



## Attachment C

### Final Section 4(f) Evaluation and Concurrence Documentation

#### Final Section 4(f) Evaluation

#### Exhibit A, Concurrence from Officials with Jurisdiction

##### Concurrence on *de minimis* Findings

1. Minneapolis Park and Recreation Board resolution, September 7, 2016

##### Concurrence on Temporary Occupancy Findings

1. City of Crystal concurrence, June 21, 2016
2. City of Robbinsdale concurrence, May 23, 2016
3. City of Robbinsdale resolution, March 2, 2016
4. City of Golden Valley concurrence, May 25, 2016
5. City of Golden Valley resolution, February 16, 2016
6. Three Rivers Park District concurrence, June 28, 2016
7. Sochacki Joint Powers Agreement Board resolution, February 8, 2016

##### Comments on Draft Amended 4(f) from Department of the Interior

US Department of the Interior letter to FTA on Amended Draft 4(f) Evaluation, August 9, 2016



# 1 Final Section 4(f) Evaluation

## 1.1 Introduction

This METRO Blue Line (formerly Bottineau Transitway) Light Rail Transit (BLRT) Extension project Final Section 4(f) Evaluation summarizes the Federal Transit Administration’s (FTA’s) final determinations regarding the BLRT Extension project’s use of Section 4(f) properties. The Draft Section 4(f) Evaluation was published in March 2014 as a part of the Bottineau Transitway Draft Environmental Impact Statement (Draft EIS; see Chapter 8 – Draft Section 4(f) Evaluation in the Draft EIS). The Amended Draft Section 4(f) Evaluation was published in July 2016 (see Chapter 8 – Amended Draft Section 4(f) and 6(f) Evaluation of the Final EIS) and provided additional information regarding impacts to nine previously identified Section 4(f) properties along the BLRT Extension project corridor. The Amended Draft Section 4(f) Evaluation also presented information regarding Section 4(f) resources where the assessment of impacts had not changed from the March 2014 Draft Section 4(f) Evaluation in the Draft EIS.

After considering comments from the US Department of the Interior, the Officials with Jurisdiction (OWJ), and the public, FTA has finalized its determinations regarding uses of Section 4(f) properties. For a copy of the US Department of the Interior’s letter commenting on the Amended Draft Section 4(f) Evaluation, see Attachment E of the BLRT Extension project’s Record of Decision (ROD).

**Table 1.1-1** lists the final determinations regarding the Section 4(f) properties within the BLRT Extension project area, including two final Section 4(f) *de minimis* impact determinations. The locations of these Section 4(f) properties are shown in **Figure 1.1-1 through Figure 1.1-4** along with the BLRT Extension project alignment and stations and the BLRT Extension project’s Section 106 Area of Potential Effect (APE).

**Table 1.1-1. Uses of Section 4(f) Properties**

Section 4(f) Property	Property Type	Official with Jurisdiction	Direct Use	De Minimis Use	Temporary Occupancy	No Use
Harrison Park	Parkland	Minneapolis Park and Recreation Board (MPRB)				X
Theodore Wirth Regional Park (TWRP)	Parkland	MPRB		X		
Glenview Terrace Park	Parkland	MPRB		X		
Sochacki Park: Mary Hills Management Unit	Parkland	City of Golden Valley and Joint Powers Agreement (JPA) Board <sup>2</sup>			X	
Sochacki Park: Sochacki Management Unit	Parkland	City of Robbinsdale and JPA Board <sup>3</sup>			X	
South Halifax Park	Parkland	City of Robbinsdale			X	



**Table 1.1-1. Uses of Section 4(f) Properties**

Section 4(f) Property	Property Type	Official with Jurisdiction	Direct Use	<i>De Minimis</i> Use	Temporary Occupancy	No Use
Lee Park	Parkland	City of Robbinsdale				X
Triangle Park	Parkland	City of Robbinsdale				X
Becker Park	Parkland	City of Crystal			X	
Unnamed park (identified as Tessman Park in the Draft EIS)	Parkland	City of Brooklyn Park				X
College Park	Parkland	City of Brooklyn Park				X
Park Property Adjacent to Rush Creek Regional Trail	Parkland	Three Rivers Park District (TRPD)			X	
St. Paul, Minneapolis & Manitoba Railway Historic District (Minneapolis)	Historic	Minnesota Historic Preservation Office (MnHPO)				X
Minneapolis Warehouse District	Historic	MnHPO				X
Northwestern Knitting Company Factory	Historic	MnHPO				X
Sumner Branch Library	Historic	MnHPO				X
Wayman African Methodist Episcopal Church	Historic	MnHPO				X
Labor Lyceum	Historic	MnHPO				X
Floyd B. Olson Memorial Statue	Historic	MnHPO				X
Bridge No. L9327	Historic	MnHPO				X
Homewood Historic District	Historic	MnHPO				X
Osseo Branch, St. Paul, Minneapolis & Manitoba Railway Historic District	Historic	MnHPO	X			
Grand Rounds Historic District	Historic	MnHPO	X			
Sacred Heart Catholic Church	Historic	MnHPO				X
Robbinsdale Waterworks	Historic	MnHPO				X
Hennepin County Library – Robbinsdale Branch	Historic	MnHPO				X
West Broadway Avenue Residential Historic District	Historic	MnHPO				X
Jones-Osterhus Barn	Historic	MnHPO				X
Minneapolis & Pacific/ Soo Line Railway Historic District	Historic	MnHPO				X



Figure 1.1-1. Park Resources: Southern Portion of BLRT Extension Project Corridor

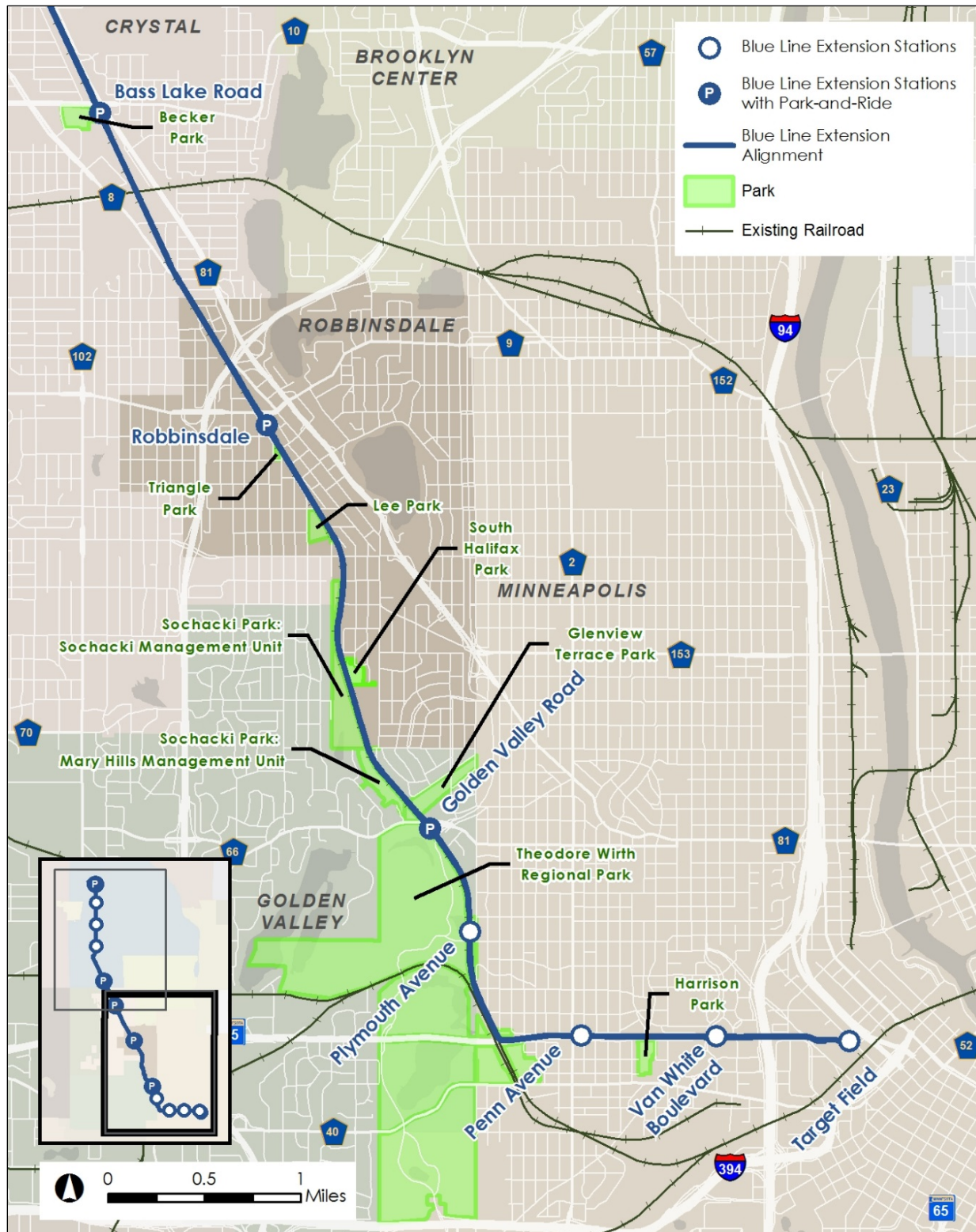






Figure 1.1-2. Park Resources: Northern Portion of BLRT Extension Project Corridor

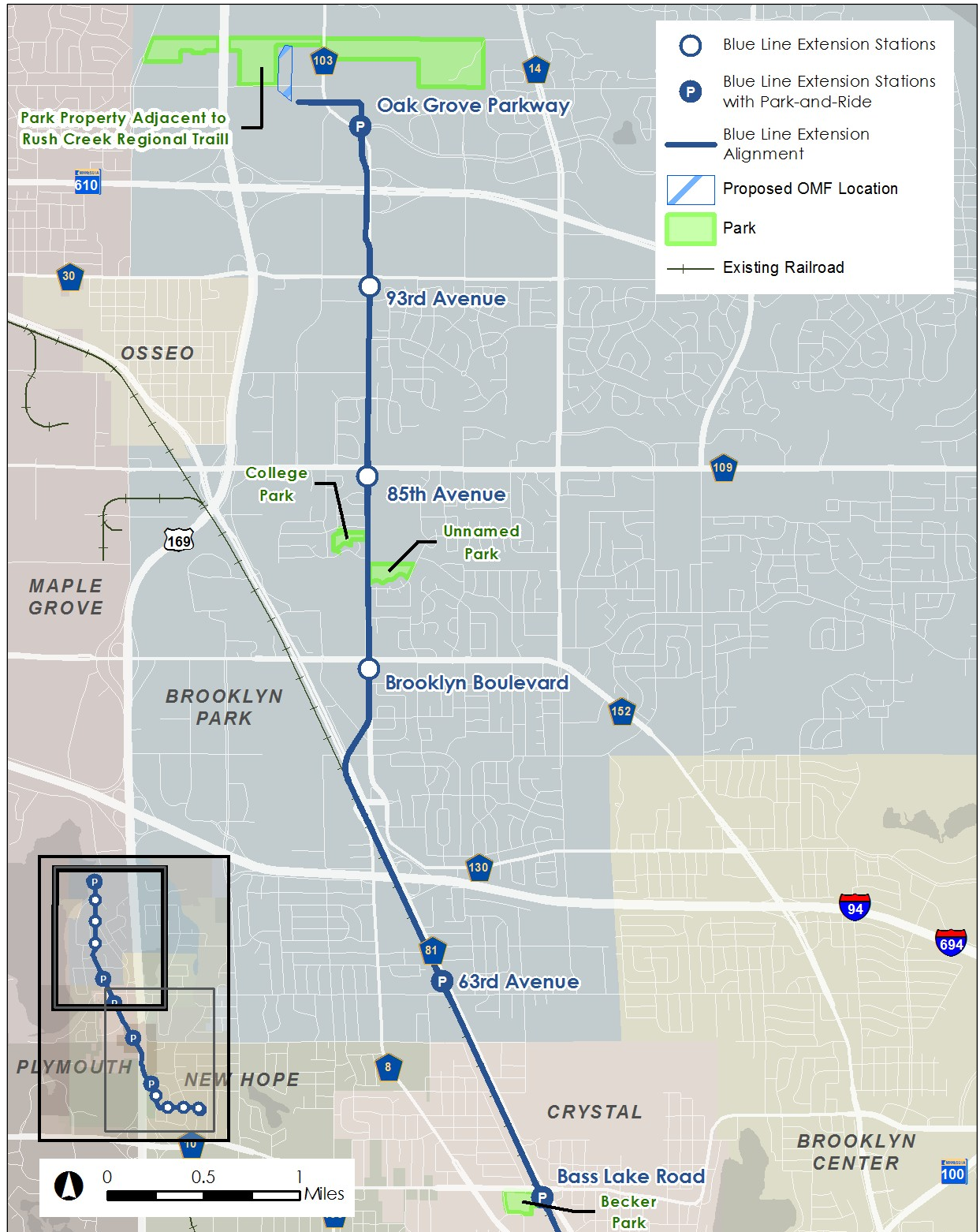




Figure 1.1-3. Historic Sites: Southern Portion of BLRT Extension Project Corridor

