

7.6.4.4 Tenth Street Station, State Capitol Mall Historic District

As discussed in Section 7.5.2.4, the construction of the proposed Tenth Street Station within the State Capitol Mall Historic District may have an adverse effect on the qualities and attributes that make this property historic even after the terms and conditions contained in the PA are completed. Therefore, an avoidance analysis was conducted.

Preferred Alternative

The SDEIS prepared for this project identified the proposed location for the Tenth Street Station to be in the median of Cedar Street between I-94 and Tenth Street. This location was selected for a number of reasons, including:

- The location is compatible with the regional traffic flow patterns.
- The proposed location is consistent with the planning goals of the City of St Paul.

However, the placement of the Tenth Street Station within the State Capitol Mall Historic District could adversely affect the qualities that make this historic district eligible for listing in the National Register even after the terms and conditions of the PA are implemented. This proposed use of historic property triggers the 4(f) requirement to consider avoidance alternatives.

In summary, the Preferred Alternative:

- Requires the use of Section 4(f) property, specifically, land from the State Capitol Mall Historic District.
- Has been approved by the Ramsey County Board and the City of St Paul.
- Has the potential to provide convenient access to a number of buildings located within the southern portion of the Capitol Mall and the northern portion of downtown St Paul.

Avoidance Alternative 1 – Alignment on Another Avenue

In 2001, six different alignments were reviewed as possible LRT routes between the Capitol Building and downtown St Paul. A series of meetings with project stakeholders were held between March and October 2001 to narrow down the St. Paul alignment options being considered in the AA/DEIS. In October of 2001, the Central Corridor Coordinating Committee, which consisted of representatives from Metropolitan Council, MnDOT, Ramsey County, City of St. Paul, City of Minneapolis, University of Minnesota, and the Red Rock

Corridor, recommended that Alternative 1, the Cedar Street/4th Street Alignment, be carried forward in the AA/DEIS for this project.

All six alignments were evaluated based on four basic criteria: service, connectivity, impacts on the built environment, and operations. These six alignments are discussed in Table 7-3.

Table 7-3 Alternative Alignments between State Capitol and Downtown St Paul

| Name | Route Between State Capitol and Downtown St Paul | Comments & Concerns Raised | Decision Made |
|---------------|---|---|--|
| Alternative 1 | Alignment runs from University Avenue to Rice Street, passes in front of the State Capitol Building, crosses I-94 via Cedar Street, and then extends down Cedar Street to Fourth Street where it terminates at the Union Depot. Proposed station sites at Capitol Building, Cedar Street & Seventh Street; Cedar Street & Fourth Street, and in front of Union Depot. | Serves State Capitol, downtown employment, and SPUD well; no service to events district, Regions Hospital; potential 4 th Street utility impacts | Carry forward to DEIS as the recommended alignment in downtown St Paul |
| Alternative 2 | Alignment runs from University Avenue to Rice Street, extends south down Rice Street to I-94, crosses I-94 via St Peter Street, extends down St Peter Street to Fifth Street, connects to Sixth Street via Broadway Street, and returns to Rice Street via Wabasha Street. Proposed station sites at Rice Street near Aurora Avenue, on St Peter Street near Seventh Street, on Fifth Street at Cedar Street, on Fifth Street between Sibley Street and Wacouta Street, on Sixth Street at Galtier Plaza, on Sixth Street at Cedar Street, and on Wabasha Street near Seventh Street. | <p>Skirts the downtown employment core; no direct services to event district; enters downtown on 5th/6th Streets, which would disrupt bus service and have potential utility impacts; City staff prefers maintain conditions on St. Peter and Wabasha.</p> <p>St Peter Street would be closed between Fourth and Sixth Streets due to narrow right-of-way.</p> <p>Bus routes on Fifth/Sixth Street would be negatively impacted.</p> <p>This alternative is more costly than Alternative 1.</p> | Eliminate from further consideration |

