

9.0 Consultation and Coordination

Planning for the Bottineau Transitway Project involved extensive outreach and coordination with the affected public, which included not only the community members residing in the project corridor, but individuals, businesses, groups, clubs, civic organizations, and others interested in the project. Agencies were also engaged in the process, including local governments and state and federal agencies with regulatory oversight and permitting responsibilities. This chapter summarizes the efforts and outcomes of the various consultation and coordination efforts made for the Bottineau Transitway Project.

9.1 Public Outreach Approach

In 2008, Hennepin County Regional Railroad Authority (HCRRA) initiated the Alternatives Analysis (AA) Study to investigate transit improvement alternatives along the Bottineau Transitway. The study considered a range of alternatives that would improve regional mobility and meet long-range transit needs. Early in the study process, the project team established a framework for stakeholder outreach that engaged nearly 1,000 stakeholders through public meetings, open houses, stakeholder presentations, email, website visits, and phone calls. Further information can be found in the *Bottineau Transitway Alternatives Analysis Study* (2010).

As the project moved into the Environmental Impact Statement (EIS) phase, a Public Involvement Plan (PIP) was developed to clarify the goals for public outreach. The Bottineau Transitway PIP also describes strategies for encouraging public input and outlines opportunities for early and ongoing public involvement in the project development process. The PIP identifies key stakeholders and defines the roles of decision-making and advisory bodies. It also identifies communication methods and outlines the anticipated sequencing of public involvement activities.

9.1.1 Public Outreach Goal and Objectives

The goal of public outreach for the Bottineau Transitway as stated in the PIP is “...to continue project momentum and facilitate stakeholder engagement, input, and understanding through a meaningful public involvement process.” The objectives set forth in the PIP to achieve this goal include:

- Build confidence and credibility into the Scoping and environmental processes by assuring the public they will be heard and understood
- Build consent for a locally preferred alternative through stakeholder education, ongoing discussion, and open evaluation of alternative trade-offs
- Ensure process credibility by providing and encouraging participation in engagement opportunities for all stakeholders in the project corridor

9.1.2 Public Outreach Activities Framework

In keeping with the public outreach goal and objectives, the following framework was used to organize public outreach activities:

- Continue the Advisory Committees initiated during the AA Study
- Engage the community informally during EIS Scoping to identify issues and inform alternatives refinement
- Support other community organizations in their efforts to facilitate discussion about the project
- Conduct formal public comment opportunities in a manner that allows for meaningful input

9.1.3 Communication Methods

A variety of electronic and “traditional” (hard copy) communication methods were employed for the Bottineau Transitway Project. While electronic communications may to some appear inappropriate for a project area with significant low-income residents, area organizers advised that electronic media remains an effective method of outreach to low-income communities. Computers at area libraries are well used and “smart” phones are increasingly being used to access websites and other social networking applications. Communication methods are summarized below. Specific outreach efforts to target environmental justice populations are summarized in Chapter 7, Environmental Justice.

9.1.3.1 Project Website

The website that was maintained during the AA Study was updated as the project moved into the Scoping and Draft EIS phases. The primary function of the updated www.bottineautransitway.org website (launched in the fall of 2011) is to serve as a resource for upcoming meetings, provide project development information, facilitate contact with project staff, and provide a forum for submitting comments. The website includes general project information, a project library with maps and studies, notices of upcoming meetings and past meeting materials, information on project committees and decision-making, land use and economic development information, descriptions of other efforts in the corridor such as Corridors of Opportunity, links to relevant transit data/studies, frequently asked questions, and a contact page. The website homepage is displayed in [Figure 9.1-1](#).

