



## 8 Summary of Supplemental Draft Section 4(f) and 6(f) Evaluation

Below is a summary comparing the impacts and mitigation in the 2016 Alignment with the Project Alignment.

Table 8-1 Comparison of Impacts and Mitigation – 2016 Alignment and Project Alignment

Resource	Did FEIS/ROD Identify an Impact and Mitigation?	Do the Proposed Modifications Change the Impacts to this Resource?	Do the Proposed Modifications Change the Mitigation?	Section Where Additional Information can be Found
Section 4(f)/6(f)	Yes, Section 4(f) use of multiple properties and Section 6(f) conversion of parkland in Sochacki Park to be mitigated in accordance with Section 6(f) requirements.	Reduced impacts on Section 4(f) resources and avoidance of Section 6(f) resources.	Mitigation not required; impacts are <i>de minimis</i> .	8.3

This chapter presents a summary of the Supplemental Draft Section 4(f) and 6(f) Evaluation for the Project. Section 4(f) refers to USDOT *Department of Transportation Act of 1966* and applies only to transportation-related encroachments to public-owned recreational or publicly and privately-owned cultural resources. Section 4(f) of the *Department of Transportation Act of 1966* is a federal law intended to prevent conversion of certain parks, wildlife and waterfowl refuges, recreation areas or historic properties to transportation use, unless the USDOT determines there is no feasible and prudent alternative, and all possible planning has been done to minimize harm to the Section 4(f) properties. See Appendix A-8 for the complete Supplemental Draft Section 4(f) and 6(f) Evaluation, including regulatory background/methodology, analysis of properties associated with the various alignment and design options that were not incorporated into the Build Alternative but considered early in the supplemental environmental review process, use of properties, coordination, and preliminary determinations of Section 4(f) use and Section 6(f) impacts.

### 8.1 Introduction

The Supplemental Draft Section 4(f) Evaluation provides updated information on the Project’s Section 4(f). See Appendix A-8 for additional regulatory background, definitions, and information regarding Section 6(f) properties. The 2016 Alignment has changed since the publication of the Final Section 4(f) Evaluation and Concurrence Documentation (Attachment C in the 2016 ROD). In particular, the Supplemental Draft Section 4(f) Evaluation provides updated information regarding potential impacts to Section 4(f) and 6(f) properties for the Project, as defined by this Supplemental Draft EIS, and also presents information regarding Section 4(f) resources where the assessment of impacts has not changed from the 2016 ROD. FTA is seeking comments on the potential impact to these Section 4(f) properties.

Table 8-2 describes the preliminary determinations for the Section 4(f) properties affected by the Build Alternative, including no direct use determinations, six preliminary Section 4(f) *de minimis* impact determinations, seven temporary occupancy determinations, and nine no use determinations. The locations of these Section 4(f) properties are shown in Figure 8-1 through Figure 8-4 along with the Project Alignment and LRT stations, and the Project’s Section 106 APE.



**Table 8-2 Impacts to Section 4(f) Properties (Build Alternative)**

Section 4(f) Property	Associated with Build Alternative	Property Type	Official with Jurisdiction	Direct Use	De minimis Use	Temporary Occupancy	No Use
Park property adjacent to Rush Creek Regional Trail <sup>a</sup>	Yes	Park	Three Rivers Park District (TRPD)			✓	
College Park <sup>b</sup>	Yes	Park	City of Brooklyn Park		✓		
Tessman Park (identified as Unnamed Park in 2016 Final EIS) <sup>a</sup>	Yes	Park	City of Brooklyn Park		✓		
Crystal Lake Regional Trail	Yes	Trail	TRPD			✓	
Becker Park <sup>a, b</sup>	Yes	Park	City of Crystal				✓
Graeser Park (park property)	Yes	Park	City of Robbinsdale				✓
Twin Lakes Boat Launch	Yes	Park	TRPD			✓	
Spanjers Park	Yes	Park	City of Robbinsdale			✓	
Lakeview Terrace Park/Crystal Lake Boat Ramp	Yes	Park	City of Robbinsdale			✓	
Victory Memorial Pkwy <sup>c</sup> and Theodore Wirth Pkwy	Yes	Park	Minneapolis Park and Recreation Board (MPRB)		✓		
North Commons Park	Yes	Park	MPRB				✓
Cottage Park	Yes	Park	MPRB				✓
2105 Girard Ave N and associated parcels	Yes	Undesignated recreation property	Minneapolis Public School District		✓		
Minneapolis & Pacific/Soo Line Railway Historic District	Yes	Historic	SHPO				✓
W Broadway Ave Residential Historic District <sup>a</sup>	Yes	Historic	SHPO		✓		
Hennepin County Library: City of Robbinsdale Branch <sup>a</sup>	Yes	Historic	SHPO			✓	
Graeser Park (historic property)	Yes	Historic	SHPO			✓	
Grand Rounds Historic District: Victory Memorial and Theodore Wirth <sup>a</sup> segments	Yes	Historic	SHPO		✓		
Pilgrim Heights Community Church	Yes	Historic	SHPO				✓
Osseo Branch, St. Paul Minneapolis & Manitoba Railway Historic District <sup>a</sup>	Yes	Historic	SHPO				✓
Minneapolis Warehouse District <sup>a</sup>	Yes	Historic	SHPO				✓
St. Paul Minneapolis & Manitoba Railway Historic District (City of Minneapolis) <sup>a</sup>	Yes	Historic	SHPO				✓