| Name | Route Between State Capitol and Downtown St Paul | Comments & Concerns Raised | Decision Made |
|---------------|---|--|---|
| Alternative 3 | <p>Alignment runs from University Avenue to Constitution Avenue before extending southward along John Ireland Boulevard, extends east along Kellogg Boulevard to Fifth Street, connects to Sixth Street via Broadway Street, and returns to John Ireland Boulevard via Sixth Street and Fifth Street.</p> <p>Proposed station sites at Rice Street near Aurora Avenue and the State Capitol Building, on Fifth Street at the Xcel Energy Center, on Fifth Street at Cedar Street, on Fifth Street between Sibley Street and Wacouta Street, on Sixth Street at Cedar Street, and on Sixth Street at the Xcel Energy Center.</p> | <p>Similar to Alternative 2 with slightly better service to the events district.</p> | <p>Eliminate from further consideration</p> |
| Alternative 4 | <p>Alignment runs down University Avenue to Jackson Street, crosses I-94 on Jackson Street, extends down Jackson Street to Seventh Street, extends down Sibley Street to Fifth Street, connects to Sixth Street near the Xcel Energy Center, and returns to connect to Jackson Street at Sixth Street. Proposed station locations at Regions Hospital (Jackson & Twelfth streets), on Jackson Street between Ninth and Tenth streets, on Fifth Street between Sibley and Jackson streets, on Fifth Street at Cedar Street, on both Fifth and Sixth streets near the Xcel Energy Center, on Sixth Street at Cedar Street, and on Sixth Street between Roberts and Jackson streets.</p> | <p>Serves the State Capitol area with two stations; serves Regions Hospital and events district; skirts Lowertown and the downtown employment core</p> <p>Jackson Street has issues due to roadway widths and a high volume of traffic.</p> <p>This alternative is more costly than Alternative 1.</p> | <p>Eliminate from further consideration</p> |

| Name | Route Between State Capitol and Downtown St Paul | Comments & Concerns Raised | Decision Made |
|---------------|--|--|--------------------------------------|
| Alternative 5 | Alignment runs down University Avenue to Jackson Street, crosses I-94 on Jackson Street, extends down Jackson Street to Seventh Street, extends down Sibley Street to Fourth Street, extends down Fourth Street to Rice Park between Washington Street and Market Street, before returning via Fourth Street to Jackson Street. Proposed station locations at Regions Hospital (Jackson & Twelfth streets), on Jackson Street between Ninth and Tenth streets, on Sibley Street between Fifth and Sixth streets, on Fourth Street at Cedar Street, on Fourth Street at Rice Park, and on Jackson Street between Fifth and Sixth streets. | <p>Similar to Alternative 4; provides some level of service to all of the major districts; closer to events district and SPUD.</p> <p>Jackson Street has issues due to roadway widths and a high volume of traffic.</p> <p>This alternative is more costly than Alternative 1.</p> | Eliminate from further consideration |
| Alternative 6 | Alignment runs down University Avenue to Jackson Street, crosses I-94 on Jackson Street, extends down Jackson Street to Fourth Street, extends down Fourth Street to Rice Park between Washington Street and Market Street, before returning via Fourth Street to Jackson Street. Proposed station locations at Regions Hospital (Jackson & Twelfth streets), on Jackson Street between Ninth and Tenth streets, on Fourth Street at Cedar Street, on Fourth Street at Rice Park, and on Jackson Street between Fifth and Sixth streets. | <p>Similar to Alternative 5.</p> <p>Significant traffic concerns with closure of Jackson Street</p> <p>Jackson Street has issues due to roadway widths and a high volume of traffic.</p> <p>This alternative is more costly than Alternative 1.</p> | Eliminate from further consideration |

In Summary, Alternatives 2 through 6 would all avoid the need to use the historic lawn panels in the median of Cedar Street and the Tenth Street station location property. However, all five of these alternative alignments were eliminated in 2001 through a detailed planning process because they failed to meet one or more of the basic criteria of service (connectivity, impacts on the built environment, and operations).

Finally, the Cedar Street lawn panels were designated historic in 2008, which is fairly late in the project development process. According to 23 CFR 774.13(c) projects that have late designations may qualify for an exception to the requirement for Section 4(f) approval if two conditions are met. The first condition is that the property interest in the Section 4(f) land was acquired for transportation purposes prior to the designation. The second condition is that an adequate effort was made to identify protected by Section 4(f) prior to acquisition.

Alternative 1, the Cedar Street/Fourth Street Alignment, meets both of these conditions. Cedar Street, and the median that contains the lawn panels, has been in service as a transportation feature for decades. As documented in Section 3.4 of this FEIS, considerable effort has been extended in the project area between 1995 and 2008 to identify historic property in the project's APE.