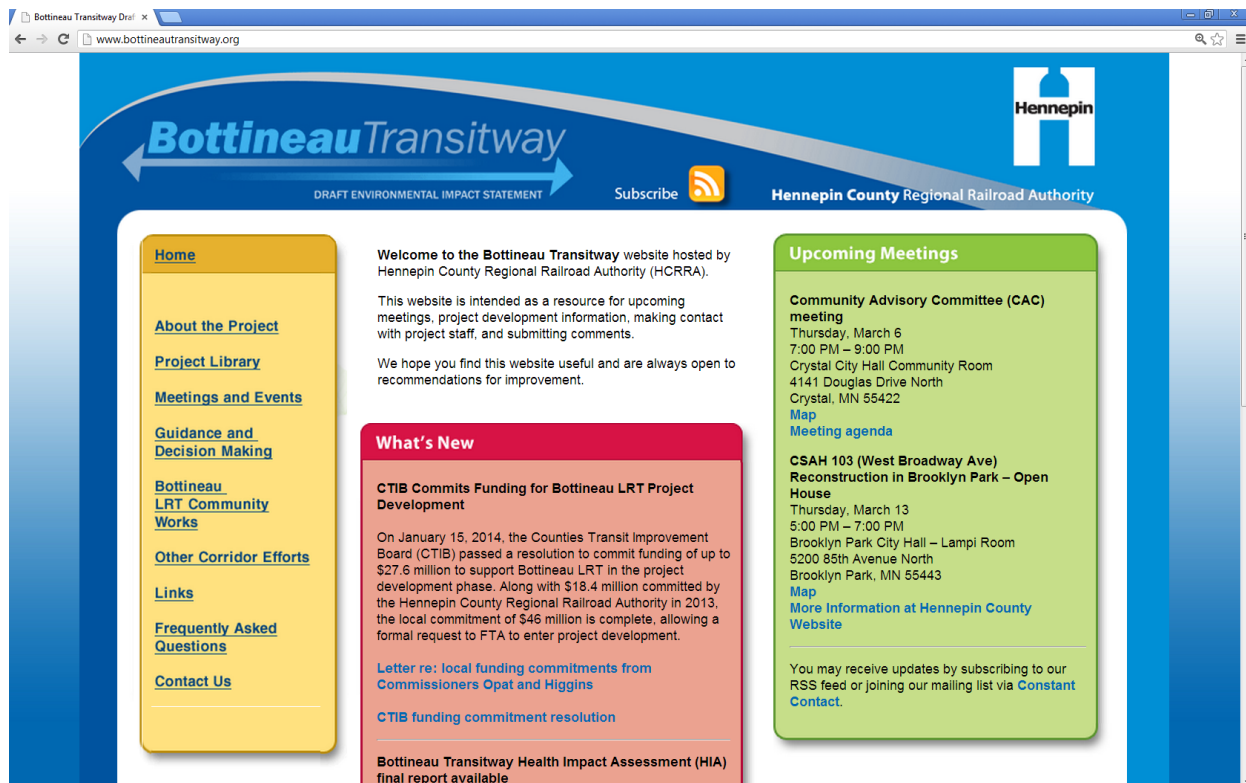
9.1.3.2 City Websites

Cities within the Bottineau Transitway project boundaries provided links to the project website and provided updates on project development and upcoming meetings.

9.1.3.3 Email List

An email list was created to provide project updates and advertise upcoming open houses and other public events. The email list was generated through open house sign-ins, comments and requests received by project staff, and through the project website. Local media contacts, elected officials, and agency representatives were also added to the email list. The list was, and will continue to be, used throughout the project to notify stakeholders about new or updated project information, upcoming meeting information, and opportunities for public comment. The emails provide links to the project website to facilitate quick and easy access to project materials. A summary of notices is included in [Table 9.1-1](#).

Figure 9.1-1 Bottineau Transitway Project Website



9.1.3.4 Distribution of Newsletters, Posters and Flyers

Hardcopy newsletters, posters, and flyers were distributed to community gathering places along the Bottineau Transitway to provide project information and notify the public about upcoming events. These materials also provided information as to how to obtain further project information via either the project website or contacting project staff. Materials were provided at libraries, community centers, and churches along the corridor alignments. Public libraries included:

- Maple Grove Library, 8001 Main Street, Maple Grove, MN
- Osseo Library, 415 Central Avenue, Osseo, MN
- Brooklyn Park Library, 8600 Zane Avenue N, Brooklyn Park, MN
- Brookdale Library, 6125 Shingle Creek Parkway, Brooklyn Center, MN
- Rockford Road Library, 6401 42nd Avenue N, Crystal, MN
- North Regional Library, 1315 Lowry Avenue N, Minneapolis, MN
- Sumner Library, 611 Van White Memorial Boulevard, Minneapolis, MN
- Minneapolis Central Library, 300 Nicollet Mall, Minneapolis, MN

Examples of public information materials can be found in [Appendix H](#).