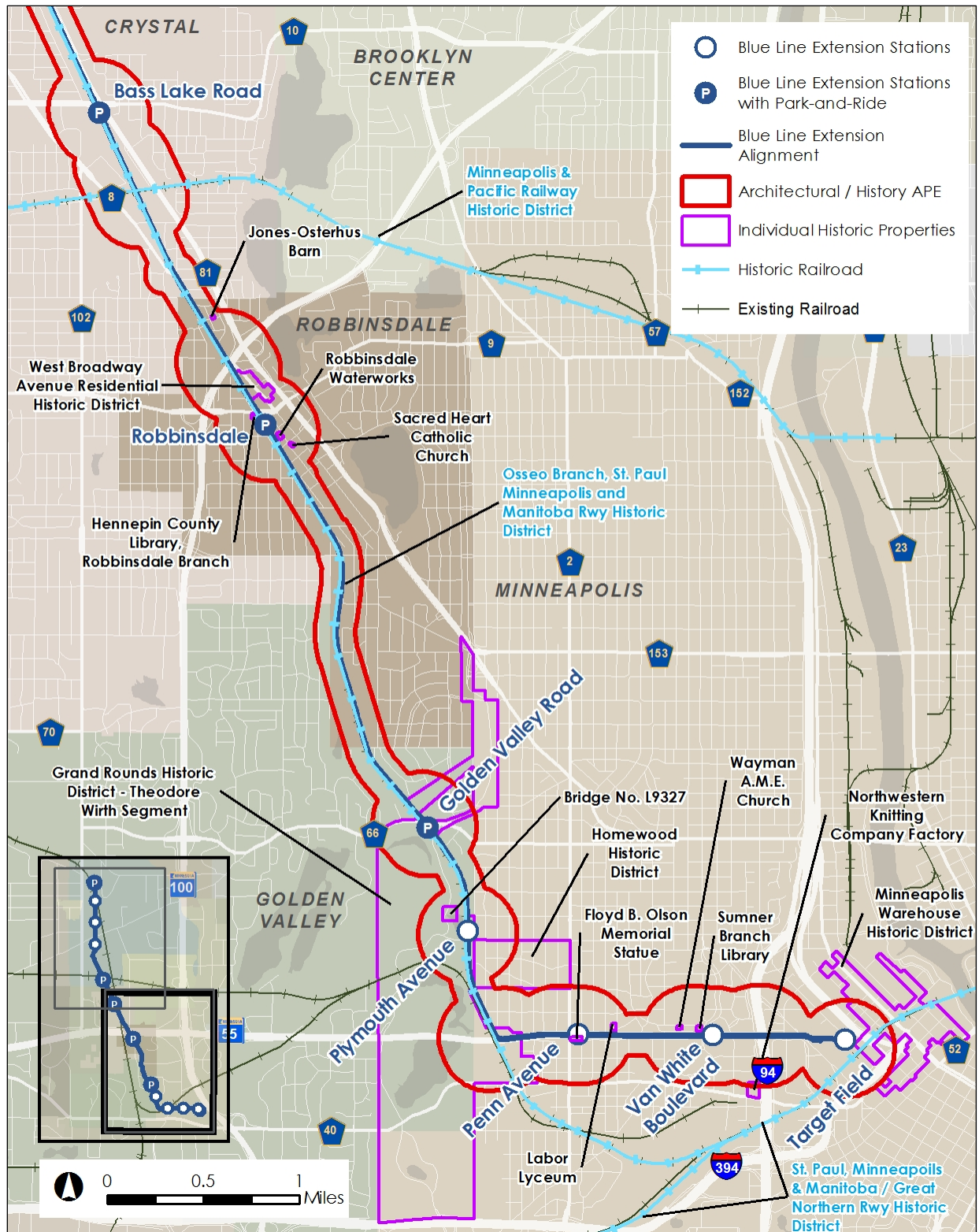
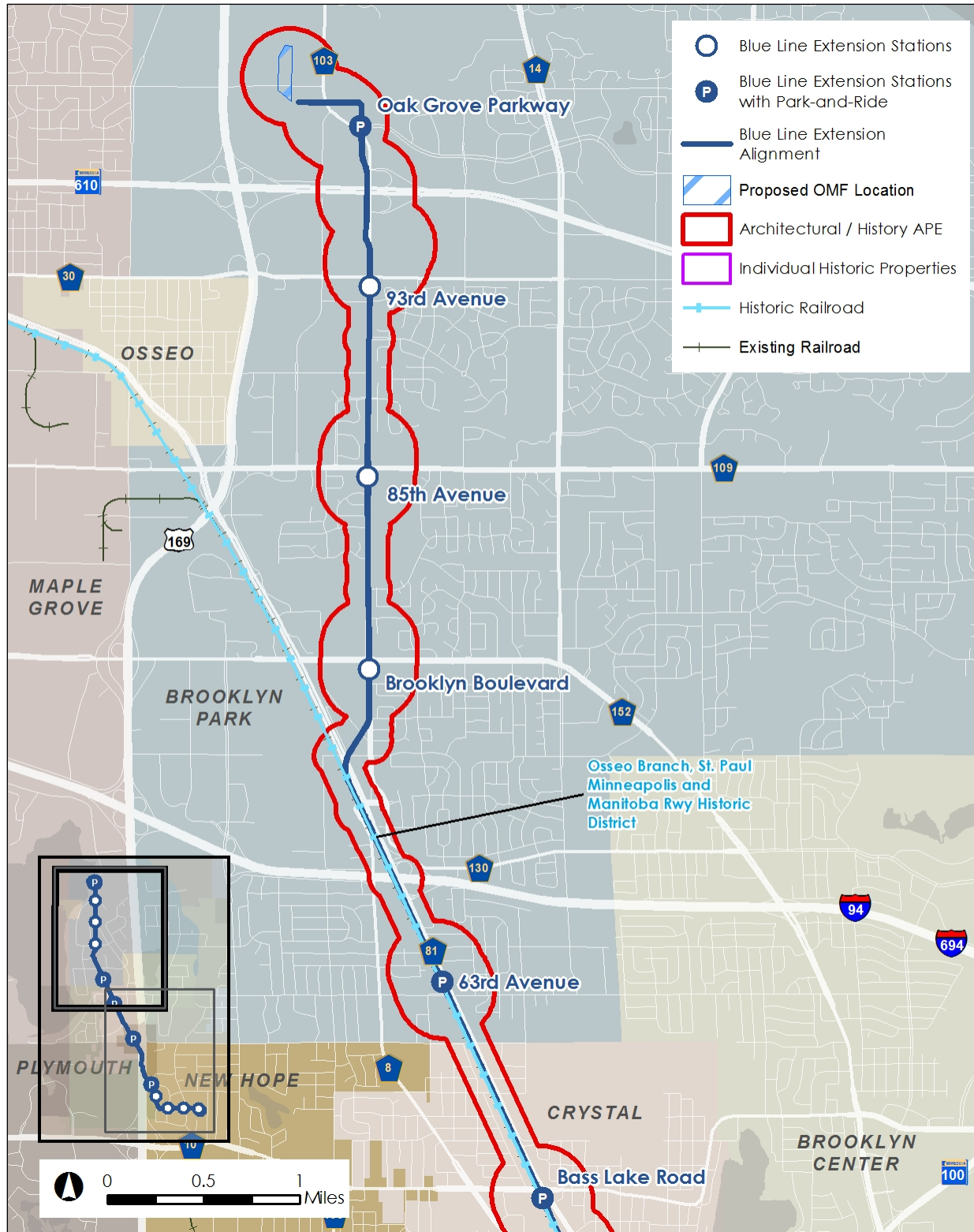




Figure 1.1-4. Historic Sites: Northern Portion of BLRT Extension Project Corridor







## 1.2 Summary of the Final Section 4(f) Evaluation

FTA is issuing final Section 4(f) use, *de minimis* use, or temporary occupancy use determinations for nine Section 4(f) properties along the BLRT Extension project corridor (**Table 1.2-1**). No constructive uses of Section 4(f) properties were identified. The rationale for the determinations is documented in Section 8.7 of the Amended Draft Section 4(f) and 6(f) Evaluation (see Chapter 8 of the Final EIS; supporting documentation is presented in Appendix J of the Final EIS).

**Table 1.2-1. Comparison of Impacts to Section 4(f) Properties in the Draft and Final Section 4(f) Evaluations**

Property	March 2014 Draft Section 4(f) Preliminary Determination	July 2015 Amended Draft Section 4(f) Preliminary Determination	Final Section 4(f) Determination
<b>Park Properties</b>			
TWRP	Direct Use	<i>De minimis</i> Use	<i>De minimis</i> Use
Glenview Terrace Park	No Use	<i>De minimis</i> Use	<i>De minimis</i> Use
Sochacki Park: Mary Hills Management Unit <sup>1</sup>	Temporary Occupancy	Temporary Occupancy	Temporary Occupancy
Sochacki Park: Sochacki Management Unit <sup>1</sup>	Temporary Occupancy	Temporary Occupancy <sup>2</sup>	Temporary Occupancy
South Halifax Park	No Use	Temporary Occupancy	Temporary Occupancy
Minneapolis Public Schools Athletic Field	Direct Use	No Use <sup>3</sup>	No Use <sup>3</sup>
Becker Park	No Use	Temporary Occupancy	Temporary Occupancy
Park Property Adjacent to Rush Creek Regional Trail	<i>De minimis</i> Use	Temporary Occupancy	Temporary Occupancy
<b>Historic Properties</b>			
Grand Rounds Historic District	<i>De minimis</i> Use	Direct Use	Direct Use
Homewood Historic District	Direct Use	No Use <sup>3</sup>	No Use <sup>3</sup>
Osseo Branch, St. Paul, Minneapolis & Manitoba Railway Historic District	No Use	Direct Use	Direct Use

<sup>1</sup> Park resource name change: Sochacki Park and Mary Hills Nature Area are now operated as a combined park resource under the Sochacki Park name; the former individual parks are considered separate management units under the joint park resource.

<sup>2</sup> The Sochacki Park: Sochacki Management Unit was included in the Amended Draft Section 4(f) and 6(f) Evaluation because it has been identified as a Section 6(f) resource in addition to a Section 4(f) resource. For the Section 6(f) analysis for the Sochacki Park: Sochacki Management Unit, see Section 8.10 in Chapter 8 of the Final EIS. The Metropolitan Council (Council) is in the process of completing the Section 6(f) conversion process in coordination with the Minnesota Department of Natural Resources and the National Park Service.

<sup>3</sup> Resource use was associated with one of the Draft EIS alternative alignments that is not part of the current BLRT Extension project alignment.



### 1.3 Use of Section 4(f) Properties in the BLRT Extension Project Study Area

This section addresses the Section 4(f) properties for which the BLRT Extension project will have a direct use, *de minimis* use, or temporary occupancy. Section 4(f) resources where there will be no use or temporary occupancy are not discussed in this Final Section 4(f) Evaluation. **Table 1.3-1** lists and briefly describes all properties that will have a use or temporary occupancy.

**Table 1.3-1. Section 4(f) Properties Evaluated in this Final Section 4(f) Evaluation**

Property Name	Property Type	Location	Official(s) with Jurisdiction	Section 4(f) Qualifying Description <sup>1,2</sup>
<b>Parks and Recreational Areas</b>				
TWRP	Park	3201 Glenwood Avenue North (located generally between a line extending along France Avenue on the west, Xerxes Avenue on the east, Interstate Highway 394 [I-394] on the south, and Golden Valley Road on the north)	MPRB	759-acre public park
Glenview Terrace Park	Park	2351 Zenith Avenue North (located south of Manor Drive)	MPRB	17.5-acre public park
Sochacki Park: Mary Hills Management Unit	Recreational area	3500 June Avenue North (located between Golden Valley Road and 26th Avenue)	City of Golden Valley and JPA Board	15.7-acre public park
Sochacki Park: Sochacki Management Unit	Park	4237 36th Avenue North (located between 26th Avenue and 34th Avenue)	City of Robbinsdale and JPA Board	37.4-acre public park
South Halifax Park	Park	3101 Halifax Avenue North (located south of Lowry Avenue and west of Halifax Avenue)	City of Robbinsdale	4.0-acre public park
Becker Park	Park	6225 56th Avenue North (located in the southwest quadrant of Bottineau Boulevard (County Road 81) and Bass Lake Road and adjacent to the west side of the BNSF Railway [BNSF] rail corridor)	City of Crystal	12.4-acre public park
Park Property Adjacent to Rush Creek Regional Trail	Park	Located north of and parallel to 101st Avenue between Elm Creek Park Reserve in Hennepin County and Coon Rapids Dam Regional Park in Anoka County	TRPD	6.4-mile trail corridor
<b>Historic Resources</b>				
Osseo Branch, St. Paul, Minneapolis & Manitoba Railway Historic District	Historic property	Cities of Minneapolis, Golden Valley, Crystal, Robbinsdale, Brooklyn Park, and Osseo	MnHPO	Eligible for the National Register of Historic Places (NRHP)
Grand Rounds Historic District	Historic property	Cities of Minneapolis, Golden Valley, and Robbinsdale	MnHPO	Eligible for the NRHP

<sup>1</sup> All listed parks are publicly owned, publicly accessible, and of local significance.

<sup>2</sup> All acreages in this table are approximate. The Theodore Wirth Cultural Landscape Study (see Appendix H of the Final EIS) is the source of the number of acres, and this acreage includes Theodore Wirth Parkway.





### 1.3.1 Publicly Owned Parks and Recreational Areas

**Table 1.3-2** summarizes FTA’s final assessment of Section 4(f) properties and also includes how many acres of each property will be used by the BLRT Extension project (compared to the property’s acreage).

**Table 1.3-2. Summary of Section 4(f) Park and Recreational Property Uses**

Section 4(f) Property	Direct Use	<i>De Minimis</i> Use	Temporary Occupancy	Existing Property Magnitude <sup>1</sup>	Acres Temporary Easement	Acres Permanently Used	Percent of Property Used
TWRP		X		759 acres	9.2	2.1	<1
Glenview Terrace Park		X		17.5 acres	0.25	0.01	<1
Sochacki Park: Mary Hills Management Unit			X	15.7 acres	0.57	0	0
Sochacki Park: Sochacki Management Unit			X	37.4 acres	5.6	0	0
South Halifax Park			X	4.0 acres	0.7	0	0
Becker Park			X	12.4 acres	0.1	0	0
Park Property Adjacent to Rush Creek Regional Trail			X	6.4 miles	No use of trail itself; 1.1 acres of temporary easement of property associated with trail	0	0

<sup>1</sup> All acreages in this table are approximate. The Theodore Wirth Cultural Landscape Study (see Appendix H of the Final EIS) is the source of the number of acres, and this acreage includes Theodore Wirth Parkway.



### 1.3.1.1 Theodore Wirth Regional Park

#### Use of TWRP – *De Minimis* Use

The BLRT Extension project will permanently incorporate approximately 2.1 acres of property from TWRP (see **Figure 1.3-1 through Figure 1.3-3**). In particular, an approximate 1.9-acre portion of designated parkland, located in the southwest corner of the Golden Valley Road and Theodore Wirth Parkway intersection, will be affected by the construction of a transit station and park-and-ride lot. This triangle-shaped portion of TWRP is currently unimproved with no existing or planned recreational amenities. The 1.9 acres are isolated from the larger segments of TWRP because it is surrounded by transportation infrastructure (Golden Valley Road, Theodore Wirth Parkway, and the existing rail corridor). An additional 0.2-acre strip will need to be permanently incorporated; this area is immediately adjacent to the eastern edge of the rail corridor just north of Plymouth Avenue. This narrow strip of parkland is needed to construct the transitway and associated facilities, including drainage improvements. This impact will occur on land associated with TWRP but will be on an unimproved area that is separated by the rail corridor from the primary parkland.

During construction, approximately 9.2 acres of temporary construction easements will be required within TWRP to grade land around the BLRT Extension project corridor, to provide access during construction, and to provide floodplain and wetland mitigation. The land required for temporary construction easements includes existing open space (e.g., wooded and grassland areas adjacent to the rail corridor and Bassett Creek). A short segment of an existing north-south trail that parallels the west side of the rail corridor (a portion of the trail is located on the private rail corridor right-of-way) will be realigned along with a shift of an approximately 400-foot stretch of Bassett Creek as part of replacing the Plymouth Avenue bridge. Access to the park will remain open throughout construction.

A portion of TWRP property just west of the BLRT Extension project corridor and just north of Olson Memorial Highway (Trunk Highway 55), along with adjacent private property, will be excavated for floodplain and wetland mitigation. The design details of the excavation and grading of the site will be coordinated with MPRB staff to ensure a design that is in harmony with the park setting.

All wetland impacts and mitigation activities have been reviewed and approved by the Minnesota Wetlands Technical Evaluation Panel (TEP)<sup>1</sup> and the US Army Corps of Engineers (USACE). USACE issued approval of National Environmental Policy Act (NEPA)/404 Merger Concurrence Point 4<sup>2</sup> on June 16, 2016.

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<sup>1</sup> The BLRT Extension project TEP includes representatives from the cities along the corridor, the Bassett Creek Watershed Management Commission, the Shingle Creek/West Mississippi Watershed Management Commission, the Hennepin County Soil and Water Conservation District, and the Minnesota Board of Soil and Water Conservation. MPRB staff have also participated in TEP meetings.

<sup>2</sup> Concurrence Point 4, in the combined or “merged” NEPA review process and Section 404 of the Clean Water Act permitting process, is an agreement between USACE and FTA regarding the compensatory mitigation requirements for wetland impacts, which have been submitted to USACE for review and approval as part of the Section 404 permit process.



The Council considered modifications to the alignment to minimize effects on park property. However, given the limited area within the BNSF rail corridor and the proximity of the park property, alignment shifts were mostly not effective.

The total permanent and temporary easements on TWRP property necessary for building the BLRT Extension project constitute approximately 1 percent of the total park property; the permanent easements needed for the BLRT Extension project are significantly less than 1 percent of the 759-acre park.

In consideration of the permanent and temporary uses of TWRP property, FTA and the Council have evaluated park-related enhancements as measures to minimize harm to the park resource. These enhancements are (also see [Figure 1.3-2](#) and [Figure 1.3-3](#)):

- Relocating the TWRP trail adjacent to Bassett Creek; the portion of the existing trail that is located within BNSF right-of-way will be shifted west to lie entirely within TWRP property.
- Constructing a stair access and bridge over Bassett Creek to connect the previously mentioned trail to Plymouth Avenue, thereby improving connectivity between the TWRP trail system and the BLRT Extension project Plymouth Avenue Station.
- Constructing a trail connection between the existing trail on the west side of Theodore Wirth Parkway and the trail system in Sochacki Park just north of Golden Valley Road. The trail connection will run along the west side of the rail corridor, pass under the Golden Valley Road bridge, curve around the wetland to the north of Golden Valley Road, and connect to the existing trail system in the Sochacki Park: Mary Hills Management Unit.
- Constructing a new trailhead incorporated into the Golden Valley Road Station park-and-ride at the intersection of Theodore Wirth Parkway and Golden Valley Road. The trailhead will provide a convenient access point to the MPRB trail adjacent to Theodore Wirth Parkway and to the Bassett Creek Trail, a TRPD trail that will run along Golden Valley Road at this location. The trailhead will also provide wayfinding signs to help direct pedestrians and bicyclists to park resources in the area.
- Reconstructing the Theodore Wirth Parkway bridge over the BNSF rail corridor; this bridge is currently owned by MPRB.
- Reconstructing the Theodore Wirth Parkway/Golden Valley Road intersection, including intersection features that will enhance pedestrian and bicycle safety.
- Minimizing visual effects through ongoing coordination regarding the design of station elements and retaining walls.

