METRO Gold Line

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

FINDING OF NO SIGNIFICANT IMPACT

January 2020

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TABLES

ACRONYMS AND ABBREVIATIONS

2040 TPP	*2040 Transportation Policy Plan*
ACHP	Advisory Council on Historic Preservation
ADA	Americans with Disabilities Act
APE	Area of Potential Effect
BMP	Best Management Practice
BRT	Bus Rapid Transit
CSAH	County State Aid Highway
CEQ	Council of Environmental Quality
CFR	Code of Federal Regulations
Council	Metropolitan Council
CPP	Construction Contingency Plan
DNR	Minnesota Department of Natural Resources
EA	Environmental Assessment
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act of 1973
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
FR	Federal Register
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
HPZ	High Potential Zone
I-94	Interstate 94
LOD	Limits of Disturbance
LWCF	Land and Water Conservation Fund
MnDOT	Minnesota Department of Transportation
MnDOT CRU	MnDOT Cultural Resources Unit
MnSHPO	Minnesota State Historic Preservation Office
MPCA	Minnesota Pollution Control Agency
NEPA	National Environmental Policy Act
NLAA	Not Likely to Adversely Affect
NRHP	National Register of Historic Places
OWJ	Officials with Jurisdiction
PA	Programmatic Agreement
PBO	Programmatic Biological Opinion
Project	METRO Gold Line Bus Rapid Transit Project

RAP	Response Action Plan
ROW	Right-of-Way
RPBB	Rusty Patched Bumble Bee
TH	Trunk Highway
URA	Uniform Relocation Assistance and Real Property Acquisition Policy Act
USACE	U.S. Army Corps of Engineers
USC	U.S. Code
USDOT	U.S. Department of Transportation
USFWS	U.S. Fish and Wildlife Service
VMT	Vehicle Miles Traveled
vpd	Vehicles Per Day

1. INTRODUCTION

This document provides the basis for a determination by the U.S. Department of Transportation (USDOT), Federal Transit Administration (FTA) of a Finding of No Significant Impact (FONSI) for the METRO Gold Line Bus Rapid Transit (BRT) Project (Project). This determination is made in accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, Title 42, U.S. Code (USC), § 4321 et seq.; Council of Environmental Quality (CEQ) regulations, Title 40, Code of Federal Regulations (CFR), Part 1500 et seq. Implementing NEPA; Federal Transit Laws, Title 49, USC, Chap. 53; Environmental Impact and Related Procedures, Title 23, CFR, Part 771, a joint regulation of the Federal Highway Administration (FHWA) and FTA implementing NEPA and CEQ regulations; Section 106 of the National Historic Preservation Act of 1966, Title 16, USC, § 470(f); Section 4(f) of the Department of Transportation Act of 1966, as amended, Title 49, USC, § 303; Section 6(f)(3) of the Land and Water Conservation Fund Act of 1965, Title 16, USC, § 4601 – 4 et seq.; Clean Air Act, as amended, Title 42, USC, § 7401 et seq.; Clean Water Act, as amended, Title 33, USC, § 1251 et seq.; Endangered Species Act of 1973 (16 USC 1531-1544, 87 Stat. 884); Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Title 42, USC, § 4601 et seq.; Executive Order 12898 (“Federal Actions to Address Environmental Justice in Minority and Low-Income Populations”); Executive Order 13166 (“Improving Access to Services for Persons with Limited English Proficiency”); Executive Order 11988 (“Floodplain Management”); other applicable federal laws and procedures; and all relevant laws and procedures of the State of Minnesota.

FTA, the lead federal agency, and Metropolitan Council (Council), the local project sponsor, jointly prepared the Environmental Assessment (EA) to describe potential impacts on the physical, human, and natural environment that may result from the Project. The EA was prepared pursuant to 23 CFR § 771.119 and issued by FTA on Sept. 26, 2019. This FONSI is prepared by FTA pursuant to 23 CFR § 771.121, and incorporates, by reference, the EA and other cited documentation.

The Project has three cooperating agencies under NEPA: the FHWA, the U.S. Army Corps of Engineers (USACE), and the Minnesota Department of Transportation (MnDOT). A cooperating agency is an agency which has jurisdiction by law or special expertise on issues addressed under NEPA). 40 CFR § 1508.5. The FTA and the Council coordinated with the cooperating agencies on development of the EA. The cooperating agencies are required to participate in the NEPA process. 40 CFR § 1501.6(b).

As a cooperating agency, USACE is also responsible for implementing Section 404 of the Clean Water Act. USACE coordinated with FTA on development of the EA and will issue its Section 404(b)(1) permit decision under 40 CFR § 230 after FTA completes its environmental review process. FHWA is responsible for coordinating on Interstate 94 (I-94) and the federal-aid highway system. The Project will use a portion of the I-94 right-of-way, which requires a Right-of-Way Use Agreement with FHWA. The State of Minnesota, acting through MnDOT, and the Council must enter a Right-of-Way Use Agreement and receive approval on the agreement from FHWA to use a portion of I-94 right-of-way for Gold Line transit infrastructure. FHWA will issue its own FONSI after FTA completes its environmental review process.

2. PROJECT DESCRIPTION

The Project is a planned 10-mile transitway in Ramsey and Washington counties in the eastern part of the Twin Cities Metropolitan Area. The Project generally would operate parallel to I-94 and would better connect downtown Saint Paul with the suburban cities of Maplewood, Landfall, Oakdale and Woodbury.

More broadly, the Project would better connect the eastern Twin Cities Metropolitan Area to the regional transit network via the Union Depot multimodal hub in downtown Saint Paul. The Project also intends to serve and draw ridership from other portions of the metropolitan area, including portions of eastern Washington County, Dakota County to the south, and Hennepin County (including the City of Minneapolis to the west).

The Project would include all-day, bi-directional transit service that operates from 5 a.m. to midnight on weekdays and weekends between the existing Smith Avenue Transit Center in downtown Saint Paul and a new station located near the Woodbury Theatre and I-494 in Woodbury. The Project includes 10 stations in downtown Saint Paul, including two new stations at Union Depot, and 11 stations along the remainder of the alignment. The Project would operate in a guideway dedicated only to BRT for 66 percent of its route and in mixed traffic for 34 percent. The dedicated guideway is new roadway being constructed for the Project.

3. PROJECT PURPOSE AND NEED

The purpose of the Project is to provide transit service to meet the existing and long-term regional mobility and local accessibility needs for businesses and the traveling public within the Project area. Project needs are the issues and problems that the Project intends to address. The following primary factors contribute to the need for the Project:

- **Limited existing transit service throughout the day and demand for more frequent service over a larger portion of the day.** The Project area and the I-94 corridor lack all-day, bidirectional transit service that would operate from 5 a.m. to midnight on weekdays and weekends, particularly east of Saint Paul and Maplewood, limiting the ability of people in the Project area to use transit to meet their transportation needs.
- **Policy shift toward travel choices and multimodal investments.** I-94 and local roadways in the Project area are congested today during peak travel periods. Modeling forecasts anticipate increased traffic volumes and congestion in the future. Funding for roadway projects will not be adequate to address the congestion problem. State and regional transportation policies identify the need to provide alternatives to traveling in congested conditions. The Council anticipates approach volumes north and south of I-94 at County State Aid Highway (CSAH) 13 (Radio Drive/Inwood Avenue), CSAH 19 (Woodbury Drive/Keats Avenue), and CSAH 15/TH 95 S (Manning Avenue) will reach volumes between 24,200 and 50,800 vehicles per day (vpd), representing growth of 9,200-18,300 vpd for each approach.
- **Population and employment growth, increasing access needs, and travel demand.** Forecasts anticipate population and employment growth in the Project area, which would increase access needs and travel demand, particularly in the I-94 corridor. The projected growth rate in the Twin Cities metropolitan area is 31 percent between 2010 and 2040, according to the 2010 census and the regional forecasts from the Council's *Thrive MSP 2040* plan. Population growth within Washington County accounts for approximately 10 percent of the region's 2010 to 2040 projected growth, with approximately 92,064 anticipated new residents. Within the Project area, forecasts anticipate particularly strong population growth in Woodbury, which has only express bus service.

- **Needs of people who depend on transit.** Deficiencies in transit service limit the ability of people in the Project area, who depend on transit for access to employment and other needs.
- **Local and regional objectives for growth and prosperity.** Without improved transit service, Project area communities have limited abilities to implement local and regional policies that encourage multimodal transportation, transit, compact development and environmental preservation. In addition to *Thrive MSP 2040*, regional, county and city plans prioritize transit as a component to growth and economic competitiveness:
  - *Metropolitan Council 2030 Regional Development Framework*
  - *Ramsey County 2030 Comprehensive Plan*
  - *Washington County 2030 Comprehensive Plan*
  - *City of Saint Paul Comprehensive Plan (adopted February 2010)*
  - *City of Maplewood Comprehensive Plan (adopted January 2010)*
  - *City of Landfall Village 2040 Comprehensive Plan (September 2017)*
  - *2030 Oakdale Comprehensive Plan (May 2010)*
  - *City of Woodbury 2030 Comprehensive Plan (July 2010)*

4. ALTERNATIVES CONSIDERED

4.1. No-Build Alternative

NEPA requires analysis of a No-Build Alternative to provide a baseline from which to evaluate the potential impacts, benefits and costs of the Build Alternatives. The No-Build Alternative represents the existing transportation system as the *2040 Transportation Policy Plan* (2040 TPP) presents it—with only planned and programmed improvements, and without the Project.

Under the No-Build Alternative, the Council would not construct the Project; therefore, the No-Build Alternative would not impact resources within the Build Alternatives' potential limits of disturbance or impact the analyzed resources compared with the Project because the Project would not be built. For example, the No-Build Alternative would not directly acquire land or displace residents or businesses as a result of the Project, however ongoing development and other transportation projects that would occur by 2040 could change land use and transportation patterns and lead to residential or business displacements, impacts to community and social resources and impacts to physical and environmental resources.

The No-Build Alternative would not create impacts from Project construction such as temporary increases in noise and vibration or impacts from construction closures and detours. However, other ongoing development and transportation projects that would occur by 2040 could produce other temporary impacts. The No-Build Alternative is not consistent with local and regional land use and transportation plans that anticipate a high-quality transit line to increase travel options and support the economic development related to station areas planned by communities within the Project area. It would not expand multimodal connections nor reduce automobile travel in the Project area. The No-Build Alternative would not produce transit service improvements anticipated by local and regional plans for people who depend on transit for transportation to jobs, educational facilities, health services and recreational activities.

The No-Build Alternative would not address the Project's purpose and need statement, which is in **Section 3**.

4.2. Build Alternative 1 (A1-BC-D3) (Locally Preferred Alternative)

Build Alternative 1 would include all-day service that would operate from 5 a.m. to midnight on weekdays and weekends between the existing Smith Avenue Transit Center in downtown Saint Paul and a new station near the Woodbury Theatre and I-494 in Woodbury. Build Alternative 1 includes 10 stations in downtown Saint Paul, including two new stations at Union Depot, and 11 stations along the remainder of the alignment.

Under Alignment A1, BRT would operate primarily in dedicated bus lanes along 5th and 6th streets in downtown Saint Paul, transitioning to mixed traffic across the Kellogg Boulevard Bridge to a new station on Mounds Boulevard in Dayton's Bluff.

Alignment B would begin at the Mounds Boulevard Station and extend to the new Van Dyke Street Station, with BRT mostly operating in a dedicated guideway. At the Old Hudson Road/Hudson Road intersection, BRT would transition to mixed traffic operations before continuing in a dedicated guideway east of Kennard Street.

Alignment C would begin just east of White Bear Avenue with BRT operating primarily in a dedicated guideway, and it would end on the west side of the 4th Street Bridge over I-694. Near Tanners Lake, BRT would operate in mixed traffic until just east of Greenway Avenue, where it would enter a dedicated guideway split along the north and south sides of Hudson Boulevard. The split guideway would turn north and follow Hadley Avenue to 4th Street, where BRT would transition into mixed traffic operations across the 4th Street bridge.

Build Alternative 1 includes the following two design options in Alignment C:

- **Hazel Street Station Option:** From White Bear Avenue, BRT would continue east in a dedicated guideway, stopping at the Hazel Street Station instead of the Van Dyke Street Station, approximately 700 feet east of Van Dyke Street Station.[1]
- **Dedicated Guideway Option at Hadley Avenue and 4th Street:** On Hadley Avenue and 4th Street, BRT would operate in a center running dedicated guideway across a reconstructed bridge over I-694 before turning south near Helmo Avenue instead of operating in mixed traffic and crossing I-694 on the existing bridge. The Project would reconstruct the bridge and would include dedicated lanes for BRT guideway and roadway, as well as a pedestrian facility.

Alignment D3 would begin in mixed traffic, follow 4th Street east of I-694 in a center running guideway, and continue south across I-94 across a new multi-modal bridge connecting to Bielenberg Drive. The alignment would continue south on Bielenberg Drive in a center running guideway to Nature Path, where BRT would transition into mixed traffic operations continuing to the new Woodbury 494 Park-and-Ride Station.

Build Alternative 1 would operate in a guideway dedicated to BRT for 66 percent of its route and in mixed traffic for 34 percent. With the Dedicated Guideway Option at Hadley Avenue and 4th Street, Build Alternative 1 would operate in a guideway dedicated to BRT for 68 percent of its route and in mixed traffic for 32 percent.

[1] *In February 2019, the City of Saint Paul amended its Gold Line Station Area Plan to change the recommended station location from Van Dyke Street to Hazel Street based on public input received during the Project's design advancement. Prior to the amended plan, Van Dyke Street was the recommended station location, therefore the EA evaluated a station at both locations.*

4.2.1. Stations

The Project proposes the following two station types:

- **Walk-up** stations that do not include designated parking for transit riders
- **Park-and-ride** stations that include a new or existing parking facility designated for transit riders

Build Alternative 1 would include a total of 21 stations. All proposed stations would have easy and accessible boarding onto the BRT vehicle, expedited boardings and reduced wait times, and would be designed to integrate with existing sidewalks, roadway lanes and bus-only lanes, where applicable. Of the 21 stations, 17 are walk-up stations, and four are park-and-ride stations as listed below:

- Union Depot/Sibley Street
- 6th Street/Robert Street
- 6th Street/Minnesota Street
- Hamm Plaza
- Smith Avenue/5th Street
- Smith Avenue/6th Street
- Rice Park
- 5th Street/Cedar Street
- 5th Street/Robert Street
- Union Depot/Wacouta Street
- Mounds Boulevard
- Earl Street
- Etna Street
- Hazel Street
- Sun Ray (new 150-space surface park-and-ride lot)
- Maplewood
- Greenway Avenue
- Helmo Avenue (new 100-space surface park-and-ride lot)
- Tamarack Road
- Woodbury Theatre (existing surface park-and-ride lot, utilizing 150 spaces)
- Woodbury 494 Park-and-Ride (new 200-space surface park-and-ride lot)
- The following Project stations would share a platform with existing non-BRT service and would be designed to incorporate the existing service:
- Hamm Plaza
- Smith Avenue/6th Street[2]
- Smith Avenue/5th Street
- Rice Park

[2] *The Smith Avenue/6th Street station would be a drop-off location shared with existing non-BRT service; it would not include a full BRT station.*

The following Project stations would be on the same block as but would not share the BRT station:

- 6th Street/Minnesota Street
- 5th Street/Cedar Street

Except for those located in downtown Saint Paul, most stations would have a pair of platforms. Stations would be approximately ½- to 1-mile apart outside of downtown. Downtown stations would be 2-3 blocks apart (approximately 0.15-0.3 miles) due to infrastructure constraints. In general, the Council would design the stations to include essential components for traveler safety and security, and amenities for passenger comfort and convenience. Station designs would comply with the federal Americans with Disabilities Act of 1990 (ADA) (Public Law No. 101-336, 104 Stat. 328) requirements. Primary station elements would include platforms, off-board fare collection systems, shelters, wheelchair ramps and structural features such as heat, lighting, benches, bike racks, trash receptacles, security systems, functional landscaping and information displays. Landscape features may include trees and other vegetation that would be introduced as part of the Project.

4.2.2. Pedestrian and Bicycle Facilities

The Project is expected to benefit pedestrians and bicyclists by providing new pedestrian and bike facilities to connect with proposed stations. The pedestrian and bike connections would be ADA-compliant, and all station platforms would be aligned with crosswalks for pedestrian safety. Examples of improvements to pedestrian and bicycle facilities constructed with the Project include:

- Sidewalk bump-outs in downtown Saint Paul at the 5th Street/Robert Street Station, Union Depot/Sibley Street Station and Union Depot/Wacouta Street Station provide more space for pedestrians
- Connections for easy access to stations
- Adding bicycle access or sidewalks to complete connections between existing facilities and station areas

4.2.3. Project Vehicle Characteristics

The Project would procure 12 articulated BRT vehicles for Build Alternative 1 with the following characteristics:

- **Length:** 60 feet
- **Fuel type:** Diesel, hybrid or electric
- **Capacity:** 48 passengers
- **Door location:** Right side
- **Fare collection:** At stations only; none on BRT vehicles

The EA evaluated diesel buses for the Project; however, Metro Transit may decide in a later phase of Project advancement that the Project will use electric buses. Metro Transit needs at least one entire winter season to operate electric buses to determine when a fleet transition will be feasible. Metro Transit began operating electric buses in the Twin Cities in June 2019. If this is determined, Metro Transit would then consider installing charging stations for the buses at the following locations:[3]

[3] *The EA evaluated impacts based on diesel bus operations. If electric buses are determined for use in a later phase of Project advancement, FTA and the Council will determine if additional analysis is required to assess potential new significant impacts.*

- Interior electric charging station at the Smith Avenue Transit Center and exterior charging stations at the Woodbury 494 Park-and-Ride Station; the buses would charge for about 10 minutes during layovers and would gain approximately 10 miles of energy, so the vehicles could complete scheduled routes for the day.
- Charging stations at the existing East Metro Garage

4.2.4. Operations and Maintenance Facility

The Project would not construct a new operations and maintenance facility. Project vehicles would use the existing East Metro Garage located east of Interstate 35E just north of downtown Saint Paul. Metro Transit employees would maintain and store the Project vehicles at the garage, which already includes administrative offices, employee facilities and an employee parking lot. The East Metro Garage could also add electric charging stations for the Project's vehicles, if the Project uses electric BRT vehicles. These charging stations would be added to the interior of the garage. There would be space for charging infrastructure for the Gold Line fleet without needing to reduce East Metro Garage current bus capacity of 214 buses.

4.2.5. Ridership

Overall, ridership in the Project area in the 2040 Build Alternative 1 would more than double from 2016 existing ridership, and ridership for Build Alternative 1 would increase by approximately 28 percent from the forecasted 2040 No-Build Alternative ridership.

Compared with the No-Build Alternative, Build Alternative 1 would attract 2,950 new transit trips each weekday. With an increase in regional transit trips, the Council anticipates that Build Alternative 1 would reduce the number of auto trips made in the region each weekday. Build Alternative 1 would decrease the region's daily vehicle miles traveled (VMT) by 17,600 miles per day compared with the No-Build Alternative.

Table 4.2-1 shows the total ridership for the No-Build and Build Alternative 1 in the horizon year 2040.

TABLE 4.2-1: BUILD ALTERNATIVE 1 TRANSIT RIDERSHIP SUMMARY (2040)

Mode	2016 (Riders)	2040 No-Build Alternative (Riders)	2040 Build Alternative 1 (Riders)
Local Bus[a]	5,500	9,100	6,100
Limited-Stop/Express Bus[b]	800	1,350	200
METRO Gold Line BRT	–	–	7,100
Total Corridor Rides	6,300	10,450	13,400

[a] *Includes existing Routes 63 and 70, and future Routes 300, 301 and 302 (feeder routes).*

[b] *Includes existing Routes 294, 350 and 351, and future Route 381 (Manning Avenue Park-and-Ride express bus to downtown Saint Paul)*

4.2.6. Other Project Elements

The EA evaluated construction of four new BRT-exclusive bridges. These new bridges would cross the following roadways:

- Trunk Highway (TH) 61/Etna Street
- Johnson Parkway
- McKnight Road
- TH 120/Century Avenue

The McKnight Road and Century Avenue bridges would also feature a multi-use trail to provide grade-separated crossings at these intersections, which have high traffic volumes.[4]

The Project would build a new mixed traffic bridge at the crossing of I-94 connecting Helmo Avenue and Bielenberg Drive. This bridge would include a center running guideway, a multi-use trail and roadway lanes for local traffic. The Dedicated Guideway Option at Hadley Avenue and 4th Street that Alignment C includes would reconstruct a bridge at the I-694 crossing at 4th Street to accommodate a dedicated guideway along 4th Street. The Project would reconstruct the existing roadway bridge to include a center running guideway and multi-use trail. The Council coordinated with FHWA and MnDOT on the conceptual design of these bridges to ensure there will be adequate space beneath the bridges for future needs on I-94 and I-694 that are currently being studied. See the "Traffic" section of **Table C-1** in **Appendix C** for specific commitments. The agencies will continue to coordinate as the design advances through the Project Development and Engineering phases.

The Project would also include transit-related improvements such as roadway modifications and pedestrian connections within the Project area. In general, most BRT stations would include direct pedestrian connections, both new and reconstructed, that would improve BRT operations, public safety and access to stations. Other potential improvements constructed with the Project include a pedestrian overpass at Maple Street, redecking of the Earl Street bridge in Saint Paul and underpasses for the dedicated guideway at White Bear Avenue and Ruth Street, which would optimize BRT operations and minimize impacts to traffic at these intersections.

The Project in consultation with FHWA and MnDOT also would relocate existing noise barriers along I-94 to accommodate the BRT dedicated guideway. The relocated noise barriers will be replaced in-kind, so the noise reduction currently provided remains at least the same as the existing condition (see the *Physical and Environmental Resources Technical Report* in Appendix A of the EA).

The addition of retaining walls and implementation of stormwater best management practices (BMPs) would also be required for the Project. These improvements are shown in the Project's 15% Concept Plan roll plots (see **Appendix G**).