Conclusion

The Preferred Alternative for the Tenth Street Station may have an effect on the State Capitol Mall Historic District even after the implementation of the PA, which constitutes a use of Section 4(f) property.

The alternative alignments all fail to meet one or more of the basic criteria of service. The alternatives to the use of the Cedar Street alignment and Tenth Street Station location would not have the same effect on the State Capitol Mall Historic District. However, all six alternatives proposed station locations that would have resulted in the use of Section 4(f) property somewhere within the Capitol Mall Historic District. Therefore, avoidance alignments do not constitute a feasible and prudent alternative to the use of Section 4(f) protected property and are not carried forward.

7.6.4.5 Rice Street Station, State Capitol Mall Historic District

As discussed in Section 7.5.2.4, the construction of the proposed Rice Street Station within the State Capitol Mall Historic District would have an adverse effect on the qualities and attributes that make this property historic.

Preferred Alternative

The SDEIS prepared for this project identified the proposed location for the Rice Street Station to be on the east side of Rice Street and the south side of University Avenue. This location was selected during preliminary engineering for a number of reasons, including:

- It is a location supported by the CAAP Board, the state agency that manages the property.
- It minimizes impacts to bicycle and pedestrian access when compared to the originally proposed station located on the west side of Rice Street.
- It allows the redevelopment of this corner of the Capitol Mall into a pedestrian-friendly transit plaza that could accommodate both LRT passengers and bus passengers.
- The location is compatible with the regional traffic flow patterns and allows dedicated turn lanes to be maintained at the intersection of Rice Street and University Avenue.
- The proposed location is consistent with the planning goals of the City of St Paul.

However, the placement of the Rice Street Station within the State Capitol Mall Historic District would adversely affect the qualities that make this historic district eligible for listing in the National Register. This proposed use of historic property triggers the 4(f) requirement to consider avoidance alternatives.

In summary, the Preferred Alternative:

- Requires the use of Section 4(f) property, specifically, land from the State Capitol Mall Historic District.
- Has been approved by the Ramsey County Board and the City of St Paul.
- Has the potential to create a pedestrian-friendly transit plaza that provides convenient access to the various buildings located within the Capitol Mall.
- Is a use that the CAAP Board sees as an improvement to the property that they manage.

Avoidance Alternative 1 – Rice Street Station West of Rice Street

This alternative would continue to place the proposed passenger station along the south side of University Avenue; however, the station would be moved to the west side of Rice Street. The overall alignment of the CC LRT would not change in this location. (Figure 7-8)

In Summary, Avoidance Alternative 1:

- Avoids the need to use property from the State Capitol Mall Historic District.
- Would require an open cut to achieve the required grade changes for the alignment. This open cut would preclude intersection movements for pedestrians, bicycles, and vehicles.
- Terminating intersection movements at this location would result in significant deterioration to the traffic movement through the intersection of University Avenue and Rice Street when compared to either the Preferred Alternative or the No-Build Alternative. Under the Preferred Alternative, the lane configuration of eastbound University Avenue at Rice Street has a dedicated left-turn lane, two thru lanes, and a right-turn lane. The proposed alternative would require the removal of two eastbound lanes to accommodate the width of the station platforms. This would reduce the eastbound lanes to one left-turn lane and a shared thru/right turn lane, or a thru lane with a right-turn prohibition. The capacity of this intersection would be negatively impacted, reducing eastbound throughput by as much as 50%. Under the No-Build alternative, the intersection of Rice Street and University Avenue is expected to operate at Level of Service (LOS) "C" during the PM peak hour. With the Preferred Alternative, the intersection is expected to operate at LOS "E" during the PM peak hour in 2030. The proposed station relocation would likely cause this intersection to operate at LOS "F" during the PM peak hour in 2030.
- Eliminates vehicular access to the parking lots associated with the commercial buildings found at 152 University Avenue West and 154-158 University Avenue West, requiring the acquisition of these two non-historic buildings. The Ramsey County Assessors' Office shows a combined, estimated 2007 market value of \$769,800 for these two buildings.

Conclusion

The Preferred Alternative for the Rice Street Station would have an effect on the State Capitol Mall Historic District, which constitutes a use of Section 4(f) property.

Avoidance Alternative 1 would not have an effect on the State Capitol Mall Historic District and would require the use of Section 4(f) property. However, the proposed station location would result in a significant, negative impact to traffic movement through this intersection. It would also require the acquisition of two non-historic buildings and additional capital expenditures due to the need to provide relocation assistance to the commercial and residential occupants of these buildings. This alternative does not constitute a feasible and prudent alternative to the use of Section 4(f) protected property and was not carried forward as an avoidance alternative.