Most of the park and recreation area of the TWRP property will not be directly affected by the BLRT Extension project. There will be no permanent effects on park property, including the golf course, trails, and other recreational facilities, resulting from implementing the BLRT Extension project. Temporary impacts will be limited to the existing trail adjacent to Bassett Creek, a portion of which is currently located in the existing rail corridor and which will be reconstructed as part of the BLRT Extension project by relocating it outside the BNSF right-of-way. In addition, the BLRT Extension



project's infrastructure will generally be screened from view from the TWRP recreational areas by the retained trees and existing natural viewsheds between the LRT alignment and the park areas.

The portion of the TWRP property that will be permanently used by the BLRT Extension project includes some natural vegetation; however, this area is generally isolated from the larger park and recreation areas located in the western and southern portions of the property. Further, the area that will be permanently used by the BLRT Extension project is not a recreational feature of the TWRP and is not planned to be incorporated into recreational use in the TWRP Master Plan.

Therefore, the permanent acquisition of 2.1 acres of TWRP will not adversely affect the activities, features, or attributes that qualify TWRP for protection under Section 4(f).

Construction activities within TWRP property will be closely coordinated with MPRB to help avoid and minimize effects on recreational activities within the park property. The Council will also provide MPRB and the public with ongoing notification of construction activities within the open space, such as the timing and location of heavy construction activities and detours. All areas of the TWRP property that will be affected by the BLRT Extension project's construction activities will be restored to existing conditions or better, and restoration plans will be developed and implemented by the Council in consultation with MPRB.

### **Coordination**

MPRB passed a resolution concurring with FTA's *de minimis* finding regarding TWRP. For a copy of this resolution, see **Exhibit A** of this Final Section 4(f) Evaluation.



Figure 1.3-1. TWRP: Overview







Figure 1.3-2. TWRP: Plymouth Avenue Station Area





Figure 1.3-3. TWRP: Golden Valley Road Station Area





### 1.3.1.2 Glenview Terrace Park

#### Use of Glenview Terrace Park – *De Minimis* Use

As documented in the Draft Section 4(f) Evaluation in the Draft EIS, FTA had preliminarily determined that there would be “No Use” of Glenview Terrace Park. However, since publication of the Draft Section 4(f) Evaluation in the Draft EIS, the Council has refined the design of the BLRT Extension project, which will have a permanent use of Glenview Terrace Park. In particular, a 0.01-acre unimproved portion of designated parkland (currently a wetland) will be affected by the construction of the BLRT Extension project (see [Figure 1.3-4](#)), specifically to accommodate a light rail transit (LRT) bridge over the wetland area. No existing and/or planned park amenities will be affected, and all features, connections, and activities at the park will be maintained throughout construction.

The improvements associated with the BLRT Extension project in the area of Glenview Terrace Park include the Golden Valley Road Station and reconstruction of the Golden Valley Road bridge. Several design adjustments have been made as a result of coordination with staff from the local jurisdictions affected by the reconstruction of the bridge structure and with input from representatives of BNSF Railway. Specifically, BNSF Railway has stated the need to separate the freight rail tracks from the LRT tracks underneath the Golden Valley Road bridge. This will be accomplished by placing a bridge pier between the tracks of the freight rail and transit line. The refined Golden Valley Road bridge design requires a slightly wider footprint for the LRT bridge over the wetland. This slight shift results in the 0.01-acre permanent impact to Glenview Terrace Park.

The wetland impact in this area has been minimized through preliminary design efforts. When the Draft Section 4(f) Evaluation in the Draft EIS was published in 2014, the freight rail and LRT corridor would have been constructed on fill through the middle of the wetland. The current design allows the existing freight rail to stay in place, and the LRT will be constructed on a bridge over the wetland. Therefore, the wetland impact in this area has been reduced to the cross-section of the bridge piers. The wetland impact minimization strategy at this location has been discussed with the Minnesota Wetlands TEP and USACE. USACE has agreed to this approach through its approval of NEPA/404 Merger Concurrence Point 4 on June 16, 2016.

During construction, approximately 0.25 acre of temporary construction easements within the park will be required for access and construction work along the BLRT Extension project (see [Figure 1.3-4](#)). Specifically, the work area is needed to enable construction of the new LRT tracks. The area of temporary easements is currently open water (wetland), wooded, and undeveloped. Glenview Terrace Park and all existing park features, connections, and activities will be maintained throughout construction.

Most of the park and recreation area of Glenview Terrace Park property will not be directly affected by the BLRT Extension project. The park property that accommodates the playground areas, tennis courts, open space, and walkways will not be altered by the BLRT Extension project either permanently or temporarily. In addition, the BLRT Extension’ project’s infrastructure will generally be screened from view from the Glenview Terrace Park recreational areas by the retained trees and existing natural viewsheds between the LRT alignment and the park areas.



The websites for MPRB and the City of Golden Valley state that the features and amenities of Glenview Terrace Park include biking paths, a picnic area, walking paths, playground equipment, lighted tennis courts, and game squares. These amenities are located in the central and eastern parts of the park property. The park amenities are at an elevation of approximately 900 feet above mean sea level (amsl). The 0.01 acre required for the BLRT Extension project is isolated from the recreational features. Specifically, the area that will be affected is at an elevation of approximately 838 feet amsl, is at the western edge of the park property immediately adjacent to existing transportation right-of-way, is over 875 feet from the recreational amenities at the park, and is visually screened from the recreational features by a dense stand of mature trees.

Construction activities within Glenview Terrace Park property will be closely coordinated with MPRB and the City of Golden Valley to help avoid and minimize effects on recreational activities within the park property and to provide continued access to park users. The Council will also provide MPRB, the City of Golden Valley, and the public with ongoing notification of construction activities within the open space, such as the timing and location of heavy construction and detours. All areas of the Glenview Terrace Park property that will be affected by BLRT Extension project's construction activities will be restored to existing conditions or better, and restoration plans will be developed and implemented by the Council in consultation with MPRB and the City of Golden Valley.

The Council considered widening the rail corridor away from Glenview Terrace Park, but this would require shifting the freight rail tracks southwest and would cause further impacts to the Sohacki Park: Mary Hills Management Unit [another Section 4(f) resource]. In coordination with the City of Golden Valley and MPRB, the Council has made efforts to help avoid, minimize, and mitigate impacts to Glenview Terrace Park. As part of the measures to minimize harm to the park, the Council will provide public awareness of and access to the park property. Specifically, the Council will provide pedestrian and bicycle improvements at the nearby Theodore Wirth Parkway/Golden Valley Road intersection and will incorporate wayfinding signs at the trailhead to direct people to various park system amenities, including Glenview Terrace Park.

### **Coordination**

FTA has coordinated with MPRB as the OWJ regarding the use of Glenview Terrace Park and associated minimization and mitigation measures and has discussed the proposed *de minimis* use determination for the park. The Council has coordinated with the City of Golden Valley as well given the City's interest in the park.

MPRB passed a resolution concurring with FTA's *de minimis* finding regarding Glenview Terrace Park. For a copy of this resolution, see **Exhibit A** of this Final Section 4(f) Evaluation.





Figure 1.3-4. Glenview Terrace Park







### 1.3.1.3 Sochacki Park: Mary Hills Management Unit

#### Use of Sochacki Park: Mary Hills Management Unit – Temporary Occupancy

The BLRT Extension project will not permanently incorporate land from the Sochacki Park: Mary Hills Management Unit; however, it will require a temporary easement of approximately 0.57 acre along the eastern border of the management unit to facilitate BLRT Extension project construction activities and improvements to stormwater conveyance (see [Figure 1.3-5](#)).

The overall duration of construction for the entire BLRT Extension project is approximately 3 years. The duration of construction for the portion affecting the Sochacki Park: Mary Hills Management Unit is estimated to be approximately 18 calendar months. Additional time might be needed for restoration activities depending on variables such as weather conditions and seasonal timing of construction. There will be no change in the ownership of the parkland that will be temporarily occupied.

Construction activities within the Sochacki Park: Mary Hills Management Unit property will be adjacent to the BNSF right-of-way and away from the recreational areas of the park property. Construction activities include:

- Clearing and grading along the eastern edge of the park to match grade elevations for the BLRT Extension project corridor and improve existing stormwater drainage
- Restoring vegetation within the Sochacki Park: Mary Hills Management Unit property

All areas of the Sochacki Park: Mary Hills Management Unit property that will be affected by the BLRT Extension project's construction activities will be restored to existing conditions or better, and restoration plans will be developed and implemented by the Council in consultation with the City of Golden Valley and the JPA.

The Sochacki Park: Mary Hills Management Unit will be accessible to the public throughout construction via existing trails and paths. There will be no permanent change to the management unit as a result of BLRT Extension project actions.

None of the activities, features, or attributes of the Sochacki Park: Mary Hills Management Unit will be permanently affected, nor will temporary construction actions permanently interfere with visitors using the park as they do currently. Council staff will coordinate with staff from the City of Golden Valley and the JPA to avoid park activities identified by the City that should be considered when setting the schedule for construction activities. Impacts related to temporary changes to access will be mitigated by developing a Construction Communication Plan, which will include advance notice of construction activities and highlighting trail closures and detour routes.

The portion of the park that will be temporarily occupied during construction will be restored to existing conditions or better. A new multi-use trail under the Golden Valley Road bridge will provide a connection between the Sochacki Park: Mary Hills Management Unit and TWRP to the south (see [Figure 1.3-5](#)). The existing trail within the Sochacki Park: Mary Hills Management Unit will be widened from 8 feet to 10 feet, as requested by the City and the JPA.



As part of coordination during BLRT Extension Project Development, the Council has discussed potential impacts to the Sochacki Park: Mary Hills Management Unit with the City of Golden Valley and the JPA. The City of Golden Valley and the JPA have agreed in writing that the mitigation commitments listed above (the restoration activities, the widening of the existing trail, and the construction of a trail connection to TWRP) are reasonable mitigation for occupying park property during LRT construction activities.

### **Coordination**

The City of Golden Valley stated its approval of the temporary occupancy of the Sochacki Park: Mary Hills Management Unit. See **Exhibit A** of this Final Section 4(f) Evaluation.

Figure 1.3-5. Sochacki Park: Mary Hills Management Unit







#### 1.3.1.4 Sochacki Park: Sochacki Management Unit

##### Use of Sochacki Park: Sochacki Management Unit – Temporary Occupancy

The BLRT Extension project will not permanently incorporate land from the Sochacki Park: Sochacki Management Unit; however, it will require a temporary easement of approximately 5.6 acres along the western edge of the management unit to provide access and construction staging to construct a new LRT bridge structure across Grimes Pond (see **Figure 1.3-6**). All non-park construction staging options have been considered and are not feasible as they would impact residential property adjacent to the BNSF right-of-way.

The overall duration of construction for the entire BLRT Extension project is approximately 3 years. The duration of construction for the portion affecting the Sochacki Park: Sochacki Management Unit is estimated to be approximately 18 calendar months. Additional time might be needed for restoration activities depending on variables such as weather conditions and seasonal timing of construction. There will be no change in the ownership of the parkland that will be temporarily occupied.

The portions of the Sochacki Park: Sochacki Management Unit that will be temporarily occupied during construction of the LRT bridge over Grimes Pond include areas of open space with existing prairie and wooded vegetation. The scope of work for the management unit involves construction activities over multiple areas of the park and includes the following components:

- Approximately 5.6 acres of park property will require a temporary easement for staging/laydown areas on both the north and south sides of North Rice Pond and for a temporary construction access road from the northern border of the park to the northern and southern staging areas. This road will generally follow the current road/path alignment in order to minimize additional impacts to park trees and other vegetation. These temporary construction facilities will be used for constructing the new LRT bridge across Grimes Pond.
- A temporary fence will be erected along both sides of the existing access road, and a new pedestrian path will be added just west of the access road to provide a safe north-south connection through the park while construction vehicles use the access road during construction of the new LRT bridge. Vehicle access to the southern end of the park will be limited during construction. However, pedestrian access will be maintained throughout the temporary occupancy.
- Minor improvements to the existing narrow access road will be made in order to accommodate the structural capacity needs of construction vehicles and equipment and to provide several bypass areas to allow two-way traffic an opportunity to safely pass when entering and exiting the park property.

All areas of the Sochacki Park: Sochacki Management Unit property that will be affected by the BLRT Extension project's construction activities will be restored to existing conditions or better, and restoration plans will be developed and implemented by the Council in consultation with the city of Robbinsdale and the JPA.



The Sochacki Park: Sochacki Management Unit will be accessible to the public throughout construction. Pedestrians will still be allowed to access the management unit from all existing access points. A new paved trail will be constructed along the western edge of the north-south park access road, and all natural trails will remain open. The temporary occupancy of a portion of the management unit will not preclude the use of park resources by the public. Therefore, the nature and magnitude of changes to the Sochacki Park: Sochacki Management Unit are considered minimal.

None of the activities, features, or attributes of the Sochacki Park: Sochacki Management Unit will be permanently affected, nor will temporary construction actions at the park permanently interfere with visitors using the park as they do currently. Council staff will coordinate with staff from the City of Robbinsdale and the JPA to avoid park activities identified by the City that should be considered when setting the schedule for construction activities. Impacts related to temporary changes to access will be mitigated by developing a Construction Communication Plan, which will include advance notice of construction activities and highlighting park road and trail closures and detour routes.

The portion of the park that will be temporarily occupied during construction will be restored to existing conditions or better. This restoration includes the following mitigation commitments (for a copy of the JPA Board action, see [Exhibit A](#) of this Final Section 4(f) Evaluation):

- Removing existing vegetation as agreed to by Council staff and JPA staff within the restoration zone, defined as (1) the southern construction staging area and (2) the northern staging area (see [Map Attachment A](#)), blending into the adjacent disturbed areas in the northeast quadrant of the park.
- Removing and disposing of all surface rubble within the restoration zone in accordance with the Minnesota Pollution Control Agency's (MPCA) permitting requirements.
- Adding clean fill and topsoil in the restoration zone in accordance with MPCA permitting requirements and consistent with the reuse of this area as guided by stakeholders.
- Developing and implementing a revegetation plan approved by JPA staff. The plan will address all areas disturbed by construction activities, including secondary construction activities in BNSF right-of-way, such as moving the Xcel power lines. In addition, the plan will identify practicable additional thickening of the vegetative buffer, such as planting evergreen trees between the park and the LRT corridor to reduce the visual impacts of the LRT on park visitors.
- In the southern staging area, restoring the water edge of North Rice Lake and planting vegetation to provide learning opportunities for park users (design and species to be determined [TBD]).
- Restoring the existing paved interior road to provide for safe two-way traffic.
- Removing or replacing the northern parking lot TBD in consultation with JPA staff.
- Reconstructing and expanding the interior paved parking lot (exact site TBD in consultation with JPA staff) to include room for a school bus turnaround.