Table 9.1-1. Summary of Notices and Flyers

Date	Activity	Distribution
May 2011	Distribution of posters in community facilities to announce June 2011 open houses	Approximately 40 corridor-wide
Aug 2011	Email invitation to Roundtable Discussions held September 15, 2011	Email
Sept 2011	Door-to-door distribution of flyers announcing D2 Open House held October 6, 2012	>500 in neighborhoods surrounding D2 alignments
Sept 2011	Distribution of posters in community facilities to announce D2 Open House held October 6, 2012	Approximately 40 corridor-wide
Dec 2011	Distribution of Scoping Booklet and poster announcing Scoping meetings	Corridor-wide, 327 hard copies of Scoping Booklet and approximately 50 posters

9.1.3.5 Press Releases

Hennepin County-issued press releases were used to distribute information regarding the time, location, and purpose of open houses and other project events. Releases were sent to approximately 200 media contacts, including all the major print, broadcast, radio, and web outlets in the Twin Cities, including specific media in the project area. Specific local outlets included neighborhood newspapers, local radio station KMOJ, neighborhood association websites, neighborhood web mail lists, and Cable Channel 12. The following press releases have been issued since the Scoping/Draft EIS process began:

- June 1, 2011 – providing notice of the June 2011 open houses
- September 6, 2011 – providing public notice of the September 15, 2011 roundtable discussions
- September 30, 2011 – providing notice of the October 6, 2011 D2 open house
- December 23, 2011 – providing notice of the January 2012 Scoping meetings
- May 16, 2012 – providing notice of the June 12, 2012 HCRRA public hearing for LPA recommendations

9.2 Summary of Public Outreach Activities

Key stakeholder outreach activities conducted during EIS Scoping and the development of the Draft EIS are summarized below.

9.2.1 Advisory Committees

9.2.1.1 Advise, Review, and Communicate Committee (ARCC)

ARCC members are technical staff from agencies convened to advise project development. The ARCC provides advice regarding local governmental perspectives, issues of concern, technical methodologies, and study process details. The ARCC is comprised of staff from Hennepin County; the cities of Brooklyn Park, Crystal, Golden Valley, New Hope, Maple Grove, Minneapolis, Osseo, and Robbinsdale; Minneapolis Park & Recreation Board; Metro Transit; Maple Grove Transit; the Metropolitan Council; the Minnesota Department of Transportation; and project consultants.

The ARCC has met on an approximately monthly basis to advise development of the alternatives and aid in the alternatives evaluation. ARCC meeting summaries can be found on the project website, www.bottineautransitway.org.

9.2.1.2 Policy Advisory Committee (PAC)

PAC members are elected officials, key policy leaders for participating agencies, business leaders, and institutional leaders, convened to review and advise on policy decisions during the development of the Bottineau Transitway Project.

The PAC has met on an approximately quarterly basis to advise key project decisions including refinement of the D2 alignment, EIS Scoping, and LPA recommendations. PAC meeting summaries can be found on the project website, www.bottineautransitway.org.

9.2.1.3 Community Advisory Committee (CAC)

The CAC, established during the AA Study, is comprised of representatives from the cities as well as businesses and institutions in the Bottineau Transitway study area. Members provide a conduit for integrating the values and perspectives of citizens, communities, businesses, and institutions into the study process.

The CAC has met on several occasions to identify project issues and advise on refinement of the alternatives. CAC meeting summaries can be found on the Project Website, www.bottineautransitway.org.

9.2.2 Informal Community Outreach During the EIS Scoping Process

Public meetings were held to gather input during EIS Scoping to inform decisions regarding the range of alternatives proposed for analysis in the Draft EIS, to identify potential project issues and concerns, and engage interested members of the public, individuals, and groups, as well as representatives of affected Native American tribes, and local, state, and federal agencies in discussions about the Bottineau Transitway Project. However, the EIS Scoping process began months prior to the official comment period, through several outreach activities intended to engage the public in refining practical and feasible alternatives and shaping what would be in the Scoping Booklet. These outreach activities are discussed below.

9.2.2.1 Open Houses to Initiate EIS Scoping

Open houses were held in communities throughout the project corridor in June 2011. The purpose of these meetings was to:

- Inform the public that the project was entering the next project phase
- Prepare the public for critical upcoming project decisions
- Obtain preliminary feedback regarding the issues to be studied as part of Scoping and the Draft EIS

Six different meetings were held on different dates in Brooklyn Park (two locations), Robbinsdale, Golden Valley, Crystal, and Minneapolis. The meetings consisted of an open house review of materials relating to the AA Study, a presentation discussing upcoming Scoping and Draft EIS activities, and an open discussion on the question “*What is important to you as we look at the analysis and consider key decisions for this project?*” Approximately 100 people attended these meetings and shared their thoughts on the anticipated benefits and concerns of a transitway in their communities.