See Appendix A-8 of this Supplemental Draft EIS for definitions of the potential types of Section 4(f) uses.

<sup>a</sup> Section 4(f) resource listed in 2016 ROD.

<sup>b</sup> Property developed with LWCF Act grant assistance.

<sup>c</sup> Property developed with Outdoor Recreation Grant Program funding assistance.



Figure 8-1 Park Resources: Northern Portion of the Project Alignment

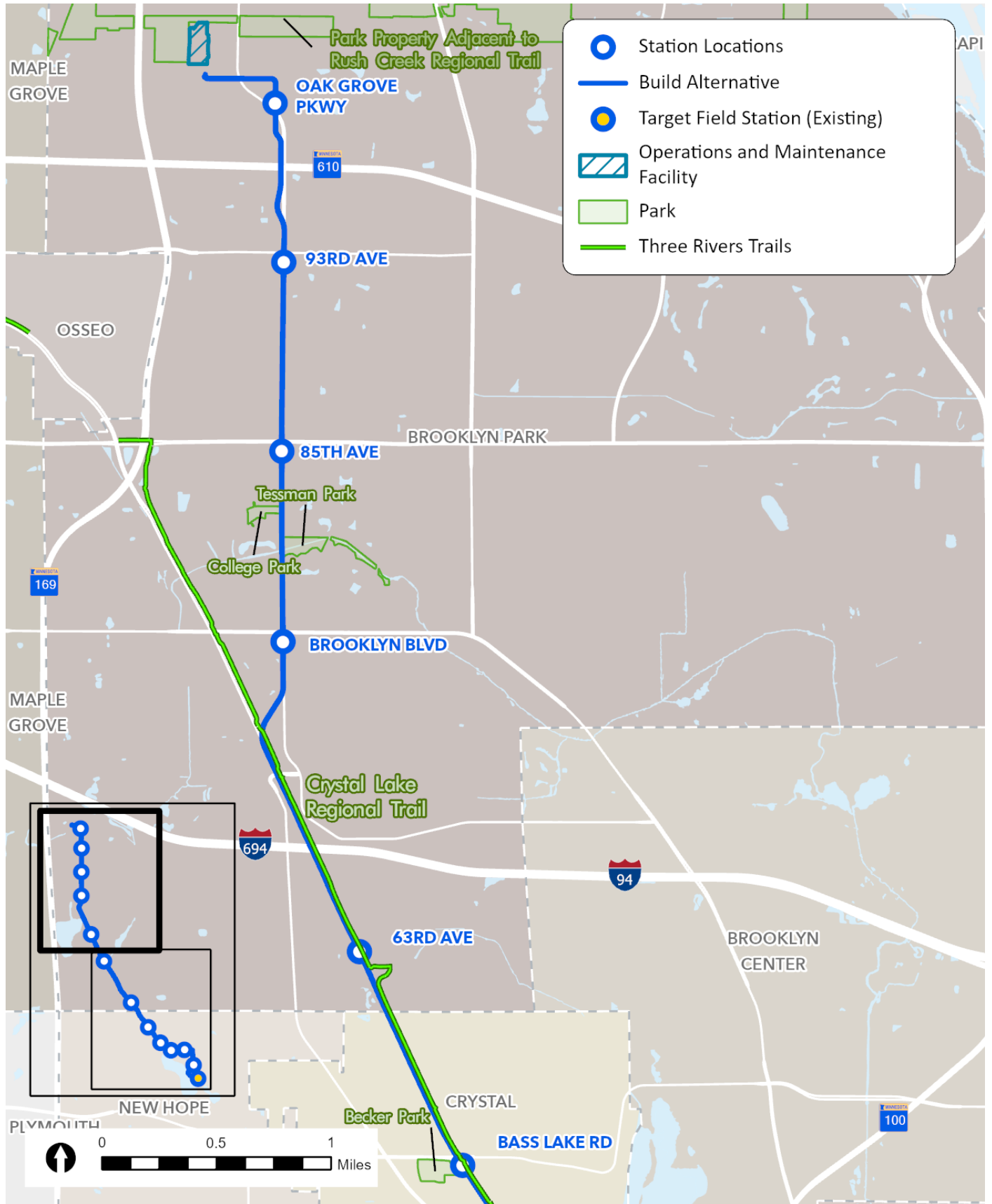




Figure 8-2 Park Resources: Southern Portion of the Project Alignment

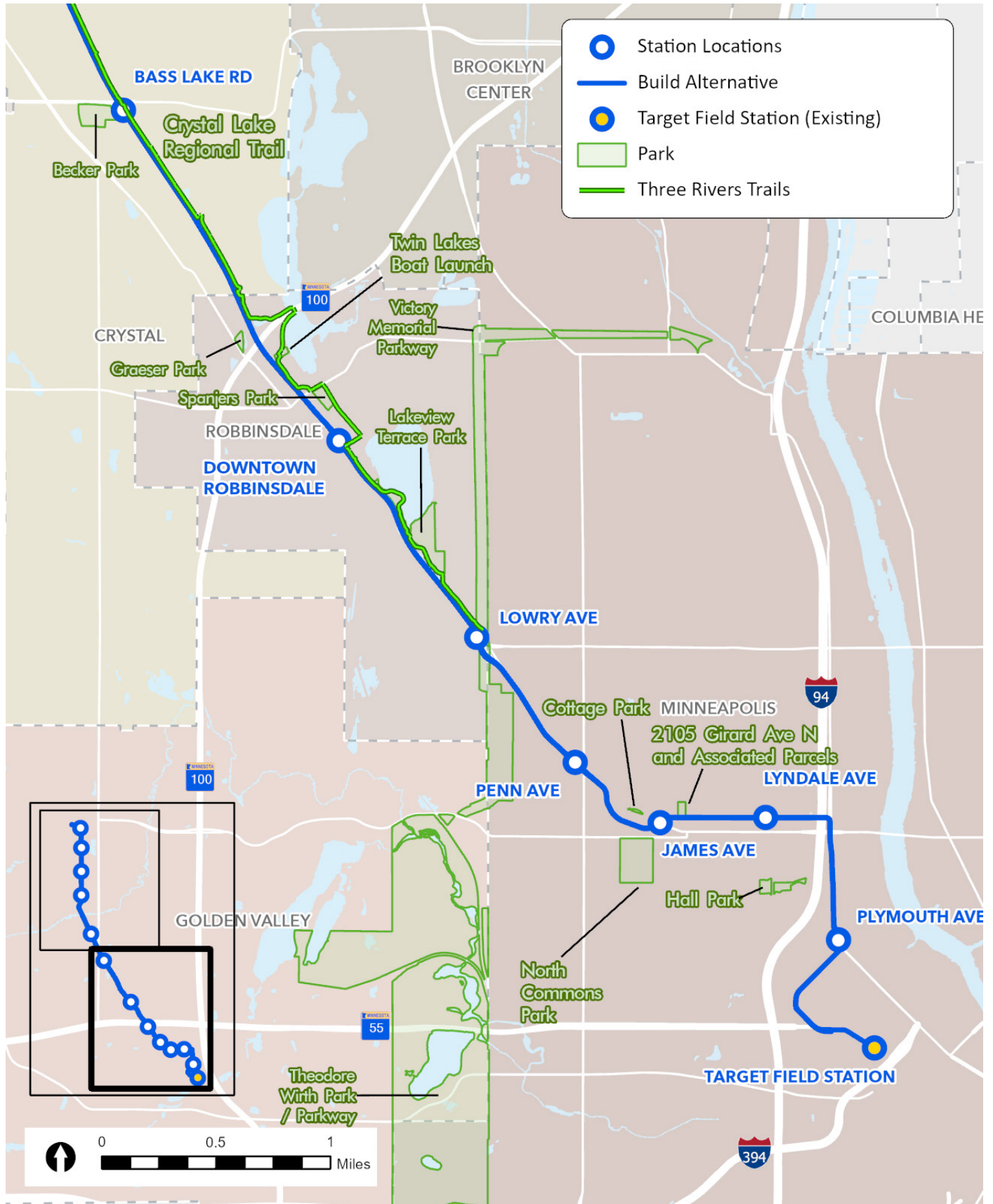