4.3. Build Alternative 2 (A2-BC-D3)

Build Alternative 2 is similar to Build Alternative 1 except that it utilizes a different alignment (A2) in downtown St. Paul. Build Alternative 2 would include all-day service that would operate from 5 a.m. to midnight on weekdays and weekends between a new station at the Union Depot in downtown Saint Paul and a new station near the Woodbury Theatre and I-494 in Woodbury. Build Alternative 2 includes 1 station in downtown Saint Paul at the Union Depot bus deck and 11 stations along the remainder of the alignment. Build Alternative 2 would operate in

[4] *The multi-use trail components of the bridges over McKnight Road and TH 120/Century Avenue are potential work that may be constructed with the Project, pending further review by the Council and Project funding partners. See the Financial Analysis Technical Report in Appendix A of the EA for additional information on potential work items.*

a guideway dedicated to BRT for 70 percent of its route and in mixed traffic for 30 percent. The dedicated guideway is new roadway being constructed for the Project. Under Alignment A2, BRT would operate in mixed traffic from Union Depot along the Kellogg Boulevard Bridge to a new station on Mounds Boulevard in Dayton's Bluff. Alignments B, C and D3 (including the two Alignment C design options) are the same for Build Alternative 2.

Compared with Build Alternative 1, Build Alternative 2 would see 350 fewer rides in the corridor across all transit modes. Overall, ridership in the Project area in 2040 would more than double 2016 ridership and ridership for Build Alternative 2 would increase by approximately 25 percent from the forecasted 2040 No-Build Alternative ridership.

The 750 fewer riders on Gold Line BRT per day under Build Alternative 2 compared with Build Alternative 1 is due to riders having to transfer in Alignment A2 at Union Depot to complete the trip to downtown Saint Paul, which is available as a one-seat BRT ride under Alignment A1.

In 2040, the Council anticipates that Build Alternative 2 would decrease the region's average weekday VMT by 15,750 vehicle miles per day compared with the No-Build Alternative. Build Alternative 2 would produce a difference of 1,850 less vehicle miles per day than Build Alternative 1.

Table 4.3-1 shows the total ridership for the No-Build and Build Alternative 2 in the horizon year 2040.

TABLE 4.3-1: BUILD ALTERNATIVE 2 TRANSIT RIDERSHIP SUMMARY (2040)

Mode	2016 (Riders)	2040 No-Build Alternative (Riders)	2040 Build Alternative 2 (Riders)
Local Bus[a]	5,500	9,100	6,450
Limited-Stop/Express Bus[b]	800	1,350	250
METRO Gold Line BRT	—	–	6,350
Total Corridor Rides	6,300	10,450	13,050

[a] *Includes existing Routes 63 and 70, and future Routes 300, 301 and 302 (feeder routes).*

[b] *Includes existing Routes 294, 350 and 351, and future Route 381 (Manning Avenue Park-and-Ride express bus to downtown Saint Paul)*

Other project elements described for Build Alternative 1, such as pedestrian and bicycle facilities, vehicle characteristics, and the operations and maintenance facility, are the same for Build Alternative 2.

4.4. Identification of the Preferred Alternative

The Council identified Build Alternative 1 as the Preferred Alternative that best meets the Project's purpose and need of providing a transit service that meets long-term regional mobility and local accessibility needs for businesses and the public when compared to the No-Build Alternative. Alignment A1 under Build Alternative 1 offers the following benefits in downtown Saint Paul not provided by Alignment A2 under Build Alternative 2:

- Provides the most direct access throughout downtown Saint Paul where people live, work and recreate
- Serves the mixed-use core of downtown Saint Paul that provides the greatest employment and housing density in the city and has a high projected population and employment growth
- Includes areas with high concentrations of zero-vehicle households
- Provides more direct access to transit for environmental justice populations living in the downtown area

- Consistent with the Project's goal to maximize travel time savings, Alignment A1 provides a one-seat ride to and from downtown Saint Paul and to Union Depot, meaning riders who need to access western areas of downtown would not have to transfer to other modes or walk long distances to reach their destinations

Alignment A1 also provides a direct connection to Union Depot.[5] In addition, Build Alternative 1 is consistent with the Project goal to maximize ridership since Build Alternative 1 is projected to have higher ridership carrying 7,100 riders per day in 2040 compared to 6,350 riders with Build Alternative 2, and analyses anticipate it would attract the newest transit riders.

Within Alignment C, the preferred alternative includes the Hazel Street Station Option and does not include a station at Van Dyke Street. In coordination with the City of Saint Paul, the Council included the Hazel Street Station Option over the Van Dyke Street Station based on public input received during outreach efforts completed during development of the EA and the city's action in February 2019 to amend its Gold Line Station Area Plan to include the station at Hazel Street. The station location at Hazel Street meets the Project's need to support local and regional objectives for growth and prosperity by locating the station where it provides development opportunities coupled with increased visibility from Old Hudson Road.

Also, within Alignment C, the preferred alternative includes the Dedicated Guideway Option at Hadley Avenue and 4th Street. In coordination with the City of Oakdale, the Corridor Management Committee recommended in May 2019, to include this option in the Project.

5. MITIGATION MEASURES TO MINIMIZE HARM

The EA describes the Project, its likely impacts, and potential mitigation measures to avoid or minimize those impacts. **Appendix C** describes the mitigation commitments that FTA requires of the Council as a condition of FTA's finding that the Project will have no significant impact. These mitigation commitments are based on the mitigation measures identified in the EA and the Final Programmatic Agreement (PA) (see **Appendix B**). Satisfaction of the mitigation commitments will be a condition of any grant that FTA may make for the Project. The Council will implement all mitigation measures to which the EA and the Final PA commits and will coordinate with other agencies and stakeholders on design issues related to the Project as stipulated in both documents during design and construction phases.

6. ENVIRONMENTAL DETERMINATIONS AND FINDINGS

6.1. NEPA Finding

The Council will construct the Project in accordance with the design features and mitigation measures presented in the EA as well as this FONSI. The Council prepared the EA with FTA oversight in compliance with 42 USC § 4321, et seq. and 23 CFR § 771.119.

[5] *The connection to Union Depot under Alignment A1 is farther apart than the Alignment A2 connection; however, both alignments link to this multimodal hub and provide other convenient transportation connections to local bus routes, the METRO Green Line and bike-sharing facilities.*

After reviewing the EA and supporting documents, including public comments and responses made thereto, FTA finds that the Project will result in temporary and permanent impacts on resources identified in **Table 6.1-1**.

TABLE 6.1-1: RESOURCE AREAS EVALUATED FOR POTENTIAL IMPACTS

Resource Area	No Concern	Short-Term Impact (Yes/No)	Long-Term Impact (Yes/No)
Traffic		Yes	Yes
Transit		Yes	Yes
Parking and driveways		Yes	Yes
Pedestrian and bicycle facilities		Yes	No
Freight rail	X		
Aviation	X		
Land use plan compatibility	X		
Community facilities, character and cohesion		Yes	Yes
Acquisitions and displacements		Yes	Yes
Visual quality and aesthetics		Yes	Yes
Business and economic resources		Yes	Yes
Safety and security		Yes	No
Environmental justice		Yes	No
Utilities		Yes	Yes
Floodplains		No	Yes
Surface waters		No	Yes
Stormwater and water quality		Yes	Yes
Geology, groundwater and soils		Yes	No
Hazardous materials and contamination		Yes	Yes
Noise and vibration		Yes	No
Biological environment (endangered species, wildlife habitat)		Yes	Yes
Air quality	X		
Energy	X		
Farmlands	X		
Section 4(f) resources		Yes	Yes
Section 6(f) resources	X		
Section 106 (Historic properties)		Yes	Yes

See **Appendix C** for mitigation commitments related to these impacts. Pursuant to 23 CFR § 771.121, FTA finds that, with the mitigation that the Council has committed to, the Project will have no significant impact on the environment. The record provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required.

6.2. Section 106 Finding

The National Historic Preservation Act (hereinafter referred to as Section 106) requires federal agencies to consider the effects of their actions on historic properties before undertaking a project. 16 USC § 470. 36 CFR Pt. 800 Pursuant to 36 CFR § 800.2(a)(2), FHWA and USACE recognized FTA as the lead federal agency for the Section 106 process.[6]

49 USC § 5309(d)(1)(C) requires the environmental review process for FTA's Capital Investment Grants program to be completed in two years. To ensure this requirement was met, FTA determined that a phased process was appropriate for completing the Section 106 process. In accordance with 36 CFR § 800.4(b)(2), FTA, with assistance from the MnDOT Cultural Resources Unit (CRU) and the Council, consulted with the Minnesota State Historic Preservation Office (MnSHPO), other consulting parties, and the public to prepare a PA to guide the completion of the Section 106 process for the Project (see **Appendix B**). FTA also invited the Advisory Council on Historic Preservation (ACHP) to participate in the development of the PA. ACHP chose not to participate but did provide technical assistance when requested by MnSHPO. The PA establishes roles and responsibilities for its implementation and includes processes for identifying and evaluating properties for the National Register of Historic Places (NRHP), assessing effects on historic properties, and resolving any adverse effects. The PA also spells out design development and review processes and requirements for protecting historic properties during Project construction. FTA sought input from the public on the draft PA through the NEPA public comment process.

To date, the FTA and MnDOT CRU have identified 29 historic properties within the Project's architecture/history and archaeological Areas of Potential Effect (APEs). All identified properties are architecture/history properties. No NRHP-listed or -eligible archaeological properties have been identified within the Project's archaeological APE. The 29 architecture/history properties identified within the Project's APE include four historic districts, 19 properties that are individually eligible for, or listed in, the NRHP, and six properties that are both individually listed, or eligible for, the NRHP and listed or eligible as a contributing element to a historic district.[7] Per the terms of the executed PA, the FTA and MnDOT CRU will continue to conduct surveys to identify architecture/history properties in areas added to the architecture/history APE, as well as in previously surveyed areas that will be 50 years of age or older at the initiation of Project construction, that may be affected by the Project. Per the terms of the executed PA, the Project will also continue to survey the areas added to the archaeological APE to identify potential archaeological sites that may be affected by the Project. If FTA determines the Project would have an adverse effect on a historic property, FTA will consult with MnSHPO and other consulting parties per the terms of the executed PA to consider avoidance, minimization and/or mitigation measures to resolve the adverse effect.

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[6] *In a letter dated July 9, 2018, USACE recognized FTA as the lead federal agency pursuant to 36 CFR § 800.2(a)(2) to act on USACE's behalf for meeting the requirements of Section 106. In a letter dated Aug. 28, 2019, FHWA invited FTA to be designated as the lead federal agency for the Section 106 process per 36 CFR § 800.2(a)(2) to act on FHWA's behalf to fulfill our collective responsibilities under the Section 106 process, and FTA accepted this designation in a letter dated Sept. 16, 2019.*

[7] *The 19 properties identified as individually eligible for or listed in the NRHP includes four properties being treated as eligible for the NRHP for the purpose of completing the Section 106 process for the Project.*

The Council during the Project's implementation shall follow Stipulations in the PA. With the execution and implementation of the PA, FTA finds that the Project has satisfied the requirements of Section 106 of the National Historic Preservation Act.

6.3. Section 4(f) Finding

Section 4(f) of the USDOT Act of 1966 ("Section 4(f)") provides protection to parks and recreation areas, wildlife and waterfowl refuges, and historic sites. 49 USC § 303. The *Final Section 4(f) and 6(f) Evaluation Technical Report* in Appendix A of the EA provides the evaluation's regulatory context and methodology, an assessment of use of properties protected under Section 4(f), and preliminary determinations for Section 4(f) protected properties, including *de minimis* impact determinations for three properties.

A total of 16 public parks and recreation resources are located within the study area. No public wildlife or waterfowl refuges are in the study area.

Of these 16 public parks and recreation resources identified in the study area, the Project impacts one parkway and surrounding park space (Johnson Parkway), one park (Menomini Park) and one multi-use trail on Bielenberg Drive. For the remaining 13 resources, the EA determined that there would not be a permanent use, temporary occupancy or constructive use of these Section 4(f) resources. For the three impacted properties, the Council coordinated with local agencies (formally termed Officials with Jurisdiction, or OWJs) to review impacts to the parks and recreation areas and to obtain input on the preliminary determinations of Section 4(f) use with *de minimis* impacts.

In accordance with rules implementing *de minimis* determinations, the FTA and the Council have coordinated with local OWJs regarding Section 4(f) properties to indicate FTA's intent to make a *de minimis* impact determination and documented these preliminary determinations. 23 CFR § 774.5(b)(2)(ii). The FTA and the Council made this document available for public review, concurrent with the notice of public availability of the EA. Letters of concurrence with the *de minimis* finding from the cities of Saint Paul and Woodbury are in **Appendix D**.

The Project also contains historic sites protected under Section 4(f). The FTA, with assistance from MnDOT CRU and in consultation with the MnSHPO, has identified 29 historic properties within the Project's architecture/history and archaeological APEs that are listed in, or have been determined eligible for inclusion in the NRHP, or that the FTA is treating as NRHP-eligible for the purpose of the Project. The properties are discussed in more detail in **Section 0**.

FTA is addressing effects on historic sites through the Section 106 process and the PA discussed in **Section 0**. After FTA assesses the effects of the Project on historic properties under Section 106, it will assess if the effects constitute a use under Section 4(f). If FTA identifies a Section 4(f) use of a historic property, the Council will prepare a supplemental Section 4(f) Evaluation for the historic property.

6.4. Endangered Species Act of 1973 (ESA) Findings

Section 7 of the Endangered Species Act of 1973 requires all federal agencies to consider and avoid, if possible, adverse impacts to federally listed threatened or endangered species or their critical habitats that could result from the FTA's direct, regulatory or funding actions. 6 USC § 1531-1544, 87 Stat. 884. The resource study area does not include habitat designated or proposed as critical.

The analysis found the following threatened or endangered species within the two counties:

- Higgins eye pearlymussel, an endangered mussel species
- Snuffbox mussel, an endangered mussel species
- Spectaclecase mussel, an endangered mussel species
- Winged mapleleaf mussel, an endangered mussel species
- Northern long-eared bat, a threatened mammal species
- Rusty patched bumble bee, an endangered insect species

Adverse impacts are not anticipated for the four mussel species.

FTA determined that the Project is within the scope, and adheres to the criteria of, the Feb. 5, 2018, FHWA, Federal Railroad Administration (FRA), and FTA Programmatic Biological Opinion (PBO) for Transportation Projects within the Range of the Indiana Bat and Northern Long-Eared Bat to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973.[8] FTA determined that with the adoption of applicable avoidance and minimization measures, the Project is not likely to adversely affect the northern long-eared bat. The U.S. Fish and Wildlife Service (USFWS) concurrence verification letter on the northern long-eared bat is located in **Appendix E.**

Since the publication of the EA and as part of their review as cooperating agencies, MnDOT and FHWA identified the need for additional consultation for impacts to the federally endangered rusty patched bumble bee (RPBB). Specifically, the Project will impact roadside vegetation within an area USFWS has identified as a High Potential Zone (HPZ). The information available to FTA during consultation with USFWS in 2018 and 2019 indicated that the RPBB did not forage in roadside habitat. As part of the EA, FTA, in consultation with the USFWS, had determined the Project would not impact habitat areas that would affect the RPBB due to the Project's proximity to roadway rights-of-way dominated by non-native and noxious weeds and therefore determined the Project would not impact the species. Research sponsored by MnDOT and published in June 2019 found that the RPBB does in fact use roadside habitat in the Twin Cities metropolitan area and will forage on non-native flowering species. MnDOT has also completed surveys in 2019 for RPBB in roadside areas and documented their presence in areas of the Twin Cities and southeast Minnesota, including in areas dominated by non-native and noxious weeds. This new information was made available to the Council and FTA in October 2019.

The Project area overlaps with the RPBB HPZ and contains suitable habitat such as unmanicured upland grasslands. The amount of potential suitable RPBB habitat within the HPZ is approximately 15% or 18 acres of the total 118 acres within the limits of disturbance (LOD). Based on the presence of potential habitat within the LOD and recent studies provided by MnDOT, FTA now presumes presence of the RPBB where the Project area overlaps with the HPZ. Construction of the Project will involve clearing and grubbing of an estimated 11 acres that will result in short-term loss of vegetated areas. The majority of these 11 acres are existing rights-of-way or grasslands immediately adjacent to the existing rights-of-way. This loss of this habitat is considered short-term because these areas will be revegetated with native mix upon the completion of the Project.

The remaining 7 acres of unmanicured upland grasslands habitat may be permanently lost due to construction of roadway and BRT travel lanes. These impacts are associated with old field habitat located at the southeast corner of 4th Street North and Hadley Avenue, the southwest corner of 4th Street North and Helmo Avenue, and the south side of I-94 at Bielenberg Drive. These areas are located immediately adjacent to, or within, the existing

[8] *U.S. Fish and Wildlife Service. Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and Northern Long-Eared Bat. February 2018. Available at: https://www.fws.gov/midwest/endangered/section7/fhwa/pdf/BORevised02052018forIbatNLEB_FHWA_FRA_%20FTA.pdf. Accessed January 2020.*

rights-of-way and are considered low quality habitat due to disturbance via mowing or the presence of open water. Based on MnDOT's 2019 findings, the RPBB will utilize existing right-of-way and low-quality habitat.

This new information relative to the use of areas dominated by non-native and noxious weeds was unavailable to FTA at the time of the initial consultation with USFWS. As a result of the new information, FTA has made a revised determination of "may affect, not likely to adversely affect" for the RPBB, as the Project will be disturbing areas of low- to moderate-quality vegetation beyond the inslope of the roadway. FTA requested concurrence from the USFWS on this determination for the RPBB. USFWS concurrence letter is located in **Appendix E.** Consultation with USFWS local field office will continue as design advances to further minimize and reduce the potential for conflict to RPBB during the active season. Field surveys will be coordinated with USFWS to further refine potential impacts to RPBB.

6.5. Federal Uniform Relocation Act Compliance

The Project would acquire property in accordance with the Uniform Relocation Act and Real Property Acquisition Policies Act (URA) of 1970 to ensure fair and equitable treatment to people whose real property is acquired or who are displaced because of federally funded projects; to provide relocation assistance; and to provide decent, safe and sanitary housing within the displaced person's financial means. 42 USC § 61. 49 CFR Pt 24. Project-related property acquisition is also subject to Chapter 117 of the Minnesota Statutes, which requires compensation and standardized relocation benefits. Minnesota Statues 2019 § 117.187. The Uniform Relocation Act and the Minnesota Statutes requirements apply to full and partial acquisitions, displacement, and permanent and temporary easements.

A total of 35 partial acquisitions and 2 full commercial acquisitions are required. Approximately 21 businesses would be displaced; no institutional entities or housing units would be displaced. The number of displacements is approximate and is subject to change. The Council will further refine acquisition, displacement and relocation needs as the Project design advances during the Project Development and Engineering phases.

6.6. Wetland Finding

The Clean Water Act establishes regulations related to discharging pollutants into the Waters of the United States and for regulating quality standards for surface waters. 33 USC § 1344, et seq. The U.S. Environmental Protection Agency (EPA) oversees states' implementation of these regulations, reviews permit applications and provides comments to the agency with jurisdiction. 33 USC § Pt. 320 et seq. Section 404 of the Clean Water Act establishes a permitting program to regulate the discharge of dredged or fill material into Waters of the United States, excluding those wetlands that are hydrologically isolated on the landscape. 33 USC § 1344. The FTA, as the lead federal agency, implements Executive Order 11990 via U.S. Department of Transportation Order 5660.1A. USACE is responsible for implementing Section 404 of the Clean Water Act. 33 USC § 1344. USACE coordinated with FTA on development of the EA and will issue its permit decision under 40 CFR Pt. 230 after FTA completes its environmental review process.

Build Alternative 1 would impact a total of 2.652 acres of surface waters. The Council will further evaluate possible measures to avoid or minimize these impacts as the Project design advances during the Project Development and Engineering phases. Mitigation for wetland impacts is expected through the purchase of credits from a state-managed wetland bank. Mitigation will be at a minimum 2:1 ratio, meaning 2 acres of mitigation is required for each 1 acre of impact.

6.7. Floodplain Finding

Section 404 of the Clean Water Act, the Rivers and Harbors Appropriation Act of 1899 and Executive Order 11988 – "Floodplain Management" are federal laws that protect floodplains. 33 USC § 1344. 33 USC § 403. The Minnesota Department of Natural Resources (DNR) establishes state and local protections through public waters work permits; watershed districts; water management organizations/commissions; or city permits.

The Council anticipates Build Alternative 1 would impact floodplains with a minimum of 4,842 cubic yards of fill, and potential additional fill at two locations in Woodbury based on grading tie-in elevation. Mitigation will be provided for the fill and permitted through the appropriate regulatory agency. The Council will further evaluate measures to minimize these impacts as the Project design advances during the Project Development and Engineering phases. The Council does not anticipate impacts to floodways.

6.8. Environmental Justice Finding

Executive Order 12898 provides that "each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and/or low-income populations." A disproportionately high and adverse effect on minority or low-income populations is defined as an adverse effect that: (a) is predominantly borne by a minority population and/or a low-income population; or (b) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population. E.O. 12898.

The Council used a multistep process to identify the potential for disproportionately high and adverse effects to environmental justice populations. Section 4.8 of the *Community and Social Resources Technical Report* in Appendix A of the EA provides the full environmental justice analysis. The Project would not produce environmental justice-related impacts to transit; traffic; pedestrian and bicycle facilities; land use; safety and security; noise and vibration; or air quality based on Project operations, with implementation of mitigation measures incorporated into the Project. Therefore, the Project would not impact environmental justice populations with disproportionately high or adverse effects related to these resources.

The following resource-specific conclusions summarize the Project's potential for disproportionately high and adverse effect on environmental justice populations from operation and construction of the Project:

- Parking and driveways: No disproportionately high or adverse effects
- Community facilities, cohesion and character: No disproportionately high or adverse effects
- Acquisitions and displacements: No disproportionately high or adverse effects
- Business and economic resources: No disproportionately high or adverse effects
- During the construction phase of the Project, the Council anticipates disproportionately high and adverse effects on environmental justice populations related to noise and vibration impacts along Alignments B and C, and to visual impacts along Alignment B. The Project will implement mitigation measures to reduce these temporary impacts.