9.2.2.2 Roundtable Discussion

During the EIS Scoping phase, HCRRA was interested in providing an opportunity for more extensive community discussion regarding the potential benefits as well as the potential impacts of the Bottineau Transitway. A Roundtable event was conducted to share outcomes from similar transit projects throughout the country as well as provide a forum for smaller group interaction about the potential for economic development and other benefits in the Bottineau Transitway. The Roundtable event was held on Thursday September 15, 2011 from 6:00 to 8:00 p.m. at the Brookdale Library in Brooklyn Center.

Representatives of neighborhood associations, community organizations, foundations, and business groups, as well as people with known interest in the project, were invited to attend. Representation included each city along the proposed alignments under consideration. The event was also open to the public.

The roundtable event included a brief presentation of transitways in other communities and small group discussions about balancing impacts/benefits in project decisions. As HCRRA moved forward with EIS Scoping, notes from each discussion group were reviewed and considered, helping to formulate EIS approaches.

9.2.2.3 Open House and Survey on Alignment D2 Options

To specifically engage nearby residents in refining the D2 alignment, a public open house was held on October 6, 2011 at the Urban Research & Outreach-Engagement Center (UROC) in Minneapolis. HCRRA distributed flyers door-to-door in the surrounding neighborhoods and posted announcements at key community locations to ensure nearby residents received information about the meeting. The purpose of this open house was to share detailed information on the benefits and costs of the various Alignment D2 options under consideration (D2A, D2B, and D2C) and to obtain community input as to which of these options should be evaluated in the Draft EIS. A survey was provided to attendees and also made available online for those unable to attend the open house. A total of 83 survey responses were received, which provided insight into the community's perceptions of the positives and negatives the various D2 alignments. This information assisted in the narrowing of D2 options and the identification of issue areas that would be studied in the Draft EIS.

9.2.3 Support for Community Organization Outreach Efforts

There are several community groups which are actively relaying information to their respective members. HCRRA and Metropolitan Council have worked with these groups to provide information, as summarized below.

For specific engagement relating to environmental justice communities, please see Chapter 7, Environmental Justice.

9.2.3.1 Northside Transportation Network Participation

The community also initiated its own engagement process through Northside Transportation Network (NTN), a coalition of north Minneapolis residents and businesses. Throughout 2010 and 2011, NTN was actively involved in a process of engaging and informing Northside residents and stakeholders regarding the Bottineau Transitway. This included regular meetings, a three-day workshop in September 2011, and a NTN-hosted community meeting on November 3, 2011. The NTN engagement process included valuable dialogue regarding community needs; benefits, impacts, costs, and opportunities of D2 alignment options (D2A, D2B, and D2C); exploratory conversations around additional concepts that might minimize and/or dissipate impacts; and conversations regarding the best overall transitway fit for the community.

At the November 2011 NTN meeting, a poll was taken regarding the D2 options under consideration. This information, along with other public input, was used by HCRRA in the narrowing of D2 options. A detailed discussion of D2 alignment options can be found in Technical Memorandum: Segment D2 Options - Investigation of Penn/Oliver Avenue Concepts (Kimley-Horn and Associates, October 2011).

9.2.3.2 Corridors of Opportunity

Corridors of Opportunity is an initiative to promote sustainable, vibrant, and healthy communities in the Twin Cities region, using the region's emerging transitway system as a development focus. The initiative

funds projects in seven corridors within the system of existing and planned transitways in the region, including Bottineau Transitway.

Through Corridors of Opportunity, the Community Engagement Team (CET) is responsible for recommending grants to community groups that support innovative and effective place-based initiatives that engage and involve underrepresented communities (low-income, communities of color, immigrant communities, persons with disabilities) in participation, decision-making, and leadership roles related to transit corridor planning and implementation. Through the fall of 2012, a total of 12 Outreach and Engagement grants have been awarded to organizations that provide outreach and community engagement activities and services to residents in the Bottineau Transitway. These organizations include:

- African Career, Education, and Resource, Inc. (ACER) (two grants)
- Asian Economic Development Association (AEDA)
- Asian Media Access
- Harrison Neighborhood Association (two grants)
- Cleveland Neighborhood Association
- Masjid An-Nur
- Northside Residents Redevelopment Council
- La Asambela de Derechos-Civiles
- Centro de Trabajadores Unidos En La Lucha (CTUL)
- Metropolitan Interfaith Council on Affordable Housing (MICAH)

A description of specific activities to be performed by these organizations under these grants is available at <http://www.metrocouncil.org/planning/COO/CommEngage.htm>.

