

**Meeting Title:** SWLRT Section 106 Consultation – Meeting Notes

**Date:** 2/24/2015      **Time:** 1:00 pm      **Duration:** 1.5 hrs

**Location:** Southwest LRT Project Office , Conference Room A  
6465 Wayzata Boulevard, Suite 500  
St Louis Park, MN 55426

**Meeting called by:** Greg Mathis, MnDOT Cultural Resources Unit (CRU)

**Attendees:** SHPO: Sarah Beimers  
Eden Prairie: Regina Rojas  
Hopkins: Nancy Anderson  
St. Louis Park: Meg McMonigal  
MPRB: Jennifer Ringold, Michael Schroeder  
KIAA: Kathy Lowe, Casie Moen  
CIDNA: Craig Westgate  
SPO: Caroline Miller, Dan Pfeiffer, Sophia Ginis, Mark Bishop, Leon Skiles, Jenny Bring  
FTA (phone): Amy Zaref

**Purpose of Meeting:** Meeting with consulting parties to continue Section 106 consultation.

**AGENDA & DISCUSSION:**

1. Welcome and Introductions

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2. Approval of 2/6/2015 consultation meeting notes
  - Greg Mathis asked if there were any comments from reviewing meeting notes. None of the consulting parties provided comments. Greg asked for any comments on the materials sent to the consulting within a day or two of this meeting.

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3. Section 106 Agreement Overview
  - Greg presented the difference between a Memorandum of Agreement (MOA) and a Programmatic Agreement (PA), described the different components of a Section 106 agreement, and explained how Section 106 agreements are executed and the roles of signatories. He also presented the signatories for the Southwest Light Rail Transit (SWLRT) project Section 106 agreement:
    - Signatories: Federal Transit Administration (FTA), United States Army Corps of

Engineers (USACE), Minnesota State Historic Preservation Office (SHPO), and the Advisory Council on Historic Preservation (ACHP) if it chooses to participate

- Invited signatories: Metropolitan Council , and possibly Hennepin County
- Concurring parties: all other entities participating in this meeting, including local governments, neighborhood groups, and property owners
- Sarah Beimers from the Minnesota State Historic Preservation Office (SHPO) commented that the Area of Potential Effect (APE) will also be documented in the 106 Agreement.
- Greg responded that the project intends to include the draft Section 106 Agreement (including the APE documentation as SHPO mentioned) in the FEIS, and a final, executed agreement as an attachment to the ROD.
- Greg provided the Central Corridor (Green Line) Programmatic Agreement as an example of a Section 106 Agreement and provided a link to the Advisory Council on Historic Preservation (ACHP) website for further information on Section 106 agreements. No further questions or comments were made on this topic. SPO and MnDOT CRU will continue discussion on the Section 106 Agreement at a future meeting.

#### 4. Discussion on effects to historic properties - Corridor-wide

- Greg presented a revised draft Determination of Effects on Historic Properties table (effects table). Both a redlined and clean version were provided so consulting parties can see the changes that occurred from when it was last shared in the November 2014 consultation package.
- Greg explained that the effects table has been revised to include additional information: summary of comments received from the consulting parties, responses from SPO/FTA/MnDOT CRU, and next steps (work in progress). The effects table includes three sections as was the November version. There were no comments on Section 1 historic properties. Discussion related to historic properties in Sections 2 & 3 of the effects table are summarized below:
- Chicago, Milwaukee & St. Paul R.R. Depot
  - Meg McMonigal from the City of St. Louis Park asked when the signal bungalow location will be determined
    - Mark Bishop from SPO responded that design refinements to this area, including the signal bungalow location, will come through the consultation process and are under discussion as part of the advanced design process.
  - Meg agrees with proposal in effects table to move the signal bungalow further west to minimize effect on the depot and the next steps for measures to incorporate in the Section 106 agreement.
  - No further consultation required other than how mitigation is addressed in the Section 106 agreement
- Peavey-Haglin Experimental Concrete Grain Elevator
  - SHPO commented that FTA needs to consult with the National Park Service (NPS) and possibly the ACHP because this property is a National Historic Landmark (NHL);

there are special provisions in NHPA (Section 101) and in 36 CFR 800.10 regarding NHL's that need to be addressed.