Based on the analysis contained in the EA and the mitigation commitments made by the Council, the Project would not result in adverse environmental justice impacts. As a result, FTA finds that the Project will not have disproportionately high or adverse effects on environmental justice populations.

6.9. Air Quality Conformity Finding

Public transportation projects proposed for federal funding must meet the requirements of the Clean Air Act. 42 USC § 85. Air quality conformity is a process intended to ensure that FTA funded transit projects are consistent with the air quality goals set forth in the Clean Air Act. 42 USC § 7506(c). To conform, a transit project must come from a currently conforming Metropolitan Transportation Plan and Transportation Improvement Program, must not cause or contribute to any air quality hot spots and must follow any other requirements in the State Implementation Plan for air quality that pertain to the project. 40 CFR § 93.114 and 93.115.

The Council is the federally designated Metropolitan Planning Organization that develops the conforming Metropolitan Transportation Plan (locally known as the Transportation Policy Plan, or TPP) and Transportation Improvement Program. The Council's 2040 TPP (2018 Update) identifies the Project (in which it is named the METRO Gold Line), and the Council anticipates the Project would begin operating around 2024. In July 2014, Minnesota Pollution Control Agency (MPCA) found the draft 2040 TPP conforms with EPA requirements (see the *Physical and Environmental Resources Technical Report (*Attachment A-5-6) of the EA for documentation of conformity). The Project is not included in MnDOT's *2019-2022 State Transportation Improvement Program,* but the Council included it in its *2020-2023 Transportation Improvement Program for the Twin Cities Metropolitan Area.*

7. PUBLIC OUTREACH, AGENCY COORDINATION AND PUBLIC OPPORTUNITY TO COMMENT

The EA document, including the Section 4(f) Evaluation and draft PA, was made available for public comment from Oct. 7 to Nov. 6, 2019. The legal notice of availability was published on Oct. 7, 2019, in the *Star Tribune*. A press release was issued on Oct. 4, 2019. Advertisements of the two public meetings were placed in three area newspapers. The public meetings were also promoted on social media where content was displayed 20,240 times. Over 300 poster flyers were distributed to households in the City of Landfall. Copies of the EA document, or details on where to find the document, were sent to agencies, local governments, libraries and other interested organizations in accordance with Minnesota Rule 4410.1500, "Publishing and Distributing EAW." Below is a summary of the EA notice of availability distribution.

- 555 adjacent property owners were notified via letter
- 784 Gold Line email subscribers were notified via email
- 1,381 Gold Line Partners email subscribers were notified via email
- 40 Gold Line mail subscribers were notified via letter
- Members of the Gold Line Community and Business Advisory Committee, Technical Advisory Committee, and Corridor Management Committee were notified via email
- 72 people who commented during scoping were notified via email or letter

The document and reference materials were also available on the Project webpage at: www.metrotransit.org/gold-line. Hard copies of the document were available at the following locations:

- **Gold Line Project Office:** Metro Square Building, 121 7th Place E., Suite 102, Saint Paul, MN 55101
- **Downtown Saint Paul Central Library (George Latimer Central Library):** 90 W. 4th St., Saint Paul, MN 55102
- **Dayton's Bluff Library:** 645 E. 7th St., Saint Paul, MN 55106
- **Sun Ray Library:** 2105 Wilson Ave., Saint Paul, MN 55119

- **Maplewood Library:** 3025 Southlawn Drive, Maplewood, MN 55109
- **Landfall City Hall:** One 4th Ave., Landfall, MN 55128
- **Oakdale Library:** 1010 Heron Ave. N., Oakdale, MN 55128
- **Woodbury Library (R.H. Stafford Library):** 8595 Central Park Place, Woodbury, MN 55125
- **Federal Transit Administration, Region 5:** 200 W. Adams St., Suite 320, Chicago, IL 60606

The Council held the following two public meetings:

- Tuesday, Oct. 22, 2019: 5-7 p.m.

East Side Learning Center at Harding Senior High School
1526 E. 6th St., Saint Paul, MN 55106
Wednesday, Oct. 23, 2019: 5-7 PM

- Landfall Community Center

Two 4th Ave. N., Landfall, MN 55128

The Council also held drop-in hours:

- Monday, Oct. 28, 2019: 11 AM-1 PM

Gold Line Project Office
121 7th Place E., Suite 102, Saint Paul, MN 55101

A total 37 people signed in at the public meetings and two people signed in during the drop-in hours. All attendees were provided with a Project fact sheet and a comment form upon entering the meeting venues. The public meetings were held in an open house format. A series of exhibit boards described the Project area, purpose and need, lead and cooperating agencies, federal and state permits and approvals, alternatives, Section 4(f) resources, Section 106 (historic properties), and instructions about how to comment. The 15% Concept Plan roll plots also were available for viewing at the public meetings. Attendees were invited to speak to Project staff to discuss specific issues and ask questions regarding the Project. A court reporter was available at both public meetings to record oral public comments. An American Sign Language interpreter was present at both public meetings, and a Spanish translator was present at the meeting location in Landfall. Copies of the EA, Section 4(f) Evaluation, draft PA, and all EA appendices were available at the meetings for attendees to review. The exhibit boards and 15% Concept Plan roll plots (see **Appendix G**) were available on the Project webpage after the meetings.

During the public comment period, the Council received 35 comments about the EA and two comments about the draft PA. Comments were provided via the Project email list, the comment form on the Project website and by U.S. mail. Comments were also given verbally to a court reporter at the Oct. 22 and 23, 2019, public meetings.

The following agencies sent comment letters:

- EPA
- DNR
- MnDOT
- MPCA
- MnSHPO (EA and PA)
- The Council
- Ramsey County
- City of Maplewood
- City of Oakdale
- City of Saint Paul
- City of Woodbury
- Sierra Club

Appendix A contains a summary table of the comments, copies of the comments and agency letters and responses to substantive comments received on the EA.

No changes to the EA were necessary because of the public comments. Changes to the draft PA based on comments received were made as appropriate.

8. CONCLUSION

Based on the EA and its supporting documents, FTA finds that pursuant to 23 CFR § 771.121, there are no significant impacts on the environment associated with the construction and operation of the METRO Gold Line BRT Project. Preparation of an Environmental Impact Statement is not warranted.

January 17, 2020

Kelley Brookins **Date of Approval**

Regional Administrator

Federal Transit Administration, Region V

METRO Gold Line

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

Finding of No Significant Impact

Appendix A. Public and Agency Comments

January 2020

TABLE OF CONTENTS

TABLES

ACRONYMS AND ABBREVIATIONS

Council	Metropolitan Council
EA	Environmental Assessment
EAW	Environmental Assessment Worksheet
PA	Programmatic Agreement

APPENDIX A. PUBLIC AND AGENCY COMMENTS AND RESPONSES

A.1. Overview

This appendix is part of an environmental decision document that supports a Finding of No Significant Impact determination for the METRO Gold Line Bus Rapid Transit Project (Project). This appendix contains comments received on the Environmental Assessment (EA)/Environmental Assessment Worksheet (EA) and the draft Section 106 Programmatic Agreement (PA) for the Project.

Metropolitan Council (Council) accepted comments from Oct. 7 to Nov. 6, 2019, via U.S. mail, email, an online comment form, and comment cards and verbal comments a court reporter recorded during public meetings. The Council reviewed, responded to and compiled all comments received on the EA/EAW and PA.

This appendix includes responses to the substantive comments about the EA/EAW and the PA. The Council will provide continued public engagement opportunities as the Project design advances to help answer design-specific questions.

Refer to the Project webpage (www.metrotransit.org/gold-line-project) or contact Project Outreach Coordinator Liz Jones via email at elizabeth.jones@metrotransit.org or by phone at (651) 602-1977 to learn more about future public engagement opportunities.

This appendix is divided into the following six parts:

- **Section A.2:** Index of comments received on the EA/EAW
- **Section A.3:** Copies of original comment submissions received on the EA/EAW
- **Section A.4:** Responses to comments received on the EA/EAW
- **Section A.5:** Index of comments received on the PA
- **Section A.6:** Copies of original comment submissions received on the PA
- **Section A.7:** Responses to comments received on the PA

A.1.1. Section A.2: Index of Comments Received on the Environmental Assessment/Environmental Assessment Worksheet

Section A.2 contains **Table A-1**, which lists each received comment about the EA/EAW. The table includes the following information:

- **Comment ID Number:** Comment's unique identifier, assigned to each comment
- **Source:** Method by which the comment was received (U.S. mail, email, online form, public meeting comment card, and verbal comments given to a court reporter)
- **Commenter:** Name of the individual submitting the comment, if provided
- **Commenter Organization:** Name of the organization, business or group, if provided
- **Original Comment Page Number:** Page number on which the comment begins, as found in **Section A.3**
- **Response Page Number:** Page number on which the response begins, as found in **Section A.4**

A.1.2. Section A.3: Copies of Comments Received on the Environmental Assessment/Environmental Assessment Worksheet

Section A.3 includes a copy of each received comment about the EA/EAW. The comments are presented in the order in which they were received and by all methods: post mail, email, an online comment form, and public meeting comment cards and verbal comments to a court reporter. Contact information has been redacted from comments received from private citizens.

A.1.3. Section A.4: Response to Comments Received on the Environmental Assessment/Environmental Assessment Worksheet

Section A.4 includes responses to each of the comments received on the Environmental Assessment/ Environmental Assessment Worksheet. The responses include the following information:

- **Comment ID Number**: Comment's unique identifier, assigned to each comment
- **Commenter:** Name of the individual submitting the comment, if provided
- **Commenter Organization:** Name of the organization, business or group, if provided
- **Comment Response:** Response to substantial comments

A.1.4. Section A.5: Index of Comments Received on the Programmatic Agreement

Section A.5 contains **Table A-2**, which lists each received comment about the PA. The table includes the following information:

- **Comment ID Number:** Comment's unique identifier, assigned to each comment
- **Source:** Method by which the comment was received (postal mail, email, online form, public meeting comment card, and verbal comments to a court reporter)
- **Commenter:** Name of the individual submitting the comment, if provided
- **Commenter Organization:** Name of the organization, business or group, if provided
- **Original Comment Page Number:** Page number on which the comment begins, as found in **Section A.5**
- **Response Page Number:** Page number on which the response begins, as found in **Section A.7**

A.1.5. Section A.6: Copies of Comments Received on the Programmatic Agreement

Section A.6 includes a copy of each of the comments received on the Programmatic Agreement. The comments are presented in the order in which they were received and include all comment types: post mail, email, an online comment form, and public meeting comment cards and verbal comments to a court reporter.

A.1.6. Section A.7: Responses to Comments Received on the Programmatic Agreement

Section A.7 includes responses to each of the comments received on the Programmatic Agreement. The responses include the following information:

- **Comment ID Number:** Unique comment identification number assigned to each comment
- **Commenter:** Name of the individual submitting the comment, if provided
- **Commenter Organization:** Name of the organization, business or group, if provided
- **Comment Response:** Response to substantial comments

A.2. Index of Comments Received on the Environmental Assessment/Environmental Assessment Worksheet

TABLE A-1: INDEX OF COMMENTS RECEIVED ON THE ENVIRONMENTAL ASSESSMENT/ENVIRONMENTAL ASSESSMENT WORKSHEET

Comment Number	Comment Source	Commenter	Organization	Comment Page (Section A.3)	Response Page (Section A.4)
1	Email	Aaron Isaacs	Metro Transit (retired)	A-6	A-56
2	Email	Rik Mulkern		A-7	A-56
3	Email	Natasha Fleischman		A-7	A-57
4	Email	Lenny Gaitlan		A-8	A-57
5	Email	Musa Issa		A-8	A-57
6	Email	Jeff Meyers		A-8	A-58
7	Email	Richard Newmark		A-9	A-58
8	Online Form	Patricia Kivela		A-9	A-58
9	Online Form	Brad Wheeler		A-10	A-59
10	Comment Card	Tonya Mages		A-11	A-59
11	Comment Card	Larry and Connie Osterkamp		A-12	A-59
12	Comment Card	Patricia Kivela		A-13	A-59
13	Comment Card	Al and Beth Stroschein		A-14	A-60
14	Email	Mike Sowers		A-15	A-60
15	Email	Patrick Needham		A-15	A-61
16	Email	Patrick Needham		A-16	A-61
17	Testimony	Patricia Gurney		A-17	A-61
18	Testimony	Bob Walker		A-18	A-61
19	Email	Kong Her		A-21	A-61
20	Testimony	Adam Jass		A-22	A-62
21	Testimony	Sarah Trobec		A-24	A-62
22	Email	Kenneth Westlake	U.S. Environmental Protection Agency	A-28	A-62
23	Email	Steve Love	City of Maplewood	A-34	A-63
24	Email	David Parker		A-34	A-64

Comment Number	Comment Source	Commenter	Organization	Comment Page (Section A.3)	Response Page (Section A.4)
25	Email	Ted Schoenecker	Ramsey County	A-35	A-64
26	Email	Karen Kromar	MN Pollution Control Agency	A-36	A-64
27	Email	Bill Dermody	City of Saint Paul	A-38	A-64
28	Email	Robert Streetar	City of Oakdale	A-40	A-65
29	Testimony	Patrick McNamara		A-43	A-66
30	Email	Sarah Beimers	MN State Historic Preservation Office	A-45	A-66
31	Email	Mathews Hollinshead	Sierra Club North Star Chapter	A-46	A-66
32	Email	Cynthia Novak-Krebs	MN Department of Natural Resources	A-48	A-67
33	Email	Tony Kutzke	City of Woodbury	A-49	A-68
34	Email	David Kratz	MN Department of Transportation	A-53	A-68
35	Email	Patrick Boylan	Metropolitan Council	A-54	A-68

A.3. Copies of Comments Received on the Environmental Assessment/Environmental Assessment Worksheet

COMMENT #1

From:
Sent: Monday, October 7, 2019 6:35 PM
To: METRO Gold Line
Subject: The Gold Line and Sunray Transit Center

Responding to the request for public comments, I'm concerned that the plan seems to completely ignore the existing Sunray Transit Center, which ought to be considered one of the most important stops on the Gold Line. The proposed Sunray station is a long city block south of the existing center, which is not even noted on the project plan map.

There are currently about 800 daily boardings at the transit center, proof of its ability to attract ridership. It's by far the biggest traffic generator on the East Side. It's the only place on the Gold Line where transfers can be timed simultaneously for Routes 63, 70, 74 and 80 to reach the rest of St. Paul's East Side, as well as Maplewood.

Rather than divert the Gold Line to the existing center, it should be possible to move the center down to the Hudson Road area where transfers can be made more conveniently. Just lengthen the station pulloff bays to accommodate more buses.

The Gold Line will need all the ridership it can just to remain viable, because this is a low-potential corridor. Ignoring the Sunray Transit Center would be irresponsible.

Aaron Isaacs
Metro Transit (retired)

COMMENT #2

From: Rik Mulkern
Sent: Monday, October 7, 2019 8:38 PM
To: METRO Gold Line
Subject: Environmental Assessment

Good Day to All Concerned,

My name is Rik Mulkern. I am a lifelong east-sider. I have long questioned the need for BRT along the route presently planned. I most concerned the custom built home, that I built, on a now quiet street, will now be upended by this project. My address is . My biggest concern now regarding this project is the noise pollution. The noise from I-94 is barely tolerable now. Adding the Gold Line will be over the top. Present traffic that is practically non existent via Hudson Road is, and has been in a word - 'nice'. I am told the traffic would be every ten to 15 minutes in both directions. Unacceptable! The traffic would impede the enjoyment and quality of life I now enjoy at my present residence.

To date I have been told that a possible sound wall improvement would happen? The unfortunate part is the Gold Line would be on the residential side of the wall? Why couldn't the gold line run concurrently with I-94? And the sound wall moved northerly? This configuration would least impact the residents and neighborhood the least.

Regards,

Rik Mulkern

COMMENT #3

From: Fleischman, Natasha
Sent: Tuesday, October 8, 2019 3:36 PM
To: METRO Gold Line
Subject: Feedback

Hello! I am a resident of Lake Elmo and a committed bus rider (294), I am excited about the possibility that the Goldline provides. My only request is to consider options to get people on who do not drive. It's a fantastic option, but if it is not possible to ride the bus without driving to a park and ride, there are many people who it will not serve.

I know this is a big ask, but want to let you know that not all of us can drive to the park and ride.

Thank you!

Natasha Fleischman, M.A.

COMMENT #4

From: lennygaitan
Sent: Sunday, October 6, 2019 12:34 AM
To: METRO Gold Line
Subject: Goldline

Gold Line cannot support 10-15mins intervals when it will run on a highway with very limited access to high densities housings nearby
#63 /70 is less than 20mins from Sunray why would riders transfer to Gold line to downtown ?
This route will only benefit Woodbury rush hour commuters ,off peak will be a disaster.Keep the current express routes will add more expense to your budget when the the Gold open

COMMENT#5

From: Musa Issa
Sent: Sunday, October 13, 2019 8:40 PM
To: METRO Gold Line
Subject: Gold line

When will start happened? And go where?

COMMENT#6

From: Jeff Meyers
Sent: Wednesday, October 16, 2019 10:50 PM
To: METRO Gold Line
Subject: Gold Line - Mounds BLVD

Hello,

We have a property for sale ( ) How will this affect the property with assessments & future use?

--
Jeff Meyers

COMMENT #7

From: Richard Newmark
Sent: Monday, October 21, 2019 9:00 AM
To: METRO Gold Line
Subject: Gold line access via bike or walking

I live near the corner of Tamarack and Woodduck drive and will be biking or walking one mile to the Tamarack bus stop. I urge you to provide access via sidewalks to the station. Sidewalk access to Costco should also be considered without having to cross Tamarack twice since sidewalks are only on the south side of the street. Crossing Tamarack is a challenge since cars turning right never look for pedestrians on their right - they are ONLY looking left for vehicles.

Richard Newmark

COMMENT #8

From: TransitWebmail@metc.state.mn.us
Sent: Tuesday, October 22, 2019 10:19 PM
To: METRO Gold Line
Subject: METRO Gold Line Environmental Assessment - Public Comment: open house 10/22/2019

patricia j Kivela

I attended the Metro Gold Line open house tonight and left a written comment. A planner said the fencing would be removed at Hudson Road which is located along the ally behind Carriage Crossings 1 condo buildings. I wrote that I have a concern of the state land, which is immediately south of my building ( ), and the Gold Line route being a foot traffic path for people who aren't using the Gold Line. The open area/field would be another incentive for persons to access our parking lot and cause damage to cars, etc. My written comment suggested some kind of barrier - berm, trees, shrubs, etc. - be placed between our property and the Gold Line route. Another suggestion is why couldn't the fencing be extended on the south side of the state property, from the alley to Etna Street?

COMMENT #9

From: TransitWebmail@metc.state.mn.us
Sent: Tuesday, October 22, 2019 10:34 PM
To: METRO Gold Line
Subject: METRO Gold Line Environmental Assessment - Public Comment: YES to Gold Line

Brad Wheeler

I support the expansion of the Light Rail system around the Twin Cities Metro Area. My son is autistic and does not drive. A solid and wide-ranging train system will provide him with expanded transit opportunities and help him lead a more independent life. Thank you.

Environmental Assessment
COMMENT SHEET

METRO Gold Line

COMMENT #10

Please provide your comments on the METRO Gold Line Bus Rapid Transit (BRT) Project Environmental Assessment. Additional pages may be submitted to complete written comments.

Public comments will be collected from October 7 to November 6, 2019.
Comments submitted on the environmental assessment will be available for the public record; however, addresses and non-public information will be removed.

You can submit written comments through:
- Mail using the address on the reverse side
- Email to: *goldline@metrotransit.org*
- An online comment form: *metrotransit.org/gold-line-environmental*

Name: TONYA MAGEE

Email: _____

Primary Address: _____

Secondary Address: _____

Provide an email address to be added to the Gold Line email list and to receive follow-up information on the environmental decision document.

MY HOME IS DIRECTLY ON THE BUS LINE. FOR SEVERAL REASONS I PREFER THE BUSES TO RUN ON THE 94 SIDE OF THE SOUND WALL. 1, I DO NOT WANT TO DEAL WITH 2 LARGE BUSES EVERY 10 MINUTES PASSING BY MY HOME I HAVE ENJOYED THE DRIVEWAY OF THE WALL AND THE BUSES WILL BE A FREQUENT DISRUPTION 2, I FEEL SAFETY AND SECURITY MAY BE ISSUES. MY HOME IS A DISTINCT CORNER, MY BEDROOM FACES THE STREET, AND I AM A SINGLE FEMALE WHO LIVES ALONE. THIS HAS BEEN A RELATIVELY QUIET STREET. WITH NO PREVIOUS BUS LINE, THIS WILL BE A HUGE DISRUPTION AND CHANGE TO OUR LIVES ON THIS STREET.

MY PREFERENCE WOULD BE TO HAVE THE STREET (HUDSON RD) NARROWED TO ONE WAY TRAFFIC, A SINGLE LANE WITH A LANE FOR STREET PARKING, AND THE WALL MOVED CLOSER TO MY PROPERTY WITH THE BUS LANES CONSTRUCTED ON THE OTHER SIDE OF THE WALL NEXT TO 94.

Environmental Assessment
COMMENT SHEET

METRO Gold Line

COMMENT #11

Please provide your comments on the METRO Gold Line Bus Rapid Transit (BRT) Project Environmental Assessment. Additional pages may be submitted to complete written comments.

Public comments will be collected from October 7 to November 6, 2019.
Comments submitted on the environmental assessment will be available for the public record; however, addresses and non-public information will be removed.

You can submit written comments through:
- Mail using the address on the reverse side
- Email to: *goldline@metrotransit.org*
- An online comment form: *metrotransit.org/gold-line-environmental*

Name: Larry & Connie OSTERKAMP

Email: _____

Primary Address: _____

Secondary Address: _____

Provide an email address to be added to the Gold Line email list and to receive follow-up information on the environmental decision document.

With all the piles of snow shoveled & plowed from our driveways – the sidewalks cannot be shoveled – So we walk in the street if its plowed.

It may be difficult for people to WALK to the bus STATION in the winter.