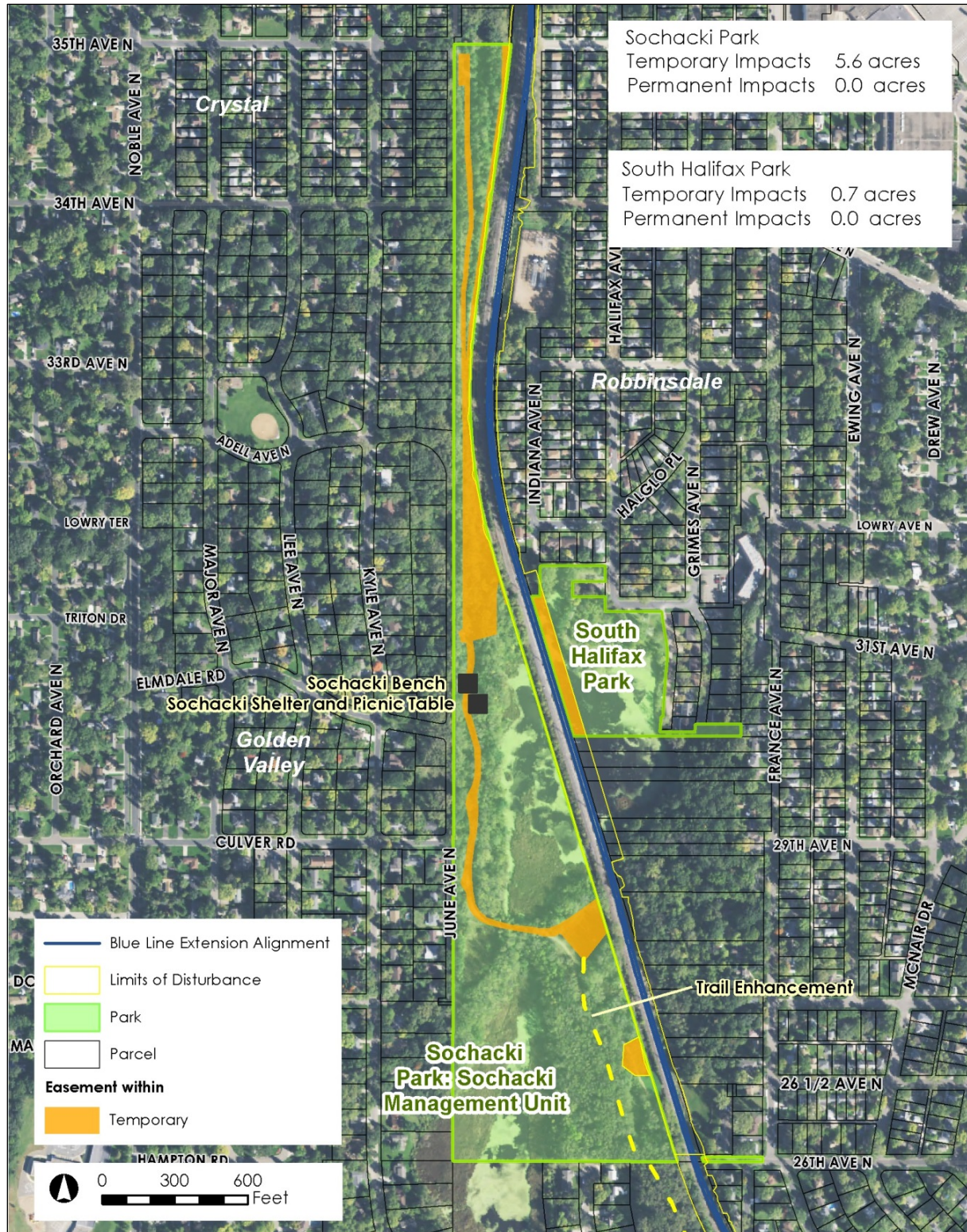
- Clearing, revegetating, and fencing an area immediately east and north of the interior parking lot within the northern staging area for future use as a dog off-leash area.
- Providing practicable utility services to a site adjacent to the interior parking lot for future development of a bathroom/storm shelter and drinking water fountain.
- Preparing the ground for a future education shelter sized for 50 students in a location TBD.
- Constructing a water education platform on North Rice Lake.
- Redeveloping a safe 10-foot-wide paved trail through the length of the park, running from the northern entrance to the current trail terminus by Bonnie Lane, with restoration along the trail edge as needed.
- Constructing an off-road trail connection from the existing terminus of the Sohacki Park trail at Bonnie Lane, crossing underneath the reconstructed Golden Valley Road bridge and connecting to the existing trail in TWRP.

### Coordination

As part of coordination during project development, the Council has discussed potential impacts to the Sohacki Park: Sohacki Management Unit with the City of Robbinsdale and the JPA. The City and the JPA have agreed in writing that the mitigation commitments listed above are reasonable for occupying park property during LRT construction activities.

The City of Robbinsdale stated its approval of the temporary occupancy of the Sohacki Park: Sohacki Management Unit. See **Exhibit A** of this Final Section 4(f) Evaluation.

Figure 1.3-6. Sochacki Park: Sochacki Management Unit and South Halifax Park







### 1.3.1.5 South Halifax Park

#### Use of South Halifax Park – Temporary Occupancy

The BLRT Extension project will not permanently incorporate land from South Halifax Park; however, the BLRT Extension project will require a temporary easement of approximately 0.70 acre along the western border of South Halifax Park to facilitate project-related construction activities (see [Figure 1.3-6](#)).

The overall duration of construction for the entire BLRT Extension project is approximately 3 years. The duration of construction for the portion affecting South Halifax Park is estimated to be approximately 18 calendar months. Additional time might be needed for restoration activities depending on variables such as weather conditions and seasonal timing of construction. There will be no change in the ownership of the parkland that will be temporarily occupied.

The area of South Halifax Park that will be occupied during construction is primarily open space (open water wetland) with no improved park amenities (see [Figure 1.3-6](#)). The LRT bridge across Grimes Pond is located just northwest of South Halifax Park, and temporary occupancy of 0.70 acre of the park is necessary in order to access the construction area and construct the improvements. South Halifax Park will still be accessible to the public throughout construction via existing roads and paths. There will be no permanent change to South Halifax Park as a result of BLRT Extension project actions. All areas of the South Halifax Park property that will be affected by the BLRT Extension project's construction activities will be restored to existing conditions or better, and restoration plans will be developed and implemented by the Council in consultation with the City of Robbinsdale.

None of the activities, features, or attributes of South Halifax Park will be permanently affected, nor will construction actions permanently or temporarily interfere with visitors using the park as they do currently. Council staff will coordinate with staff from the City of Robbinsdale to avoid park activities identified by the City that should be considered when setting the schedule for construction activities. Impacts related to temporary changes to access will be mitigated by developing a Construction Communication Plan, which will include advance notice of construction activities and highlighting sidewalk closures and detour routes.

The portion of the park that will be temporarily occupied during construction will be restored to existing conditions or better.

#### Coordination

During the BLRT Extension project's design process, Council staff consulted with the City of Robbinsdale, which is the owner of South Halifax Park, regarding design adjustments to the LRT alignment and associated facilities in the vicinity of South Halifax Park.

The City of Robbinsdale stated its approval of the temporary occupancy of South Halifax Park. See [Exhibit A](#) of this Final Section 4(f) Evaluation.



### 1.3.1.6 Becker Park

#### Use of Becker Park – Temporary Occupancy

As illustrated in **Figure 1.3-7**, the BLRT Extension project will not permanently incorporate land from Becker Park; however, it will require a temporary easement of approximately 0.1 acre near the northeast corner of Becker Park to facilitate construction activities including reconstructing a short (approximately 100-lineal-foot) existing sidewalk (see **Figure 1.3-7**).

The overall duration of construction for the entire BLRT Extension project is approximately 3 years. The duration of construction for the portion affecting Becker Park is estimated to be approximately 12 calendar months. Additional time might be needed for restoration activities depending on variables such as weather conditions and seasonal timing of construction. There will be no change in the ownership of the parkland that will be temporarily occupied.

The portion of Becker Park that will be temporarily occupied during construction includes part of an existing sidewalk from the intersection of Bottineau Boulevard and Bass Lake Road that passes through and provides access to the park. Pedestrians entering from the northeast corner of the park will be provided a temporary pedestrian path detour. Construction activities within Becker Park property include reconstructing the existing trail in order to connect to the sidewalk system. The park will still be accessible to the public throughout construction for vehicles, bicycles, and pedestrians via the two parking lots and also for bicycles and pedestrians via the respective off-street sidewalk paths surrounding the park. The portion of the park that will be temporarily occupied does not have any recreational features or amenities. There will be no permanent change to Becker Park as a result of BLRT Extension project actions.

None of the activities, features, or attributes of Becker Park will be permanently affected, nor will construction actions at the park permanently or temporarily interfere with visitors using the park as they do currently. Council staff will coordinate with park staff from the City of Crystal to avoid park activities identified by the City that should be considered when setting the schedule for construction activities. Impacts related to temporary changes to access will be mitigated by developing a Construction Communication Plan, which will include advance notice of construction activities and highlighting sidewalk closures and detour routes.

The portion of the park that will be temporarily occupied during construction will be restored to existing conditions or better. This restoration includes the previously described sidewalk.

#### Coordination

During the BLRT Extension project's design process, Council staff consulted with the City of Crystal, which is the park owner, regarding design adjustments to the LRT alignment and associated facilities in the vicinity of Becker Park. Existing bicycle, pedestrian, and vehicle access to the park will be maintained with the BLRT Extension project.

The City of Crystal stated its approval of the temporary occupancy of Becker Park in an email dated June 21, 2016. See **Exhibit A** of this Final Section 4(f) Evaluation.





Figure 1.3-7. Becker Park





### 1.3.1.7 Park Property Adjacent to Rush Creek Regional Trail

#### Use of Park Property Adjacent to Rush Creek Regional Trail – Temporary Occupancy

The BLRT Extension project will not permanently incorporate park land; however, the BLRT Extension project will require a temporary easement of approximately 1.1 acres of park property. This temporary occupancy is required to construct the new Xylon Avenue; construction activities include grading along this approximately one-quarter-mile segment of road (see [Figure 1.3-8](#)). The BLRT Extension project's Operations and Maintenance Facility will be constructed immediately east of Xylon Avenue.

The overall duration of construction for the entire BLRT Extension project is approximately 3 years. The duration of construction for the portion affecting the park property is estimated to be approximately 12 calendar months. Additional time might be needed for restoration activities depending on variables such as weather conditions and seasonal timing of construction. There will be no change in the ownership of the parkland that will be temporarily occupied.

The portion of park property that will be temporarily occupied during construction includes open, unimproved land with no recreational amenities. The trail itself will not be affected. The construction activities on the park property consist of grading work to match adjacent roadway elevations. All areas of the park property that will be affected by the BLRT Extension project's construction activities will be restored to existing conditions or better, and restoration plans will be developed and implemented by the Council in consultation with TRPD. The park will be accessible to the public throughout construction. There will be no permanent change to Rush Creek Regional Trail (primary or secondary trails) or adjacent park property as a result of BLRT Extension project actions.

None of the activities, features, or attributes of the park property will be permanently affected, nor will construction actions at the park permanently or temporarily interfere with visitors using the park or the trail as they do currently. Council staff will coordinate with park staff from TRPD to avoid trail activities identified by TRPD that should be considered when setting the schedule for construction. Impacts related to temporary changes to access will be mitigated by developing a Construction Communication Plan, which will include advance notice of construction activities.

The portion of the park that will be temporarily occupied during construction will be restored to existing conditions or better.

#### Coordination

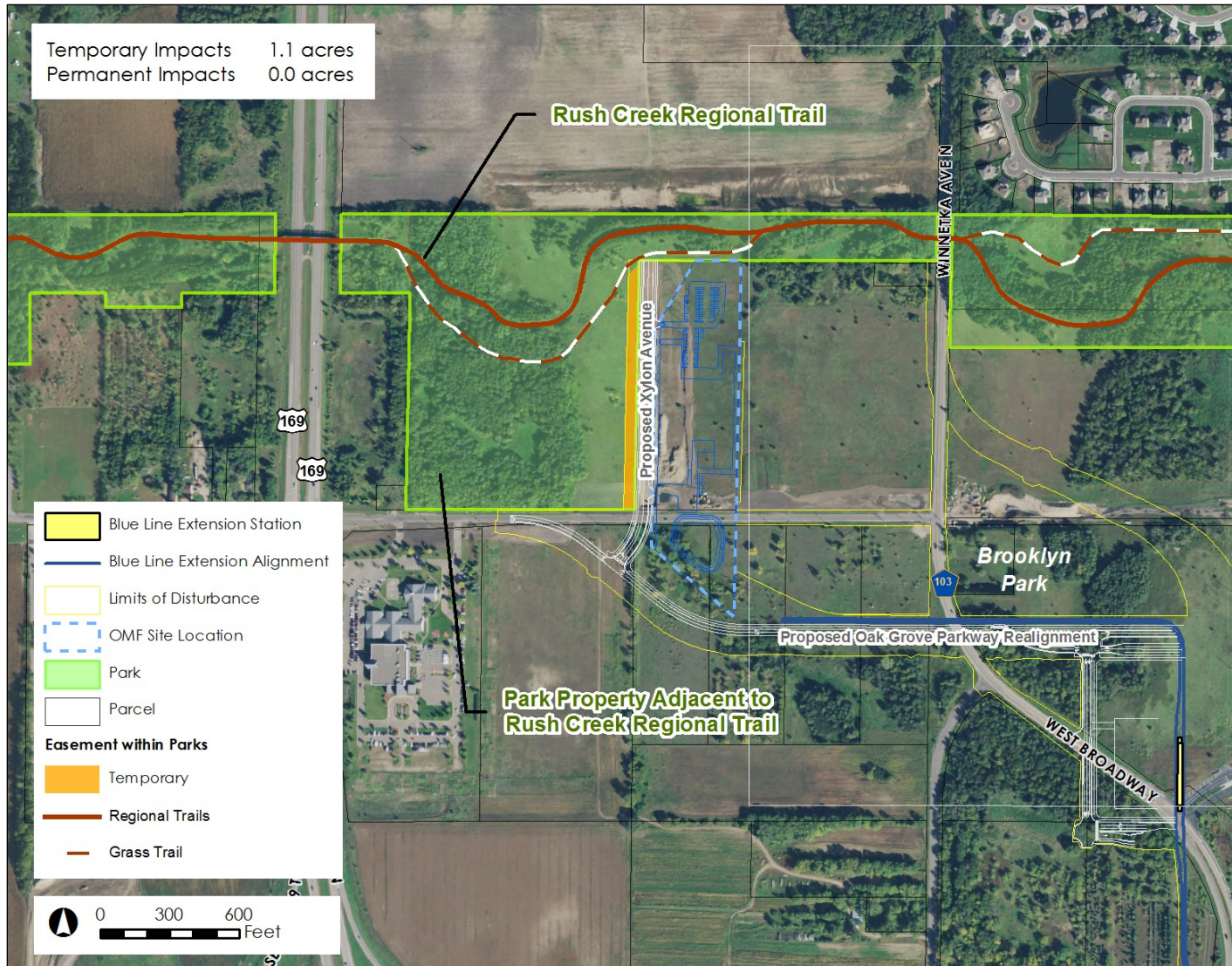
During the BLRT Extension project's design process, Council staff consulted with TRPD, which is the park owner, regarding design adjustments to the LRT alignment and associated facilities in the vicinity of the park property adjacent to Rush Creek Regional Trail. Existing bicycle, pedestrian, and vehicle access to the park will be maintained with the BLRT Extension project.

TRPD stated its approval of the temporary occupancy of park property adjacent to Rush Creek Regional Trail. See [Exhibit A](#) of this Final Section 4(f) Evaluation.





Figure 1.3-8. Park Property Adjacent to Rush Creek Regional Trail





### 1.3.2 Historic Properties

Cultural resource studies of historic properties for the BLRT Extension project have been completed under Section 106 of the National Historic Preservation Act (Section 106). The historic properties included in this Section 4(f) evaluation are those for which (1) the use determination has changed since the publication of the Draft Section 4(f) Evaluation in the Draft EIS and (2) there will be a direct use of the property and/or there could be an adverse effect determination under Section 106. (For further discussion regarding identifying historic properties and assessing effects under Section 106, see Section 4.4 – Cultural Resources in Chapter 4 of the Final EIS.)

Of the 17 historic properties identified in **Table 1.1-1**, FTA determined that the BLRT Extension project would have no Section 4(f) use on 15 of the properties based on the information in Section 4.4 of the Final EIS and in the *METRO Blue Line Extension Light Rail Transit Project Section 106 Assessment of Effects and Final Determination of Effect for Historic Properties* (January 2016; see Appendix H of the Final EIS). **Table 1.3-3** summarizes FTA’s final Section 4(f) use determinations for both of the remaining Section 4(f) properties.

**Table 1.3-3. Summary of Preliminary Permanent Section 4(f) Historic Property Uses**

Section 4(f) Property	Direct Use	<i>De Minimis</i> Use	Temporary Occupancy	Existing Property Magnitude (acres)	Acres Permanently Used	Percentage of Property Used
Grand Rounds Historic District – Theodore Wirth Segment	X			4,662	0.7	0.015
Osseo Branch, St. Paul, Minneapolis & Manitoba Railway Historic District	X			158	43	27.2

All acreages in this table are approximate.





### 1.3.2.1 Osseo Branch Line of the St. Paul, Minneapolis & Manitoba Railway/Great Northern Railway Historic District

#### Determination of Section 4(f) Use – Direct Use

Constructing the BLRT Extension project in the Osseo Branch will require permanently incorporating approximately 43 acres of property along the 8-mile segment from Olson Memorial Highway northwest to 73rd Avenue North in the City of Brooklyn Park (see **Figure 1.3-9**). This permanent incorporation is needed because the LRT guideway and other infrastructure must be located in the eastern 50 feet of the approximately 100-foot-wide corridor over this distance. An additional 49 acres of the Osseo Branch will be directly affected by temporary easements for construction access and staging, activities that will occupy the remaining western 50 feet of the approximately 100-foot-wide corridor during construction.