9.2.4 Formal Public Comment Opportunities

9.2.4.1 Scoping Public Comment Period

The EIS Scoping process is required under both federal and state environmental review and is the first step in preparing a Draft EIS. Under Minnesota Rules, EIS Scoping includes an official public comment period as well as formal Scoping Meetings during this comment period. To inform the public on the Scoping process, a Scoping Booklet was prepared. The Bottineau Transitway Scoping Booklet identified potential alternatives for evaluation and the issues to be studied in the Draft EIS. The Scoping Booklet was provided to all parties required under the Minnesota Environmental Review Program, as well as members of the Bottineau Transitway project committees and other interested stakeholders on the extensive project mailing list. To reach as many affected parties as possible, HCRRRA also provided the following:

- Posting of the Scoping Booklet on the project website
- Hard copy distribution to libraries, city halls, and community centers in the project area
- Email notice of Scoping Open Houses to Maple Grove Transit riders and posters at the transit station
- Scoping Open House notices sent to more than 500 property owners in proximity of alignments in Robbinsdale

The official Scoping public comment period extended from December 26, 2011 to February 17, 2012. During this time, the project was discussed at four public Scoping Open Houses and one Interagency

Scoping Meeting. [Table 9.2-1](#) shows the meeting place, time, date, and number of attendees for each meeting.

The Interagency Scoping Meeting took place on January 19, 2012 as part of the formal Scoping comment period. Specific invitations were sent to government agency representatives at the state and federal levels. Thirteen representatives from nine different local and state agencies were in attendance to be introduced to the proposed project and discuss potential areas of concern.

Table 9.2-1. Open House Meeting Participation

Location of Open House	Time	Date	Attendees*
Theodore Wirth Chalet 1301 Theodore Wirth Parkway, Minneapolis	4:30 to 6:30 p.m.	Jan. 23, 2012	127
Brooklyn Park City Hall 5200 85th Avenue N, Brooklyn Park	6:00 to 8:00 p.m.	Jan. 24, 2012	44
Urban Research and Outreach/Engagement Center 2001 Plymouth Avenue N, Minneapolis	5:30 to 7:30 p.m.	Jan. 25, 2012	47
Robbinsdale City Hall 4100 Lakeview Avenue N, Robbinsdale	6:00 to 8:00 p.m.	Jan. 31, 2012	165
Total	–	–	383

* Number of people who signed the sign-in sheet

Open house attendees were encouraged to provide input on the purpose and need for the project, the alternatives proposed for the study, and the project impacts or benefits that should be evaluated, along with any other areas of interest or concern. A Scoping video was also prepared and made available on the project website for people who could not attend the open houses.

Nearly 300 comments from the general public, organizations, groups, municipalities, and agencies were received via comment forms, verbal comments, and written comments (both hard copy and electronic). Local, regional, state, and federal agencies which provided comments included: City of Crystal, City of Brooklyn Park, City of Robbinsdale, City of Golden Valley, City of Maple Grove, City of Minneapolis, Minneapolis Park & Recreation Board, Metropolitan Council's Transportation Accessibility Advisory Committee, Minnesota Pollution Control Agency (MPCA), U.S. Fish and Wildlife Service, Mille Lacs Band of Ojibwe, Shingle Creek Watershed Management Commission, and Bassett Creek Watershed Commission.

The primary issues of public and agency concern, as reflected in the comments, were related to social and economic impacts and relocations. Noise and vibration, natural resources, and parks rounded out the top four topics brought forth in comments. Public comments were considered alongside technical data and analysis to inform project decisions and shape the content of the Draft EIS. Responses to public comments and documentation of the outcome of the Scoping process were included in the *Bottineau Transitway Scoping Decision Document* (June 2012).

9.2.5 Public Participation in LPA Selection

The information collected in the Scoping phase of the project, along with technical analysis, also helped to identify a potential Locally Preferred Alternative (LPA). The selection of an LPA tells the FTA which alternative local agencies expect to be the most competitive in achieving support at the local, regional, and federal levels. Identification of an LPA is a critical step to pursue federal funding. The selection of an LPA for the Bottineau Transitway and amendment of it into the region's long-range transportation plan marks the end of the AA process. Concluding the AA process allows the project to pursue federal funding under the federal transportation program. The LPA is evaluated alongside other Build alternatives in the Draft EIS.

The PAC held a public hearing on an LPA for the Bottineau Transitway on May 10, 2012. Utilizing input from this public hearing and feedback from the CAC and ARCC, at its May 30, 2012 meeting the PAC made the recommendation to HCRRA that Alternative B-C-D1 be considered as the LPA. The PAC recommended Alignment D1 over Alignment D2 because Alignment D1 would result in significantly less property and neighborhood impacts, improved travel time and greater cost effectiveness, and less disruption of roadway traffic operations. The PAC recommended Alignment B over Alignment A because Alignment B would provide better service to people who depend on transit and to key civic and educational destinations, as well as access to greater numbers of new jobs and development. On June 12, 2012, HCRRA held a public hearing to solicit input on which alternative should be considered as the LPA.