Also
We have a concern about the (*) on the map on the lot next door to us. It is the only "green space" we have in our neighborhood for children to play at times And we don't want the lot to go to weeds if you make a WATER Mitigation wet pond.

Environmental Assessment
COMMENT SHEET

METRO Gold Line

COMMENT #12

Please provide your comments on the METRO Gold Line Bus Rapid Transit (BRT) Project Environmental Assessment. Additional pages may be submitted to complete written comments.

Public comments will be collected from October 7 to November 6, 2019.
Comments submitted on the environmental assessment will be available for the public record; however, addresses and non-public information will be removed.

You can submit written comments through:
- Mail using the address on the reverse side
- Email to: *goldline@metrotransit.org*
- An online comment form: *metrotransit.org/gold-line-environmental*

Name: PAT KIVELA

Email: _____

Primary Address: _____

Secondary Address: _____

Provide an email address to be added to the Gold Line email list and to receive follow-up information on the environmental decision document.

My condo building is located immediately north of the Gold Line Route. Was told sidewalk will be built in state land and fencing will be removed thus more foot traffic having access to this complex (and not necessarily using the Gold Line). I would like to see the project include some type of barrier between the gold line and carriage crossing / property - a berm, bushes, trees, etc. It doesn't have to be a wall. Major concern is individuals going through our parking lot and breaking into cars, etc. With the fence open, more people will use that path, making it easier to access our property.

Environmental Assessment
COMMENT SHEET

METRO Gold Line

COMMENT #13

Please provide your comments on the METRO Gold Line Bus Rapid Transit (BRT) Project Environmental Assessment. Additional pages may be submitted to complete written comments.

Public comments will be collected from October 7 to November 6, 2019.
Comments submitted on the environmental assessment will be available for the public record; however, addresses and non-public information will be removed.

You can submit written comments through:
- Mail using the address on the reverse side
- Email to: *goldline@metrotransit.org*
- An online comment form: *metrotransit.org/gold-line-environmental*

Name: Al + Beth Stroschein (formerly Grappendorf)
Email: _
Primary Address: _
Secondary Address: _

Provide an email address to be added to the Gold Line email list and to receive follow-up information on the environmental decision document.

How far are you coming into our property? Will you be adding a retaining wall onto our south hill when you do add a lane & sidewalk?
Are you taking out any of our trees on the South side to make room for power lines?
What is the timeline? When will this start?
Are we paid for the property outside the easement that you're taking? How much?
Where will snow go?

COMMENT #14

From: Mike Sowers
Sent: Thursday, October 24, 2019 1:25 PM
To: METRO Gold Line
Cc: Jones, Elizabeth
Subject: Comment/Concern

Hello, we are developing the building at . I understand there will be a bus stop on sibley that removes all of our metered parking we will be using for our move ins/move outs. This is our only source of parking, so I would like to know what can be done to create new dedicated parking spaces for our building residents to move in and out of the new project we are bringing online. I welcome the stop and the additional traffic, but fear if you don't have a plan to accommodate move in's and move outs the value of our building will suffer as a result, and we would be opposed to a plan that doesn't somehow factor this in. Maybe the city gives us dedicated spots in the publicly owned alley in the rear of the building?

Thank you!

Mike Sowers, CCIM

COMMENT #15

From: pat needham
Sent: Sunday, October 27, 2019 1:32 PM
To: METRO Gold Line
Subject: No need for trains...

Ask yourself..."how many people have been injured, or killed with light rail versus busses" ?

If anybody stubbs a toe with the existing Metro Transit, everything comes to a dead stop, backing up the following trains behind it. Do not put down tracks..just use the overhead electric power grid, Boston just to name one. you can use the "bendy" busses, switch to smaller versions on slow days. The most desirable asset of these vehicles are the ability to switch over to a generator to operate around an obstacle, and back to the overhead wires without the driver even leaving his seat. Along with this setup these vehicle can swing over to the curb for passenger pickup and dropoff... Go to You Tube, and see for your self how many cities are using this system, they also can operate along side the diesel busses on converging routes.

Patrick Needham, Hugo MN.

COMMENT #16

From: pat needham
Sent: Tuesday, October 29, 2019 11:26 AM
To: Johnson, Chelsa <Chelsa.Johnson@metrotransit.org>
Subject: RE: No trains needed...

Thank you for the reply that you received my message. There are more advantages to "No Rails.. The cost savings alone for not needing rail ties or the steel rails themselves would support the purchase of Many More transit vehicles.. The same could be said for the route heading North out of Minneapolis... Patrick Needham

Metro Transit's Gold Line BRT Open House
Comments Received - 10/23/2019

METRO TRANSIT'S GOLD LINE BRT
OPEN HOUSE
COMMENTS RECEIVED OCTOBER 23, 2019

ORIGINAL

Open House Location:
Landfall Community Center
2 4th Avenue North
Landfall, Minnesota 55128

Taken October 23, 2019 By Christine M. Clark, RPR

Benchmark Reporting Agency
612.338.3376

Metro Transit's Gold Line BRT Open House
Comments Received - 10/23/2019

COMMENT #17 Page 2

(Comment made at 5:54 p.m.)

MS. GURNEY: I live in Landfall. My name is Patricia Gurney, and I am concerned about the emissions from that many buses coming so close to Landfall every day.

I've lived in an area I had to move from because the traffic became so increased, and I'm allergic to the fumes and the exhaust that come off the buses and cars. So I have a concern about that increase, you know, in traffic that close to us and what it could do to, you know, the environment here in Landfall.

My address is , in Landfall.

COMMENT #18

(Comment made at 6:31 p.m.)

MR. WALKER: I supported this idea from the beginning because I think that the environmental benefits outweigh anything that they identified as a possible problem, because it will connect us with the light rail system, you know, and get us up to St. Paul without driving. And I think it will make a big difference on people from the neighborhoods up in St. Paul being able to come down here and work without having to have a car. I see that as a big benefit that way on fuel consumption and, you know, adding options to the neighborhood.

Benchmark Reporting Agency
612.338.3376

Metro Transit's Gold Line BRT Open House
Comments Received - 10/23/2019

That's really all I have to say, I guess. I just wanted to -- because I know, when it first started, there were people that were coming up with some pretty weird questions about it, and I thought they were going to kill it, but now I'm really glad it's going through to be built.

Bob Walker, email is ; Oakdale.

(Comments concluded.)

(Open house concluded at 7:00 p.m.)

Benchmark Reporting Agency
612.338.3376

Metro Transit's Gold Line BRT Open House
Comments Received - 10/23/2019

STATE OF MINNESOTA

CERTIFICATE

COUNTY OF CARVER

I, Christine M. Clark, RPR, hereby certify that I reported the comments received on this 23rd day of October, 2019, in Landfall, Minnesota;

That I was then and there a notary public in and for the County of Carver, State of Minnesota;

That the foregoing transcript is a true and correct transcript of my stenographic notes in said matter, transcribed under my direction and control;

That the cost of the original has been charged to the party who scheduled the transcript services and that all parties who ordered copies have been charged at the same rate for such copies;

That I am not related to any of the parties hereto, nor interested in the outcome of the matter and have no contract with any parties, attorneys or persons with an interest in the matter that has a substantial tendency to affect my impartiality;

WITNESS MY HAND AND SEAL this 25th day of October 2019.

Christine M. Clark

Christine M. Clark, RPR
Notary Public

CHRISTINE M. CLARK
NOTARY PUBLIC-MINNESOTA
My Commission Expires
January 31, 2022

Benchmark Reporting Agency
612.338.3376

COMMENT #19

From: Kong Her
Sent: Tuesday, October 29, 2019 11:39 PM
To: METRO Gold Line
Subject: Inquiry

Hello,

I have a few questions.
Do we know exactly where the route will be? Our house is adjacent to Old Hudson Rd in Saint Paul between White bear ave and Etna St. Will that stretch of Old Hudson Rd be turned into the gold line?

Thanks,
Kong

Public Comments - 10/22/2019
State of Minnesota Metro Gold Line Bus Rapid Transit Open House

STATE OF MINNESOTA

METRO GOLD LINE BUS RAPID TRANSIT

OPEN HOUSE

- -

ORIGINAL

- -

PUBLIC COMMENTS

- -

Taken October 22, 2019 By Deanna Oaks, RPR

Benchmark Reporting Agency
612.338.3376

Public Comments - 10/22/2019
State of Minnesota Metro Gold Line Bus Rapid Transit Open House

THE GOLD LINE OPEN HOUSE PUBLIC COMMENTS are taken on the 22nd of October, 2019, at East Side Learning Hub at Harding High School, 1526 Sixth Street East, St. Paul, Minnesota, commencing at 5:00 P.M.

COMMENT #20

PUBLIC COMMENTS

MR. JASS: So full name is Adam David Jass, which is A-D-A-M, D-A-V-I-D, J-A-S-S, and I forgot your other question.

MS. OAKS: What is your comment?

MR. JASS: Oh, okay. Yeah, my comment. That I think this is a very necessary project. It's gonna be a bit of a ripping off the Band-Aid, is kind of how I feel, for trying to create more transit that is necessary for the community, and especially more disenfranchised and underprivileged communities in our area. It's gonna be painful for me in particular because I have a house that's right there. Looks like there's not gonna be a ton of impact at this point, which is nice, but kind of anticipating the worst and was considering

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Public Comments - 10/22/2019
State of Minnesota Metro Gold Line Bus Rapid Transit Open House

if I should try to sell the house before construction starts and am currently thinking that I'll try to wait it out. Makes it a hard decision, though, when you're planning on other things. And so not, not something I would hope for, but something I feel like is a necessary step in the right direction for the growing community, and I hope that it brings a lot of benefits to my neighbors. I think that's it. **COMMENT #21**

MS. TROBEC: Okay. My name is Sarah Trobec, S-A-R-A-H, T-R-O-B-E-C. And I live at , which is one of the, you know, one of our buildings in our complex. Sorry, I said that wrong.

That -- what do you call the railway? You know, the -- what do they call the BRT?

MS. OAKS: I don't know.

MS. TROBEC: Oh, great. Well, anyway, the new Gold Line. I will just say that. The new Gold Line is directly behind 4th and 38th. And there's two things that we don't -- that I don't really like, that a lot of the people in 438 don't really like, and

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Public Comments - 10/22/2019
State of Minnesota Metro Gold Line Bus Rapid Transit Open House

that is, they're gonna build a sidewalk, which is gonna bring more traffic to that area, and then they're also not gonna do anything about the sound. They're not giving us a sound barrier whatsoever. They said that that Gold Line does not -- the noise generated by the Gold Line is not sufficient for them to do anything, and I think that's ridiculous because it's obviously gonna be a lot more noise, you know. How can you have trains, for God's sake, and not have more noise? And nobody in there said they're -- they all said that they're not gonna do anything about that, that they don't feel it needs that, and I feel it does because we're very close to it. And, you know, I was just hoping that they would reconsider and do something because, as of now, they're not going to.

Well, then, about the traffic too. We already have issues now with people cutting across our property and jumping the chain-link fence we have there to the alley that goes to the alley and up to Hudson Road, and just putting a sidewalk through there is

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Public Comments - 10/22/2019
State of Minnesota Metro Gold Line Bus Rapid Transit Open House

just gonna bring more people and more crime and everything into our area, which we already have from people cutting across, who want to get to that alley behind us.

So yeah, I think those two issues -- we are -- they got to do something about that because it's gonna really affect our property values, both with the noise and the extra traffic. And I -- I don't know, I'm hoping that they're considering it because every single person that's from our condo complex is saying the same thing in there. So they told us to come out here and make our opinions known. So that's what I'm doing.

(Whereupon, the open house was adjourned at 7:00 P.M.)

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612.338.3376

Public Comments - 10/22/2019
State of Minnesota Metro Gold Line Bus Rapid Transit Open House

STATE OF MINNESOTA

CERTIFICATE

COUNTY OF HENNEPIN

I, Deanna Oaks, hereby certify that I reported the public comments of the Gold Line Open House on the 22nd day of October, 2019 in St. Paul, Minnesota;

That I was then and there a notary public for the County of Hennepin, State of Minnesota;

That the foregoing transcript is a true and correct transcript of my stenographic notes in said matter, transcribed under my direction and control;

That the cost of the original has been charged to the party who noticed the deposition and that all parties who ordered copies have been charged at the same rate for such copies;

That I am not related to any of the parties hereto, nor interested in the outcome of the action and have no contract with any parties, attorneys or persons with an interest in the action that has a substantial tendency to affect my impartiality;

WITNESS MY HAND AND SEAL this 29th day of October, 2019.

Deanna M Oaks

DEANNA M OAKS
NOTARY PUBLIC
MINNESOTA
My Commission Expires Jan. 31, 2023

Deanna Oaks, RPR
Director-At-Large of the MN Association
Of Verbatim Reporters and Captioners

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612.338.3376

COMMENT #22

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 0 1 2019

Elizabeth Breiseth, Environmental Protection Specialist
U.S. Department of Transportation
Federal Transit Administration, Region 5
200 West Adams Street, Suite 320
Chicago, Illinois 60606

REPLY TO THE ATTENTION OF

Re: **Metro Gold Line Bus Rapid Transit Project Draft Environmental Assessment, Ramsey and Washington Counties, Minnesota**

Dear Ms. Breiseth:

The U.S. Environmental Protection Agency is commenting on the Draft Environmental Assessment (EA) referenced above pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality's NEPA Implementing Regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. The Federal Transit Administration (FTA) is the lead agency under NEPA, and the Metropolitan Council is the local lead agency.

The proposed project is a nine- to ten-mile Bus Rapid Transit (BRT) system that would generally parallel Interstate 94 and connect suburban cities with the regional transit network via the Union Depot multimodal hub in St. Paul. This proposal was previously named the Gateway Corridor Project. On March 25, 2014, EPA accepted FTA's invitation to become a Participating Agency, and EPA provided scoping comments on April 15, 2014. EPA again commented on the project on January 27, 2016 in response to our review of technical reports. EPA appreciates information in the EA that responds to our previous comments, such as the discussion on induced growth and associated impacts. We also recognize opportunities to further assess, disclose, and mitigate impacts to improve project outcomes, in line with EPA's previous comments and in response to new information provided in the EA. Please see our enclosed detailed recommendations.

EPA recognizes that air quality and public health benefits can result from well-planned transit projects. Operations could (1) reduce vehicle-miles-traveled by automobiles, resulting in a net benefit to air quality, and (2) increase access to employment and services for communities with environmental justice concerns. Thank you for the opportunity to review this project. Please provide all subsequent NEPA documents electronically to Jennifer Blonn Tyler, the lead reviewer for this project, at tyler.jennifer@epa.gov. Ms. Tyler can be reached at 312-886-6394.

Sincerely,

Kenneth A. Westlake
Deputy Director, Office of Tribal and Multi-media Programs
Office of the Regional Administrator

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ENCLOSURE 1: EPA'S DETAILED COMMENTS ON THE METRO GOLD LINE BUS RAPID TRANSIT PROJECT DRAFT ENVIRONMENTAL ASSESSMENT, RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

Public Outreach & Implementation of Mitigation
EPA recognizes that the project team has undertaken extensive outreach to gain community input, in line with the intent of NEPA and informed decision-making. As the project moves forward, we encourage FTA and the Metropolitan Council to keep the community informed of protective measures that construction contractors will be required to follow.

Recommendations:
List all applicable measures (such as specific time restrictions for construction vehicle idling and noise generation, among others) on a bulletin, and posting the bulletin at easily visible locations along the project corridor. Include a contact name and phone number for residents to call if they have questions or observe protective measures not being followed. We also recommend prominently posting such information on the project website and at nearby community buildings, such as libraries.

Noise Impacts
Within the project subsection called "Alignment B," the project would relocate 10 existing noise barriers along Interstate 94 and replace two berms with noise barriers. The EA concludes that noise modeling demonstrates that the new noise barriers in new locations would have the same effectiveness as existing noise barriers (Appendix A5, page A5-100). EPA is unclear on whether or not the data support this conclusion because most relocation sites were not assessed. Site specific characteristics might make some noise barrier relocations effective, while other relocations may require further height, width, or placement modifications to be effective.

The analysis of impacts from moving noise barriers is within attachment A-5-3 to Appendix A5, and it assesses two areas along the project route where noise barriers would be relocated (A5-ATT3-2). The analysis concludes, "To demonstrate that relocated and replaced noise barriers would mitigate with the same effectiveness as the barriers in the existing locations, it is recommended that this comparative analysis using [traffic noise model] be completed for all the relocated barriers during final design of the Project" (page A5 ATT3-15). EPA interprets this as stating that data are not yet available to demonstrate that all relocated and replaced noise barriers would mitigate noise to current levels.

Recommendations:
- Provide a list of all noise barriers that would be relocated project-wide. The EA is unclear whether noise barriers would be relocated outside of the Alignment B subsection.
- Either: (1) describe how the noise analysis for the two noise barriers provided in Appendix A5 Attachment 3 is applicable to *all* other noise barrier relocations along the project route, or (2) assess and disclose noise impacts for all noise barrier relocations prior to releasing a NEPA decision document to ensure that significant impacts would be avoided.
- Provide assurances that there would be no significant long-term noise impacts related to relocation of noise barriers. Describe all modeling that would occur prior to

2

construction. Commit to post-construction noise measurement to ensure the accuracy of modeled predictions, and commit to add additional mitigation if warranted.
- Commit to construct new noise barriers prior to removing existing noise barriers to avoid temporary noise impacts, if possible.

Air Quality
The EA discusses the possibility of Metro Transit selecting electric buses for the proposed project, and it identifies possible locations for charging stations (page 2-10). EPA appreciates consideration of electric buses, which would benefit local air quality, and we encourage FTA, the Metropolitan Council, and Metro Transit to pursue electric buses, if feasible.

Construction activity would release air emissions from equipment engines, truck engines, and earthwork activity. In 2002, EPA classified diesel emissions as a likely human carcinogen, and in 2012 the International Agency for Research on Cancer concluded that diesel exhaust is carcinogenic to humans. Diesel exhaust can also lead to other serious health conditions and can worsen heart and lung disease, especially in vulnerable populations, such as children and elderly people. EPA appreciates the commitment in Appendix 5, which states that the project "would implement EPA-recommended measures to reduce short-term construction impacts to air quality, and a series of best management practices would be implemented during construction to control dust" (page A5-139). The EA is unclear which EPA-recommended measures would be implemented. Robust protective measures are particularly important given the presence of communities with environmental justice concerns within the project construction area.

Recommendations:
Require construction contractors to use best practices. Options include: (1) requiring specific idling time limits for construction trucks and heavy equipment, (2) locating construction equipment and staging zones away from fresh air intakes to buildings, and (3) soliciting bids that require zero-emission technologies or advanced emission control systems. Additional best practices are listed in the enclosed Construction Emission Control Checklist, which has been updated since we last shared them with the project team.

Resiliency
The U.S. Global Change Research Program reports that across the Midwestern U.S., statistically significant increases in flooding are well documented, and these increases in flood risk and severity are attributed mostly to increases in precipitation. The proposed project calls for placing 4,842 cubic yards or more of fill within floodplains (page 3-90) and developing between 72 and 78 acres of new and reconstructed impervious areas (page 3-91). Consideration of climate resiliency upfront may benefit long-term operations and maintenance of the project.

Recommendations:
- Consider changing precipitation, flooding, and temperature conditions, as reported by the U.S. Global Change Research Program.
- Assess whether project structures would likely be resilient to such changes. This is particularly important because some proposed activities are within floodplains.

3

- If needed, incorporate resiliency and adaptation measures or plans. For example, consider planning for additional stormwater capacity, promoting bioswales and rain gardens adjacent to the right-of-way, and installing permeable pavements, where appropriate. Use EPA's Climate Change Adaptation Resource Center as a tool to identify appropriate mitigation strategies, available at: https://www.epa.gov/arc-x.

Wetlands and Other Surface Waters

The proposed project would impact 2.6 acres of surface waters and avoid all "high-quality" waters (page 3-90). The EA discusses efforts to avoid and minimize impacts, as well as plans for mitigation. Plans to further reduce impacts during the project engineering phase include consideration of: constructing steeper inslopes, broken backslopes, treating of stormwater prior to discharge, and placing stormwater ponds in upland areas (page 3-91).

Recommendations:

- EPA encourages further avoidance and minimization of direct and indirect impacts to wetlands and other waters, including commitments to treat stormwater prior to discharge, among other best practices. Such actions would better protect water quality and aquatic functions and values. Document any additional measures that the project has adopted to minimize impacts to waters in the Final EA and decision document.
- Include the status of Clean Water Act Sections 404 and 401 permitting in the subsequent NEPA document.

Children's Health

Executive Order 13045 on children's health and safety directs each federal agency to make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children, and to ensure that its policies, programs, activities, and standards address these risks.

Recommendations:

Prior to construction, consider requiring a construction traffic management plan to ensure that trucks hauling materials and heavy machinery avoid areas where children congregate when possible. Route construction truck traffic away schools, daycare facilities, and parks when possible, and use crossing guards when such areas cannot be avoided.

4

ENCLOSURE 2

U.S. Environmental Protection Agency
Construction Emission Control Checklist

Consider applicable measures from the following list.

Mobile and Stationary Source Diesel Controls
Purchase or solicit bids that require the use of vehicles that are equipped with zero-emission technologies or the most advanced emission control systems available. Commit to the best available emissions control technologies for project equipment in order to meet the following standards.