Figure 8-3 Historic Sites: Northern Portion of the Project Alignment

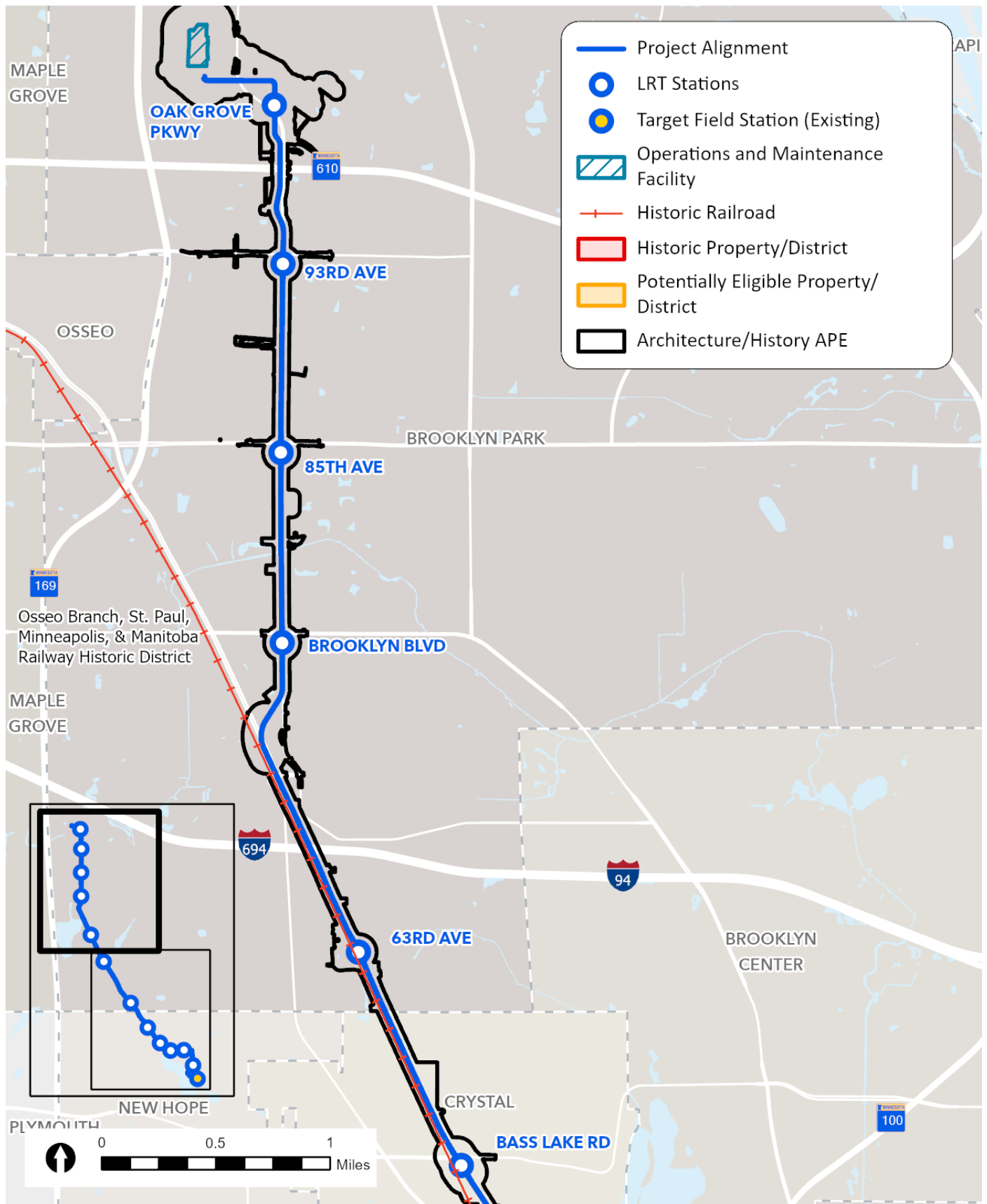
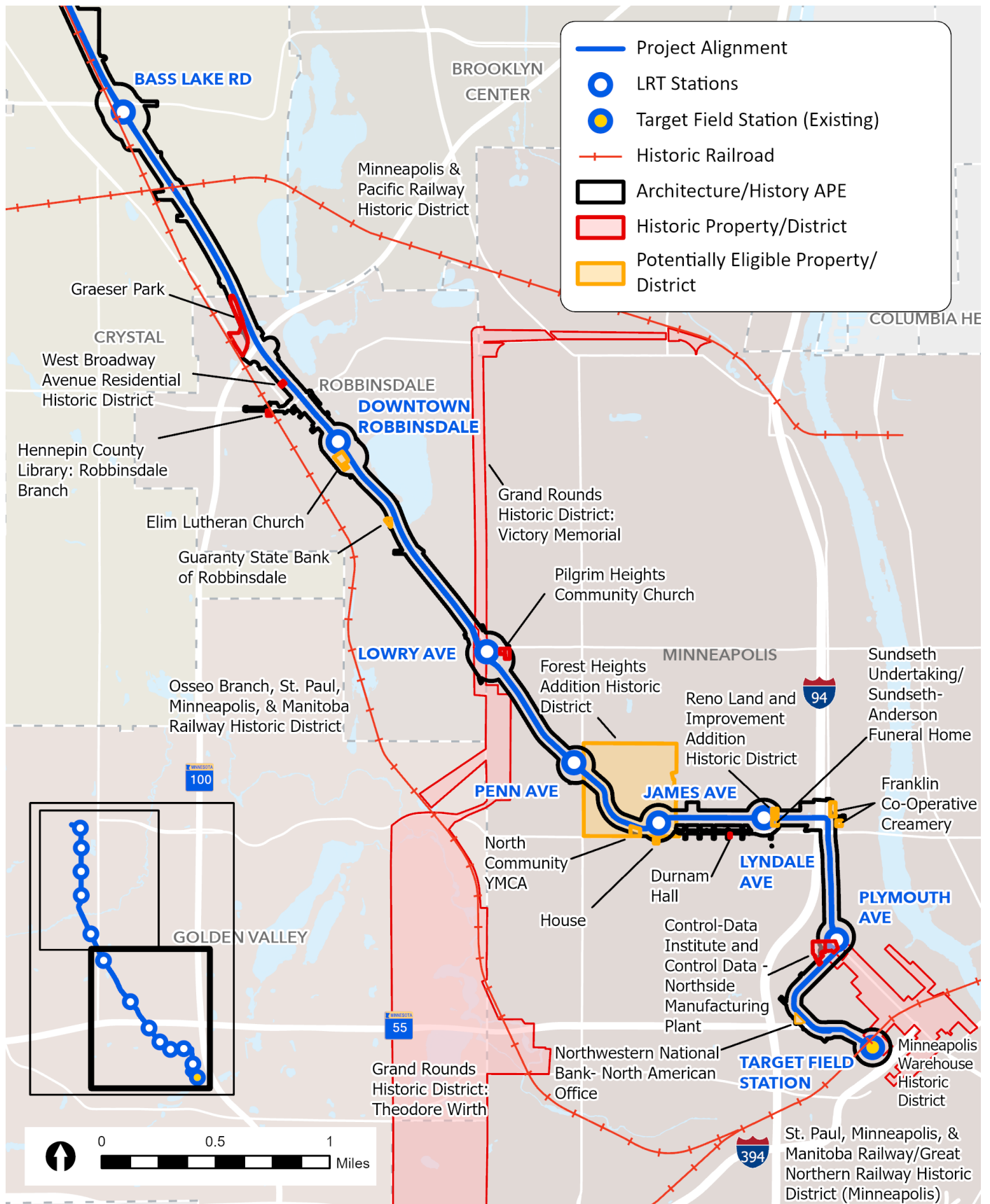






Figure 8-4 Historic Sites: Southern Portion of the Project Alignment





FTA invites public and agency review and comment on the revised impact analysis. Comments received concerning the revised Section 4(f) evaluations will be considered by FTA and the entities with jurisdiction over the Section 4(f) properties prior to making Section 4(f) determinations for those properties.

