
Meeting Title: SWLRT Section 106 Consultation

Date: 9/23/2015 **Time:** 1:00 PM **Duration:** 2.0 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 CRU

Attendees: Minneapolis: Brian Schaffer
MPRB: Michael Schroeder
KIAA: Jeannette Colby, Tamara Ludt
Hennepin County: Dave Jaeger, Kim Zlimen
CIDNA: Craig Westgate
SPO: Nani Jacobson, Ryan Kronzer, Mark Bishop, Sophia Ginis, Dan Pfeiffer, Jenny Bring, Kelly Wilder, Kelcie Campbell
MnDOT: Jon Vimr

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

--- Agenda & Discussion ---

1. Welcome & Introductions

Greg Mathis from the Minnesota Department of Transportation (MnDOT) Cultural Resources Unit (CRU) welcomed attendees, led introductions, and provided a brief overview of the agenda.

2. Kenilworth Bridge Design

Greg thanked everyone for the written comments received following the consultation meeting in July and provided a brief update on the bridge design:

- On behalf of the Federal Transit Administration (FTA), MnDOT CRU has been working with the Southwest Project Office (SPO) to consider those comments and, as a result, has determined that a three-bridge concept based on Design 1 will best minimize the effect to the waterway portion of the Kenilworth Lagoon. The freight rail bridge will have five spans and a thin deck, and the LRT and trail bridges will be clear-span concrete arches. Comments from the State Historic Preservation Office (SHPO) and consulting parties informed the determination that a clear-span concrete arch would best minimize impacts from the trail bridge. This crossing configuration will

be included in the 60 percent (%) plans which FTA will use to make its final determination of effect. Consultation will continue on design details.

3. Traffic Assessment

- Greg explained that under Section 106, only traffic effects from operations, which would be permanent, could affect characteristics that qualify a property for the National Register of Historic Places (NRHP).
 - Temporary impacts from construction traffic are considered under NEPA, but FTA does not consider temporary construction traffic impacts to be adverse effects that could impact the characteristics that qualify a property for the NRHP.
 - Nani Jacobson from SPO explained that as part of the NEPA traffic analysis, the Project is committed to not making traffic worse. During construction, the Project will coordinate with municipalities on detours, communicate with neighborhood groups, and minimize the length of time for closures.
 - Greg stated that this will be documented in the Final EIS, but that for Section 106 the focus is on permanent effects.
- Mark Bishop from SPO explained the traffic analysis done for the 21st Street and West Lake stations (see handout *Traffic Changes from Southwest Light Rail Transit Operation at Historic Properties within the 21st Street Station and West Lake Station Areas of Potential Effect*). SPO analyzed existing traffic impacts compared with anticipated impacts from the Project. The analysis combines information on impacts specific to certain locations with an understanding of broader impacts to the entire area. Overall, impacts to specific properties are negligible.
 - 21st Street Station:
 - Some drop-off and walk-up passenger traffic at this station; however, there is no park and ride, so few transfers are expected;
 - Minor increases in traffic volumes on 21st Street are expected by 2040 compared to the no-build scenario. This is due to no major arterial roadways serving the station, it has limited parking, it is difficult to access via car, and the station is designed primarily for walk-up riders.
 - West Lake Station:
 - Little walk-up or drop-off traffic is expected – only 50 additional drop offs per day on top of the 29,000 cars that currently drive through daily. There is no park and ride, so parking impacts will be minimal due to the existing parking constraints. However, it is anticipated that there will be substantial traffic from transfers.
- Craig Westgate from the Cedar Isles Dean Neighborhood Association (CIDNA) asked where the traffic numbers used in the analysis originated. Mark said the Metropolitan Council Regional Travel Demand Forecast Model was used. Greg added that parking issues are also addressed in the report.
- Jeannette Colby of the Kenwood Isles Area Association (KIAA) thanked SPO for undertaking the study in response to KIAA’s comments on the Draft EIS and asked if they are assuming bus routes will be the same in 2040 as they are currently. Mark responded that the models includes

anticipated possible future routes (based on Metro Transit's service concept plan), so while Route 21 will likely remain the same, the West Lake Station will be served by additional routes coming to and from the station area, with a layover. Jeannette clarified she was asking about future transit at the 21st Street Station and whether the traffic models take into account potential transit changes. Mark confirmed they did but that it is based on currently anticipated route changes and there is always the possibility that plans will change in the interim.