At its meeting on June 26, 2012, following the PAC public hearing and recommendation, and passage of resolutions of support from the cities of Minneapolis, Robbinsdale, Crystal, and Brooklyn Park, and a HCRRA-sponsored LPA public hearing, the HCRRA passed a resolution recommending Alternative B-C-D1 as the LPA for the Bottineau Transitway. The City of Golden Valley followed with its resolution in December 2012. On May 8, 2013, the Metropolitan Council formally adopted amendments to the 2030 *Transportation Policy Plan (TPP)* – the region’s long-range transportation plan – to include the Bottineau Transitway LPA as Alternative B-C-D1. This action, which concludes the LPA process, followed a public comment period and input from the Metropolitan Council’s Transportation Advisory Board (TAB).

9.3 Agency Coordination

The Notice of Intent (NOI) to prepare an EIS on the proposed Bottineau Transitway was published on Tuesday, January 10, 2012 in the Federal Register (Vol. 77, No. 6). The environmental process began with a Scoping effort to solicit agency and public comment on transportation alternatives, as documented in previous sections. This section focuses specifically on the role of local, regional, state, and federal agencies in the early stages of the environmental review process, outside of the formal Scoping period.

It should be noted that coordination relative to specific areas of agency jurisdiction is discussed in each applicable impact area in Chapters 3, 4, 5, 7, and 8.

9.3.1 Cooperating and Participating Agencies

Applicable federal, state, regional, and local agencies were invited to be involved in the EIS process by becoming a cooperating or participating agency via an invitation letter issued in March 2012. FTA was responsible for inviting Native American tribes (discussed more in Section 8.4) and federal agencies, and HCRRA invited state, regional, and local agencies.

Based on responses to the initial letters and subsequent follow-up, the agencies listed in [Table 9.3-1](#) are considered cooperating or participating agencies in the EIS process.

Participating agencies are agencies with an interest in the project. Cooperating agencies have a more specific role and will participate in the permitting and/or jurisdictional determination process for impacts related to the project. They will work cooperatively with the lead agencies to resolve issues that could result in denial of regulatory approvals required for the project. Cooperating agencies were also granted a preliminary review of the Draft EIS.

Cooperating and participating agencies began active participation early in the EIS process. Responsibilities of both types of agencies included the following:

- Identifying the project’s potential environmental and socioeconomic impacts and potential mitigation measures
- Providing input on the project purpose and need, how impacts to resources will be evaluated, how project alternatives will be evaluated, and the level of detail to be used in the analysis of alternatives

- Providing written comments on other project deliverables

Table 9.3-1. Cooperating and Participating Agencies in the Environmental Process

Agency	Type of Participation
Federal Agencies	
U.S. Department of Transportation (DOT), Federal Highway Administration	Cooperating
U.S. Army Corps of Engineers	Cooperating
U.S. DOT, Federal Aviation Administration	Cooperating
U.S. Department of Housing and Urban Development	Participating
U.S. Department of Interior, Office of Environmental Policy and Compliance	Participating
U.S. Environmental Protection Agency	Participating
U.S. Department of Homeland Security/Federal Emergency Management Agency	Participating
State Agencies	
Minnesota Department of Transportation	Cooperating
Minnesota Department of Natural Resources	Participating
Minnesota Pollution Control Agency	Participating
Minnesota Department of Health	Participating
Minnesota Department of Agriculture	Participating
Regional and Local Agencies	
Three Rivers Park District	Participating
Minneapolis Park and Recreation Board	Participating
Bassett Creek Watershed Management Commission	Participating
Shingle Creek and West Mississippi Watershed Management Commission	Participating
City of Minneapolis	Participating
City of Golden Valley	Participating
City of Robbinsdale	Participating
City of Crystal	Participating
City of New Hope	Participating
City of Brooklyn Park	Participating
City of Osseo	Participating
City of Maple Grove	Participating
Maple Grove Transit	Participating

9.3.2 Permits and Approvals

Table 9.3-2 below presents a preliminary list of the permits that are anticipated to be required for project construction.