- On-Highway Vehicles: On-highway vehicles should meet, or exceed, the EPA exhaust emissions standards for model year 2010 and newer heavy-duty, on-highway compression-ignition engines (e.g., long-haul trucks, refuse haulers, shuttle buses, etc.).[1]
- Non-road Vehicles and Equipment: Non-road vehicles and equipment should meet, or exceed, the EPA Tier 4 exhaust emissions standards for heavy-duty, non-road compression-ignition engines (e.g., construction equipment, non-road trucks, etc.).[2]
- Locomotives: Locomotives servicing infrastructure sites should meet, or exceed, the U.S. EPA Tier 4 exhaust emissions standards for line-haul and switch locomotive engines where possible.[3]
- Marine Vessels: Marine vessels hauling materials for infrastructure projects should meet, or exceed, the latest U.S. EPA exhaust emissions standards for marine compression-ignition engines (e.g., Tier 4 for Category 1 & 2 vessels, and Tier 3 for Category 3 vessels).[4]
- Low Emission Equipment Exemptions: The equipment specifications outlined above should be met unless: 1) a piece of specialized equipment is not available for purchase or lease within the United States; or 2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available

Consider requiring the following best practices through the construction contracting or oversight process:

- Establish and enforce a clear anti-idling policy for the construction site.
- Use onsite renewable electricity generation and/or grid-based electricity rather than diesel-powered generators or other equipment.
- Use electric starting aids such as block heaters with older vehicles to warm the engine
- Regularly maintain diesel engines to keep exhaust emissions low. Follow the manufacturer's recommended maintenance schedule and procedures. Smoke color can signal the need for maintenance (e.g., blue/black smoke indicates that an engine requires servicing or tuning).

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[1] http://www.epa.gov/otaq/standards/heavy-duty/hdci-exhaust.htm
[2] http://www.epa.gov/otaq/standards/nonroad/nonroadci.htm
[3] http://www.epa.gov/otaq/standards/nonroad/locomotives.htm
[4] http://www.epa.gov/otaq/standards/nonroad/marineci.htm

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- Retrofit engines with an exhaust filtration device to capture diesel particulate matter before it enters the construction site.
- Repower older vehicles and/or equipment with diesel- or alternatively-fueled engines certified to meet newer, more stringent emissions standards (e.g., plug-in hybrid-electric vehicles, battery-electric vehicles, fuel cell electric vehicles, advanced technology locomotives, etc.).
- Retire older vehicles, given the significant contribution of vehicle emissions to the poor air quality conditions. Implement programs to encourage the voluntary removal from use and the marketplace of pre-2010 model year on-highway vehicles (e.g., scrappage rebates) and replace them with newer vehicles that meet or exceed the latest EPA exhaust emissions standards.

Fugitive Dust Source Controls

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative, where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

Occupational Health

- Reduce exposure through work practices and training, such as maintaining filtration devices and training diesel-equipment operators to perform routine inspections.
- Position the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, reducing the fume concentration to which personnel are exposed.
- Use enclosed, climate-controlled cabs pressurized and equipped with high-efficiency particulate air (HEPA) filters to reduce the operators' exposure to diesel fumes. Pressurization ensures that air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first.
- Use respirators, which are only an interim measure to control exposure to diesel emissions. In most cases, an N95 respirator is adequate. Workers must be trained and fit-tested before they wear respirators. Depending on the type of work being conducted, and if oil is present, concentrations of particulates present will determine the efficiency and type of mask and respirator. Personnel familiar with the selection, care, and use of respirators must perform the fit testing. Respirators must bear a NIOSH approval number.

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COMMENT #23

From: Steve Love <steve.love@maplewoodmn.gov>
Sent: Friday, November 1, 2019 2:04 PM
To: METRO Gold Line
Cc: Michael A. Martin
Subject: Maplewood EA Review

Hello,

City of Maplewood has reviewed the draft EA. We do not have any substantive comments related to the project or analysis process at this time. We found the EA to be in line with the information provided at the TAC and IRT meetings.

Please feel free to contact us with any questions.

Thank you,

Steven Love

COMMENT #24

From: David Parker
Sent: Monday, November 4, 2019 7:43 AM
To: METRO Gold Line
Subject: Public Comment on Gold Line EA

Dear Gold Line Representatives,

My name is David Parker. I live in Woodbury and use Route 355 almost every day to work in downtown Minneapolis. Access to the Gold line to provide more flexible service for my transit needs would allow for travel outside the 6-9am and 3:30-6:30pm commute times. It would also allow me to return home during those times for urgent family needs.

I'm a major proponent of the project.

My questions relate to service impacts on the 355 route. Will the frequency of the 355 route be impacted? Also, will the 355 route be permitted to use the Gold Line Guideway, and by extension, are there predicted reductions in trip time for the 355 route?

Thank you for your excellent work!

David

RAMSEY COUNTY
Public Works

COMMENT #25

November 5, 2019

Gold Line Project Office
c/o Chelsea Johnson
121 7th Place East
Saint Paul, MN 55101

To Gold Line Project Office,

Thank you for the opportunity to review and provide comments on the Environmental Assessment for the METRO Gold Line Bus Rapid Transit Project ("the Project"). The Project will better connect Ramsey County residents to downtown Saint Paul and the suburban cities of Maplewood, Landfall, Oakdale and Woodbury. Most important, the Project will fill a critical gap in existing transit service and improve Ramsey County's connections to our entire regional transportation system.

The Gold Line will serve racially and ethnically diverse areas of Ramsey County and provide households who rely on transit with key access to jobs and services. Within the Gold Line project corridor, 11.1% of all households do not own an automobile and 16.6% of the population lives in poverty. The Gold Line will greatly improve the mobility of these underserved households by providing frequent, all-day transit service that brings more opportunities in Ramsey County within their reach.

The Gold Line will also serve as a catalyst for redevelopment and reinvestment within Ramsey County, furthering the county's goals and strategic priorities of reinvesting in areas of concentrated poverty and cultivating economic prosperity countywide. By enhancing the mobility of all residents and businesses, the Gold Line will help Ramsey County achieve a more sustainable and equitable future.

Ramsey County concurs with the findings of the Environmental Assessment for the Project and its proposed solutions to avoid, minimize and mitigate potential impacts. We look forward to continuing to work with Metropolitan Council on advancing this Project and other important transportation projects in the region.

Sincerely,

Ted Schoenecker, Public Works Director / County Engineer
Ramsey County

1425 Paul Kirkwold Drive
Arden Hills, MN 55112
Phone: (651) 266-3269
www.ramseycounty.us

COMMENT #26

MINNESOTA POLLUTION CONTROL AGENCY

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300
800-657-3864 | Use your preferred relay service | info.pca@state.mn.us | Equal Opportunity Employer

November 4, 2019

Gold Line Project Office
c/o Chelsa Johnson
121 7th Place East, Suite 102
St. Paul, MN 55101

Re: Metro Gold Line Bus Rapid Transit Environmental Assessment/Environmental Assessment Worksheet

Dear Chelsa Johnson:

Thank you for the opportunity to review and comment on the Environmental Assessment (EA)/ Environmental Assessment Worksheet (EAW) for the Metro Gold Line Bus Rapid Transit (BRT) project (Project) in Ramsey and Washington County, Minnesota. The Project consists of construction of a 9-10 mile BRT route along Interstate 94. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility or other interests, the MPCA staff has the following comments for your consideration.

Section 3.3 Transportation

The EA does a good job in describing the potential indirect and cumulative effects of the proposed Project on transportation including effects on traffic, transit, pedestrian and bicycle facilities, parking and driveways. Detailed description of various alignments and alternatives with associated impacts analyzed for the Project were also provided. Based on the analysis, no serious long-term impacts on transportation are expected from the proposed Project.

The Metropolitan Council (Council) anticipates that the proposed BRT corridor construction will last approximately two years. As such, construction of the Project will produce temporary disruptions to traffic operations due to lane closures, short-term intersection and roadway closures, as well as detours that will cause localized increases in congestion. As stated in the EA, the Council should implement staged construction activities to minimize the short-term impacts to the greatest extent possible.

The construction staging plan should address these areas to minimize the duration and frequencies of these impacts. The construction staging should be developed as the design of the Project advances during the engineering phase and prior to the start of construction. The plan should address construction phasing, maintenance of traffic, traffic signal operations, access through the work zone, and any road closures and traffic detours. There should be ongoing and transparent outreach programs to inform business owners and residents of construction activities.

There would be some short-term impacts to bus operations. To ensure that the short–term impacts to bus operations during construction are minimized, the Council and Metro Transit should inform riders about the temporary service of change by posting information at bus stops and publishing details on its website, before temporary stop closures and detours go into effect.

Chelsa Johnson
Page 2
November 4, 2019

We appreciate the opportunity to review this Project. Please provide your specific responses to our comments and notice of decision on the need for an Environmental Impact Statement. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EA/EAW, please contact me by email at Karen.kromar@state.mn.us or by telephone at 651-757-2508.

Sincerely,

Karen Kromar

Karen Kromar
Project Manager
Environmental Review Unit
Resource Management and Assistance Division

KK:bt

cc: Dan Card, MPCA, St. Paul
Mehjabeen Rahman, MPCA, St. Paul
Suzanne Hanson, MPCA, Duluth

DEPARTMENT OF PLANNING & ECONOMIC DEVELOPMENT
Kristin Guild, Interim Director

CITY OF SAINT PAUL
Melvin Carter, Mayor

25 West Fourth Street, Ste. 1400
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-266-6549

COMMENT #27

November 4, 2019

RE: Gold Line EA Comments

Ms. Johnson:

Thank you for the opportunity to comment on the Gold Line Environmental Assessment (EA). As you know, the City of Saint Paul supports the Gold Line in our 2030 Comprehensive Plan and forthcoming 2040 Comprehensive Plan, and as expressed through City Council resolutions regarding the locally preferred alternative. The City's official support for the project is still in full force.

At a staff level, I have reviewed the EA with staff in the City's Heritage Preservation unit, Public Works Department, and Parks & Recreation Department. We wish to comment specifically on Section 3.4.4. Visual Quality and Aesthetics, where the EA summarizes the anticipated visual impact on various historic resources and other resources.

In several places, including with regard to Rice Park and Hamm Plaza, a conclusion is drawn on anticipated visual impact based on station size and design. However, we note that only *typical* station/platform sizes and designs have been provided at this point in the process (15% design), and that the details of size, design and finishes will be very important in determining visual impact. Other station details, like signage, lighting, or ramps with handrails to accommodate access to higher platforms could have additional visual impact also not contemplated in the 15% plans. Until seeing sizes, designs, finishes, and station details that show otherwise, we anticipate the visual contrast on:

- Rice Park and Rice Park Historic District will be moderate-high, not low;
- Hamm Plaza Station will be moderate-high, not moderate; and
- Lowertown Historic District will be moderate-high, not low-moderate.

Concerning Rice Park, it is important to note that views across the park toward the Landmark Center are a significant element of both the park and the Center. Also, symmetry is a key element of the park's design that could be impacted.

To emphasize, all conclusions in the EA that rely on station size/design besides the "typical" size/design shown in the 15% plans should be considered uncertain and premature. Intending to deliver compatible designs is appropriate and commendable, but those designs are both crucial and unknown at this time. Therefore, we believe a more cautious approach to anticipated visual contrasts is appropriate in the EA.

Additionally, the following changes should be made to the information in Table 3.4-2 under the Project Element/Impact column:

- There will be a *new* shelter at 5th and Cedar, in addition to the existing shelter;

AN AFFIRMATIVE ACTION EQUAL OPPORTUNITY EMPLOYER

- There could be significant impacts to sidewalks and curbs, including handrails and ramps, throughout downtown Saint Paul – this should be mentioned alongside the shelter and site furnishings impacts; and
- Move third bullet next to Union Depot ("Project would introduce…") up to Lowertown Historic District, since those stations – even if known functionally as the "Union Depot stations" – will primarily impact the Lowertown District, not the Union Depot resource.

We recognize that a Programmatic Agreement is being finalized that will allow City of Saint Paul involvement in the Minnesota Department of Transportation's Cultural Resource Unit review of 30% plans, which may provide the necessary detail to make firmer conclusions on visual impact to historic resources. We also will continue to be involved in the design process (30% plans and beyond) through the Technical Advisory Committee, Design Advancement Review Teams, and the Corridor Management Committee. We look forward to coordinating with the project to ensure that station shelter and platform design (in their detailed form) have minimal negative impact on the historic/cultural resources and parks of Saint Paul, while delivering a tremendously successful project that will benefit Saint Paul and the region.

Sincerely,

Bill Dermody, Principal City Planner

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COMMENT #28

CITY OF
OAKDALE

1584 Hadley Avenue North | Oakdale, MN 55128
651-739-5086 | www.ci.oakdale.mn.us

November 5, 2019

Gold Line Project Office
c/o Chelsa Johnson
121 7th Place East Suite 102
Saint Paul, MN 55101
Via email: goldline@metrotransit.org

RE: METRO Gold Line Bus Rapid Transit (BRT) Project Environmental Assessment Comments

On behalf of the City of Oakdale, please accept the following comments:

2.2.5. Bicycle and Pedestrian Facilities
- All trails along the Gold Line BRT must have minimum of 10' of asphalt

3.3.1. Transit
- Proposed routing changes (existing routes 219 and 294) will eliminate several stops along 10th St. N., 15th St. N., and Stillwater Boulevard N. in Oakdale. The City of Oakdale needs to be a participant in discussions related to transit routing changes.

3.5.2. Water Resources
3.5.2.1 Floodplains
- The only thing that caught me by surprise is the proposed 400 cubic yards of filling in Tanners Lake. We have flooding problems and any reduction in storage volume should be evaluated and mitigated if possible...maybe on the Tanners Boat Works site? It will be interesting to see if the Ramsey Washington Metro Watershed District offer any similar concerns/comments.
- BC-53 Fill impacts for the construction of the guideway – floodplain mitigation should be explored north of the project site (Powerline Park)

3.5.2.2. Surface Waters
- Wetland impact should be minimized and mitigation opportunities explored north of the project site (Powerline Park)

3.5.2.3 Stormwater and Water Quality
- Stormwater management should have a minimal impact to the planned nature park adjacent to Helmo Station; underground stormwater management facilities should be explored at the Helmo Station Park and Ride

3.5.4. Biological Environment

- The planned Helmo Station Area nature park contains numerous significant trees; tree removal shall be minimized to the greatest extent possible; any impact to trees will require a tree replacement plan

3.7.1. Indirect Effects and Cumulative Impacts
3.7.1.1. Indirect Effects Analysis

- All plans must comply with approved Small Area Plans (Greenway Station BRTOD Plan; Helmo Station BRTOD Plan; City of Oakdale 2040 Comprehensive Plan)

Other comments:

- I didn't see any comments relating to impacts to public works operations, such as snow removal, or at least a reference to the need for coordination between entities.

Sincerely,

Robert Streetar, DPA
Community Development Director
651-730-2306
Bob.streetar@ci.oakdale.mn.us

Metro Transit's Gold Line BRT Open House
Comments Received - 10/28/2019

METRO TRANSIT'S GOLD LINE BRT
OPEN HOUSE
COMMENT RECEIVED OCTOBER 28, 2019

ORIGINAL

Open House Location:
Gold Line Project Office
121 7th Place East
St. Paul, Minnesota 55101

Taken October 28, 2019 By Christine M. Clark, RPR

Benchmark Reporting Agency
612.338.3376

Metro Transit's Gold Line BRT Open House
Comments Received - 10/28/2019

COMMENT #29 Page 2

(Comment made at 11:22 a.m., by Patrick McNamara,
Inver Grove Heights, Minnesota 55076.)

MR. MCNAMARA: I live in a senior apartment. I am on a frequent bus line that ends in South St. Paul. I work a seasonal job in Woodbury. It is a reverse commute to Woodbury and there's nothing there presently. Around the campus where I work are many medical facilities that are superior to the ones that are in the city, and I would like access to that also.

A frequent, all day bus service would add a new dimension and accessibility for my life situation.

I like the plans that are shown on the maps, and I feel that it would be a good fit for the eastern part of St. Paul and Woodbury.

(Comment concludes.)

(Open House concludes at 1:00 p.m.)

Benchmark Reporting Agency
612.338.3376

Metro Transit's Gold Line BRT Open House
Comments Received - 10/28/2019

STATE OF MINNESOTA
CERTIFICATE
COUNTY OF CARVER

I, Christine M. Clark, RPR, hereby certify that I reported the comments received on this 28th day of October, 2019, in St. Paul, Minnesota;

That I was then and there a notary public in and for the County of Carver, State of Minnesota;

That the foregoing transcript is a true and correct transcript of my stenographic notes in said matter, transcribed under my direction and control;

That the cost of the original has been charged to the party who scheduled the transcript services and that all parties who ordered copies have been charged at the same rate for such copies;

That I am not related to any of the parties hereto, nor interested in the outcome of the matter and have no contract with any parties, attorneys or persons with an interest in the matter that has a substantial tendency to affect my impartiality;

WITNESS MY HAND AND SEAL this 4th day of November 2019.

Christine M. Clark

Christine M. Clark, RPR
Notary Public

CHRISTINE M. CLARK
NOTARY PUBLIC - MINNESOTA
My Commission Expires
January 31, 2022

Benchmark Reporting Agency
612.338.3376

COMMENT #30

DEPARTMENT OF ADMINISTRATION
STATE HISTORIC PRESERVATION OFFICE

November 6, 2019

Gold Line Project Office
c/o Chelsa Johnson
Metro Square Building
121 7th Place East, Suite 102
St. Paul, MN 55101

RE: METRO Gold Line Bus Rapid Transit (BRT) Project
Ramsey and Washington Counties
SHPO Number: 2014-0398

Dear Ms. Johnson,

Thank you for providing this office with a copy of the Environmental Assessment/Environmental Assessment Worksheet (EA/EAW) for the proposed Metro Gold Line Bus Rapid Transit Project (Project).

We have completed a review of the EA/EAW documents which were received in our office on October 4, 2019. We believe that the information provided in the EA/EAW Section 3.4.3 *Cultural Resources*, as well as the documentation provided in Appendix A: *Cultural Resources Environmental Assessment Technical Report* and Appendix C *Section 106 Documentation*, provides an accurate representation of both the current status and subsequent steps in the review and consultation being directed by the Federal Transit Administration, the lead federal agency involved in the Project, pursuant to Section 106 of the National Historic Preservation Act.

We appreciate the efforts made by the Metropolitan Council and the Federal Transit Administration to prepare the EA/EAW in such a way as to seek public comment on the proposed Project, which fulfills, in part, the requirements for public participation in the concurrent Section 106 review process.

As depicted in the EA/EAW, our office will continue to engage in consultation with the lead federal agency and many other consulting parties as the Section 106 Programmatic Agreement is finalized, executed, and implemented for the Project.

Please contact me at 651-201-3290 or sarah.beimers@state.mn.us if you have any questions regarding this comment letter.

Sincerely,

Sarah J. Beimers
Environmental Review Program Manager

MINNESOTA STATE HISTORIC PRESERVATION OFFICE
50 Sherburne Avenue ■ Administration Building 203 ■ Saint Paul, Minnesota 55155 ■ 651-201-3287
mn.gov/admin/shpo/ ■ mnshpo@state.mn.us
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COMMENT #31

SIERRA CLUB
NORTH STAR CHAPTER

North Star Chapter
2327 East Franklin Avenue, Suite 1
Minneapolis, MN 55406-4420

November 6, 2019

Ms. Chelsa Johnson
Environmental Lead
Metropolitan Council
RE: Gold Line Environmental Assessment
Gold Line Project Office
121 Seventh Place East, Ste. 102
Saint Paul MN 55101
GoldLine@metrotransit.org

Dear Ms. Johnson:

The Sierra Club Minnesota North Star Chapter represents 85,000 active members and supporters across the state, two thirds of whom live in the Twin Cities Metro Region and thousands of whom live or work along the Gold Line corridor. Our comments on the Gold Line Project Environmental Assessment are as follows:

1. Both the Locally Preferred Alternative (LPA A1-BC-D3) and the other build alternative (A2-BC-D3) terminate in downtown St. Paul, meaning they do not provide a one-seat ride to the West Metro from the B, C or D alignments' stations. Earlier rejected alternatives such as light rail could have done so. Instead, the EA proposes a single new bus route, #385, for those needing a single-seat ride from Woodbury to downtown Minneapolis, without specifying whether this will replace or complement the current #355 express bus.
2. App B-5 map. LPA A1-BC-D3, in stopping not on St. Paul Union Depot's (SPUD's) bus deck but rather on Sibley westbound and Wacouta eastbound for outdoor transfers to the Green Line light rail and then indoors through SPUD to Amtrak, Jefferson Lines, other intercity buses and a very small number of Metro Transit bus lines on the SPUD bus deck underutilize SPUD, which was envisioned as a multi-modal, multi-use hub for the spokes of East Metro transit lines when renovated at a cost of $243M. The A2 transfer rate of 39% vs. the LPA A1 transfer rate of 26% seems to affirm that transit planners have abandoned the idea of SPUD as a vibrant activity hub. Transfers that are liabilities in much of the transit system are assets at central hubs and transit-oriented developments (TODs) whose concession marketability and development value depend on pedestrian traffic by choice riders with money to spend and options as to where to work and live.
3. 3.3.1.1 and 3.3.1.2. LPA A1-BC-D3 2040 projected ridership of 7100 and A2-BC-D3 projected ridership of 6350 seem low given the project's capital cost and lifecycle.
4. 3.3.1 Possible new express bus routes 381 and 385 and possible retention of current routes 351 and 355 seems redundant. EA should clarify.
5. 3.5.2.3. Stormwater and Water Quality. A1 or A2 construction or reconstruction of between 72 and 78 acres of impervious surface. We wonder whether pervious pavement design has advanced to a

structural level that would support BRT operations, and whether this could be considered as an option not only where these acres are but for the project in general.

6. Platform heights and vehicle design. We hope platforms and buses offer level boarding for wheelchairs, scooters and the physically challenged, even if buses also feature onboard ramps for some stops. Level boarding saves time for everyone — those boarding, drivers and other passengers. We ask that bicycle capacity exceed the two-per-bus of front-mounted racks. Please consider racks for two bicycles inside buses for those using level boarding, in addition to exterior racks.
7. Energy. We applaud the project's interest in and efforts toward making the Gold Line fleet all electric, matching Metro Transit's own policy.
8. Noise walls and footprint. We are concerned that Build alternatives envision removal of 5540 feet of noise wall for a project that will expand ROW but are pleased that 7700 feet of new noise wall will be built, some of it separating the Gold ROW from I-94. Gold Line riders using stations should be at least as shielded from I-94 noise as adjacent residents and businesses.
9. ROW size and footprint. We would prefer the Gold Line displace existing motor vehicle ROW rather than expand ROW. Absent direct disincentives to drive such as congestion pricing, shrinking the space available for drivers would have been a way to increase their incentive to take the Gold Line instead. The climate demands humans cut back on driving quickly, and we are disappointed the EA does not propose using Gold Line infrastructure to replace some of instead of complement all of existing adjacent SOV infrastructure.