- Jeannette noted that Kenwood Park is contributing to the Grand Rounds Historic District and is located within the APE and asked whether significant changes to nearby bus routes are proposed in the concept plans. Mark confirmed there are none currently. Greg further explained that SPO modeled effects caused by the Project from operation of the 21st Street and West Lake stations. Kenwood Park is outside the APE for the 21st Street Station, so it is considered to be too far away from the station to experience effects from changes in transit caused by operation of the station. Jeannette pointed out that more frequent bus traffic along Franklin Avenue could have an effect on the park. Nani stated that the Project relies on the bus concept plans, but recognizes that plans can change. She explained that the Title VI process will ensure a fair and equitable process, and the opportunity for public comment on proposed changes to bus routes closer to operations beginning.
- Jeannette asked for clarification whether the 21st Street Station is essentially serving pedestrians and bicyclists coming to the station from a one-mile radius. Mark confirmed that is the model, with the service area representing the source of riders. Jeannette noted that the 21st Street Station shows more walk ups than the West Lake Station, even though the West Lake Station is surrounded by dense housing. Mark explained that the assumptions are all built off the models. Jeannette acknowledged this, but questioned the validity of the model from that respect, and asked for clarification that there is expected to be little drive-up traffic and parking at the 21st Street Station. Mark confirmed this was correct.
- Craig expressed several comments and concerns related to LRT in general and the 21st Street Station.
 - On a recent Sunday with nice weather, neighbors counted 700 vehicles from outside the neighborhood parked from Hidden Beach to Kenwood Park, so there are already parking issues.
 - The Blue Line has had parking implications on neighborhoods along Hiawatha Avenue, with LRT passengers driving the need for more permitted parking spots for neighborhood residents.
 - The West Lake Multimodal Transportation Study that is in progress does not account for passengers exiting the train onto Lake Street. Since there is no direct route away from the station, they will have to cut through areas towards the Minikahda Club, and since it is currently a traffic and pedestrian “nightmare,” he doubts there will be a “minimal impact.”
 - There are no signs currently, and there will need to be some way to ensure people are going in the right direction when they leave the station.
- Nani said that is one of the purposes of the multimodal study, which is anticipated to conclude later this year. Craig responded that he is involved in the study, but it has not addressed these issues. Ryan said he did think the study would have recommendations related to how people exit the platforms and head to surrounding destinations. Nani added that the Section 106 process may be ahead of the multimodal study and suggested that this could be a topic of continued

conversation during development of the MOA, or that there could be an MOA stipulation ensuring the study's outcomes are taken into consideration.

- Jeannette expressed her appreciation that the study was undertaken and pointed out that if the models are correct, it is good news for the neighborhoods. She asked if the traffic study is public. Nani responded that it is and to contact Sophia Ginis from SPO with any questions.
- Greg and Mark asked that consulting parties provide any comments on the traffic study by October 19, 2015.
- Jeannette asked whether the historic Kenwood Water Tower could be impacted by vibration from heavy trucks on the Kenwood Parkway. Greg responded that it is unlikely given its distance from traffic, the size of the structure, and road weight limits that inform construction contractors' choice of which roads to use.

4. Section 106 Schedule

Greg provided an update on the Section 106 schedule and consultation process moving forward.

- Identification of historic properties
 - There will be some slight revisions to the APE over the next few weeks to account for shifts in the engineering plans.
 - The APE revisions have resulted in the identification of fewer than 10 new architecture/history properties that will need to be evaluated for the NRHP. If any are eligible, FTA/MnDOT CRU will initiate consultation on those properties.
 - Phase I archaeological survey is in progress for an area near the Royalston sites.
 - Consulting parties will be copied on submissions to SHPO.
- Effects on historic properties
 - FTA will wait until the 60% design plans are ready to make a final determination of effect since they will contain many more details that will be helpful in assessing effects. FTA will make its final determination of effect in November. The information will go to consulting parties, as well as SHPO, which has 30 days to review and comment. A consultation meeting will be held during this period in December to review the materials.
 - Adverse effects will be resolved through development of an MOA. We will begin to develop the MOA today, with the intent of having it finalized in February or March, and executing it in April, although the timeline is somewhat flexible. There will be several consultation meetings between now and early 2016 to develop it.
- Jeannette asked if FTA reviews the MOA closely or defers to the local consulting parties. Greg replied that FTA does defer to the locals, although environmental and legal staff will carefully review the document and mitigation measures.

5. MOA Development

- Greg reviewed several areas from previous consultation meetings, describing the parts of an MOA, clarifying the roles and responsibilities of parties to them, and explaining that MOAs are legally binding agreements that identify measures FTA will implement to resolve adverse effects

on historic properties. Measures will be developed in consultation with consulting parties and an executed copy will be included in the NEPA Record of Decision.

- Given how advanced Project design is, it is appropriate to consider specific stipulations for many of the properties.
 - Today's focus will be on stipulations that are of interest to consulting parties, specifically Construction Protection Plans (CPPs), design, and other broad measures that apply to multiple properties.
 - After FTA makes a final determination of effect, we will consider property specific measures, such as those to mitigate the adverse effects to the Kenilworth Lagoon and the archaeological sites.