Based on the Section 106 analysis performed, FTA and MnHPO have determined that the BLRT Extension project will have an adverse effect on the Osseo Branch. The rationale for this determination is based on the proposed changes to the historic property and its setting, including the following:

- The majority of the existing BNSF track will be removed and reconstructed on a new alignment approximately 15 to 25 feet west of its current location.
- The BLRT Extension project will include constructing two light rail tracks, an overhead catenary system, five stations, three vertical circulation towers, eight traction power substations and 15 signal bungalows, safety treatments, and bridges in the Osseo Branch right-of-way.
- The bluffs adjacent to the Osseo Branch will be altered to construct new retaining walls and to add sufficient space for the BLRT Extension project, and some vegetation will also be removed.
- A corridor-protection barrier will be constructed between the freight rail track and the new light rail track; the protection barrier can include a concrete wall that is up to 6 feet tall and 2 feet thick, a variable-width ditch, or a retained embankment to grade-separate freight and light rail traffic.

Based on the information summarized in this section, FTA has determined that the BLRT Extension project will have a non-*de minimis* use of the historic Osseo Branch Section 4(f) resource.



### **Avoidance Alternatives Analysis**

FTA evaluated the following five avoidance alternatives:

- No-Build Alternative
- Enhanced Bus Alternative
- Deep Tunnel Alternative
- Alignment Shift 1 Alternative
- Alignment Shift 2 Alternative

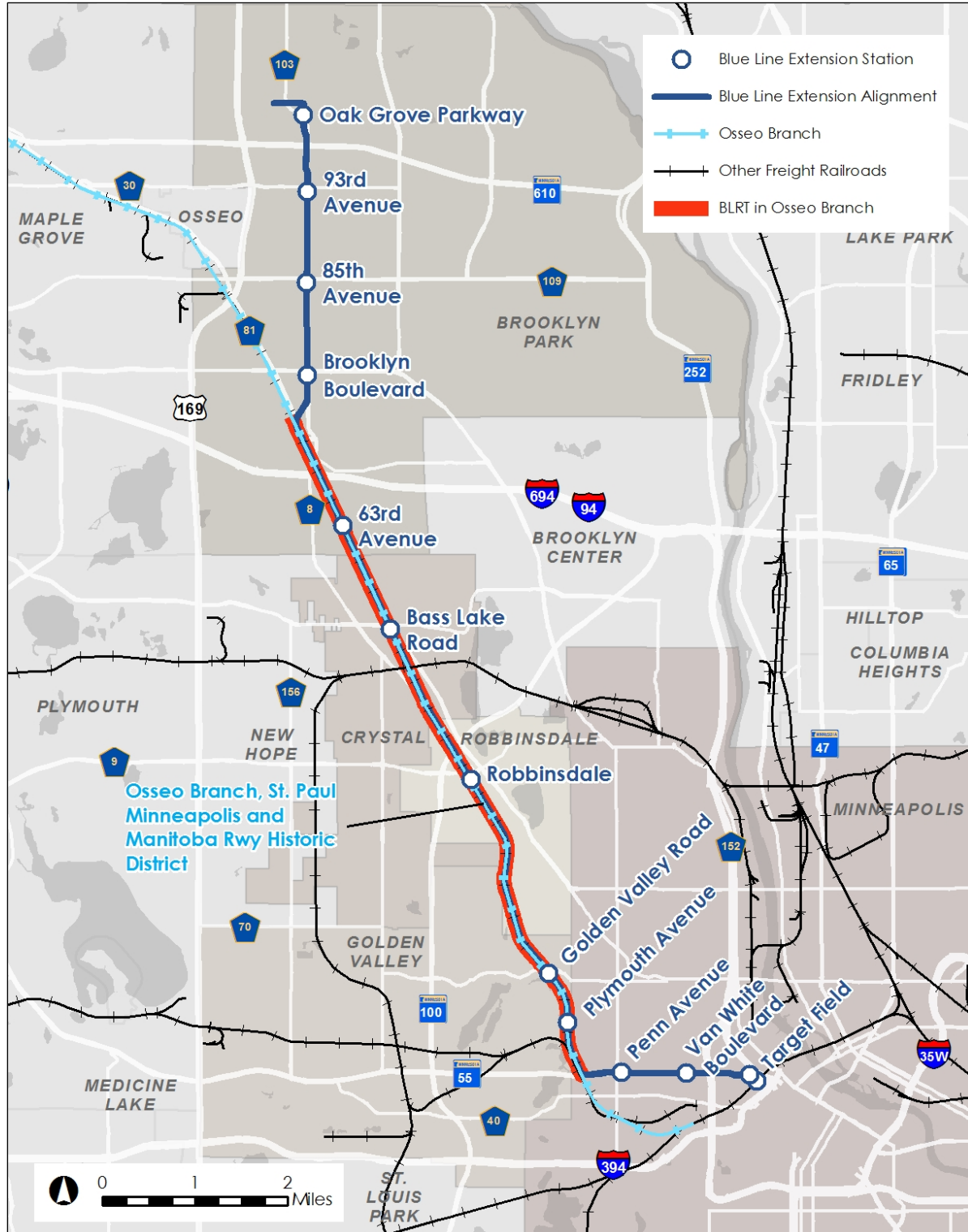
The analysis presented in the Amended Draft Section 4(f) Evaluation indicated that, although each of these alternatives would be feasible from an engineering perspective, they would not be prudent. The No-Build and Enhanced Bus alternatives would not meet the purpose of and need for the BLRT Extension project, and the Deep Tunnel and alignment shift alternatives would have excessive impacts on residential property.

### **All Possible Planning to Minimize Harm Analysis**

Based on the information summarized in Section 8.7.2.10 of the Amended Draft Section 4(f) Evaluation (see Chapter 8 of the Final EIS), FTA has determined in accordance with 23 CFR Part 774.17 that all possible planning to minimize harm to the Osseo Branch Line of the St. Paul, Minneapolis & Manitoba Railway/Great Northern Railway Historic District has been conducted and will be implemented through the BLRT Extension project's Section 106 process as documented in an executed Section 106 Memorandum of Agreement (MOA).



Figure 1.3-9. Osseo Branch Line of the St. Paul, Minneapolis & Manitoba Railway/  
Great Northern Railway Historic District





### 1.3.2.2 Grand Rounds Historic District – Theodore Wirth Segment

#### Determination of Permanent Section 4(f) Use – Direct Use

The following permanent and temporary easements proposed for the BLRT Extension project lie within the boundaries of the Grand Rounds Historic District (see [Figure 1.3-10](#)).

- Approximately 0.7 acre of property along Theodore Wirth Parkway, a contributing element to the Grand Rounds Historic District, will be acquired as a permanent easement.
- Approximately 1.4 acres of TWRP property that are not a contributing element to the Grand Rounds Historic District will be acquired as a permanent easement; this acreage includes approximately 1.2 acres for the Golden Valley Road Station and approximately 0.2 acre for the Plymouth Avenue Station.
- Approximately 10.6 acres of property will be needed as a temporary easement for construction purposes.
- Approximately 11.7 acres of existing BNSF right-of-way, currently used for transportation, will be needed for LRT construction and freight rail reconstruction.

Impacts will occur from removing vegetation, grading, constructing the LRT guideway, realigning the freight track, reconstructing bridges, and installing corridor-protection barriers between the freight rail and light rail lines. In addition, the Plymouth Avenue and Golden Valley Road stations will be within the historic district and will include vertical circulation towers and pedestrian access facilities that comply with the Americans with Disabilities Act (ADA). The Golden Valley Road Station also includes constructing a 100-space park-and-ride adjacent to the station; however, only 0.7 acre will affect Theodore Wirth Parkway—a contributing element to the Grand Rounds Historic District.

FTA has determined that this 0.7-acre impact to Theodore Wirth Parkway will be the only direct use of the Grand Rounds Historic District, since the other 1.4 acres of permanent easement will not affect any contributing elements to the historic district. Similarly, the 11.7 acres of existing BNSF right-of-way that lie within the Grand Rounds Historic District are not a contributing element to the district and furthermore are already used for transportation.





### **Avoidance Alternatives Analysis**

FTA evaluated the following five avoidance alternatives:

- No-Build Alternative
- Enhanced Bus Alternative
- Deep Tunnel Alternative
- Alignment Shift 1 Alternative
- Alignment Shift 2 Alternative

The analysis presented in the Amended Draft Section 4(f) Evaluation indicated that, although each of these alternatives would be feasible from an engineering perspective, they would not be prudent. The No-Build and Enhanced Bus alternatives would not meet the purpose of and need for the BLRT Extension project, and the Deep Tunnel and alignment shift alternatives would have excessive impacts on residential property.

### **All Possible Planning to Minimize Harm Analysis**

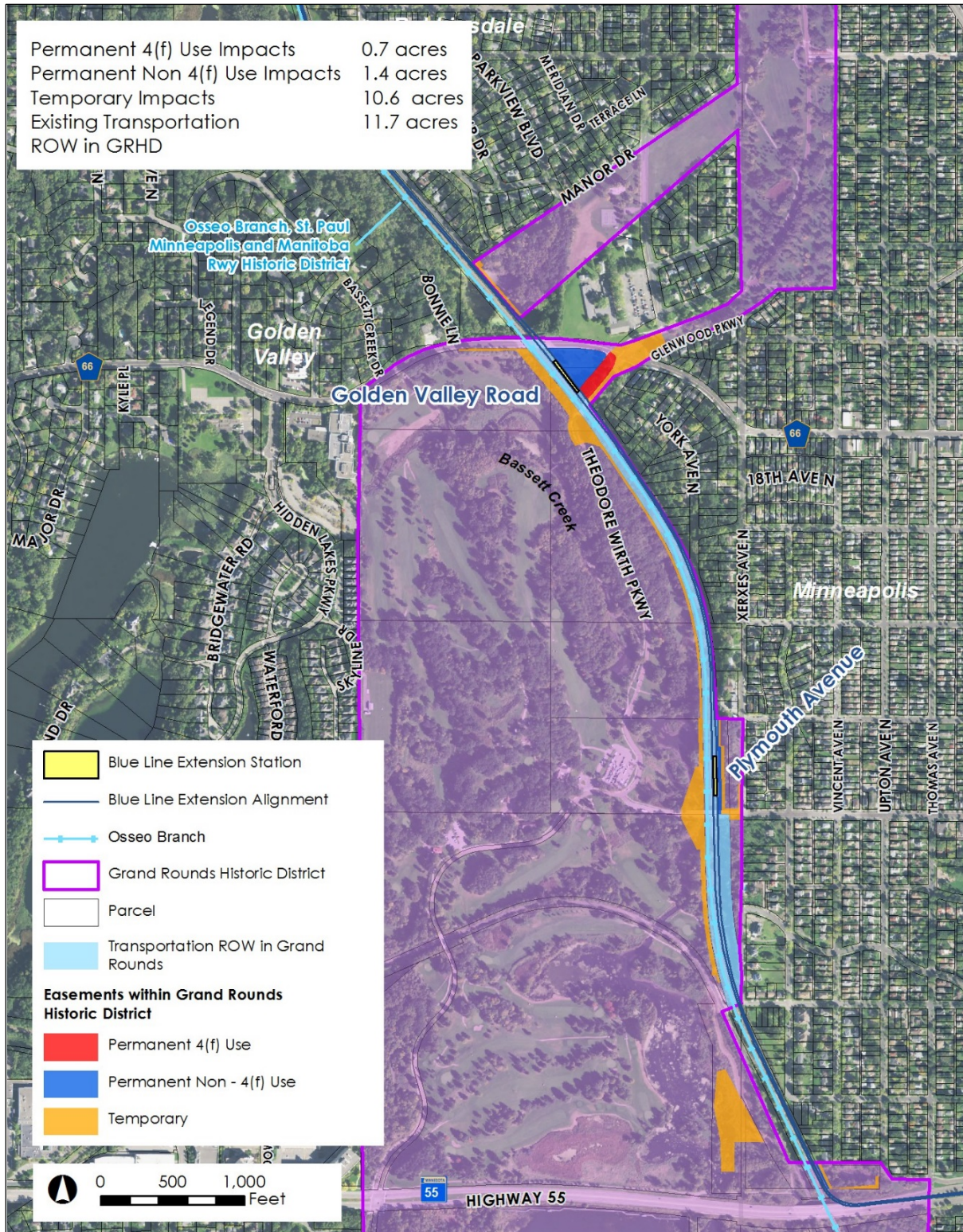
The Council considered several options developed during the analysis of avoidance alternatives as potential measures to minimize harm to the contributing elements of the district. These options are:

- Reducing the Golden Valley Road Station park-and-ride footprint
- Eliminating the park-and-ride at the Golden Valley Road Station
- Shifting the Golden Valley Road Station to the north
- Shifting the Golden Valley Road Station to the south
- Eliminating the Golden Valley Road Station

The Council does not consider any of these options to be viable avoidance alternatives because they would result in a use of another Section 4(f) resource: the Osseo Branch. These options could reduce impacts to the contributing elements of the Grand Rounds Historic District. However, these options would cause significant additional residential property and community impacts and/or would not effectively meet the purpose of and need for the BLRT Extension project.

Based on the information summarized in Section 8.7.2.11 of the Amended Draft Section 4(f) Evaluation (see Chapter 8 of the Final EIS), FTA has determined in accordance with 23 CFR Part 774.17 that all possible planning to minimize harm to the Theodore Wirth Segment of the Grand Rounds Historic District has been conducted and will be implemented through the completion of the BLRT Extension project's Section 106 process as documented in an executed Section 106 MOA.

Figure 1.3-10. Grand Rounds Historic District







### 1.3.3 Corridor-wide Least Overall Harm Analysis

Per 23 CFR Part 774.3(c), if the Section 4(f) analysis for a property that will be used by a project concludes that there is no feasible and prudent avoidance alternative, FTA may approve, from among the remaining alternatives that use Section 4(f) property, only the alternative that causes the least overall harm in light of the statute's preservation purpose. To determine which of the alternatives will cause the least overall harm, FTA must compare seven factors set forth in 23 CFR Part 774.3(c)(1) concerning the alternatives under consideration. These factors are:

#### 1. The ability to mitigate adverse impacts to each Section 4(f) property

As discussed in the Amended Draft Section 4(f) Evaluation (see Chapter 8 of the Final EIS), FTA has the same ability to mitigate impacts from the different alternatives discussed in that document as it does to mitigate impacts from the BLRT Extension project.

#### 2. The relative severity of the remaining harm after mitigation

As discussed in the Amended Draft Section 4(f) Evaluation, the severity of the remaining harm would be less with the BLRT Extension project than with the other alternatives evaluated.

#### 3. The relative significance of each Section 4(f) property

FTA and the Council consider each Section 4(f) property to be equally significant.

#### 4. The views of the OWJs over each property

The OWJs have concurred with FTA's Section 4(f) determinations (see Attachment C of the BLRT Extension project's Record of Decision).

#### 5. The degree to which each alternative meets the project's purpose and need

Each alternative evaluated in the Amended Draft Section 4(f) Evaluation would achieve the BLRT Extension project's purpose to effectively address the long-term regional transit mobility and local accessibility needs while providing efficient, travel-time-competitive transit service that supports economic development goals and the objectives of local, regional, and statewide plans. Therefore, the degree to which each alternative meets the project's purpose and need is not a distinguishing factor in this evaluation.

#### 6. The magnitude of adverse effects to resources not protected by Section 4(f)

The environmental justice impacts associated with Alignment D2 (see Section 8.7.3.6 in Chapter 8 of the Final EIS) were a key distinguishing factor between the alternatives. Alignment D2 would have notable environmental justice impacts, while Alignment D1 (part of the BLRT Extension project) would not.

#### 7. Substantial cost differences among the alternatives

The cost differences among the alternatives is not a distinguishing factor in this evaluation.

The Section 106 consultation process has been completed through the execution of the BLRT Extension project's Section 106 MOA. The Council and FTA have also obtained concurrence on FTA's Section 4(f) determinations from the OWJs for the park properties.





## 1.4 Coordination

This section summarizes the BLRT Extension project's Section 4(f) coordination activities that have occurred since publication of the Draft Section 4(f) Evaluation in the Draft EIS and the Amended Draft Section 4(f) Evaluation in the Final EIS, which address Section 4(f) coordination and concurrence requirements set forth in 23 CFR Part 774.