- **Action: MnDOT CRU/FTA will look into this and follow up with SHPO**
- Minikahda Club
  - Greg explained that after the 11/24/2014 consultation meeting the Project re-visited the design of the pedestrian crossing to consider ways to avoid and minimization impacts, resulting in design changes that avoid the adverse effect, resulting in a determination of no adverse effect. All agreed with the no adverse effect determination with continued consultation
  - Craig Westgate from the Cedar-Isles-Dean Neighborhood Association (CIDNA) expressed concerned that the revised design creates a longer crosswalk
  - SHPO asked that the project submit changes as a formal submittal to SHPO for concurrence.
    - Greg confirmed that these changes would be included in a future formal submittal to the SHPO.
  - **Action: Submit changes for Minikahda Club to SHPO for formal review as part of FTA's effect determination.**
  - Meg asked if the City of Minneapolis was represented at the meeting today. Greg responded that the City of Minneapolis representatives, Brian Schaffer and Jack Byers, had conflicts and were not able to attend
  - **Action: Project will mail them copies of the meeting materials**
  - Mark noted that Paul Miller from City of Minneapolis Public Works and other City staff have approved the updated design plan
- No further consultation required other than how mitigation is addressed in the Section 106 agreement Lake Calhoun (Grand Rounds Historic District [GRHD] element)
  - CIDNA, SHPO and Minneapolis Park and Recreation Board (MPRB) representatives discussed the West Lake Multi-Modal Study that is being scoped for the West Lake Station (study area includes Minikahda Club and Lake Calhoun). They are concerned about pedestrian accessibility and safe access to the Lake Calhoun Playing Fields. Concern is related to increased vehicular traffic.
  - Craig asked why the pedestrian access at Minikahda Club was redesigned, without addressing all pedestrian access for the Lake Calhoun area. Mark Bishop responded that the Memorandum of Understanding (MOU) with Minneapolis defined specific intersection improvements, but that the multi-modal traffic study would identify other areas that were not included in the MOU.
    - **Action: Provide update on scope for the Minneapolis lead West Lake Street Station multi-modal traffic study**
  - Jennifer Ringold from MPRB the stated that the MPRB needs to review the scope of the multi-modal traffic study before providing further comments regarding their concerns about traffic and parking. They will include comments in their comments due on 3/5/15.
  - Craig expressed concerned about parking and pedestrian access in the whole area,

which needs to be addressed. Greg responded that this is beyond Section 106, which is focused on historic properties, but is something that would be addressed in the NEPA process and documentation.

- Lake Calhoun will require further discussion and consultation
- Cedar Lake Parkway (GRHD element)
  - In response to the MPRB concern about retaining the current quiet zone status, Greg explained that the LRT will be in a tunnel and, therefore, not present any noise issues at the parkway.
  - Jennifer expressed concerned about post construction, operational quiet zone for freight.
    - Mark responded that this has been discussed with FRA and FRA is okay with it retaining its quiet zone status. This area is currently a quiet zone. SPO is coordinating with FRA and city on continuation of current quiet zone after construction. This is not a specific 106 issue, but our engineers did respond to questions during this meeting and are working closely with FRA This issue will be documented as part of the NEPA process.
    - **Action: MPRB requests documentation that quiet zone will be in place post construction.**

**Action: Provide FRA documentation that quiet zone status will remain at Cedar Lake Parkway after construction**

- Jennifer and Michael Schroeder from the MPRB expressed concern about the appearance of the tunnel portals since they have not yet been designed and agrees with provisions proposed for the Section 106 agreement to consult on design of tunnel portals and to design the portals in accordance with the *Secretary of the Interior's Standards* (SOI's Standards). This would address their concerns.
- Further consultation on design of the portals will be included in discussion of how mitigation is addressed in the Section 106 Agreement.
- Neils House
  - Kathy Lowe from the Kenwood-Isles Area Association (KIAA) commented on traffic impacts, parking, and safety disrupting setting. Kathy stated that there are planned to be 1,600 daily riders at this station and is concerned with how riders will get to the station and where they will park
  - Kathy asked about timing of traffic analysis results and how this corresponds with publishing of the FEIS.
  - Kathy requested results of traffic analysis prior to determination of effect.
    - Greg replied that the traffic analysis will be included in the FEIS. This will be discussed during future meetings when the study will be completed.
  - **Action: SPO to provide update on traffic analysis when completed**
  - Greg asked KIAA to clarify a comment in its 12/10/14 letter about effects on historic properties from light emitted from LRT trains during operations. Kathy responded that the comment was made by another person within KIAA. She will follow up with