No other avoidance alternatives were evaluated along the north side of University Avenue. There are a number of historic buildings along the north side of University Avenue on both sides of Rice Street. These historic buildings are also protected by Section 4(f) and cannot be used unless there is no feasible and prudent alternative to their use and all possible measures to minimize harm have been taken.

7.7 Measures to Minimize Harm

Avoidance of properties protected by Section 4(f) has been pursued as a first course of action. When avoidance is not possible, a variety of minimization measures have been employed to minimize the use of each Section 4(f) protected property. For those properties that cannot be avoided and for which uses exist even after minimization measures have been employed, a variety of compensatory mitigation measures are proposed to further minimize harm.

Through the design advancement, alternatives analysis, and minimization process, the construction impacts on Currie Park, and the Section 4(f) uses of the Downtown Children's Play Area, the St. Paul Athletic Club, and the Union Depot Elevated Railyard Deck have been avoided. In addition, as described above, the use of the St. Paul Union Depot has been minimized.

The direct uses that remain are all on historic properties. These uses will be further minimized through the implementation of the Programmatic Agreement (PA). The PA, developed by FTA, MnDOT, Minnesota SHPO, and the Metropolitan Council, outlines a number of compensatory mitigation measures for historic properties (see Appendix G for the full text of the PA). A summary of the key tasks outlined in the PA are:

- A number of project areas have been identified as those where historic properties need to be considered as part of the design process. In these areas, all elements of the project design, including but not limited to, stations, platforms, shelters, ramps, walkways, tracks, poles, catenaries, public art, and associated streetscape improvements, will take into account the suggested approaches to new construction in historic areas in the Secretary of the Interior's Standards for the Treatment of Historic Properties (SOI Standards). Specific issues relating to noise and vibration will continue to be addressed through the consultation process.
- Metropolitan Council will develop the project design for these areas in close consultation with Minnesota SHPO and with consulting parties (Preservation Alliance of Minnesota, St. Paul Heritage Preservation Commission, Historic St. Paul, the Prospect Park and East River Road Improvement Association, St. Louis King of France Church, and Central Presbyterian Church) and other interested parties. Consultation will occur throughout the design process to allow project designers to effectively integrate historic values into the project design; it will not be limited to a review of and comment on completed designs. Final designs for all project elements in historic areas will be submitted to Minnesota SHPO for review and written concurrence.
- The project will include all below-grade infrastructure to facilitate future construction of LRT stations at Hamline Avenue, Victoria Street, and Western Avenue in the City of St. Paul, but no station design or construction for these locations will be completed as part of this project. At such time that funding becomes available to design and construct stations at Hamline Avenue, Victoria Street, and/or Western Avenue, Metropolitan Council will consult with Minnesota SHPO and other consulting/interested parties regarding plans for station design and construction. Consultation will occur throughout the design process to allow project designers to effectively integrate historic values into the design. Final designs for any or all of

these stations will be submitted to Minnesota SHPO for review and written concurrence.