Design Review

- Design review will identify specific measures, by property, to avoid, minimize, and/or mitigate effects, through SHPO review of 90% plans, and for some properties, designing Project elements in accordance with the *Secretary of Interior's Standards (SOI's)*.
- Greg went through each property proposed to be included in this stipulation and elements that would be considered during design review.
 - Grand Rounds Historic District (GRHD)
 - Cedar Lake Parkway: Design Project elements within and in the vicinity of the parkway along the Kenilworth Corridor in accordance with the *SOI's Standards* and SHPO review of the 90% plans.
 - Greg asked Michael Schroeder of the MPRB if these measures were in line with their thinking. Michael responded that it is.
 - Greg asked if the neighborhoods had thoughts on the proposed measures. Jeannette asked if the question is whether the Project will have an impact to elements of the GRHD. Greg confirmed she was correct and explained that adverse impacts to this contributing resource will be avoided through designing the new crossing in accordance with the *SOI's Standards*.
 - Craig asked for clarification that the main concern for this property is the effects caused by what is being constructed, rather than from the construction itself. Greg confirmed Craig was correct.
 - Jeannette pointed out that impacts from noise at the tunnel portals came up during the Supplemental Draft EIS. Nani replied that the noise analysis does include noise from the portals, although it is minimal, and in this case, they are considering effects to the parkway itself, which is not a noise sensitive receptor. Jeannette asked about users of the parkway and Nani replied that while humans can perceive a noise change of about three decibels, they are finding there is basically no change in noise level experienced by users due to the dampening effect of the walls.

- Kenilworth Lagoon: Design Project elements within and in the vicinity of the Lagoon along the Kenilworth Corridor in accordance with the *SOI's Standards* and SHPO review of the 90% plans.
 - Jeannette asked if this will take place after the MOA is signed. Greg replied that it may need to happen concurrently, before the MOA is executed, also noting that all Project elements within the Lagoon will be designed in accordance with the *SOI's Standards*. Michael and Brian Schaffer of the City of Minneapolis expressed their support for these measures.
 - Cedar Lake: Design Kenilworth Crossing and any improvements to East Cedar Beach trail in accordance with the *SOI's Standards*.
 - Jeannette said she hopes the neighborhood will be consulted on any changes as they have concerns about station impacts on the surrounding area and on the connection to Cedar Beach. She explained that while the Project may not feel further consultation is required from a Section 106 perspective, these concerns need to be addressed. Mark clarified that Jeannette was referring to the sidewalk connection from the beach of which will be constructed as part of the Project.
 - Lake of the Isles, Lake of the Isles Parkway, and Park Board Bridge #4: Design the Kenilworth Crossing in accordance with the *SOI's Standards*.
- Lake of the Isles Residential Historic District: Design the Kenilworth Crossing in accordance with the *SOI's Standards*.
- M.&St.L. Rwy. Depot: Design Project elements in the vicinity of the depot (new bridge adjacent to and over track, etc.) in accordance with the *SOI's Standards* and SHPO review of the 90% plans.
- C.M.&St.P. R.R. Depot: SHPO review of the 90% plans to ensure the location of the signal bungalow that was shifted to minimize the effect on the depot does not change and that design of project elements in the vicinity of the depot are compatible with its visual setting.
 - Since the City of Hopkins was not in attendance, further discussion was postponed a future meeting when the City can be present.
- Peavey-Haglin Experimental Concrete Grain Elevator: SHPO review of the 90% plans to ensure the location of the TPSS that was a concern does not change.
- Minikahda Club: Design Project elements within and adjacent to club entrance in accordance with the *SOI's Standards* and SHPO review of the 90% plans.
 - Brian noted that the Project has worked with the City of Minneapolis to eliminate most direct impacts to the resource. Greg clarified that for this resource, it is primarily visual effects that are being considered.
- St.P.M.&M. R.R. / G.N. Rwy. Historic District: Design Project elements within and adjacent to the district in accordance with the *SOI's Standards* and SHPO review of the 90% plans.
- Osseo Branch of the St.P.M.&M. R.R. Historic District: This district parallels the main line, but branches off, so SHPO will review the 90% plans to ensure Project elements in the vicinity of the district are compatible with its visual setting.

- Dunwoody Institute: SHPO review of the 90% plans to ensure compatibility of Project elements in the vicinity of the property with its visual setting.
- Jeannette asked if SHPO will be reviewing the 60% plans. Greg explained that FTA plans to use the 60% plans to make its determination of effect, so they will be provided as supporting documentation with the final determination of effect.
- Jeannette asked when the conversations regarding how to design the Project to avoid and minimize effects will transition to discussing mitigation measures. Nani replied that today is the start of the mitigation discussion.
- Greg reminded the group that right now, an adverse effect is anticipated for four properties, the two archaeological sites, Kenilworth Lagoon, and GRHD. These properties will require mitigation to compensate for the adverse effects, in addition to minimizing the effects as much as possible.
- Jeannette asked if other resources will not experience adverse effects. Nani responded that is correct at this time.
- Greg concluded the discussion by explaining that the properties discussed are the only ones that are adjacent to, or have views to/from the Project, which is why design review is needed. The next step is to develop language for the MOA to reflect the items discussed.