Sincerely,

Mathews Hollinshead
Conservation Chair
Sierra Club North Star Chapter
Mobile: 651-492-0645

COMMENT #32

DEPARTMENT OF NATURAL RESOURCES

November 6, 2019

Chelsa Johnson, Environmental Lead
Metro Transit – Gold Line Project Office
121 7th Place E., Suite 102
St. Paul, MN 55101

RE: METRO Gold Line Bus Rapid Transit Project Environmental Assessment

Dear Chelsa Johnson,

The Minnesota Department of Natural Resources (DNR) has reviewed the Environmental Assessment (EA) for the METRO Gold Line Bus Rapid Transit (BRT) Project. Regarding matters for which the DNR has regulatory responsibility or other interests, we offer the following comments for your consideration.

- As a reminder, a DNR Water Appropriations Permit is needed if there would be dewatering of ground, stream, lake or pond water in volumes that exceed 10,000 gallons per day, or one million gallons per year. This includes water diversion in the same volumes. Specific to this project, should the below listed points exceed the volume as noted, a DNR Water Appropriations Permit is required.
    - **Build Alternatives (Part 2.2.2 and 2.23 Build Alternatives 1 and 2):** The permit is required if dewatering is necessary to install utilities to the new stations, remove existing structures, grade the sites and to build the stations themselves.
    - **Construction of Proposed Bridges (Part 2.2.8 Other Elements)**: The permit is required if dewatering is need to construct the proposed bridges.
    - **Stormwater Ponds (Pages 3-5, and 3-6):** The permit would be required if the construction of the stormwater ponds involves construction dewatering.
    - **Water Diversion (Pages 3-43):** A permit is needed for the diversion of water from any stream or ditch.
- A DNR Water Appropriations Permit is ***not*** required to use stormwater from a stormwater facility constructed in an upland area when the purpose is to reduce stormwater volumes downstream, protect stormwater quality or increase the infiltration of water into the ground.
- If unknown wells are discovered during the construction of the facilities, these wells would need to be sealed in accordance with the regulations of the Minnesota Department of Health.

For questions regarding the above comments, or when an appropriations permit would be needed for this project, please contact Joe Richter (DNR appropriations hydrologist, joe.richter@state.mn.us).

During permitting review, the DNR may offer additional comments for minimizing impacts. On behalf of the DNR, thank you for consideration of these comments.

Sincerely,

Cynthia Novak-Krebs
Environmental Review Planner

Minnesota Department of Natural Resources • Ecological and Water Resources
500 Lafayette Road, St. Paul, MN 55155

COMMENT #33

CITY OF Woodbury

8301 Valley Creek Road • Woodbury, MN 55125-3330 • woodburymn.gov
(651) 714-3500 • TDD (651) 714-3568 • FAX (651) 714-3501

November 6, 2019

Chelsa Johnson, Environmental Lead
Metropolitan Council
121 7th Place East, Suite 102
St. Paul, MN 55101

Subject: Metro Gold Line Bus Rapid Transit Environmental Assessment
City of Woodbury Comment Letter

Dear Ms. Johnson:

Thank you for the opportunity to review the Metro Gold Line Bus Rapid Transit Environmental Assessment/Environmental Assessment Worksheet. The City of Woodbury (City) appreciates the opportunity to continue meeting with Metro Gold Line staff throughout project development, design and construction phases of the project. Please find attached Resolution #19-144 which outlines a number of City priorities for the project. This current priority list is included as additional comments to this letter. City staff has reviewed the document and has the following comments:

1. Section 3.4.6.2 Build Alternative 1 (A1-BC-D3), Alignment D3, p. 3-34 indicates the alignment could negatively affect the HOM Furniture store, 7600 Hudson Road in Woodbury, where the Project would eliminate parking. This alignment for the project would eliminate a portion of the parking and not completely eliminate parking on the parcel.
2. Section 3.5.1 Utilities, p. 3-36 indicates there may be impacts to a number of utilities within the project area. There are a number of City utilities in the area including sanitary sewer, watermain, storm sewer, traffic signals and other infrastructure that may be impacted by the project. The City appreciates the opportunity to continue meeting with Metro Gold Line staff to identify impacts and mitigation measures as the project planning progresses.
3. Section 3.8.1, p. 3-76 indicates the Council met with the City on September 13, 2018, to review project impacts and receive input on its preliminary assessment of de minimis impact to Menomini Park. The City must concur in writing with the de minimis impact determination after the public comment period for the preliminary determination for which the Section 4(f) use has a de minimus impact. The City appreciates the opportunity to meet with Metro Gold Line staff to identify impacts and mitigation measures as the project planning progresses. Tree replacements, landscaping and screening efforts for the park area and adjacent residential housing to the I-94 freeway are anticipated.

If you have any questions concerning this review, please contact me at (651) 714-3593.

Sincerely,

Tony Kutzke, City Engineer

Attachment: City of Woodbury Resolution #19-144

Resolution 19-144

**Resolution of the City of Woodbury,
Washington County, Minnesota**

**Resolution of Support for the METRO Gold Line Bus Rapid Transit
15 Percent Plans Within the City of Woodbury**

WHEREAS, the Metropolitan Council and its Metro Transit division, jointly with Washington and Ramsey Counties ("Counties"), are proposing to design, construct, and operate the METRO Gold Line Bus Rapid Transit Project ("Project"); and

WHEREAS, the Metropolitan Council and the Counties are advancing design of the Project through the Gold Line Project Office (GPO), in partnership with the Minnesota Department of Transportation (MnDOT), Saint Paul, Maplewood, Landfall, Oakdale and Woodbury ("Cities"); and

WHEREAS, the Metropolitan Council is the Federal Transit Administration's grantee and therefore is responsible for the planning, designing, acquiring rights-of-way, constructing, equipping and commissioning the Project; and

WHEREAS, the Metropolitan Council's Metro Transit division will be the owner and operator of the Project once it is in Revenue Service; and

WHEREAS, the Project is now in the Project Development phase, having completed design through approximately 15 percent, in partnership with MnDOT and the Cities; and

WHEREAS, Project staff, in consultation with project partners, developed and disseminated a memo to the Project committees summarizing the process for municipal collaboration to the Cities on April 17, 2018; and

WHEREAS, this process calls for collaboration between the Metropolitan Council and project partners from Project Development through Construction; and

WHEREAS, this process allows for the Cities to review 15 percent plans and, based upon that review, provide a Resolution of Support for the project if they wish; and

WHEREAS, the Metropolitan Council has been working collaboratively with the Cities, Counties, MnDOT, and other stakeholders over the previous year to work through issues and develop a scope of work of project components for inclusion in the Environmental Assessment; and

WHEREAS, the Metropolitan Council held numerous committee meetings, open house meetings, neighborhood meetings, and other public forums to provide feedback and assist with developing the 15 percent plans; and

WHEREAS, on January 4, 2019, the Metropolitan Council transmitted 15 percent plans to the Cities and Counties along the proposed Project, as well as Metro Transit and MnDOT; and

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August 28, 2019
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WHEREAS, City of Woodbury staff has reviewed the 15 percent plans and has provided comments on these plans; and

WHEREAS, the Metropolitan Council will continue to work collaboratively with the Cities and Counties, MnDOT, and other stakeholders, to respond to 15 percent plan comments and throughout Project Development, Engineering, and Construction to advance and refine design; and

WHEREAS, the City of Woodbury desires that the Metropolitan Council and GPO staff continue to address issues and work with City of Woodbury staff to satisfactorily resolve issues that have arisen and will arise.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota, that

1. The City of Woodbury provides its support for the Project plans as depicted in the 15 percent plans, consistent with the above; and
2. The City of Woodbury staff is directed to submit the City of Woodbury's support to the Metropolitan Council.

BE IT FURTHER RESOLVED that the City of Woodbury has identified the following project priorities that should be considered as the project moves forward:

1. The Express Bus routes currently operating in Woodbury provide a critical transit service for residents, and the METRO Gold Line should supplement and support this service.
    a. Ultimately the Express Bus system could be improved under a future unfunded phase by consolidating the park and ride lots with the end-of-line BRT station at I-494 and Guider Drive/Woodlane Drive, however this is outside the scope and funding of the METRO Gold Line project. The City will continue to advocate for a parking structure as part of a future consolidation phase at this location to provide the best opportunity for transit oriented development and consolidation of service.

2. Safety and security at the station locations and on the METRO Gold Line busses is of utmost importance.
    a. The Gold Line Project Office has indicated meetings with all agencies will be held to implement safety components into the METRO Gold Line planning and operations. City of Woodbury Public Safety Department will have representation during these efforts and Metro Transit Police have commented on the good relationship they have already with Woodbury Public Safety.

3. Aesthetics and community context are important, and the stations should be consistent with Woodbury's design standards.

4. The City will work with the Met Council to explore development opportunities at the Woodbury Theatre site in conjunction with the relocation of the park and ride to the end-of- line BRT station.

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5. The City will lead the master planning efforts at the station areas. This work is scheduled to begin in 2019 and will include public review from both businesses and residents along the corridor.

6. The City supports an efficient and effective feeder bus network to serve the broader Woodbury community. Further planning should occur in the near term to plan and implement the role of the feeder system. Metro Transit's extensive public outreach for feeder service for new transitways typically starts closer to construction.

7. Support for the METRO Gold Line does not diminish the City's support for transportation improvements in the east metro.

8. It is acknowledged that the proposed METRO Gold Line will have an impact on existing vehicle movements and corridor design, however, the potential impact to service levels on city streets should be minimized to the extent possible.

9. The City, through its representation on the various METRO Gold Line committees, will continue to stay engaged and involved in this process.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 28th day of August, 2019.

Anne W. Burt, Mayor

Attest:

Clinton P. Gridley, City Administrator

(SEAL)

COMMENT #34

DEPARTMENT OF TRANSPORTATION

Metropolitan District
1500 County Road B-2 West
Roseville, MN 55113

November 6, 2019

Chelsa Johnson, AICP
METRO Gold Line
121 7th Place East, Suite 102
St. Paul, MN 55101

SUBJECT: **Metro Gold Line Final Environmental Assessment**
MnDOT Review # EA19-002B
Downtown Saint Paul to Woodbury I-494 Park-n-Ride
Cities of Saint Paul, Maplewood, Landfall, Oakdale, Lake Elmo, and Woodbury
Ramsey and Washington Counties

Dear Chelsa Johnson,

MnDOT is a cooperating agency in support of the Metro Gold Line BRT project and appreciates the opportunity to comment on the Final Environmental Assessment dated October 7, 2019.

MnDOT's comments, sent May 31, 2019, regarding the draft environmental assessment have been addressed; there are no further comments.

You are welcome to contact me at 651-234-7792 or david.kratz@state.mn.us with questions.

Sincerely,

David Kratz

David Kratz
Senior Planner

Copy sent via e-mail:
Buck Craig, Permits
Mike Lynch, Right-of-way
Ben Klismith, Right-of-way
Shelia Kauppi, Area Manager
Adam Josephson, Area Manager
Ryan Coddington, Area Engineer
Bryce Fossand, Water Resources
Natalie Ries, Noise
Lance Schowalter, Design
Kaare Festvog, Traffic
Ashley Roup, Traffic
Mike Nelson, Survey
Cameron Muhic, Multimodal
Carl Jensen, Transit Advantages
Russell Owen, Metropolitan Council

COMMENT # 35

Internal Memorandum

DATE: November 6, 2019

TO: Chelsea Johnson, Environmental Lead
Gold Line Project Office

CC: Councilmembers Susan Vento (11), Francisco Gonzales, (12), Chai Lee (13), Kris Fredson (14), and Sector Representative Corrin Wendell

FROM: Patrick Boylan, AICP, Planning Analyst
Local Planning Assistance, Community Development

SUBJECT: METRO Gold Line Bus Rapid Transit Project EA/EAW internal review comments
Review File #22360-1

Below is a summary of technical comments received by various technical reviewers. Please review and contact me with any questions.

Metropolitan Transportation Services (Russ Owen, 651-602-1724)

- On page 1-3, the second need statement references regional policies but doesn't footnote the Transportation Policy Plan (TPP) at all. The TPP can be referenced as a footnote as there are more solid policy statements about this region in there than MnDOT's documents (which actually used the TPP as an input to their plans). ***https://metrocouncil.org/tpp-update.aspx?source=child*** The second half of this bullet seems to fit better under the third need statement and not the second. The third statement is about growing travel demand while the second is about changing policy and travel choices.
- Page 2-2 and 2-3, update the link for the 2015 TPP in notes. *https://metrocouncil.org/Transportation/Planning-2/Key-Transportation-Planning-Documents/Transportation-Policy-Plan-(1)/The-Adopted-2040-TPP-(1).aspx*
- Page 2-3, the language in the first paragraph seems to skip a step in which the City of Lake Elmo supported the LPA that was adopted into the TPP in 2015, but changed their support after the fact. The Council does not include projects in the TPP without local support and this paragraph suggests that the Council did in this instance. Also, for accuracy, the TPP was "updated" in 2018, not amended. In 2019, the TPP was "amended" but not administratively.
- Pages 3-3 and 3-4, the list of transit projects is from the latest TPP amendment that added Riverview, which seems to be assumed in the no build alternative.
- Page 2-13, the Regional Transitway Guidelines define evening service from 6-9 p.m. and recommend a minimum frequency of 15 minutes during this timeframe. The EA should address the inconsistency with Regional Transitway Guidelines (Guideline 2.5) and how this decision was vetted with project partners per Transitway Guideline 10.10.

Metropolitan Environmental Services (Roger Janzig, 651-602-1121)

The EAW reflects a proposed project that may have an impact on multiple Metropolitan Council Interceptors in multiple locations. To assess the potential impacts to our interceptor system, prior to initiating any proposed project, preliminary plans should be sent to Tim Wedin, Engineering Services Assistant Manager (651-602-4571) at the Metropolitan Council Environmental Services for review and comment.

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Section 3.5.4. – Biological Environment (Endangered Species and Wildlife Habitat) (Jim Larsen PE, 651-602-1159)

Construction as proposed would impact several wetland basins along the proposed Project guideway alignment. Impacts to Wetland 48-1 (as identified on Figure 3.5-5) are particularly concerning in that the guideway is proposed to divide the basin in two – permanently decreasing its existing functions and values. Council Environmental Review staff recommend that the proposed guideway Alignment D3 curve adjacent to 4th Street North and Helmo Avenue North in Oakdale be shifted further east to eliminate the bisection of Wetland 48-1. We realize that it will not be possible to eliminate all impacts to the basin, due to the assumed need to maintain a set guideway curvature, but a small shift to the east should make it possible to eliminate the proposed basin bisection and stay within site boundary constraints. This proposed shift may also reduce the volume of floodplain fill mitigation that will be required for the basin impacts, as fill impacts would be shifted to shallower portions of the wetland.

We recommend that Project proposers consult with Minnesota Department of Natural Resources staff in an effort to provide site-specific recommendations along the corridor in an effort to minimize the long-term wildlife impacts that would be expected to increase in the area, as a result of future operation of the Gold Line. Council Environmental Review staff typically recommend specifying the utilization of surmountable curbing (MNDOT Curb and Gutter Design No. S624, or similar) for all proposed project roadway medians and curbing in areas that are adjacent to or located between multiple wetlands and water bodies to significantly reduce the anticipated high mortality risk of turtles becoming trapped behind curbing while crossing the roadway, without negatively impacting stormwater flow, driver or pedestrian safety, or maintenance activities. Where sections of the proposed guideway will be very close to adjacent basins, it may be more prudent to incorporate appropriately designed fencing with the bottom trenched below the ground surface to prevent animals from attempting to cross the new guideway.

Additionally, as Section 3.5.4.1. indicates that the proposed Project construction is expected to result in the loss of approximately nine acres of mature trees along the corridor and negatively impact an indicated 12 percent of all available wildlife habitat in the Project study area, there is a clear need to incorporate a tree replacement plan into the Project. The tree canopy in this area already suffers from significant canopy losses due to the spread of emerald ash borer. The Project's further planned impacts provide an opportunity to mitigate for those active losses by incorporation of a more diverse replacement program to plant and reestablish young trees in locations along the corridor where it was necessary to remove mature specimens to accommodate the Project's construction. This addition would provide a long-term enhancement to both future Gold Line passengers and the residents within the corridor neighborhoods to whom impacts of the canopy loss will be most felt.

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A.4. Responses to Comments Received on the Environmental Assessment/Environmental Assessment Worksheet

Comment Number: 1

Commenter Name: Aaron Isaacs
Organization: Metro Transit (retired)

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Project station siting was developed and evaluated as part of the Alternative development and evaluation process. For more information on the Alternatives development process, see Section 2.2 of the Environmental Assessment. The Build Alternatives include a station at Pederson Street, known as Sun Ray Station. Potential connections between the Project's Sun Ray Station and the existing Sun Ray Transit Center on Pederson Street were considered and the Project Build Alternatives include modifications to existing bus service on Routes 63 and 80 to connect transit riders with the Project. The Project also includes enhancements to the pedestrian connection between the transit center and the Sun Ray Station.

Moving the existing Sunray Transit Center closer to the proposed Sunray Station was considered, but dismissed because of increased private property impacts, and impacts to local transit operations.

Comment Number: 2

Commenter Name: Rik Mulkern
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Environmental Assessment/Environmental Assessment Worksheet evaluated traffic noise and determined that Project operations would not produce long-term impacts to noise. The noise analysis was completed presuming the Project would use diesel-powered buses, the loudest potential Gold Line bus vehicle. However, if electric buses are used, noise receptors would perceive less bus related noise because they are quieter than diesel-powered buses. For more information on the noise assessment, see Physical and Environmental Resources Technical Report Section 5.8.

The Environmental Assessment/Environmental Assessment Worksheet analyzed traffic impacts and determined that the Project operations would not produce long-term impacts to traffic volumes. However, there is the potential for short-term impacts due to Project construction. For more information on the traffic analysis, see Transportation Resources Technical Report Section 3.2.

The Project will operate in the existing traffic lanes along the segment of Hudson Road, from approximately Old Hudson Road to just east of Kennard Street (near Grace Lutheran Church). Routing Gold Line service next to existing I-94 alignment, south of the noise wall, was considered, but adding bus-only lanes in this segment would increase private property impacts along Hudson Road. Routing Gold Line within the existing I-94 travel lanes was also considered but did not meet the Project's Purpose and Need. The Managed Lane Bus Rapid Transit alternative was considered and eliminated because of issues associated with station accessibility, transit mobility and operation, and lack of economic development benefit. For more information on the Purpose and Need of the Project, see Section 1.3 of the Environmental Assessment and for more information on the Alternatives Analysis, see Section 2 of the Environmental Assessment.

In order to maintain existing noise abatement levels for the community, the Project limits noise barrier relocations to the greatest extent practical during design.

Comment Number: 3
Commenter Name: Natasha Fleischman
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The project will add new pedestrian and bike facilities at all the non-downtown stations. There are approximately 10 miles of new bike and pedestrian facilities being constructed as part of the project, see Section 2.2.5 of the Environmental Assessment.

Comment Number: 4
Commenter Name: Lenny Gaitan
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project alignment is not located on I-94. The alignment is routed just north of I-94 through the majority of the St. Paul segment, all of the Maplewood and Landfall segment, and is parallel to local streets through Oakdale and Woodbury. This provides direct access to nearby neighborhoods. For more information on the Project alignment, see Section 2.2 of the Environmental Assessment.

Demand for more frequent transit service throughout the day in the east metro was identified as an important factor contributing to the Project need. The Project area and the I-94 corridor lack all-day, bidirectional transit service limiting the ability of transit to meet the community's growing transportation needs especially considering forecasted population growth in the Project area. For more information on the Purpose and Need, see Section 1.3 of the Environmental Assessment.

Ridership modeling shows that the Project will increase transit ridership as compared to the existing local bus service. For Build Alternative 1, the Project would carry 7,100 riders per day in 2040, and for Build Alternative 2, the Project would carry 6,350 riders per day in 2040. Compared with the No-Build Alternative, Build Alternative 1 would attract 2,950 new transit trips each weekday and Build Alternative 2 would carry 2,600 new transit trips each weekday. For more information on the ridership analysis, see Section 3.3 of the Environmental Assessment.

The Project addresses a different community need than the existing express bus service which operates only during peak periods. Express buses will remain in the Project area, but there will be changes to existing bus service. For more information impacts to bus service, see Section 3.3 of the Environmental Assessment.

Comment Number: 5
Commenter Name: Musa Issa
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project is a planned 10-mile transitway in Ramsey and Washington counties in the eastern part of the Twin Cities Metropolitan Area. The Project generally would operate parallel to Interstate 94 and would better connect downtown Saint Paul with the suburban cities of Maplewood, Landfall, Oakdale and Woodbury. The Project is currently in the Project Development process. Project construction is anticipated to begin as soon as 2022 with revenue service starting in 2024. For more information on the Project, see Section 2.2 of the Environmental Assessment.

Comment Number: 6
Commenter Name: Jeff Meyers
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

An approximately 200 square foot temporary easement is needed at 1069 Hudson Road for the Project construction to replace the sidewalk. At this time in Project design, a permanent property easement is not anticipated for Project operations or maintenance. For information on acquisitions, displacement and relocations, see Section 3.4.2 of the Environmental Assessment.

The Environmental Assessment assessed land use plan compatibility and found the Project would not produce long-term and/or short-term impacts to land use. For information on the land use compatibility analysis, see Community and Social Resources Technical Report Section 4.2.

Comment Number: 7
Commenter Name: Richard Newmark
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project will build sidewalks along Bielenberg Drive between 500 Bielenberg Drive and Tamarack Road. This will connect to the existing multiuse trail along Tamarack Road and Weir Drive which connects to Costco. For information on trail details in this area, see the 15% Concept Plans, Appendix B of the Environmental Assessment.

Comment Number: 8
Commenter Name: Patricia Kivela
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project is not expected to remove private fencing around the Carriage Crossings buildings; however, the Project will remove a section of fencing installed and maintained by the Minnesota Department of Transportation to allow for a new trail south of Carriage Crossings which is located near the Etna Street Station in Saint Paul. For information on trail details in this area, see the 15% Concept Plans, Appendix B of the Environmental Assessment.