- If there are any portions of the project areas where it is not feasible to reach a design that meets the SOI Standards, the project will be considered to have an adverse effect, and mitigation measures will be developed and implemented in accordance with stipulations contained in the PA.
- The Midwest Federal Building (aka First Federal Savings and Loan) at 360 Cedar Street, a contributing element of the St. Paul Urban Renewal Historic District, will be demolished as part of the project. Metropolitan Council will record this building the standards of the Minnesota Historic Property Record. The documentation will be completed in consultation with Minnesota SHPO, and will be submitted to Minnesota SHPO for review and approval before any demolition of the property begins. Metropolitan Council will develop design guidelines for future development of the site of 360 Cedar Street and adjacent parcels. These guidelines will establish parameters for new construction, consistent with the SOI Standards, with reference to the St. Paul Athletic Club and the St. Urban Renewal Historic District. The guidelines will be developed in coordination with the City of St. Paul's Station Area Plan.
- Metropolitan Council will prepare National Register nomination forms, in conformance with the guidelines of the National Park Service and Minnesota SHPO, for the following historic properties located along the project corridor: First National Bank Building; St. Paul Athletic Club; St. Louis King of France Church and Rectory; Norwegian Evangelical Lutheran Church; Ford Motor Company Building; Minnesota Milk Company Building; Owens Motor Company Building; Fire Station No. 18; Brioschi-Minuti Company Building; Rath's, Mills, Bell and Company Building; St. Paul Casket Company Factory; Quality Park Investment Company Building; Griggs, Cooper & Company Sanitary Food Manufacturing Plant; Porky's Drive-In Restaurant; Great Lakes Coal and Dock Company Building; Fire Station No. 20; KSTP Production Studios and Transmission Tower; U of M Mall Historic District; Pioneer Hall; Mines Experiment Station Building; Washington Avenue Bridge; Fire Station G; and Minnesota Linseed Oil & Paint Company Building. The nomination forms will be completed in consultation with Minnesota SHPO, and will be submitted to Minnesota SHPO for review and concurrence. Actual nomination of these properties to the National Register of Historic Places will be at the discretion of Minnesota SHPO and will follow the established procedures of the National Park Service (36CFR60) and Minnesota SHPO.
- Metropolitan Council will develop an educational Field Guide of the historic properties (including historic districts) along the Central Corridor. The Field Guide will highlight the listed and eligible National Register properties, as well as those which are located along the portion of the Central Corridor line which parallels the Hiawatha LRT in downtown Minneapolis. The Field Guide will be developed in consultation with Minnesota SHPO and other interested parties, and the final draft will be submitted to Minnesota SHPO for review and concurrence. Metropolitan Council will make the Field Guide available to the public in both print and electronic formats.
- In consultation with Minnesota SHPO and other interested parties, Metropolitan Council will develop and implement an educational effort to encourage the rehabilitation of historic properties located along the Central Corridor. This effort will include an information packet with information about proper rehabilitation practices and financial resources. It will also include individual consultations with owners of

historic properties as well as public workshops. At the conclusion of the consultations and workshops, Metropolitan Council will submit a report on the effort to Minnesota SHPO and other cooperating organizations.

- In any cases where the final design of the project components does not meet the SOI Standards, or if other adverse effects are identified during continuing consultation pursuant to the Programmatic Agreement, Metropolitan Council will develop mitigation measures in consultation with Minnesota SHPO. Mitigation measures will be determined based on the type and level of impact. Agreement on mitigation measures may occur through letter agreement among FTA, Metropolitan Council, and Minnesota SHPO. Such letter agreements will clearly specify the party responsibility for completing the mitigation, and a timetable. Metropolitan Council agrees to take into account the views and concerns of consulting parties and other interested parties in the resolution of adverse effects. These parties may also be invited to concur in letter agreements.
- Before project construction begins, Metropolitan Council shall prepare a comprehensive summary of all identified measures needed to protect historic properties. A copy of this summary will be submitted to Minnesota SHPO for review and concurrence. Copies will also be provided to the consulting parties of the PA. Before project construction begins, Metropolitan Council shall meet with the construction contractor to ensure that construction plans are consistent with the Project design as approved by Minnesota SHPO, and with all identified protection measures. During construction, Metropolitan Council will monitor project construction and shall provide a record of those monitoring activities in the Annual Report.

7.8 Coordination

7.8.1 Public Involvement and Agency Coordination

A comprehensive public involvement program was implemented at the beginning of the preliminary engineering (PE) process and has been continued throughout planning, project development, and environmental review process to support decision-making. The program is guided by a public involvement plan that is described in full in Chapter 11.

Briefly, the plan has been to:

- Communicate with and involve local residents in refining the proposed alternatives;
- Communicate with and educate the public, neighborhoods, and agencies in the Central Corridor LRT Study Area on the opportunities and impacts the proposed project presents for their community or area of interest;
- Gain insights into issues of greatest concern or interest to the public and municipalities of the Central Corridor LRT Study Area and incorporate them into the decision-making process;
- Involve local residents in the decision-making process thereby creating a sense of public ownership of the project; and
- Meet and exceed the requirements and intent of federal, state, and local public involvement policies in a manner that is consistent with the federal NEPA process.

The Central Corridor Transit Study (Transit Study) process was completed in two parts: 1) a feasibility study for commuter rail, which was completed in 2001, and 2) an AA/DEIS for baseline, LRT, and BRT in the corridor, which was completed in 2006. During the initial stages of the Transit Study, the public was invited to participate in the process through public information meetings, telephone surveys, and other outreach activities.