Table 9.3-2. Permits/Approvals Required

Permit/ Decision	Jurisdiction
Federal Approvals	
Record of Decision	Federal Transit Administration
Section 4(f) Determination	Federal Transit Administration
Section 106 Programmatic Agreement (PA) or Memorandum Of Agreement (MOA)	Federal Transit Administration, Advisory Council on Historic Preservation
Section 404 Wetland Permit	U.S. Army Corps of Engineers

Permit/ Decision	Jurisdiction
Letter of No Objection for use within Runway Protection Zone (RPZ)	Federal Aviation Administration
Minnesota State Approvals	
Section 106 Programmatic Agreement (PA) or Memorandum Of Agreement (MOA)	State Historic Preservation Office
Right-of-Way Permit	Minnesota Department of Transportation
Application for Drainage Permit	Minnesota Department of Transportation
Application for Utility Accommodation on Trunk Highway Right-of-Way	Minnesota Department of Transportation
Application for Miscellaneous Work on Trunk Highway Right-of-Way	Minnesota Department of Transportation
National Pollutant Discharge Elimination System Permit	Minnesota Pollution Control Agency
Section 401 Water Quality Certification	Minnesota Pollution Control Agency
Public Waters Wetland Permit	Minnesota Department of Natural Resources
Water Appropriation Permit	Minnesota Department of Natural Resources
Hazardous Materials Management Plan	Minnesota Pollution Control Agency
Noxious Weed Management Plan	Minnesota Department of Agriculture
Local Approvals	
EIS Adequacy Determination	Metropolitan Council
Road Crossing/Right-of-Way Permits	Hennepin County, Brooklyn Park, Crystal, Golden Valley, Maple Grove, Minneapolis, Robbinsdale
Utility Permits	Brooklyn Park, Crystal, Golden Valley, Maple Grove, Minneapolis, Robbinsdale
Building Permits	Brooklyn Park, Crystal, Golden Valley, Maple Grove, Minneapolis, Robbinsdale
Sediment and Erosion Control Permits	Brooklyn Park, Crystal, Golden Valley, Maple Grove, Minneapolis, Robbinsdale, Mississippi Watershed Management Organization, Bassett Creek Watershed Management Commission, Shingle Creek and West Mississippi Watershed Management Organization
Wetland Conservation Act Permit	Brooklyn Park, Crystal, Golden Valley, Maple Grove, Minneapolis, Robbinsdale, Mississippi Watershed Management Organization, Bassett Creek Watershed Management Commission, Shingle Creek Watershed Management Commission, and West Mississippi Watershed Management Commission
Municipal Approval	Minneapolis, Golden Valley, Robbinsdale, Crystal, and Brooklyn Park

9.4 Section 106 Coordination

9.4.1 Section 106 Process

The Section 106 process consists of:

- Steps for identifying and evaluating historic properties
- Assessing the effects of a proposed project on historic properties

- Consultation for methods to avoid, minimize, or mitigate adverse effects

The goal of the Section 106 process is to avoid adverse effects to historic properties. Where avoidance cannot be accomplished, measures to mitigate adverse effects are undertaken. Adverse effects occur when the project results in changes to the property, its setting, or its use that affect the National Register of Historic Places (NRHP) characteristics of the property in a manner that diminishes the integrity of its location, design, setting, materials, workmanship, feeling, or association.

Methods for avoidance, minimization, or mitigation of impacts to historic property (any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the NRHP) will be developed by FTA in consultation with the Minnesota State Historic Preservation Office (SHPO) and other interested parties. The Advisory Council on Historic Preservation (ACHP) may also participate. The Minnesota Department of Transportation Cultural Resources Unit (MnDOT CRU) is carrying out many aspects of the Section 106 process on behalf of FTA.

The Section 106 process tasks conducted thus far have focused on identifying historic properties (buildings, structures, sites, districts, and objects) within the project's area of potential effect (APE) and identifying locations where the proposed project would have a potential adverse effect on those properties. Consultation began with SHPO in September 2011, and there have been a series of letters and responses submitted since that time, including transmittal of draft reports and recommendations for SHPO review and concurrence (see [Appendix D](#)). Consultation with SHPO and the findings of the cultural resources investigation to date are further detailed in Section 4.4, Cultural Resources.

If adverse effects to a historic property cannot be avoided in the design process, mitigation will be considered. Measures for avoidance, reduction, and mitigation will be addressed through the development of a Section 106 Agreement among the FTA, ACHP (if participating), Minnesota SHPO, Metropolitan Council, and other interested parties during the development of the Final EIS.