### 1.4.1 US Department of the Interior

The Draft Section 4(f) Evaluation was provided to the US Department of the Interior (USDOI) for review and comment during the Draft EIS comment period, which concluded on May 29, 2014. A copy of USDOI's letter to FTA regarding the Draft Section 4(f) Evaluation is included in Appendix J of the Final EIS.

USDOI commented on the Amended Draft Section 4(f) Evaluation in a letter dated August 9, 2016 (see [Appendix E](#)). In that letter, USDOI stated that it concurred that there were no feasible or prudent avoidance alternatives to the BLRT Extension project as proposed, and that all possible planning was done to minimize harm.

### 1.4.2 Officials with Jurisdiction

For documentation of the Section 106 consultation process and for documentation of Section 4(f) coordination meetings with OWJs, see Appendix H of the Final EIS. The OWJs are:

- City of Brooklyn Park
- City of Crystal
- City of Golden Valley
- City of Robbinsdale
- Minnesota State Historic Preservation Officer
- MPRB
- Sochacki Park JPA Board
- TRPD

The OWJs have concurred with FTA's Section 4(f) determinations; this information is documented in Attachment C of the BLRT Extension project's Record of Decision.



## 1.5 Final Determination of Section 4(f) Use

Based on the engineering and analysis conducted for the BLRT Extension project to date, FTA has made the following final Section 4(f) determinations:

- The BLRT Extension project will have a direct use of the Grand Rounds Historic District and the Osseo Branch of the St. Paul, Minneapolis & Manitoba Railway Historic District, and there is no feasible and prudent alternative that would avoid a use of these Section 4(f) resources. In addition, based on the summary in this section, FTA has determined in accordance with 23 CFR Part 774.17 that all possible planning to minimize harm has been conducted and will be implemented. Further, FTA and the Council have determined that the BLRT Extension project is the alternative that will cause the least overall harm to these two historic resources.
- The BLRT Extension project will have a Section 4(f) *de minimis* impact on two Section 4(f) park/recreational properties: TWRP and Glenview Terrace Park. Measures to minimize harm, such as avoidance, minimization, mitigation and enhancement measures, include the following:
  - **TWRP:** The recreational amenities of TWRP will not be permanently affected by the BLRT Extension project. The LRT alignment will be visually screened from the majority of the park by existing and restored vegetation. Areas of temporary disturbance will be restored to existing or better conditions. An existing trail along Bassett Creek will be reconstructed in a location approved by MPRB outside rail right-of-way. New trail connections to the Plymouth Avenue and Golden Valley Road stations will be provided. A new trail connection to the Sohacki Park system to the north will be constructed. A trailhead will be provided at the Golden Valley Road Station park-and-ride lot; this trailhead will provide connections to two regional trails and other local trail connections. Wayfinding signs will be included at this trailhead.
  - **Glenview Terrace Park:** The recreational amenities of Glenview Terrace Park will be unaffected by the BLRT Extension project. The LRT alignment will be visually screened by an existing stand of mature trees. New trail connections, enhancements to existing trails, and a new trailhead with wayfinding signs will improve park accessibility. The small area of temporary impact (0.25 acre) adjacent to the 0.01-acre permanent impact will be restored to existing or better conditions following construction.
- The BLRT Extension project will have Section 4(f) temporary occupancies of five Section 4(f) park/recreation properties during construction: Sohacki Park: Mary Hills Management Unit, Sohacki Park: Sohacki Management Unit, South Halifax Park, Becker Park, and the park property adjacent to Rush Creek Regional Trail. FTA has determined that the Section 4(f) temporary occupancy exception criteria in 23 CFR Part 774.13(d) will be met in all instances, and therefore no use will result at any of these five properties.
- FTA has determined that none of the Section 4(f) resources along the BLRT Extension project corridor will have a constructive use.



## Record of Decision

### Exhibit A, Concurrence from Officials with Jurisdiction

#### Concurrence on *de minimis* Findings

1. Minneapolis Park and Recreation Board resolution, September 7, 2016

#### Concurrence on Temporary Occupancy Findings

1. City of Crystal concurrence, June 21, 2016
2. City of Robbinsdale concurrence, May 23, 2016
3. City of Robbinsdale resolution, March 2, 2016
4. City of Golden Valley concurrence, May 25, 2016
5. City of Golden Valley resolution, February 16, 2016
6. Three Rivers Park District concurrence, June 28, 2016
7. Sochacki Joint Powers Agreement Board resolution, February 8, 2016

#### Comments on Draft Amended 4(f) from Department of the Interior

US Department of the Interior letter to FTA on Amended Draft 4(f) Evaluation, August 9, 2016



Offered by: *Scott Vreeland*

Seconded by: *Liz Uielinski*

**Resolution 2016-264**

**Resolution Concurring with the Finding by the Federal Transit Authority that the Metro Blue Line Light Rail Extension Project Will Have a De Minimis Impact Under Section 4(F) of the Transportation Act of 1966 on Theodore Wirth Regional Park and Glenview Terrace Park, Provided that the Minneapolis Park and Recreation Board Continue to be Involved in the Ongoing Design of the Project, that Mitigation Efforts Identified in the Final Environmental Impact Statement be Constructed, that the Plymouth Avenue Station be Constructed, that Concurrence Does Not Limit MPRB's Ability to Negotiate Compensation for Land Required by the Metropolitan Council to Construct the Project, and that Concurrence Does Not Limit MPRB's Ability to Accept or Decline Any Offer of Compensation for Land**

Whereas, The Minneapolis Park and Recreation Board (MPRB) was created by the Minnesota Legislature in April 1883 and has the authority to manage and operate park facilities;

Whereas, The proposed Metro Blue Line Light Rail Transit Extension, also known as the Bottineau Line, will pass through and is close to Theodore Wirth Regional Park and Glenview Terrace Park, which are owned and managed by the MPRB;

Whereas, Regional transportation systems like the light rail network are designed to connect the places where people live, work, and play, and that MPRB is committed to being a constructive participant in the vitality of the region through operation of regional parks;

Whereas, MPRB staff and Commissioners have been involved in ongoing design discussions on various aspects of the Bottineau Line and have found the working relationship with the Bottineau Project Office (BPO) to be a positive one;

Whereas, The BPO has issued the Final Environmental Impact Statement (FEIS) for the project, which assesses potential impacts on park resources as required by Section 4(f) of the U.S. Department of Transportation Act of 1966;

Whereas, The Federal Transit Administration (FTA) has made the preliminary determination that the project will have a "de minimis" effect on Theodore Wirth Regional Park and Glenview Terrace Park;

Whereas, The FTA's de minimis determination is based on several factors, including the lack of impact on recreation by the project, the acreage percentage of the park that would be impacted, and a variety of planned mitigation efforts;

Whereas, MPRB is the Owner with Jurisdiction (OWJ) for both parks and determines whether the de minimis finding is appropriate;

Whereas, MPRB staff have reviewed the potential impacts and believe the project's overall impact to the parks is in fact minimal, especially in light of numerous planned mitigation efforts that will improve pedestrian and bicycle accessibility to and around the parks; and

Whereas, This resolution is supported by the MPRB 2007-2020 Comprehensive Plan, which envisions “Dynamic parks that shape city character and meet diverse community needs” and “A safe place to play, recreate, contemplate, and celebrate;”

RESOLVED, That the Board of Commissioners concur with the finding by the Federal Transit Authority that the Metro Blue Line Light Rail Extension project will have a de minimis impact under Section 4(f) of the Transportation Act of 1966 on Theodore Wirth Regional Park and Glenview Terrace Park;

RESOLVED, That concurrence is made under the assumption that the MPRB will continue to be involved in the ongoing design of the project, under the terms of the Memorandum of Understanding between MPRB and the Metropolitan Council;

RESOLVED, That concurrence is made with the expectation that mitigation efforts identified in the Final Environmental Impact Statement are constructed;


RESOLVED, That concurrence is made with the expectation that the Plymouth Avenue station is constructed, in order to provide direct access between Theodore Wirth Regional Park and the metropolitan area’s light rail network;

RESOLVED, That concurrence does not limit MPRB’s ability to negotiate compensation for land required by the Metropolitan Council to construct the project, and does not limit MPRB’s ability to accept or decline any offer of compensation for land; and

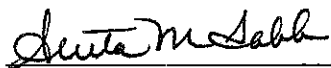
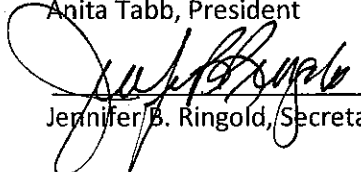
RESOLVED, That the President of the Board and Secretary to the Board are authorized to take all necessary administrative actions to implement this resolution.

Commissioner	Aye	Nay	Abstain	Absent
Bourn	X			
Erwin				X
Forney	X			
Musich	X			
Olson		X		
Tabb		X		
Vreeland	X			
Wielinski	X			
Young	X			

Adopted by the Minneapolis Park and Recreation Board  
In formal meeting assembled on September 7, 2016

Approved: 

Betsy Hodges, Mayor

  
Anita Tabb, President  
  
Jennifer B. Ringold, Secretary

**From:** Anne Norris [mailto:Anne.Norris@crystalmn.gov]  
**Sent:** Tuesday, June 21, 2016 4:58 PM  
**To:** O'Brien, Kathryn <kathryn.obrien@metrotransit.org>  
**Cc:** John Sutter <John.Sutter@crystalmn.gov>  
**Subject:** Blue Line - Becker Park temporary easement

Hello Kathryn,

Consistent with City Council Resolution 2016-39, the City of Crystal acknowledges the following:

1. During construction of the Blue Line Extension Project approximately one-tenth of an acre in the northeast corner of Becker Park will be disturbed by the Project.
2. As the park owner, the city will need to grant temporary construction easements for the Project.
3. The Project has committed to restoring the disturbed area to an as-good or better condition upon completion of the Project and vacation of the temporary easements.

Anne Norris  
Crystal City Manager, 763-531-1140



**From:** Marcia Glick  
**Sent:** Monday, May 23, 2016 1:01 PM  
**To:** O'Brien, Kathryn  
**Cc:** Miller, Caroline; BPODMC  
**Subject:** RE: BLRT - Section 4(f) / Sochacki Park Management Unit and South Halifax Park

Kathryn,  
The City of Robbinsdale understands the need for temporary easements in Sochacki and South Halifax parks as described. The City is satisfied that commitments have been made to restore the parks to as good or better condition when the Project vacates the temporary easements.

Marcia Glick  
Robbinsdale City Manager  
763-531-1258

~ ~ ~ ~ ~

**From:** O'Brien, Kathryn [<mailto:kathryn.obrien@metrotransit.org>]  
**Sent:** Monday, May 23, 2016 11:06 AM  
**To:** Marcia Glick  
**Cc:** Miller, Caroline; BPODMC  
**Subject:** BLRT - Section 4(f) / Sochacki Park Management Unit and South Halifax Park

Marcia, please find attached an extract from the BLRT Amended Draft Section 4(f) Evaluation addressing potential 4(f) impacts to the Sockacki Management Unit of Sochacki Park and to South Halifax Park. This document has gone through FTA's legal review process, and I wanted to share it with you at this time as part of the ongoing coordination of BPO with the City of Robbinsdale related to 4(f) issues.

Please note the preliminary determination by FTA of a temporary occupancy of the Sochacki Management Unit and of South Halifax Park based on the Project's need for temporary easements on portions of the parks during construction. Your response to this e-mail would be appreciated acknowledging the City's understanding of the need for temporary easements in the parks and your satisfaction that commitments have been made to restore the parks to an as good or better condition when the Project vacates these temporary easements.

If you have any questions, please don't hesitate to call me at 612-607-2013.

Thanks much for your response, - Kathryn

Member Se1man moved and Member Blonigan seconded a motion that the following resolution be read and adopted this 2nd day of March, 2016.

RESOLUTION NO. 7476

**A RESOLUTION AUTHORIZING THE  
TEMPORARY OCCUPANCY OF PORTIONS OF SOCHACKI PARK  
FOR CONSTRUCTION STAGING FOR THE  
BLUE LINE LIGHT RAIL BRIDGE ACROSS GRIMES POND**

WHEREAS, The Robbinsdale City Council held a public hearing on February 9, 2016 regarding the request from the Metro Blue Line Extension LRT Project Office (BPO) to occupy portions of Sochacki Park in Robbinsdale for the purposes of construction staging for the proposed Blue Line Extension Light Rail Bridge across Grimes Pond shown as Attachment 1; and

WHEREAS, the recording of the public hearing presentation and comments was made available to the public on the city's website and notice of its availability was noted in the local newspaper as well as through social media; and

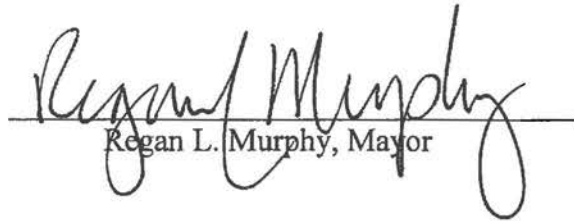
WHEREAS, the public comment period was extended through February 26, 2016 and the Robbinsdale City Council has taken into consideration all of the public comments as well as the recommendation received from the Sochacki Park Joint Powers Authority Board (JPA) in making its determination regarding the requested occupancy of the park;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROBBINSDALE, MINNESOTA:

1. That the City of Robbinsdale is satisfied that the Metro Blue Line Extension LRT Project temporary occupancy of the park for staging activities related to the construction of the light rail bridge across Grimes Pond is being undertaken only due to the lack of prudent and feasible alternatives; that the temporary occupancy will be confined to specific areas and will maintain a continuous north-south pedestrian/bicycle connection; and the level of restoration and mitigation negotiated between the BPO and JPA covers the City of Robbinsdale's concerns related to the disruption.
2. That the City of Robbinsdale approves the temporary occupancy of Sochacki Park as requested provided that the attached Guiding Principles for Temporary Occupancy of Sochacki Park (Attachment 2) and the 14 Actions Required to provide Mitigation and Equitable Compensation for the Temporary Occupancy of the Park (Attachment 3) are incorporated into an agreement to be executed by all parties.

The question was on the adoption of the resolution and upon a vote being taken thereon,  
the following voted in favor thereof: Selman, Backen, Blonigan, Rogan, Mayor Murphy  
and the following voted against the same: None

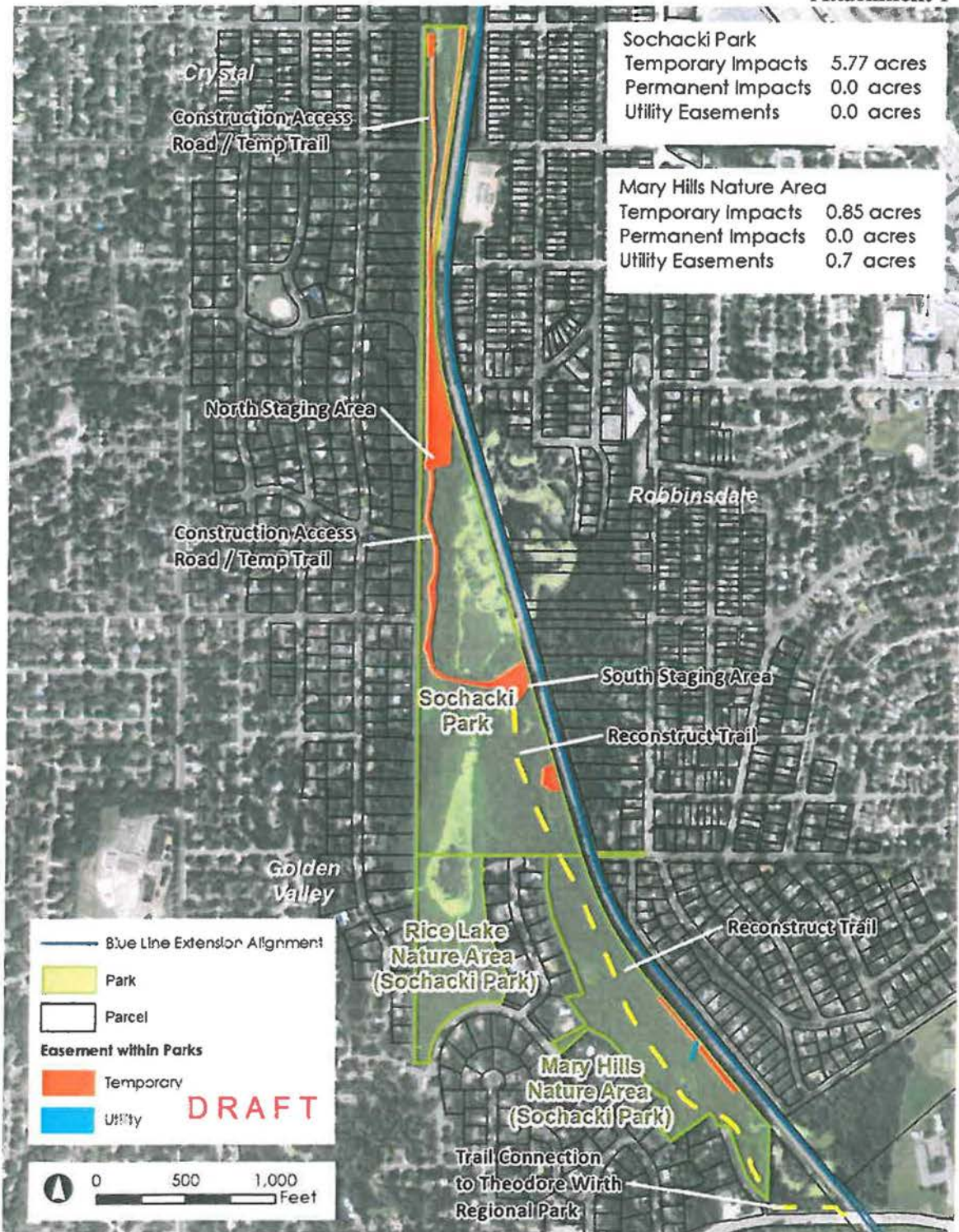
WHEREUPON SAID RESOLUTION WAS DECLARED DULY PASSED AND  
ADOPTED THIS 2ND DAY OF MARCH, 2016.