Appendix A-E includes the conceptual engineering drawings referenced this Supplemental Draft Section 4(f) Evaluation. In summary, this report documents FTA's revised, preliminary Section 4(f) use determinations for Section 4(f) properties (including *de minimis* uses) because of the Project.

## 8.2 Changes in the Project

Table 8-3 summarizes the changes in potential impacts to Section 4(f) properties made in the Supplemental Draft Section 4(f) Evaluation compared to the 2016 ROD/Final Section 4(f) Evaluation. These changes are mainly due to the change in the 2016 Alignment. As noted in Chapters 1 and 2, after the publication of the 2016 Final EIS and ROD, the local Project sponsors (Council and Hennepin County) evaluated various alignment options and identified a Build Alternative. In addition to the 2016 Alignment changes, Xylon Ave N (in the City of Brooklyn Park) has been constructed by others, including a crossing of Rush Creek Regional Trail. The proposed OMF is located east of Xylon Ave N and south of Rush Creek Regional Trail.

## 8.3 Supplemental Draft Section 4(f) Evaluation Summary

FTA is issuing a revised, preliminary Section 4(f) *de minimis* use or temporary occupancy use determinations for 12 Section 4(f) properties along the Project Alignment. The rationale for the revised, preliminary determinations is documented in Appendix A-8. In general, the Supplemental Draft Section 4(f) Evaluation is based on the current level of design for the Project.

The documentation and figures in Appendix A-8 provide detail on the Project improvements and construction activities and their impacts on Section 4(f) properties. Table 8-4 summarizes the type of use and magnitude of impact to each Section 4(f) property. The Project would not require direct use of any Section 4(f) property, four properties would require a *de minimis* use and seven properties would require temporary occupancy.

## 8.4 Federally and State-Funded Parks

Many parks and recreational facilities are developed through funding that restricts the use of the property. Some federally and state-funded programs require the land to be retained and operated solely for outdoor recreation, and any conversion of any portion of the land to a different use would require approval of the funding entity and the replacement of the converted land. The two programs under which impacted parks and recreation areas were funded that restrict their use include the federal LWCF Act Program of Assistance to States and Urban Parks, commonly referred to as Section 6(f), and Minnesota's Outdoor Recreation Grant Program.

A review of the LWCF grants database and consultation with DNR indicate that one property was developed with LWCF grant assistance within the Project area: Becker Park. This property would not be impacted by the Project (see Figure 8-15 in Appendix A-8).

A review of the DNR database of Grant-Funded Parks and Natural Areas Subject to Permanent Grant Program Requirements indicated that one property that was developed through program funding is located within the Project area: Victory Memorial Pkwy. Council and FTA are coordinating with DNR to determine the appropriate next steps to obtain approvals, if necessary, for the temporary construction activities that would occur within the Victory Memorial Parkway limits.



**Table 8-3 Comparison of Impacts to Section 4(f) Properties in the 2016 Final EIS and ROD and Supplemental Draft Section 4(f) Evaluations (Build Alternative Only)**