The Project will be removing some trees from public property but the trees on Carriage Crossing property are not expected be disturbed. As Project design advances, details on landscaping and vegetation removal and replacement will be further developed and there will be future opportunities for public engagement to discuss this information in more detail.

The Project will also include security features, like improved street lighting, to maintain safety and security for the community and transit riders. Metro Transit also has its own police department whose officers provide security at transit stations and along transit guideways.

Comment Number: 9
Commenter Name: Brad Wheeler
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project will be using bus rapid transit (BRT) vehicles and not light rail or trains. For more information on the BRT vehicle characteristics, see Section 2.2.6 of the Environmental Assessment.

Comment Number: 10
Commenter Name: Tonya Mages
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project considered an alignment south of the noise wall in this area but determined there would be challenges to maintain the existing noise abatement levels, potential operational safety issues and additional property impacts. In order to construct bus lanes adjacent to I-94, the existing noise wall would need to be moved closer to the neighborhood. This would result in additional property impacts on Hudson Road as well as potentially change the existing noise abatement level the neighborhood currently experiences. There were also traffic safety concerns with eastbound bus headlights confusing and distracting drivers traveling westbound on I-94.

The Project is anticipating 10-minute frequency only during peak rush hour travel weekday mornings (6-9 a.m.) and afternoons (3-6 p.m.). Buses will be less frequent during non-peak and weekend operating hours. For more information on assumed operating frequencies, see Table 2.2-2 of the Environmental Assessment.

The Project will include security features, like improved street lighting, to maintain safety and security for the community and transit riders. Metro Transit also has its own police department whose officers provide security at transit stations and along transit guideways.

Comment Number: 11
Commenter Name: Larry and Connie Osterkamp
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Metro Transit maintenance crews will remove snow at Gold Line stations. However, sidewalk and street snow removal will continue to follow City ordinances after the Project begins service.

The Environmental Assessment identifies a potential stormwater basin located in the lot adjacent to 1466 Old Hudson Road. The Environmental Assessment assessed impacts based on 15% Concept Plans. As the Project's design is advanced, more analysis will be completed for anticipated stormwater needs for the Project. For more information on potential stormwater best management practices locations see the 15% Concept Plans, Appendix B of the Environmental Assessment.

Comment Number: 12
Commenter Name: Patricia Kivela
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project is not expected to remove private fencing around the Carriage Crossings buildings; however, the Project will remove a section of fencing installed and maintained by the Minnesota Department of Transportation to allow for a new trail south of Carriage Crossings which is located near Etna Street Station in St. Paul. For information on trail details in this area, see the 15% Concept Plans, Appendix B of the Environmental Assessment.

The Project will be removing some trees from public property but the trees on Carriage Crossing property are not expected be disturbed. As Project design advances, details on landscaping and vegetation removal and replacement will be further developed and there will be future opportunities for public engagement to discuss this information in more detail.

The Project will also include security features, like improved street lighting, to maintain safety and security for the community and transit riders. Metro Transit also has its own police department whose officers provide security at transit stations and along transit guideways.

Comment Number: 13

Commenter Name: Al and Beth Stroschein
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Environmental Assessment identifies an estimated 500 square feet permanent easement and a 2000 square feet temporary easement at 19 Greenway Avenue North for the Greenway Avenue Station and for the Project construction. For information on acquisitions, displacement and relocations, see Section 3.4.2 of the Environmental Assessment.

Metro Transit maintenance crews will remove snow at Gold Line stations. However, trail and street snow removal will continue to follow City ordinances after the Project begins service.

At this state of Project design, specific tree removals, and utility/power line impacts are unknown. As Project design advances, details on landscaping and vegetation removal and replacement, as well as utility impacts, will be further developed and there will be future opportunities for public engagement to discuss this information in more detail. For more information on impacts to utilities, see Section 3.5.1 of the Environmental Assessment.

Comment Number: 14

Commenter Name: Mike Sowers
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The proposed Gold Line station at Union Depot & Sibley Street is expected to remove four on-street parking spaces. No additional parking spots are anticipated to be removed from this block and on-street parking would remain on the south side of Sibley Street. Designated loading zone parking should be coordinated with the City of Saint Paul. For more information on parking impacts, see Section 3.3.2 of the Environmental Assessment.

Comment Number: 15
Commenter Name: Patrick Needham
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project will be using bus rapid transit (BRT) vehicles and not light rail or trains. For more information on the BRT vehicle characteristics, see Section 2.2.6 of the Environmental Assessment.

Comment Number: 16
Commenter Name: Patrick Needham
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project will be using bus rapid transit (BRT) vehicles and not light rail or trains. For more information on the BRT vehicle characteristics, see Section 2.2.6 of the Environmental Assessment.

Comment Number: 17
Commenter Name: Patricia Gurney
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Environmental Assessment identified that Gold Line operations would not produce long-term and/or short-term impacts on air quality. The analysis anticipates the Project would reduce the overall air pollutant load due to less automobile use. The Environmental Assessment air quality analysis was completed presuming the Project would use diesel buses. However, if electric buses are used, they would contribute to lesser air quality impacts because they produce fewer emissions than diesel-powered buses. For more information on the air quality analysis, see Physical and Environmental Resources Technical Report Section 5.10.

Comment Number: 18
Commenter Name: Bob Walker
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Comment Number: 19
Commenter Name: Kong Her
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project alignment will not run on Old Hudson Road between Etna Street and White Bear Avenue. In this section, the Project will run in existing travel lanes on Hudson Road with bus-only lanes constructed between Grace Lutheran Church and White Bear Avenue, and between Hudson Road and Etna Street. For more information on the alignment, see the 15% Concept Plans, Appendix B of the Environmental Assessment.

Comment Number: 20
Commenter Name: Adam Jass
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Comment Number: 21
Commenter Name: Sarah Trobec
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project will be using bus rapid transit (BRT) vehicles and not light rail or trains. For more information on the BRT vehicles characteristics, see Section 2.2.6 of the Environmental Assessment.

The Environmental Assessment evaluated traffic noise and determined that Project operations would not produce long-term impacts to noise. The noise analysis was completed presuming the Project would use diesel-powered buses, the loudest potential Gold Line bus vehicle. However, if electric buses are used, noise receptors would perceive less bus related noise because they are quieter than diesel-powered buses. For more information on the noise assessment, see Physical and Environmental Resources Technical Report Section 5.8.

The Project will also include security features, like improved street lighting, to maintain safety and security for the community and transit riders. Metro Transit also has its own police department whose officers provide security at transit stations and along transit guideways.

The Project could increase development and redevelopment in station areas. While not every station area is likely to see change in the short-term or long-term, those areas where demand for new development is stronger could experience increased property values. For more information on property impacts, see Section 3.4 of the Environmental Assessment.

Comment Number: 22
Commenter Name: Kenneth Westlake
Organization: U.S. Environmental Protection Agency

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Public Outreach and Implementation of Mitigation:

The comment regarding posting contractor requirements in public places has been noted and will be considered when the Project develops construction specifications. For more information in this document on Project avoidance, minimization and mitigation measures for construction impacts, see **Appendix C** – Mitigation Commitments

Noise Impacts:

Noise barrier replacements are only proposed within Alignment B from the Mounds Boulevard exit to White Bear Avenue north of I-94. The methodology in the Environmental and Physical Resources Technical Report Attachment A-5-3 summarizes the proposed noise barrier relocations for the Project. The methodology in Environmental and Physical Resources Technical Report Attachment A-5-3 explains that Federal Transit Administration noise analysis methods are used to assess Project noise, and the barrier relocations analysis is not part of a Type 1 highway noise study, and therefore does not need to meet typical Minnesota Department of Transportation policy requirements for noise barrier effectiveness.

The methodology in the Environmental and Physical Resources Technical Report Attachment A-5-3 explains that two areas with proposed barrier relocations were chosen for analysis because of the need to create barrier gaps and overlaps and remove existing berms. These areas were selected because they have the greatest proposed horizontal changes relative to existing noise wall location. The conclusions in the Environmental and Physical Resources Technical Report Attachment A-5-3 indicate that relocated noise barriers will be designed to the same effectiveness as in the current condition, and the areas with the greatest proposed changes between existing and replacement barriers were analyzed to demonstrate this.

The comment regarding constructing new noise barriers prior to removing the existing noise barriers has been noted and will be considered when the Project develops construction specifications.

Air Quality:

The Physical and Environmental Resources Technical Report lists specific minimization measures for minimizing dust and unnecessary idling in Section 5.10.4. These measures and other best practices will be considered and applied as appropriate during Project construction. Contractors will be required to control dust and other airborne particulates in accordance with Minnesota Department of Transportation specifications in place at the time of Project construction.

Resiliency:

Floodplain impacts will be minimized to the greatest extent practical during design. Stormwater management has been identified throughout the Project corridor for the guideway and other roadways being reconstructed as part of the Project. Best Management Practice (BMP) types along the corridor are chosen based on many criteria, including performance and maintenance. The Environmental Protection Agency Climate Change Adaptation Resource Center tool, Minnesota Stormwater Manual and other resources will be utilized for determining the appropriate BMP types. Ongoing discussions with the stakeholders, including the municipalities, will occur during design to finalize these BMP choices. For more information on floodplain impacts, see Section 3.5.2.1 of the Environmental Assessment.

Wetlands and Other Surface Waters:

As Project design advanced, wetland impact avoidance or minimization measures were implemented that reduced wetland impacts to approximately 1 acre. The Section 404 permit application has been submitted for agency review and includes details of these avoidance and minimization efforts. For more information on wetland impacts, see Section 3.5.2.2 of the Environmental Assessment.

The comment regarding including the status of the Clean Water Act Section 404 and 401 permitting in the National Environmental Policy Act document has been noted and will be considered when the Project develops the document.

Children's Health:

The comment regarding routing construction traffic away from places where children gather has been noted and will be considered when the Project develops construction specification. For more information on Project avoidance, minimization and mitigation measures for construction impacts, see Section 3.9 of the Environmental Assessment.

Comment Number: 23

Commenter Name: Steve Love
Organization: City of Maplewood

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Comment Number: 24
Commenter Name: David Parker
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Final changes in existing bus route frequency and the potential for local bus service to use the Gold Line guideway are not yet known. As the Project advances, Metro Transit will be developing a plan for connecting bus service and will evaluate how Gold Line interacts with existing transit service in the corridor. Engagement with the public and agency stakeholders will occur before modifications to existing bus routes. For more information on impacts to transit service, see Section 3.3.1 of the Environmental Assessment.

Comment Number: 25
Commenter Name: Ted Schoenecker
Organization: Ramsey County

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Comment Number: 26
Commenter Name: Karen Kromar
Organization: MN Pollution Control Agency

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Construction will be staged to reduce temporary impacts to communities. The Project will develop public outreach strategies leading up to and during construction to inform affected communities about construction activities and anticipated impacts. These strategies will focus on reengaging the community corridor wide, maintaining an open dialogue, and offering opportunities for discussion related to construction activities during this phase of the Project. Staff will also be available to discuss construction with residents and business owners before and during construction.

The Project intends to inform riders about temporary service changes during construction by posting information at bus stops as well as publish details on the Project website and in onboard “Connect” brochure. For more information on mitigation measures for construction impacts to transit riders and the community, see Section 3.9 of the Environmental Assessment.

Comment Number: 27
Commenter Name: Bill Dermody
Organization: City of Saint Paul

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Environmental Assessment evaluated visual quality and aesthetic resources and determined that the Project operations would range from low to moderate visual contrast for Rice Park, Rice Park Historic District, Hamm Plaza, and the Lowertown Historic District. The visual quality and aesthetics assessment is based on 15% design commensurate with other resources evaluated in the Environmental Assessment. Proposed stations downtown would be similar in form, scale, color, and materials as the existing shelters and would still include a shelter, pylon sign, and ticket vending machine. The footprint of these stations would be smaller than those outside the downtown. Introduction of visual elements similar in scale, color, and materials as existing elements would result in a reduced level of visual contrast. The Project would not result in a major

change where elements may obstruct views or substantially alter visual character. As engineering advances and additional design information is available, the Metropolitan Council and Federal Transit Administration will determine if additional analysis of visual quality and aesthetics is needed for all resources evaluated in the EA. For more information on the visual and aesthetic resource assessment, see *Community and Social Resources Technical Report* Section 4.5.

5th Street and Cedar Street:

Table 3.4-2 of the Environmental Assessment identifies the 5th Street and Cedar Street Station as proposed, and *Community and Social Resources Technical Report* Section 4.5.3.1 identifies that a new shelter would be introduced at 5th Street and Cedar Street where existing bus shelters and other site furnishings alter the setting.

Furnishings:

The visual quality and aesthetics assessment is based on 15% design commensurate with other resources evaluated in the Environmental Assessment. The Project would not result in a major change where elements may obstruct views or substantially alter visual character. As engineering advances and additional design information is available, the Metropolitan Council and Federal Transit Administration will determine if additional analysis of visual quality and aesthetics is needed for all resources evaluated in the Environmental Assessment.

Union Depot/Lowertown:

Comment noted about the third bullet being applicable to Union Depot and Lowertown Historic District.

Comment Number: 28
Commenter Name: Robert Streetar
Organization: City of Oakdale

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Bicycle and Pedestrian Facilities:

The Environmental Assessment identifies some eight feet wide trails in Oakdale but most are 10 feet wide. As design advances, the Project will continue ongoing coordination with the City on trail design. For information on trail details, see the 15% Concept Plans, Appendix B of the Environmental Assessment.

Transit:

Engagement with the public and agency stakeholders will occur before modifications to existing bus routes, including Routes 219 and 294. For more information on impacts to transit service, see Section 3.3.1 of the Environmental Assessment.

Water Resources:

Fill within Tanners Lake is due to the steep slopes along Hudson Road. Impacts to the floodplain is due to the irregularities of the slope and will be mitigated within the Project area by minor modifications to the grading.

Floodplain impacts will be minimized to the greatest extent practical as design advances. Further coordination with the City and other stakeholders will be needed to balance the floodplain impacts to BC-57 and BC-53. For more information on floodplain impacts, see Section 3.5.2.1 of the Environmental Assessment.

Wetland impacts will be minimized to the greatest extent practical as design advances. Mitigation will be coordinated with the City and other stakeholders including U.S. Army Corps of Engineers as part of the Section 404 permitting process. For more information on wetland impacts, see Section 3.5.2.2 of the Environmental Assessment.

Stormwater Best Management Practice (BMP) locations have been identified within two privately held properties near the proposed Helmo Avenue Station. The potential stormwater BMPs locations were identified in coordination with the City to avoid impacts to publicly owned recreation land. Ongoing discussions with the City and other stakeholders will occur as design advances to finalize types of BMP. For more information on potential stormwater best management practices locations see the 15% Concept Plans, Appendix B of the Environmental Assessment.

Biological Environment:

As Project design advances, details on landscaping and tree removal and replacement will be further developed and there will be future opportunities for public engagement to discuss this information in more detail.

Indirect Effects and Cumulative Impacts

As the Project advances, staff will continue to coordinate with the City on ensuring the Project design complies with the *Greenway Avenue Station Bus Rapid Transit Oriented Development (BRTOD) Plan*, Helmo Avenue Station BRTOD Plan and the City of Oakdale 2040 Comprehensive Plan. For more details on Project design, see the 15% Concept Plans, Appendix B of the Environmental Assessment.

Other Comments:

The Project will continue ongoing coordination with the City, including impacts to public works operations and snow removal.

Comment Number: 29
Commenter Name: Patrick McNamara
Organization: None provided

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Comment Number: 30
Commenter Name: Sarah Beimers
Organization: MN State Historic Preservation Office

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Comment Number: 31
Commenter Name: Mathews Hollinshead
Organization: Sierra Club North Star Chapter

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Routes 385, 355, 351, 381 and Ridershaip:

The planned Route 385 express bus will not replace the existing Route 355. Route 385 and 381 are proposed to connect Lake Elmo and downtown Minneapolis, and Lake Elmo and downtown Saint Paul, with the construction of a new Park and Ride at Manning Avenue, which is not part of the Gold Line Project. Route 355 and Route 351 provide connections between Woodbury and downtown Minneapolis, and Woodbury and downtown Saint Paul. Final changes in existing bus route frequency and the potential for local bus service to use the Gold Line guideway are not yet known. As the Project advances, Metro Transit will be developing a plan for connecting bus service and will evaluate how Gold Line interacts with existing transit service in the corridor. Engagement with the public and agency stakeholders will occur before modifications to existing bus

routes. For more information on impacts to transit service, see Section 3.3.1 of the Environmental Assessment.

The comment on low projected ridership has been noted.

Locally Preferred Alternative Selection:

Build Alternative 1 (A1-BC-D3) was selected as the Locally Preferred Alternative in 2018 after technical analysis, robust public engagement and coordination with agency stakeholders. Alignment A1 offers benefits in downtown Saint Paul not provided by Alignment A2 including:

- Provides the most direct access throughout downtown Saint Paul where people live, work and recreate
- Serves the mixed-use core of Saint Paul that provides the greatest employment and housing density in the city and has a high projected population and employment growth
- Includes areas with high concentrations of zero-vehicle households
- Provides more direct access to transit for environmental justice populations living in the downtown area
- Maximizes travel time savings by offering a one-seat ride through downtown Saint Paul

Alignment A1 also maximizes estimated ridership and still provides a direct connection to Union Depot with proposed transit stations at Sibley Street and 4th Street and Wacouta Street and 4th Street. For more information on the preferred alternative identification, see Section 2.3 of the Environmental Assessment.

Stormwater and Water Quality:

At this stage of Project design, specific details on pavement are unknown. This comment will be considered as Project design advances and there will be future opportunities for public engagement to discuss this information in more detail.

Platform and Vehicle:

As the Project design advances, platform levels at stations and vehicle specifications, like bike racks, will be further developed advances and there will be future opportunities for public engagement to discuss this information in more detail. For more information on stations and vehicle characteristics, see Section 2.2 of the Environmental Assessment.

Energy:

The comment regarding support for electric buses has been noted.

Noise Walls:

The comment regarding removal of 5,400 feet of existing noise wall and introduction of 7,700 feet of new noise wall affecting transit riders, residents and businesses has been noted. Comment noted about noise and protection from I-94. As Project design advances, details on landscaping and vegetation removal and replacement, as well as utility impacts, will be further developed. See the 15% Concept Plans, Appendix B of the Environmental Assessment for locations of existing and proposed noise walls.

Right-of-Way:

The Project will be narrowing traffic lanes and removing vehicle parking in some areas along the alignment. For more details, see 15% Concept Plans, Appendix B of the Environmental Assessment.

Comment Number: 32
Commenter Name: Cynthia Novak-Krebs
Organization: MN Department of Natural Resources

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

The Project will coordinate with Minnesota Department of Natural Resources for the Water Appropriations Permit should construction require dewatering to the levels or volumes noted. The comment regarding when a Minnesota Department of Natural Resources Water Appropriations Permit is not required has been noted.

The Project will seal unknown wells in accordance with Minnesota Department of Health regulations should they be discovered during Project construction.

Comment Number: 33

Commenter Name: Tony Kutzke
Organization: City of Woodbury

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Comment noted regarding loss of parking spaces at HOM Furniture store. The Project would remove 57 spaces at the HOM Furniture store, 7600 Hudson Road in Woodbury; however, these spaces are located within the public right-of-way. There are sufficient parking spaces to accommodate parking need and parking loss due to the Project is not anticipated to impact overall parking needs. For more information on parking impacts, see Section 3.3.2 of the Environmental Assessment.

Impacts to utilities will be minimized to the greatest extent practical during Project design. The Project will continue ongoing coordination with the City and other utility owners. For more information on impacts to utilities, see Section 3.5.1 of the Environmental Assessment.

The comment on City concurrence with *de minimis* impact determination for Menomini Park has been noted.

As Project design advances, details on landscaping and tree removal and replacement will be further developed and there will be future opportunities for public engagement to discuss this information in more detail.

Comment Number: 34

Commenter Name: David Kratz
Organization: MN Department of Transportation

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Comment Number: 35

Commenter Name: Patrick Boylan
Organization: Metropolitan Council

Thank you for your interest in the Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit Project (Project).

Metropolitan Transportation Services:

Comments noted on the Purpose and Need, the Locally Preferred Alternative section and no build assumptions. Riverview is assumed as part of the no build alternative evaluated in the Environmental Assessment. For more information on Alternatives see the *Alternatives Technical Report* of the Environmental Assessment.

Operating frequency was coordinated with Metro Transit Service Development and as design advances the Project will coordinate with staff in Metropolitan Transportation Services on this issue.

Metropolitan Environmental Services:

The Environmental Assessment identified that a valve box for the Metropolitan Council interceptor system is near the guideway in Alignment B. The Project will avoid and/or minimize any potential impacts through design advancement during the Project Development and Engineering phases. The Project will coordinate with Metropolitan Environmental Services as design advances. For more information on impacts to utilities, see Section 3.5.1 of the Environmental Assessment.

Biological Environment:

The location of the new, dedicated guideway at 4th Street and Helmo Avenue responds to Gold Line Project Design Criteria and the City of Oakdale's Helmo Avenue Station Bus Rapid Transit Oriented Design Plan that was adopted by the City in May 2018 (reformatted in April 2019). Impacts associated with stormwater facilities at Wetland 48-1 are based on the 15% Concept Plans. As the Project design is advanced and more analysis completed for anticipated stormwater needs for the Project, impacts are anticipated to be reduced. The Project will require permits from U.S. Army Corps of Engineers, Department of Natural Resources, Minnesota Department of Transportation, Ramsey-Washington Metro Watershed District and the City of Saint Paul for impacts to wetlands. The Project has engaged all of these agencies during development of the Environmental Assessment.