Local governments are entitled to participate in the Section 106 process as consulting parties, along with SHPO, Indian tribes, and other interested organizations and individuals. Consulting parties are able to share their views, receive and review pertinent information, offer ideas, and consider possible solutions together with the FTA and other parties. Consulting parties play an important role in determining how potential effects on historic properties will be avoided or mitigated during the planning and implementation of a project. In September 2011, letters were sent by MnDOT CRU on behalf of FTA, extending invitations to each city in the corridor to participate in the Section 106 review process as a consulting party. Each city, and the Minneapolis Park & Recreation Board, accepted and identified a contact person for the Section 106 process. Consulting party documentation can be found in [Appendix D](#).

9.4.2 Tribal Consultation

In January 2012, FTA sent coordination letters to Native American tribes that may have an interest in the Bottineau Transitway project. The letters requested that tribes identify any historic, cultural, archaeological, or other concerns regarding the project, and invited them to public Scoping meetings scheduled later that month. It also invited tribes to let FTA know if they would prefer to schedule a separate meeting to discuss any specific tribal issues and concerns. Letters were sent to the following tribes:

- Fond du Lac Reservation Tribal Council
- Grand Portage Reservation Council and Tribal Historic Preservation Office (THPO)
- Mille Lacs Band of Ojibwe
- Upper Sioux Indian Community
- Standing Rock Sioux Tribe
- White Earth Tribal Council
- Bois Forte Reservation Tribal Council
- Prairie Island Indian Community Council
- Lower Sioux Indian Community Council

- Red Lake Tribal Council
- Shakopee Dakota Community Council
- Three Affiliated Tribes
- Bad River Band of Lake Superior Chippewa
- Flandreau Santee Community
- Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin
- Lac du Flambeau Band of Lake Superior Chippewa Indians of Wisconsin
- Lac Vieux Desert Band Ketegitigaaning Ojibwe Nation
- Red Cliff Band of Lake Superior Chippewa Indians
- Sokaogon Chippewa (Mole Lake)
- Spirit Lake Tribal Council
- St. Croix Chippewa Indians of Wisconsin
- Turtle Mountain Band of Chippewa
- Northern Cheyenne Tribe
- Fort Peck Tribes
- Leech Lake Band of Ojibwe
- Santee Sioux Nation
- Sisseton-Wahpeton Oyate of the Lake Travers Reservation

No requests for separate meetings were made. An example of an invitation letter can be found in [Appendix D](#). The FTA will continue to explore additional coordination opportunities with tribal representatives as the project continues.

9.5 Section 404/NEPA Merger Process

As a cooperating agency, the United States Army Corps of Engineers (USACE) has the ability to adopt the Draft EIS for its own NEPA compliance and have a more formal role and input into project development. This helps the USACE determine whether the proposed project is in compliance with the Clean Water Act (CWA), which allows them to issue a permit. USACE has its own process for determining the Least Environmentally Damaging Preferred Alternative (LEDPA), known as the NEPA/Section 404 permit (404) merger process. As part of this process, USACE evaluates the project and issues four points of concurrence on the project:

- 1) Purpose and Need and Alternative Screening Criteria
- 2) Alternatives to be Evaluated in Detail
- 3) Preferred Alternative and LEDPA
- 4) Permit Application and Compensatory Mitigation.

To facilitate this process, the project team provided USACE with a copy of the Water Resources Technical Report (Kimley-Horn and Associates, 2012) and other documentation demonstrating the evaluation of alternatives. A meeting was held with USACE on February 15, 2013, to review the project and discuss in greater detail the expectation for the process. As a follow-up to that meeting, the project team provided a number of project documents to assist USACE staff in its determination, including:

- Scoping Booklet (December 2011)
- Coordination Plan (October 2012)
- Scoping Decision Document (June 2012)
- Administrative draft chapters 1 (Purpose and Need) and 2 (Alternatives) of the Draft EIS
- Alternatives Analysis Study (March 2010)
- Locally Preferred Alternative (LPA) graphic

Additional meetings with USACE were held April 18, 2013 and July 9, 2013 to discuss specific alignments and share technical information comparing the alignments.

To date, USACE has provided concurrence with Points #1, 2, and 3. Specific to Point #1, in a letter dated June 19, 2013 ([Appendix D](#)), USACE reviewed and concurred with the purpose and need statement for use in NEPA documentation for the Bottineau Transitway Project. USACE also concurred on the array of alternatives considered for the Bottineau Transitway Project, and the alternatives that had been carried forward for further review (Point #2). In a letter dated October 1, 2013, USACE made the determination that Alternative B-C-D1 is the LEDPA, completing Point #3. Point #4 (permitting and mitigation) will occur prior to project implementation.