  
Regan L. Murphy, Mayor

ATTEST:

  
Tom Marshall, City Clerk





## Guiding Principles for Temporary Occupancy of Sochacki Park

**Principle A:** The temporary occupancy of Sochacki Park is proposed solely by the Blue Line Extension Project Office (BPO), and is being proposed only due to the lack of prudent and feasible alternatives.

**Principle B:** BPO will provide an opportunity for the public to provide input on the park revegetation and improvements plan prior to construction.

**Principle C:** The proposed boundaries of impact are as shown on Attachment 1. Those boundaries within Robbinsdale may be adjusted at the discretion of the City of Robbinsdale, and those boundaries within the City of Golden Valley may be adjusted at the discretion of the City of Golden Valley.

**Principle D:** Any additional Golden Valley lands, including Bonnie Lane, may not be used for LRT construction or construction access without prior notice, review and formal approval by the City of Golden Valley.

**Principle E:** Sochacki will remain open for public use during LRT construction, and will include contiguous and safe north/south travel by pedestrians and bicyclists through the entire park. Access sites from the interim trail to the area east of the construction road will be provided in order to enhance access.

**Principle F:** If the BPO uncovers any environmental contamination in its use of Sochacki, the BPO will be responsible for required environmental remediation in accordance with Minnesota Pollution Control Agency (MPCA) permitting requirements.

**Principle G:** Any areas that are disturbed by construction activities that are adjacent to wetland and water bodies must be restored with native vegetation buffers in accordance with the Wetland Conservation Act and Section 404 of the Clean Water Act.

**Principle H:** BPO will incorporate the results of a BLRT Phase II Environmental Site Assessment (ESA) into construction staging planning. Phase II results and MPCA permitting requirements resulting from this site assessment will be communicated to JPA and the cities of Golden Valley and Robbinsdale.

**Principle I:** BPO will require their construction contractor to develop a final Sochacki Park Construction Staging Plan, consistent with mitigation commitments made to the JPA and the cities of Robbinsdale and Golden Valley and based on the results of further engineering and environmental investigations. Input from the JPA and the cities of Golden Valley and Robbinsdale will be sought prior to BPO accepting the Contractor's final Sochacki Park Construction Staging Plan.

**Principle J:** The Met Council will not be responsible for long-term operations and maintenance of all infrastructure restored and/or constructed by BPO.

**Principle K:** BPO commits to ongoing coordination with the JPA and the cities of Golden Valley and Robbinsdale. Coordination efforts will continue through all phases of BLRT project development, including engineering, final design, and construction.

**Principle L:** The determination of temporary occupancy under Section 4(f) for Sochacki Park and the following subsequent actions to provide mitigation and equitable compensation was made based on the project definition within the Municipal Consent plans and the project's Final Environmental Impact Statement at a 15% level of design.

**14 actions to provide mitigation and equitable compensation for the temporary occupancy of the park for construction staging for the Grimes Pond Bridge**

- 1) Removal of existing vegetation as agreed to by BPO staff and JPA staff within the restoration zone, defined as A) the southern construction staging area, and B) the northern staging area blending into the adjacent disturbed areas in the NE quadrant of the park.
- 2) Removal and disposal of all surface rubble within the restoration zone, in accordance with MPCA permitting requirements.
- 3) Addition of clean fill and top soil in the restoration zone in accordance with MPCA permitting requirements and consistent with the re-use of this area as guided by stakeholders.
- 4) Development and implementation of a revegetation plan approved by the JPA staff. The plan will address all areas disturbed by construction activities, including secondary construction activities in the BNSF right-of-way such as moving the Xcel energy lines. In addition, the plan will identify practicable and functional additional thickening of the vegetative buffer such as plantings of evergreen trees between the Park and the LRT Corridor for the purposes of reducing visual impacts of the LRT on Park visitors.
- 5) In the southern staging area, N. Rice Lake water edge restoration work and vegetation plantings to provide learning opportunities for park users (design and species TBD – to be determined).
- 6) Restoration of the existing paved interior road to provide for safe two way traffic.
- 7) Removal or replacement of the northern parking lot to be determined in consultation with JPA staff.
- 8) Reconstruction and expansion of the interior paved parking lot (exact site TBD in consultation with JPA staff), to include room for a school bus turnaround.
- 9) Clearing, revegetation and fencing of an area immediately east and north of the interior parking lot within the northern staging area for future use as a dog off leash area.
- 10) Providing practicable utility services to a site adjacent to the interior parking lot for future development of a bathroom/storm shelter, and drinking water fountain.
- 11) Ground preparation for a future education shelter sized for 50 students in a location TBD.
- 12) Construction of a water education platform on N Rice Lake
- 13) Redevelopment of a safe 10-foot wide paved trail through the length of the park, running from the northern entrance to the current trail terminus by Bonnie Lane; with restoration along the trail edge as needed.
- 14) Construction of an off-road trail connection from the existing terminus of the Sochacki Park trail at Bonnie Lane, crossing underneath the reconstructed Golden Valley Road Bridge and connecting to the existing trail in Theodore Wirth Regional Park.

TBD – To be determined at a future time in consultation between parties



**From:** Zimmerman, Jason  
**Sent:** Wednesday, May 25, 2016 1:55 PM  
**To:** O'Brien, Kathryn  
**Cc:** Miller, Caroline; BPODMC; Nevinski, Marc; Birno, Rick  
**Subject:** RE: BLRT - Section 4(f) / Mary Hills Management Unit

Kathryn,

City staff have reviewed the draft 4(f) evaluation regarding the Mary Hills Management Unit of Sochacki Park and find it to be consistent with what has been discussed with the Project Office and the JPA. We acknowledge the need for the temporary easements and trust that this portion of the park will be restored at the conclusion of construction as indicated in the document.

Please let me know if you need anything further.

Jason

Jason Zimmerman  
Planning Manager City of Golden Valley

~ ~ ~ ~ ~

**From:** O'Brien, Kathryn [<mailto:kathryn.obrien@metrotransit.org>]  
**Sent:** Monday, May 23, 2016 10:43 AM  
**To:** Zimmerman, Jason <[JZimmerman@goldenvalleymn.gov](mailto:JZimmerman@goldenvalleymn.gov)>  
**Cc:** Miller, Caroline <[Caroline.Miller@metrotransit.org](mailto:Caroline.Miller@metrotransit.org)>; BPODMC <[BPODMC@metc.state.mn.us](mailto:BPODMC@metc.state.mn.us)>  
**Subject:** BLRT - Section 4(f) / Mary Hills Management Unit

Jason, please find attached an extract from the BLRT Amended Draft Section 4(f) Evaluation addressing potential 4(f) impacts to the Mary Hills Management Unit of Sochacki Park. This document has gone through FTA's legal review process, and I wanted to share it with you at this time as part of the ongoing coordination of BPO with the City of Golden Valley related to 4(f) issues.

Please note the preliminary determination by FTA of a temporary occupancy of the Mary Hills Management Unit based on the Project's need for temporary easements on portions of the Park during construction. Your response to this e-mail would be appreciated acknowledging the City's understanding of the need for temporary easements in the Park and your satisfaction that commitments have been made to restore the Park to an as good or better condition when the Project vacates these temporary easements.

If you have any questions, please don't hesitate to call me at 612-607-2013.

Thanks much for your response, - Kathryn

Member Fonnest introduced the following resolution and moved its adoption:

**RESOLUTION APPROVING THE PRELIMINARY DESIGN PLANS  
FOR THE METRO BLUE LINE EXTENSION (BOTTINEAU)  
LIGHT RAIL TRANSIT PROJECT WITHIN THE CITY OF GOLDEN VALLEY**

WHEREAS, the City of Golden Valley supports transit in general as an important part of the regional transportation network and supports the METRO Blue Line Extension (Bottineau) Light Rail Transit Project ("Project") specifically as it believes it will help satisfy long-term regional mobility and accessibility needs for businesses and the traveling public located within the northwest portion of the Twin Cities; and,

WHEREAS, the Governor designated the Metropolitan Council ("Council") as the responsible authority for the Project, which makes it responsible for the planning, designing, acquiring, constructing, and equipping the Project; and

WHEREAS, Minnesota Statutes Section 473.3994 allows cities and counties along a proposed light rail route to provide input to the Council on the physical design component of the preliminary design plans ("Plans"); and

WHEREAS, many residents and businesses have participated in numerous Commissions, Committees, Open Houses, and other Public Forums to provide feedback and assist with the evaluation of the Plans; and,

WHEREAS, on December 15, 2015, the Council submitted the Plans to the governing body of each statutory and home rule charter city, county, and town in which the route is proposed to be located; and

WHEREAS, public hearings are then required, which the City of Golden Valley held on February 2, 2016; and

WHEREAS, within 45 days of a joint hearing held by the Council and the Hennepin County Regional Rail Authority ("HCRRA"), which was held on January 19, 2016, the City of Golden Valley must review and approve or disapprove the Plans for the route to be located in the City of Golden Valley; and

WHEREAS, Minnesota Statutes Section 473.3994 provides that "a local unit of government that disapproves the plans shall describe specific amendments to the plans that, if adopted, would cause the local unit to withdraw its disapproval;" and

WHEREAS, approval or disapproval by the City of Golden Valley is part of the statutory preliminary design process; and

WHEREAS, City staff has reviewed the Plans and developed a report pertaining to these Plans and has made its recommendations; and

WHEREAS, the City of Golden Valley supports the implementation of the Project and is committed to supporting the Project through its successful implementation by 2021; and

WHEREAS, the City of Golden Valley will work with the Council throughout the design and construction process to resolve outstanding issues.

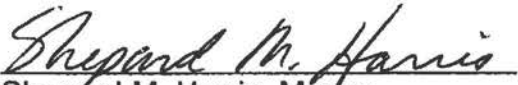
NOW, THEREFORE, BE IT RESOLVED that the City of Golden Valley provides its municipal approval of the Plans pursuant to Minnesota Statutes Section 473.3994 consistent with the above and directs City staff to submit the City of Golden Valley's approval to the Metropolitan Council.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City identifies the following concerns regarding certain impacts from the Project, as well as desired enhancements, and declares its full faith and trust in the Metropolitan Council's commitment to arrive at mutually acceptable solutions:

1. In order to protect the surrounding single family neighborhoods from congestion, public parking shall be provided as part of the project for riders who arrive at the Golden Valley Road station by automobile. The City continues to support collaboration with the Minneapolis Park and Recreation Board and the Blue Line Project Office on the design exploration of infrastructure at the station that accommodates parking while also serving as a trailhead for the many local and regional trails that converge in the area.
2. Roadway improvements, such as the reconfiguration of lanes and the development of better pedestrian crossings, to the Golden Valley Road and Theodore Wirth Parkway intersection shall be included as part of the project in order to address anticipated traffic and safety concerns resulting from a Golden Valley Road station.
3. Any impacts to Sochacki Park and to the surrounding neighborhoods during construction of the light rail project shall be mitigated as part of the project to the fullest extent possible, consistent with the Principles and Actions approved by the Sochacki Joint Powers Board on February 8, 2016. Sochacki Park shall be restored and enhanced at the conclusion of the project.
4. New or improved pedestrian and bicycle connections shall be incorporated into the design of bridges reconstructed over the Burlington Northern Santa Fe rail line as part of the light rail project.
5. Mitigation efforts shall be conducted as part of the project to reduce the impacts to Theodore Wirth Park, to Sochacki Park, and to surrounding neighborhoods of noise, vibration, lighting, aesthetics, and safety associated with stations and the operation of light rail vehicles.



6. The capacity of Trunk Highway 55 shall be preserved and enhanced in the future to accommodate projected growth and to reduce traffic diversions to lower capacity roadways in Golden Valley and Minneapolis, which would result in a decreased level of service and negatively impact adjacent neighborhoods.

  
Shepard M. Harris, Mayor

ATTEST:

  
Kristine A. Luedke, City Clerk

The motion for the adoption of the foregoing resolution was seconded by Member Snope and upon a vote being taken thereon, the following voted in favor thereof: Harris, Snope, Schmidgall, Clausen and Fonnest and the following voted against the same: none whereupon said resolution was declared duly passed and adopted, signed by the Mayor and his signature attested by the City Clerk.

**MOTION TO APPROVE THE PROPOSED TEMPORARY OCCUPANCY OF SOCHACKI PARK FOR CONSTRUCTION STAGING OF THE METRO BLUE LINE EXTENSION LRT PROJECT, CONTIGENT UPON PRICIPLES A THROUGH L:**

**Principle A:** The temporary occupancy of Sochacki Park is proposed solely by the Blue Line Extension Project Office (BPO), and is being proposed only due to the lack of prudent and feasible alternatives.

**Principle B:** BPO will provide an opportunity for the public to provide input on the proposed construction staging and park revegetation plan prior to construction.

**Principle C:** The proposed boundaries of impact are as shown on Map Attachment A Those boundaries within Robbinsdale may be adjusted at the discretion of the City of Robbinsdale, and those boundaries within the City of Golden Valley may be adjusted at the discretion of the City of Golden Valley.

**Principle D:** Any additional Golden Valley lands, including Bonnie Lane, may not be used for LRT construction or construction access without prior notice, review and formal approval by the City of Golden Valley.

**Principle E:** Sochacki will remain open for public use during LRT construction, and will include contiguous and safe north/south travel by pedestrians and bicyclists through the entire park. Access sites from the interim trail to the area east of the construction road will be provided in order to enhance access.

**Principle F:** If the BPO uncovers any environmental contamination in its use of Sochacki, the BPO will be responsible for required environmental remediation in accordance with Minnesota Pollution Control Agency (MPCA) permitting requirements.

**Principle G:** Any areas that are disturbed by construction activities that are adjacent to wetland and water bodies must be restored with native vegetation buffers in accordance with the Wetland Conservation Act and Section 404 of the Clean Water Act.

**Principle H:** BPO will incorporate the results of a BLRT Phase II Environmental Site Assessment (ESA) into construction staging planning. Phase II results and MPCA permitting requirements resulting from this site assessment will be communicated to JPA and the cities of Golden Valley and Robbinsdale.

**Principle I:** BPO will require their construction contractor to develop a final Sochacki Park Construction Staging Plan, consistent with mitigation commitments made to the JPA and the cities of Robbinsdale and Golden Valley and based on the results of further engineering and environmental investigations. Input from the JPA and the cities of Golden Valley and Robbinsdale will be sought prior to BPO accepting the Contractor's final Sochacki Park Construction Staging Plan.

**Principle J:** The Met Council will not be responsible for long-term operations and maintenance of all infrastructure restored and/or constructed by BPO.