Construction Protection Plans

- Greg explained that CPPs are property-specific instructions to the contractor to ensure effects from construction are minimized and adverse effects are avoided (copies of the Central Corridor Construction Protection Plan were provided to everyone for reference). These plans are also incorporated into the overall NEPA construction mitigation plan. He then went through measures to be included in the CPP for each property.
 - M.&St.L. Rwy. Depot: Limiting pre- and post-construction disturbance, vibration monitoring, and protection from construction storage and staging (fencing).
 - C.M.&St.P. R.R. Depot and Peavey-Haglin Experimental Concrete Grain Elevator: Fencing to limit construction disturbance and protect these properties from construction storage and staging.
 - Minikahda Club: Limit construction disturbance to the landscape.
 - Grand Rounds Historic District: Limiting construction disturbance, implementing sediment protection and erosion control, and property-specific strategies for protection from construction storage and staging
 - Kenilworth Lagoon: Limiting construction disturbance, implementing sediment protection and erosion control, and protection from construction storage and staging through pulling staging areas away from the resource.
 - Jeannette noted that there is not a lot of room for construction staging elsewhere.. Mark responded that the Project will utilize the current corridor to bring materials in and out and that all construction activities will be limited to the construction limits.
 - Jeannette asked about comments made during scoping for the Draft EIS concerning houses two to three lots away from the Lagoon that required

deep pilings during their construction and whether the Project will require deeper pilings as well. Mark responded that the bridge will have pilings similar to the current bridge, but the retaining walls, track, etc. will lie on the ground. The 60% plans will address foundation type and how deep the pilings will need to go. Jeannette asked if those plans will include strategies for minimizing impacts from installation. Mark replied that they do look at methods of installation related to the entire Project, not just for historic properties. Jeannette reiterated that she is most concerned about historic properties. Mark explained that bridge construction will take place within the current footprint and that effects from installing pilings will probably be minimal compared with effects from pouring concrete and other construction activities.

- Cedar Lake: Limiting construction disturbance, implementing sediment protection and erosion control, and protection from construction storage and staging.
 - Lake of the Isles: Limiting construction disturbance, implementing sediment protection and erosion control to keep soil out of the water, and protection from construction storage and staging.
 - Jeannette asked whether soil contamination will be considered. Nani replied that under NEPA, they have done soil analysis and have found it to be pretty clean in this area; therefore, they do not have concerns about soil toxicity and all soil will be handled properly.
 - Site 21HE0409: Limit construction disturbance and protect the site from construction storage and staging by using fencing.
- Greg explained that CPPs are proposed for properties adjacent to the Project which have the potential to be impacted by construction.
 - Craig asked how the fill will be taken out when the tunnel is dug. Mark explained that it will be transported out along the corridor.
 - Craig asked about vibration effects from heavy construction on historic homes and the Kenwood Water Tower. Mark explained that those resources are pretty far off the corridor, for example, the Neils House is almost a quarter mile from the corridor, so it will not likely experience vibration impacts. The construction contractor might drive down city streets, but heavy hauling will be limited to the Project corridor, through phasing work and using the freight bridge as a haul route.
 - Craig asked whether contractors would use Beltline Boulevard. Mark replied they might use it minimally for West Lake Station, but it would be at the contractor's discretion. Jeannette added that transporting materials through the southern rail corridor would be a better option to avoid construction impacts to historic resources and livability.
 - Greg asked if the discussion adequately addressed concerns about the Neils House and the Kenwood Water Tower. Craig and Jeannette expressed continued concern about the water tower. Mark explained that the water tower is very solid and vibration effects from the Project are less of a concern than at the Neils House. Jeannette asked whether contractors will use Kenwood Parkway, and Mark said that while they do not have the details worked out, they can restrict contractors to certain routes.



- Greg concluded the discussion by telling consulting parties to let him know if they have any additional concerns.

6. Next Steps

- Greg and Nani thanked everyone for attending and reiterated that written comments are due October 19th.

ACTION ITEMS:	PERSON RESPONSIBLE:	DEADLINE:
1. Follow up with the City of Minneapolis and begin planning for mitigation through interpretation incorporated into the Royalston Station Design.	Greg Mathis	Complete
2. Consider the traffic assessment and MOA stipulations of design review and construction protection plans.	Consulting parties	10/19
3.		
4.		
5.		
6.		