As detailed in Chapter 11, the following outreach techniques are used throughout the project development process:

- Web site—Updated frequently with Central Corridor LRT information
- Newsletters—Published periodically
- PowerPoint presentation—For public presentations
- Media alerts and news releases—To generate interest in, and educate the public on, Central Corridor LRT progress
- Interviews with key stakeholders
- Survey of residents within the Central Corridor LRT
- Presentations at meetings of neighborhood and business groups within the Central Corridor LRT Study Area

7.8.1.1 Scoping

The initiation of the EIS for the proposed Central Corridor LRT began with a formal scoping process, which was used to publicly announce the alternatives being considered for inclusion in the AA/DEIS and to seek out additional alternatives to examine. The scoping process provides opportunities to inform the public, government agencies, elected officials, organizations, and businesses that the EIS process is commencing, to hear about issues of concern, and identify issues to be considered and/or resolved.

An NOI to prepare an EIS on the project was published in the *Federal Register* on June 5, 2001. An NOA of the Central Corridor Scoping Booklet and announcement of the scoping meetings were published in the Minnesota EQB Monitor on June 11, 2001. Public notices were placed in twelve newspapers in May and June 2001. Letters of invitation to the scoping meetings were sent to federal, state, and local agencies, and to elected officials involved in the Central Corridor LRT Study Area. Three public scoping meetings and one agency scoping meeting were held in the Central Corridor LRT Study Area. The formal scoping comment period extended from June 11 to July 20, 2001.

The Central Corridor Scoping Booklet, with meeting notices, was mailed to approximately 800 people on the Ramsey County Regional Rail Authority (RCRRA) mailing list, which includes federal, state, and local agencies having jurisdiction in the project, and all interested parties, elected officials, neighborhood organizations, and civic groups.

All written and verbal comments received at the formal public scoping meetings, by mail, or via the Web site during the scoping period, are recorded and addressed in the Central Corridor Scoping Summary Report. The report is available from RCRRA. Comments made during the scoping process were:

- Incorporated into the selection of the proposed alternatives for inclusion in the EIS;
- Incorporated into the design of the impact assessment criteria used in evaluating the alternatives;
- Used to help define the social, economic, environmental, and transportation factors addressed in the EIS; and
- Used to determine the types of technical analyses to be completed.

7.8.1.2 AA/DEIS

The AA/DEIS was released for public and agency comment on April 3, 2006. Public hearings were held at four locations from May 22 to May 24, 2006. The comment period was from April 21, 2006 to June 5, 2006. All of the 933 comments received on the AA/DEIS were compiled into a database. The responses to the comments are included in this FEIS. On June 28, 2006, the Metropolitan Council adopted an LPA for the Central Corridor LRT operating on Washington and University Avenues (Metropolitan Council Resolution No. 2006-15).

7.8.1.3 SDEIS

Public Involvement

Upon completion of the AA/DEIS, the Metropolitan Council became the local lead agency responsible for the Central Corridor LRT Project's oversight and implementation. In February 2007, the Metropolitan Council drafted the Central Corridor LRT Communication and Public Involvement Strategic Plan, which is described completely in Chapter 11. After considering comments received during circulation of the AA/DEIS and the public hearing, a Community Advisory Committee (CAC) and Business Advisory Council (BAC) were established by the Council in partnership with local stakeholders to consider the resolution of outstanding issues.

The Metropolitan Council has also established a Central Corridor Communications Office, which consists of a manager of public involvement, a communications manager, seven community outreach coordinators, and a public involvement intern. Each community outreach coordinator is assigned to one of seven geographic areas, approximately 1 to 2 miles in length. The coordinator is familiar with the area's technical issues and community characteristics. It is his or her responsibility to share information with the community about the Central Corridor LRT Project's progress, and to collect feedback and information on critical aspects of the Central Corridor LRT.

Ongoing outreach activities and stakeholder coordination have continued since October 2006—the outreach team has communicated with more than 25,000 people in more than 1,000 meetings, community events, and informal contacts. The Web site is continuously updated, project publications are continuously distributed, and project news is released to the media. Of particular note are listening sessions held in February 2008, where public comments were solicited by members of the Metropolitan Council prior to decision-making on key project elements. Four listening sessions were held at various venues along the Central Corridor LRT Study Area with a total of 288 comments submitted. These comments were collected and presented to the Central Corridor Management Committee (CCMC) and Metropolitan Council members prior to February 27, 2008. On February 27, 2008, the Metropolitan Council approved the scope of the proposed LRT project for inclusion in the SDEIS.