**Principle K:** BPO commits to ongoing coordination with the JPA and the cities of Golden Valley and Robbinsdale. Coordination efforts will continue through all phases of BLRT project development, including engineering, final design, and construction.

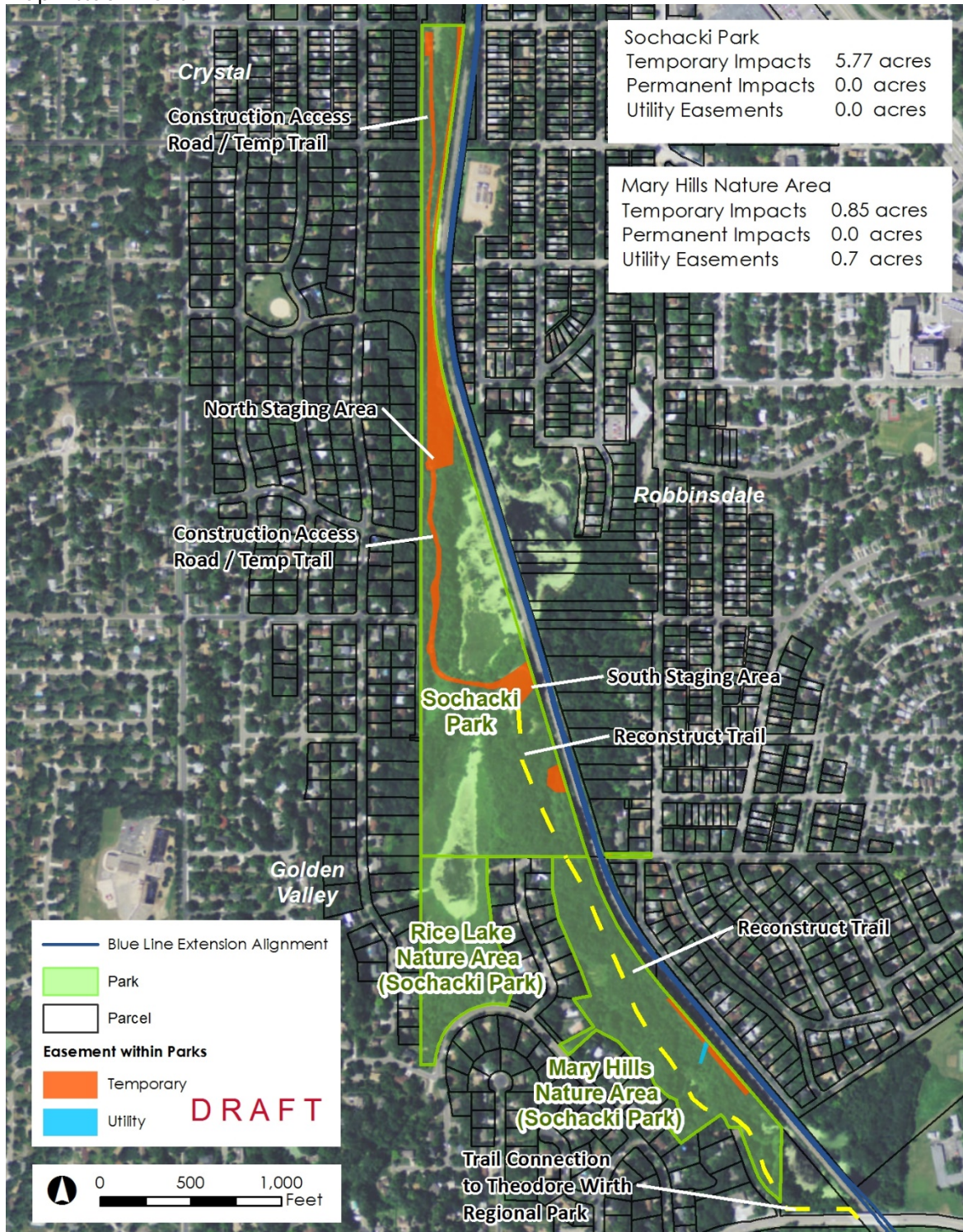
**Principle L:** The determination of temporary occupancy under Section 4(f) for Sochacki Park and the following subsequent actions to provide mitigation and equitable compensation was made based on the project definition within the Municipal Consent plans and the project's Final Environmental Impact Statement at a 15% level of design.

**MOTION TO RECOMMEND THE FOLLOWING 14 ACTIONS TO PROVIDE MITIGATION AND EQUITABLE COMPENSATION FOR THE TEMPORARY OCCUPANCY OF SOCHACKI PARK FOR CONSTRUCTION STAGING:**

- 1) Removal of existing vegetation as agreed to by BPO staff and JPA staff within the restoration zone, defined as A) the southern construction staging area, and B) the northern staging area (*See Map Attachment A*), blending into the adjacent disturbed areas in the NE quadrant of the park.
- 2) Removal and disposal of all surface rubble within the restoration zone, in accordance with MPCA permitting requirements.
- 3) Addition of clean fill and top soil in the restoration zone in accordance with MPCA permitting requirements and consistent with the re-use of this area as guided by stakeholders.
- 4) Development and implementation of a revegetation plan approved by the JPA staff. The plan will address all areas disturbed by construction activities, including secondary construction activities in the BNSF right-of-way such as moving the Xcel power lines. In addition, the plan will identify practicable additional thickening of the vegetative buffer such as plantings of evergreen trees between the Park and the LRT Corridor for the purposes of reducing visual impacts of the LRT on Park visitors.
- 5) In the southern staging area, N. Rice Lake water edge restoration work and vegetation plantings to provide learning opportunities for park users (design and species TBD).
- 6) Restoration of the existing paved interior road to provide for safe two way traffic.
- 7) Removal or replacement of the northern parking lot to be determined in consultation with JPA staff.
- 8) Reconstruction and expansion of the interior paved parking lot (exact site TBD in consultation with JPA staff), to include room for a school bus turnaround.
- 9) Clearing, revegetation and fencing of an area immediately east and north of the interior parking lot within the northern staging area for future use as a dog off leash area.
- 10) Providing practicable utility services to a site adjacent to the interior parking lot for future development of a bathroom/storm shelter, and drinking water fountain.
- 11) Ground preparation for a future education shelter sized for 50 students in a location TBD.
- 12) Construction of a water education platform on N Rice Lake
- 13) Redevelopment of a safe 10-foot wide paved trail through the length of the park, running from the northern entrance to the current trail terminus by Bonnie Lane; with restoration along the trail edge as needed.
- 14) Construction of an off-road trail connection from the existing terminus of the Sochacki Park trail at Bonnie Lane, crossing underneath the reconstructed Golden Valley Road Bridge and connecting to the existing trail in Theodore Wirth Regional Park.



Map Attachment A





June 28, 2016  
Kathryn O'Brien  
Metro Transit  
Blue Line Project Office

Dear Ms. O'Brien,

Three Rivers Park District has reviewed the Blue Line Light Rail Transit Amended Draft Section 4(f) Temporary Occupancy finding on park property adjacent to Rush Creek Regional Trail, located in Brooklyn Park, MN. As an owner of one of the properties potentially affected, Three Rivers Park District is participating in the Section 4(f) process as an Official with Jurisdiction.

#### **Section 4(f) Property Description**

The green space surrounding the Rush Creek Regional Trail is located north of, and generally parallel to, 101st Avenue between Elm Creek Park Reserve and Coon Rapids Dam Regional Park, both located in Hennepin County. There are two multi-use trail properties which lie within the property boundary of the park—the primary trail is a 10-foot wide multi-use paved trail and a secondary turf trail is situated south of and roughly parallel to the paved trail. The park property and both the trails lie within property owned by the Three Rivers Park District (TRPD). As the property is publicly owned and publicly accessible, and the Rush Creek Regional Trail is a park property of local significance, we wholeheartedly concur with the determination that it is a Section 4(f) protected property.

#### **Potential Impacts to the Park Property**

Three Rivers understands that 1.1 acres of the Rush Creek Regional Trail property would require a temporary easement for grading along Xylon Avenue. We also understand that the temporary easement would occur for approximately 12 calendar months; however, permitting the easement would not affect public access to the park and would not affect any recreational amenities of the Rush Creek Regional Trail property. Finally, we understand that additional time may be needed for restoration activities, depending on variables such as seasonal timing of the activities and weather conditions.

#### **Concurrence on Section 4(f) Finding**

As the Official with Jurisdiction for the park property adjacent to Rush Creek Regional Trail, Three Rivers Park District concurs with FTA's finding of Temporary Occupancy for the proposed BLRT Extension Project. We look forward to ongoing coordination with you and others at the Blue Line Project Office as the project advances into engineering and construction.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Vlaming".

Jonathan Vlaming  
Associate Superintendent  
Planning, Design and Technology

JCV/jjs

**MOTION TO APPROVE THE PROPOSED TEMPORARY OCCUPANCY OF SOCHACKI PARK FOR CONSTRUCTION STAGING OF THE METRO BLUE LINE EXTENSION LRT PROJECT, CONTIGENT UPON PRICIPLES A THROUGH L:**

**Principle A:** The temporary occupancy of Sochacki Park is proposed solely by the Blue Line Extension Project Office (BPO), and is being proposed only due to the lack of prudent and feasible alternatives.

**Principle B:** BPO will provide an opportunity for the public to provide input on the proposed construction staging and park revegetation plan prior to construction.

**Principle C:** The proposed boundaries of impact are as shown on Map Attachment A Those boundaries within Robbinsdale may be adjusted at the discretion of the City of Robbinsdale, and those boundaries within the City of Golden Valley may be adjusted at the discretion of the City of Golden Valley.

**Principle D:** Any additional Golden Valley lands, including Bonnie Lane, may not be used for LRT construction or construction access without prior notice, review and formal approval by the City of Golden Valley.

**Principle E:** Sochacki will remain open for public use during LRT construction, and will include contiguous and safe north/south travel by pedestrians and bicyclists through the entire park. Access sites from the interim trail to the area east of the construction road will be provided in order to enhance access.

**Principle F:** If the BPO uncovers any environmental contamination in its use of Sochacki, the BPO will be responsible for required environmental remediation in accordance with Minnesota Pollution Control Agency (MPCA) permitting requirements.

**Principle G:** Any areas that are disturbed by construction activities that are adjacent to wetland and water bodies must be restored with native vegetation buffers in accordance with the Wetland Conservation Act and Section 404 of the Clean Water Act.

**Principle H:** BPO will incorporate the results of a BLRT Phase II Environmental Site Assessment (ESA) into construction staging planning. Phase II results and MPCA permitting requirements resulting from this site assessment will be communicated to JPA and the cities of Golden Valley and Robbinsdale.

**Principle I:** BPO will require their construction contractor to develop a final Sochacki Park Construction Staging Plan, consistent with mitigation commitments made to the JPA and the cities of Robbinsdale and Golden Valley and based on the results of further engineering and environmental investigations. Input from the JPA and the cities of Golden Valley and Robbinsdale will be sought prior to BPO accepting the Contractor's final Sochacki Park Construction Staging Plan.

**Principle J:** The Met Council will not be responsible for long-term operations and maintenance of all infrastructure restored and/or constructed by BPO.

**Principle K:** BPO commits to ongoing coordination with the JPA and the cities of Golden Valley and Robbinsdale. Coordination efforts will continue through all phases of BLRT project development, including engineering, final design, and construction.

**Principle L:** The determination of temporary occupancy under Section 4(f) for Sochacki Park and the following subsequent actions to provide mitigation and equitable compensation was made based on the project definition within the Municipal Consent plans and the project's Final Environmental Impact Statement at a 15% level of design.

**MOTION TO RECOMMEND THE FOLLOWING 14 ACTIONS TO PROVIDE MITIGATION AND EQUITABLE COMPENSATION FOR THE TEMPORARY OCCUPANCY OF SOCHACKI PARK FOR CONSTRUCTION STAGING:**

- 1) Removal of existing vegetation as agreed to by BPO staff and JPA staff within the restoration zone, defined as A) the southern construction staging area, and B) the northern staging area (*See Map Attachment A*), blending into the adjacent disturbed areas in the NE quadrant of the park.
- 2) Removal and disposal of all surface rubble within the restoration zone, in accordance with MPCA permitting requirements.
- 3) Addition of clean fill and top soil in the restoration zone in accordance with MPCA permitting requirements and consistent with the re-use of this area as guided by stakeholders.
- 4) Development and implementation of a revegetation plan approved by the JPA staff. The plan will address all areas disturbed by construction activities, including secondary construction activities in the BNSF right-of-way such as moving the Xcel power lines. In addition, the plan will identify practicable additional thickening of the vegetative buffer such as plantings of evergreen trees between the Park and the LRT Corridor for the purposes of reducing visual impacts of the LRT on Park visitors.
- 5) In the southern staging area, N. Rice Lake water edge restoration work and vegetation plantings to provide learning opportunities for park users (design and species TBD).
- 6) Restoration of the existing paved interior road to provide for safe two way traffic.
- 7) Removal or replacement of the northern parking lot to be determined in consultation with JPA staff.
- 8) Reconstruction and expansion of the interior paved parking lot (exact site TBD in consultation with JPA staff), to include room for a school bus turnaround.
- 9) Clearing, revegetation and fencing of an area immediately east and north of the interior parking lot within the northern staging area for future use as a dog off leash area.
- 10) Providing practicable utility services to a site adjacent to the interior parking lot for future development of a bathroom/storm shelter, and drinking water fountain.
- 11) Ground preparation for a future education shelter sized for 50 students in a location TBD.
- 12) Construction of a water education platform on N Rice Lake
- 13) Redevelopment of a safe 10-foot wide paved trail through the length of the park, running from the northern entrance to the current trail terminus by Bonnie Lane; with restoration along the trail edge as needed.
- 14) Construction of an off-road trail connection from the existing terminus of the Sochacki Park trail at Bonnie Lane, crossing underneath the reconstructed Golden Valley Road Bridge and connecting to the existing trail in Theodore Wirth Regional Park.



Map Attachment A







# United States Department of the Interior

Office of the Secretary  
Office of Environmental Policy and Compliance  
1849 C Street, NW – MS 2462-MIB  
Washington, D.C. 20240

**AUG - 9 2016**

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PEP/NRM

ER-14/0235

Ms. Marisol Simon, Region V  
Regional Administrator  
Federal Transit Administration  
200 West Adams Street, Suite 320  
Chicago, Illinois 60606

Re: Metro Blue Line Light Rail Extension, Hennepin County, Minnesota

Dear Ms. Simon:

The Department of the Interior (Department) has reviewed the Final Environmental Impact Statement (EIS) and Section 4(f) Evaluation for the Metro Blue Line Light Rail Extension, Hennepin County, Minnesota. The Department offers the following comments and recommendations for your consideration.

## **Section 4(f) Comments**

The Federal Transit Administration (FTA), along with the Metropolitan Council (a regional planning and coordinating body for the seven-county metropolitan area; Council), proposed the construction and operation of the Metro Blue Line Light Rail Extension (formerly the Bottineau Transitway). The project proposes to build a light rail transit system extending approximately 13 miles from downtown Minneapolis to the northwest suburbs. The Draft Section 4(f) Evaluation in 2014, identified several properties in the project study area eligible to be considered under Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303). The Department reviewed the amended evaluation in June of 2016, and concurred that there were no feasible or prudent avoidance alternatives to the preferred alternative presented. Thus, this preferred alternative will result in impacts to the Grand Rounds Historic District and the Osseo Branch of the St. Paul, Minneapolis and Manitoba Railway Historic District. We noted that the amended evaluation demonstrated efforts were made to avoid impacts to Section 4(f) resources and to find ways to reduce the severity of the impacts in consultation with the State Historic Preservation Officer and other consulting parties. We declined to concur that all possible planning needed to minimize harm to Section 4(f) resources had been employed because there was no evidence of an executed agreement document to provide a finalized set of mitigation actions for those historic properties. Upon review of the Final EIS and Section 4(f) Evaluation, the Department now concurs there is evidence that all possible planning was done to minimize harm to Section 4(f) resources.

The Department has a continuing interest in working with the FTA to ensure impacts to resources of concern to the Department are adequately addressed. For issues concerning Section 4(f) resources, please contact Regional Environmental Coordinator Nick Chevance, Midwest Regional Office, National Park Service, 601 Riverfront Drive, Omaha, Nebraska 68102, telephone 402-661-1844.

We appreciate the opportunity to provide these comments.

Sincerely,



Michaela E. Noble  
Director, Office of Environmental  
Policy and Compliance