- others at KIAA and provide a response in their comments
- KIAA asked that construction vibration analysis be done before final determination of effect is made.
- Sarah commented that continued consultation is needed on the Neils House due to unresolved issues about effects of traffic and noise and vibration on setting.
- Will need further consultation on results of traffic and noise and vibration analyses.
- Saveland House
  - Kathy expressed similar comments about effects to the historic district as those raised for the Neils House
  - SHPO commented that Neils House and Saveland House need further consultation to address remaining questions on effects to these properties.
  - Will need further consultation on results of traffic and noise and vibration analyses.
- Kenwood Parkway Residential Historic District and Kenwood Parkway (also a GRHD element)
  - Kathy expressed similar comments about effects to the historic district as those raised for the Neils House
  - Greg noted that the noise analysis is being completed for the Project and will be documented as part of the NEPA process. This will be a point of further discussion in future consultation meetings as well. Greg noted that Kenwood Parkway itself is not a noise sensitive receptor.
  - Kathy agreed that the parkway itself is not a noise sensitive receptor, but wants operations noise analysis for the historic district completed before a final determination of effect is made
  - Kathy expressed concern about traffic along Kenwood Parkway and impacts to Kenwood Park pedestrian access
  - Will need further consultation on results of traffic and noise and vibration analyses.
- Shaw House
  - Kathy expressed the same comments about effects on the Shaw House as those expressed for the Neils House
  - Will need further consultation on results of traffic and noise and vibration analyses.
- Kenwood Park (GRHD element)
  - Kathy expressed concerns about the safety of pedestrians trying to access the park and about disruption of park-like setting from increased traffic and parking during operation
  - Kathy stated that KIAA wants to see traffic analysis and vibration impacts for construction before final determination of effect is made.
  - Will need further consultation on results of noise and vibration analyses.
- Kenwood Water Tower (GRHD element)
  - Kathy requested information about the traffic analysis during operation and vibration impacts for construction before final determination of effect is made. Greg responded

- that traffic analysis for operation and vibration impacts for construction is being analyzed as part of the NEPA process and will be provided to the consulting parties.
- Will need further consultation on results of traffic and noise and vibration analyses.
  - Cedar Lake (GRHD element)
    - Jennifer commented that the updated effects table does a good job of breaking down the issues and stated that MPRB’s main concern is noise and wants to continue consultation once noise category is determined
  - Will need further consultation on results of traffic and noise and vibration analyses. Grand Rounds Historic District
    - Greg explained that the Grand Rounds Historic District has a preliminary determination of adverse effect based on the preliminary adverse effect for the Kenilworth Lagoon/Channel.
    - Grand Rounds Historic District will require further discussion and consultation regarding the effects of the new crossing over the Kenilworth Lagoon/Channel and how to assess effects on individual elements of the district.
  - Park Board Bridge No. 4, Lake of the Isles Parkway, Lake of the Isles (GRHD element)
    - Greg stated that the effects table has been updated for these properties with a determinations of “no adverse effect” Craig commented that CIDNA would like to see the design of the new crossing over Kenilworth Lagoon before agreeing with a no adverse effect determination
    - **Action: Bring bridge design to a future Consultation Meeting**
    - Sarah commented that an adverse effect to an element of the GRHD constitutes an adverse effect to the entire historic district. It is not possible to make a determination of “no adverse effect” on these individual/contributing elements due to their setting. Sarah noted that an adverse effect to a small part of a district constitutes an adverse effect on the entire district. Sarah suggested that it may be easier to consider GRHD as a whole instead of by individual elements and address direct and indirect effects; noting that the direct effect is to Kenilworth Lagoon and indirect effects are to the rest of the properties.
      - Greg stated we will continue this discussion as part of consultation process.
    - Grand Rounds Historic District will require further discussion and consultation regarding the effects of the new crossing over the Kenilworth Lagoon/Channel and how to assess effects on individual elements of the district.

## 5. Next Steps

- Anticipated upcoming meeting schedule
  - March 24, 1:00pm
    - Continue consultation on Kenilworth Lagoon/Channel crossing
  - April 14
    - MPRB stated that they have a conflict on 4/14, but could meet the week

prior or week after

- Nelrae Succio (Hennepin County) mentioned that the week after would have conflicts with a FTA PMOC meeting on 4/21

<b>ACTION ITEMS:</b>	<b>PERSON RESPONSIBLE:</b>	<b>DEADLINE:</b>
Submit revised plans for Minikahda Club to SHPO	SPO/CRU	prior to final effect determination
Review consultation requirements for National Historic Landmarks	SPO/FTA	May 2015
Mail copies of the consultation meeting materials to consulting parties who could not attend	SPO	Complete - 3/2/15
Provide FRA documentation of quiet zone at Cedar Lake Parkway after construction	SPO/FTA	prior to final effect determination
Provide updates on analyses when available: <ul style="list-style-type: none"> <li>• traffic analysis for construction and operations</li> <li>• noise and vibration analysis for construction and operations, including update on noise categories for historic properties</li> </ul>	SPO/FTA	April 2015 - prior to final effect determination
Provide scope for West Lake Street Station multi-modal traffic study being lead by Mpls	SPO/Mpls	prior to final effect determination