The SDEIS was prepared to provide the basis of further public discussion of the potential effects of the project on the human and natural environment associated with key changes and design options to the AA/DEIS LPA. The comment period for the SDEIS formally began with publication of an NOA in the *Federal Register* on July 11, 2008 and the Minnesota EQB Monitor on July 14, 2008. In accordance with federal and state requirements, the SDEIS was circulated between July 11 and August 25, 2008. Three public hearings were held between August 4 and August 9, 2008, to provide a forum for agency and citizen comments. After closing of the comment period on August 25, 2008, the Metropolitan Council formally approved the proposed revisions to the AA/DEIS LPA and adopted the Preferred Alternative (Metropolitan Council Resolution No. 2008-26). Responses to these comments and any resulting changes to the project are documented in this FEIS (see Chapter 11 and Appendix K).

Agency Coordination

In the planning, design, and construction of the Central Corridor LRT, the Metropolitan Council is working closely with the FTA, MnDOT, Ramsey and Hennepin counties, the cities of St. Paul and Minneapolis, and the U of M. The project draws on several advisory committees that bring together and present input from policy makers, government entities and community groups, businesses, and residents. These committees, described in Chapter 11, are the CCMC, CAC, Central Corridor Partnership (CCP), BAC, Central Corridor Project Office (CCPO), Project Advisory Committee (PAC), Communication Steering Committee (CSC), and the Land Use Coordinating Committee (LUCC).

In addition to the ongoing coordination with stakeholders and the public, the CCPO has had ongoing coordination with other federal, state, and local agencies and interested parties, including the Minnesota SHPO, the Capitol Area Architectural and Planning Board (CAAPB), the Department of Agriculture, the Department of Administration, the Department of Commerce, the Minnesota EQB, the Department of Health, the Department of Natural Resources (DNR), the Minnesota Pollution Control Agency (MPCA), the Board of Water and Soil Resources, the State Archaeologist, the Minnesota Historical Society, the Advisory Council on Historic Preservation (ACHP), the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the National Park Service, and the Minnesota Indian Affairs Council. Ongoing public input on historic and archaeological resources, including development of a Programmatic Agreement, will continue throughout the remainder of the project development process. Selected documentation of coordination with stakeholders, the public, and federal, state, and local agencies and interested parties is located in Appendix E.

The U.S. Department of Interior (DOI) was included in the review of the draft Section 4(f) evaluation. The DOI indicated in their response letter that the draft Section 4(f) evaluation did not contain sufficient information for their review at that time.

This Revised Draft Section 4(f) Evaluation will be forwarded to the DOI and other regulatory agencies as necessary for review and comment. A Final Section 4(f) Statement will be developed upon receipt of DOI review comments on this revised draft Section 4(f) Evaluation. The Final Section 4(f) Evaluation will be filed by FTA in advance of or concurrently with the Record of Decision. If requested, the Final Section 4(f) Evaluation also will be forwarded to the Advisory Council on Historic Preservation.

Agency coordination letters received to-date on the proposed action are reprinted in Appendix E, Agency Correspondence.

7.9 Conclusions

Numerous studies addressing the historic properties found throughout the project corridor have been completed for the Project. In addition, public parks and recreation areas in the project vicinity have been identified. The sites for which Section 4(f) is applicable have been identified and the potential for uses of those sites has been evaluated. Given the large number of sites identified in and just outside of the project area—as evidenced by the numerous sites listed in Section 7.4.1, Properties Not Used—it is not possible to find a feasible and prudent alternative that would avoid all impacts on all properties protected by

Section 4(f). The alternatives considered were analyzed with respect to their impacts, as described in this Section 4(f) Evaluation.

Based upon the above considerations, there is no feasible and prudent alternative to the use of the contributing element of the St. Paul Urban Renewal Historic District (i.e., the First Federal Savings and Loan Building), the St. Paul Union Depot (front lawn of the main building), and property from the Capitol Mall Historic District. In addition to these direct uses, the project will have *de minimis* use of the Leif Erikson Lawn located within the Capitol Mall Historic District. No constructive use of Section 4(f) protected property has been identified. The proposed action includes all possible planning to minimize harm to these Section 4(f) properties.