Property	2016 ROD Section 4(f) Determination	Supplemental Draft Section 4(f) Preliminary Determination
Park property adjacent to Rush Creek Regional Trail	Temporary occupancy	Temporary occupancy
College Park	No use	<i>De minimis</i> use
Tessman Park (identified as Unnamed Park in 2016 Final EIS)	No use	<i>De minimis</i> use
Crystal Lake Regional Trail	Not evaluated	Temporary occupancy
Becker Park	Temporary occupancy	No use
Graeser Park (park property)	Not evaluated	No use
Twin Lakes Boat Launch	Not evaluated	Temporary occupancy
Spanjers Park	Not evaluated	Temporary occupancy
Triangle Park	No use	No longer within 300' <sup>a</sup>
Lakeview Terrace Park/Crystal Lake Boat Ramp	Not evaluated	Temporary occupancy
Lee Park	No use	No longer within 300' <sup>a</sup>
South Halifax Park	Temporary occupancy	No longer within 300' <sup>a</sup>
Sochacki Park: Sochacki Management Unit	Temporary occupancy	No longer within 300' <sup>a</sup>
Sochacki Park: Mary Hills Management Unit	Temporary occupancy	No longer within 300' <sup>a</sup>
Glenview Terrace Park	<i>De minimis</i> use	No longer within 300' <sup>a</sup>
Theodore Wirth Regional Park	<i>De minimis</i> use	No longer within 300' <sup>a</sup>
Harrison Park	No use	No longer within 300' <sup>a</sup>
Victory Memorial Pkwy and Theodore Wirth Pkwy	Not evaluated	<i>De minimis</i> use
North Commons Park	Not evaluated	No use
Cottage Park	Not evaluated	No use
2105 Girard Ave N and associated parcels	Not evaluated	<i>De minimis</i> use
Minneapolis & Pacific/Soo Line Railway Historic District	No use	No use
Jones-Osterhus Barn	No use	No longer within APE
W Broadway Ave Residential Historic District	No use	<i>De minimis</i> use
Hennepin County Library: City of Robbinsdale Branch	No use	Temporary occupancy
Robbinsdale Waterworks	No use	No longer within APE
Sacred Heart Catholic Church	No use	No longer within APE
Graeser Park (historic property)	Not evaluated	Temporary occupancy
Grand Rounds Historic District: Victory Memorial and Theodore Wirth segments	Victory Memorial: not evaluated; Theodore Wirth: direct use	<i>De minimis</i> use
Pilgrim Heights Community Church	Not evaluated	No use
Osseo Branch, St. Paul Minneapolis & Manitoba Railway Historic District	Direct use	No use
Homewood Historic District	No use	No longer within APE
Bridge No. L9327	No use	No longer within APE
Floyd B. Olson Memorial Statue	No use	No longer within APE
Labor Lyceum	No use	No longer within APE
Wayman African Methodist Episcopal Church	No use	No longer within APE
Sumner Branch Library	No use	No longer within APE
Northwestern Knitting Company Factory	No use	No longer within APE
Minneapolis Warehouse District	No use	No use
St. Paul Minneapolis & Manitoba Railway Historic District (City of Minneapolis)	No use	No use

<sup>a</sup> See Appendix A-8 Sub-Section 8.4: 350' is used because it is the unobstructed screening distance for FTA noise impact assessments and allows for identification of noise impacts to Section 4(f) properties.





Table 8-4 Summary of Preliminary Section 4(f) Property Impacts<sup>a</sup>

Section 4(f) Property	Direct Use	De minimis Use	Temporary Occupancy	Existing Property Magnitude <sup>b</sup>	Percentage of Property Used
Park property adjacent to Rush Creek Regional Trail	N/A	N/A	No use of trail itself; <0.01 acres of temporary easement of property associated with trail	6.4 miles	0%
College Park	N/A	0.05 acres	0.03 acres	6.0 acres	Less than 1%
Tessman Park	N/A	0.14 acres	2.02 acres	16.0 acres	Less than 1%
Crystal Lake Regional Trail	N/A	N/A	2,770 feet (City of Robbinsdale) 2,850 feet (City of Crystal)	8.4 miles	0%
Twin Lakes Boat Launch	N/A	N/A	0.54 acres	2.1 acres	0%
Spanjers Park	N/A	N/A	0.01 acres	4.5 acres	0%
Lakeview Terrace Park/Crystal Lake Boat Ramp	N/A	N/A	0.91 acres	26.0 acres	0%
Victory Memorial Pkwy and Theodore Wirth Pkwy	N/A	7.05 acres	N/A <sup>c</sup>	100.0 acres (Victory Memorial); 65.2 acres (Theodore Wirth)	Less than 5%
2105 Girard Ave N and associated parcels	N/A	<0.01 acres	0.03 acres	1.0 acres	Less than 1%
W Broadway Ave Residential Historic District	N/A	0.041 acres	0.22 acres	10.3 acres	Less than 1%
Hennepin County Library: City of Robbinsdale Branch	N/A	N/A	0.02 acres	0.3 acres	0%
Graeser Park (historic property)	N/A	N/A	2.97 acres	7.09 acres	0%
Grand Rounds Historic District	N/A	7.05 acres	N/A <sup>c</sup>	4,662 acres	Less than 1%

<sup>a</sup> See Appendix A-8 of this Supplemental Draft EIS for definitions of the potential types of Section 4(f) uses.

<sup>b</sup> All acreages in this table are approximate and values are subject to change with design refinement and in coordination with OWJs through the Section 4(f) process. Updates will be provided in the SFEIS.

<sup>c</sup> Based on the ongoing coordination with MPRB the 4(f) path anticipated is *de minimis*.