The Project has been reviewed by the Minnesota Department of Natural Resources (DNR). The Metropolitan Council, in coordination with the DNR, does not anticipate impacts to the Blanding's turtle, given the previous development in the area. However, the DNR has established standard construction Best Management Practices (BMPs) that the Project would implement as needed. These BMPs include using overlapping silt fence that allows turtles to bypass the fencing while still capturing the sediment; providing identification information to the contractor to avoid turtles if they are observed in the construction zone; and removing the silt fence after site stabilization to eliminate barriers to turtle movements. The Project design includes curbing that would allow turtles to cross the guideway in some sections. Barrier curbs will be used which are angled and would not exceed a height of 2 inches on the guideway. This type of curb is needed for safe bus operations and is consistent with State Aid Manuals.

The Metropolitan Council will seek opportunities to minimize tree-clearing, especially within naturalized areas, as the Project design advances during the Project Development and Engineering phases. To minimize impacts to the wildlife habitat, the Project would incorporate the use of seasonal tree clearing restrictions and implementation of other appropriate mitigation measures identified to avoid impacts to threatened and endangered species. The Metropolitan Council would implement appropriate avoidance and minimization measures for bridge work, temporary and permanent lighting, and tree removal, so the Project would not adversely impact the northern long-eared bat. As the Project design advances during the Project Development and Engineering phases, details on landscaping and tree removal and replacement will be further developed and there will be future opportunities for public engagement to discuss this information in more detail.

A.5. Index of Comments Received on the Programmatic Agreement

TABLE A-2: INDEX OF COMMENTS RECEIVED ON THE PROGRAMMATIC AGREEMENT

Comment Number	Comment Source	Commenter	Organization	Comment Page (Section A.6)	Response Page (Section A.7)
1	Email	Philip Forst	Federal Highway Administration – Minnesota Division	A-71	A-73
2	Email	Sarah Beimers	MN State Historic Preservation Office	A-72	A-73

A.6. Copies of Programmatic Agreement Comments

COMMENT # 1

Subject: RE: Gold Line - Draft Section 106 Agreement - FHWA Comments

From: Forst, Phil (FHWA) [mailto:Phil.Forst@dot.gov]
Sent: Monday, October 21, 2019 11:18 AM
To: Greep, Anthony (FTA) <anthony.greep@dot.gov>
Cc: Beimers, Sarah (ADM) <sarah.beimers@state.mn.us>; melissa.m.jenny@usace.army.mil; Mathis, Gregory (DOT) <greg.mathis@state.mn.us>; Campbell, Joseph (FHWA) <joe.w.campbell@dot.gov>; Breiseth, Elizabeth (FTA) <elizabeth.breiseth@dot.gov>
Subject: Gold Line - Draft Section 106 Agreement - FHWA Comments

Tony:

Below are my comments on the subject document. Page numbers...I read the redlined version...so all page references are based upon that document.

- Stipulation V.A.i
  - Consistency/conflict issue. Hardcopy page 5 (Stipulation I.D) of the document uses "construction"....this stipulation uses "civil construction"...but "construction" is used throughout the rest of the document. Is there an intentional difference? If yes, what is it? If no, then just use "construction" or "civil construction" consistently throughout the document.
- Stipulation X.E.: Construction Protection Plan for Historic Properties (hardcopy page 16-17)
  - The stipulation only talks about what happens before construction starts.
  - On projects of this size, scope, complexity, and construction time length, it is quite common for the persons in those listed positions to change up one or more times during the length of physical construction.
  - If these positions are that important, consider modifying the content to include that the expectation is that new people...successors...call them what you will...to those positions during physical construction also have to go through that training.

Please contact me if you have any questions.

Philip Forst
Environmental Specialist
FHWA - Minnesota Division

COMMENT # 2

DEPARTMENT OF ADMINISTRATION
STATE HISTORIC PRESERVATION OFFICE

November 6, 2019

Jay M. Ciavarella
Federal Transit Administration
200 West Adams Street, Suite 320
Chicago IL 60606-5253

RE: Gold Line Bus Rapid Transit Project (Project)
Washington and Ramsey Counties, Minnesota
SHPO Number: 2014-0398

Dear Mr. Ciavarella,

Thank you for the continuing consultation with our office regarding the above Project. Information received in our office on October 11, 2019 has been reviewed pursuant to the responsibilities given the State Historic Preservation Officer by the National Historic Preservation Act of 1966 (NHPA) and implementing federal regulations at 36 CFR Part 800.

We have completed a review of your letter dated October 11, 2019, a submittal which included Draft 08a of the Section 106 Programmatic Agreement (PA) for the Project. We appreciate your agency's consideration of comments our office provided on June 28, 2019 following our review of the previous version (Draft 05a) of this PA.

Utilizing Microsoft Word Track Changes, we have incorporated several recommended edits and comments into the Draft 08a document and is included with this letter. In summary, our recommended edits include:

- Correction of minor word and punctuation typos as well as clarification language added in some paragraphs;
- Adding an introductory, summary paragraph to Stipulation III to clearly state the applicability of the stipulation to many other stipulations within the agreement as we found that the provisions of this stipulation were not entirely clear to a cold reader;
- Adding language under Stipulation VII.A that MnDOT's effect recommendation to FTA will include full narrative effects assessment and supporting documentation in accordance with 36 CFR 800.11(e);
- Adding clarifying language to Stipulation VIII.B.ii which specifically states that Mitigation Plan provisions will be carried out by Metropolitan Council; and
- Adding specific timeframes to Stipulations XI.A-B in place of "immediately" and confirmation from the Office of the State Archaeologist that procedures for notification and consultation under Minn. Stat. 307.08 are correctly described.

We look forward to continuing Section 106 consultation with your agency and consulting parties as the PA for the proposed undertaking is finalized and executed. Please feel free to contact me if you have any questions regarding our comment letter and/or would like to discuss next steps in the consultation process. I can be reached at (651) 201-3290 or by e-mail at sarah.beimers@state.mn.us.

Sincerely,

Sarah J. Beimers
Environmental Review Program Manager

Enclosure: *GTWY_PA_DRAFT_08_Rev01_clean+figs (002)_SHPO Comments_Edits*

Department of Administration
203 Administration Building, 50 Sherburne Avenue, Saint Paul, MN 55155

A.7. Responses to Programmatic Agreement Comments

1. **Comment Number: 1**
   Commenter Name: Philip Forst
   Organization: Federal Highway Administration – Minnesota Division

   Thank you for your interest in the Programmatic Agreement for the METRO Gold Line Bus Rapid Transit Project (Project). Your comments have been noted and will be considered as the Project design advances, and will be incorporated into the Project, as appropriate.

Comment Number: 2
Commenter Name: Sarah Beimers
Organization: MN State Historic Preservation Office

Thank you for your interest in the Programmatic Agreement for the METRO Gold Line Bus Rapid Transit Project (Project). Your comments have been noted and will be considered as the Project design advances, and will be incorporated into the Project, as appropriate.

METRO Gold Line

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

Finding of No Significant Impact

Appendix B. Final Programmatic Agreement

January 2020

PROGRAMMATIC AGREEMENT
BETWEEN
THE FEDERAL TRANSIT ADMINISTRATION
AND
THE MINNESOTA STATE HISTORIC PRESERVATION OFFICE
REGARDING
THE METRO GOLD LINE BUS RAPID TRANSIT PROJECT,
RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

WHEREAS, the Metropolitan Council (MC) is proposing to construct the METRO Gold Line Bus Rapid Transit Project (PROJECT), an approximately 10-mile long bus rapid transit (BRT) line with 21 stations and four anticipated park-and-ride facilities, one existing and three new; the route beginning in downtown Saint Paul, operating primarily in mixed traffic, and extending along an easterly alignment, operating primarily on a new dedicated guideway, paralleling Interstate 94 to just east of Interstate 694/494, and then along a southerly alignment to the Woodbury Village Shopping Center, connecting the cities of Saint Paul, Maplewood, Landfall Village, Oakdale, and Woodbury, Minnesota, as depicted in Attachment A;

WHEREAS, the PROJECT was originally initiated by Washington County, Minnesota and was known as the Gateway Corridor, and on July 27, 2017, PROJECT sponsorship was transferred to MC and the PROJECT was officially renamed the METRO Gold Line Bus Rapid Transit Project;

WHEREAS, the United States Department of Transportation, Federal Transit Administration (FTA), may fund the PROJECT and has determined it is an undertaking subject to the requirements of 36 Code of Federal Regulations [CFR] Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (54 United States Code [USC] § 306108);

WHEREAS, the United States Army Corps of Engineers (USACE) may issue permits authorizing the discharge of dredged or fill material in conjunction with PROJECT construction pursuant to 33 USC § 11 and Section 404 of the Clean Water Act (Section 404), 33 USC §§ 1251-1376, as amended, and has determined this permit is an undertaking subject to the requirements of Section 106 and 36 CFR Part 800 and, pursuant to 36 CFR § 800.2(a)(2), on July 9, 2018, designated FTA as the lead Federal agency for the PROJECT to fulfill their responsibilities under Section 106;

WHEREAS, the Federal Highway Administration (FHWA) may issue approval for an Interstate right-of-way use agreement between MC and the State of Minnesota, acting through the Minnesota Department of Transportation (MnDOT), for a portion of the PROJECT's preferred alternative pursuant to 23 CFR Part 810, Subpart C and 23 CFR 710, Subpart D § 710.405, and has determined this approval is an undertaking subject to the requirements of Section 106 and 36 CFR Part 800, and pursuant to 36 CFR § 800.2(a)(2), on August 28, 2019, FHWA requested FTA to be the lead Federal agency for the PROJECT to fulfill their responsibilities under Section 106 and FTA agreed to be the lead Federal agency on September 16, 2019;

WHEREAS, FTA has determined that a phased process for compliance with Section 106, pursuant to 36 CFR § 800.4(b)(2), is appropriate for the undertaking due to the two-year statutory limitation required pursuant to 49 CFR § 5309(d)(1)(C) for FTA's Capital Investment Grant Program, which requires the environmental review process, including the Section 106 review, to be completed within this time period;

WHEREAS, in accordance with 36 CFR § 800.14(b) and § 800.6, FTA has notified the Advisory Council on Historic Preservation (ACHP) of its intent to use a programmatic agreement (AGREEMENT) to fulfill its Section 106 obligations for the PROJECT and has invited the ACHP to participate in the development of this AGREEMENT, and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii);

WHEREAS, FTA initiated Section 106 consultation with the Minnesota State Historic Preservation Office (MnSHPO) in a letter dated November 5, 2013, and shall continue to consult with MnSHPO under the terms of this AGREEMENT;

WHEREAS, FTA invited USACE to be an Invited Signatory to this AGREEMENT in a letter dated November 30, 2018, and USACE accepted that invitation and has participated in consultation to develop this AGREEMENT;

WHEREAS, FHWA requested to become an Invited Signatory to this AGREEMENT in a letter dated August 28, 2019, and FTA has given FHWA Invited Signatory status and an opportunity to participate in development of this AGREEMENT;

WHEREAS, pursuant to 36 CFR § 800.2(a)(3) on July 31, 2014, FTA designated the MnDOT Cultural Resources Unit (CRU) to work directly with MnSHPO on FTA's behalf, with FTA remaining responsible for designating consulting parties and making all findings and determinations pursuant to 36 CFR Part 800, and in order to continue and more clearly define MnDOT CRU's designated role in this PROJECT, FTA has invited MnDOT to be an Invited Signatory to this AGREEMENT;

WHEREAS, MC is the potential recipient of federal financial assistance and the local sponsor for the PROJECT and is responsible for obtaining the necessary approvals and permits to undertake the PROJECT, for carrying out FTA's mitigation commitments that may result from the stipulations contained in this AGREEMENT, and for providing FTA with quarterly reports until the terms of this AGREEMENT are deemed completed by FTA and, therefore, FTA has invited MC to be an Invited Signatory to this AGREEMENT;

WHEREAS, FTA, MnDOT CRU, and MC have consulted with Ramsey and Washington Counties, the Cities of Landfall Village, Maplewood, Oakdale, Saint Paul, and Woodbury, and the Maplewood and Saint Paul Heritage Preservation Commissions (HPCs), and FTA has invited all of these entities to sign this AGREEMENT as Concurring Parties;

WHEREAS, pursuant to 36 CFR § 800.2(c)(2)(ii), upon initiation of the Section 106 consultation for the PROJECT, FTA notified the following federally recognized American Indian tribes (Tribes) and invited their participation in consultation for the PROJECT and, pursuant to 36 CFR § 800.14(b) and (f), invited these tribes to participate in the development of this AGREEMENT: Lower

Sioux Indian Community, Bois Forte Band (Nett Lake) of Chippewa Indians, Fond du Lac Band of Lake Superior Chippewa, Grand Portage Band of Lake Superior Chippewa, Leech Lake Band of Ojibwe, Mille Lacs Band of Ojibwe, Red Lake Band of Chippewa Indians, White Earth Band of Minnesota Chippewa, Prairie Island Indian Community, Shakopee Mdewakanton Sioux Community of Minnesota, Turtle Mountain Band of Chippewa Indians, Sisseton-Wahpeton Oyate, Santee Sioux Nation, Fort Peck Assiniboine and Sioux Tribes, and Northern Cheyenne Tribe, and no Tribes have requested to participate in the development of this AGREEMENT;

WHEREAS, FTA also notified and invited the participation of the Upper Sioux Community, a federally recognized American Indian tribe, and because the Tribe initially expressed interest in consultation and attended one PROJECT consultation meeting but has not participated since, FTA also invited the Upper Sioux Community to participate in the development of this AGREEMENT, and they have not requested to participate in the development of this AGREEMENT;

WHEREAS, although no Tribes have requested to participate in the development of this AGREEMENT, FTA shall re-initiate consultation with Tribes that may attach religious and/or cultural significance to historic properties that may be identified under the terms of this AGREEMENT, as appropriate;

WHEREAS, the Signatories, Invited Signatories, and Concurring Parties, are all considered Consulting Parties pursuant to 36 CFR § 800.2(c) and their roles described herein are consistent with those described in 36 CFR § 800.6(c)(1), (2), and (3), respectively;

WHEREAS, pursuant to 36 CFR § 800.4(a)(1), FTA and MnDOT CRU, in consultation with MnSHPO, have defined an Area of Potential Effects (APE) for the PROJECT as documented in Attachment B to this AGREEMENT, and FTA may need to revise the PROJECT APE as design and construction advances and, if needed, shall do so in consultation per the terms of this AGREEMENT;

WHEREAS, FTA, MnDOT CRU, and MC, in consultation with MnSHPO, have undertaken surveys of portions of the PROJECT APE to identify historic properties as defined by 36 CFR § 800.16(l) that are listed in, or eligible for listing in, the National Register of Historic Places (NRHP), the results of which are shown in Attachment C to this AGREEMENT, and MnSHPO has concurred with these determinations, and as the design and construction advances, FTA may need to conduct surveys of areas added to the APE to identify and evaluate historic properties that could be potentially affected by the PROJECT and, if needed, shall do so in consultation per the terms of this AGREEMENT;

WHEREAS, measures are included in this AGREEMENT to avoid and/or minimize effects to historic properties through a design development and review process and the implementation of protection measures for historic properties during PROJECT construction;

WHEREAS, this AGREEMENT was developed with appropriate public involvement pursuant to 36 CFR § 800.2(d) and § 800.6(a)(4), and the public involvement has been coordinated with the public review and comment conducted by FTA and MC to comply with the National Environmental Policy Act (NEPA), as amended, pursuant to 36 CFR § 800.8(a);

WHEREAS, there are provisions in this AGREEMENT for any subsequent public involvement in the Section 106 review process following the publication of the NEPA Environmental Assessment and these provisions shall be coordinated through public communication methods already established by MC in a way that is commensurate with the type and scale of public input being sought;

WHEREAS, MC shall administer the implementation of the PROJECT and, with the assistance of MnDOT CRU, shall complete the stipulations of this AGREEMENT, and FTA shall be responsible for ensuring that MC's implementation of the PROJECT meets the terms of this AGREEMENT.

NOW, THEREFORE, FTA and MnSHPO agree that the PROJECT shall be implemented in accordance with the following stipulations in order to take into account the effects of the PROJECT on historic properties.

STIPULATIONS

FTA, with the assistance of MnDOT CRU and MC, shall ensure that the following measures are carried out:

I. APPLICABILITY

A. In the event that MC applies for additional federal funding or approvals for the PROJECT from a federal agency that is not party to this AGREEMENT, the agency may remain individually responsible for their undertaking under 36 CFR Part 800. Alternatively, if the undertaking as described herein remains unchanged, such funding or approving agency may request in writing to FTA and MnSHPO of their desire to designate FTA as lead federal agency for the undertaking pursuant to 36 CFR § 800.2(a)(2) and to become a Consulting Party to this AGREEMENT pursuant to Paragraph B of this Stipulation.

B. If during the implementation of this AGREEMENT, FTA identifies other agencies, tribes, individuals, and organizations with a demonstrated interest in the undertaking due to the nature of their legal or economic relation to the PROJECT or affected properties, or due to their concern with the PROJECT's effects on historic properties, FTA may offer such entities Consulting Party status pursuant to 36 CFR § 800.2(c) and/or invite them to become party to this AGREEMENT, with notification to the other Consulting Parties.

i. If FTA invites an entity to become an Invited Signatory, the party may accept this status by agreeing in writing to the terms of this AGREEMENT and so notifying FTA. If the entity agrees to become an Invited Signatory and MnSHPO, USACE, FHWA, MnDOT CRU, and MC have no objections, FTA shall follow Stipulation XV, to amend this AGREEMENT.

ii. If FTA invites an entity to become a Concurring Party, the entity may accept this status by agreeing in writing to the terms of this AGREEMENT and so notifying FTA. Because Concurring Parties have no responsibility for implementation of this AGREEMENT, FTA may add such parties to the consultation process without formal amendment of this

AGREEMENT. FTA shall notify the Consulting Parties of any entities who agree to become a Concurring Party.

C. The PROJECT is expected to have several construction contracts or bid packages that may be considered independently for the purposes of consultation pursuant to this AGREEMENT. In these instances, the PROJECT status (e.g., design stage or construction) may be considered specific to the contract or element without applying to the entire PROJECT.

D. For the purposes of this AGREEMENT, the use of the term "construction" includes major PROJECT construction, as well as any advanced construction as described in Stipulation I.C, and under any given construction contract or bid package is defined as demolition activities, earthwork, staging, and construction of PROJECT infrastructure and related improvements.

II. STANDARDS

A. All work carried out pursuant to this AGREEMENT shall meet the Secretary of the Interior's (SOI) *Standards for Archaeology and Historic Preservation* (48 FR 44716) and/or the *SOI's Standards for the Treatment of Historic Properties* (36 CFR Part 68), as applicable (individually or collectively, SOI Standards). Documentation for determinations of eligibility and findings of effect shall meet 36 CFR § 800.11, the SOI Standards, the National Park Service's Bulletins, and MnSHPO and MnDOT CRU survey and reporting guidance, as appropriate. Documentation of historic properties for the purposes of resolving Adverse Effects under Stipulation VIII, may follow the SOI Standards or another appropriate documentation standard that is agreed upon in writing by both FTA and MnSHPO.

B. FTA shall ensure that all activities carried out pursuant to this AGREEMENT shall be done by, or under the direct supervision of, historic preservation professional(s) who meet the *SOI's Professional Qualification Standards* (48 FR 44738-44739) in the appropriate field(s) for the activity (SOI-Qualified Professionals). FTA and MC shall ensure that consultants retained for services pursuant to implementation of this AGREEMENT are SOI-Qualified Professionals, or in the instance of other allied professions not covered by the *SOI's Professional Qualification Standards*, they shall meet other nationally recognized standards or licensure/certification requirements for the profession, as applicable. Whenever possible, individuals in allied professions should have a minimum of five (5) years of experience working with historic properties.

C. FTA acknowledges that Tribes possess special expertise in assessing the NRHP eligibility of properties with religious and cultural significance to their Tribe(s). If a Tribe requests, or if FTA otherwise offers and the Tribe accepts, Consulting Party status under this AGREEMENT, FTA shall seek input from the Tribe to determine whether a SOI-Qualified Professional is qualified to assess the potential religious or cultural significance to the Tribe under NRHP criteria.

III. DELIVERABLES AND REVIEW PROCEDURES

A. The Consulting Parties shall have thirty (30) calendar days to review and provide comments on all findings, determinations, documents, and deliverables, unless otherwise specified.

B. For all findings, determinations, documents, and deliverables submitted during PROJECT construction and directly related to construction activities, the Consulting Parties shall have fifteen (15) calendar days to review and provide comments, unless otherwise specified.

C. If the deliverable is a draft document, any written comments provided within the review and comment period shall be considered in the preparation of the final document. If there are any comments that are not feasible to incorporate into the final document, FTA shall provide an explanation to the Consulting Parties as part of issuing the final document. If no comments on a draft document are provided within the specified review timeframe, FTA, at its discretion, may consider the draft document final with notification to Consulting Parties.

D. Should FTA and MnSHPO be unable to reach agreement on eligibility determinations, findings of effect, or resolution of adverse effects, FTA shall consult with MnSHPO to resolve the disagreement in accordance with Stipulation XIV.

E. All review timeframes may be extended by mutual consent between FTA and MnSHPO, with notification to the other Consulting Parties. Failure of any Consulting Party to respond within the specified timeframe shall not preclude FTA from proceeding to the next step of any process under this AGREEMENT.

IV. AREA OF POTENTIAL EFFECTS (APE)

A. In accordance with 36 CFR § 800.4(a)(1) and in consultation with MnSHPO, FTA has defined and documented two APEs for the PROJECT, one for archaeological resources and one for architecture/history resources (Attachment B).

B. Throughout the PROJECT design process, and as needed during PROJECT construction, FTA, with the assistance of MnDOT CRU, shall determine if revisions to either or both of the PROJECT's APEs are necessary.

i. If FTA determines the PROJECT's APE(s) require revision, it shall submit the draft and final APE(s), along with any supporting documentation, to MnSHPO for review and comment, and to other Consulting Parties, as appropriate, for review, pursuant to Stipulation III. FTA's determination on the revised APE(s) shall be final.

ii. Revisions to the APE(s) do not require a formal amendment to this AGREEMENT. If revised and documented by FTA pursuant to Stipulation IV.B.i, then the revised APE(s) shall be used throughout the remainder of the PROJECT unless further revisions to the APE(s) are necessary due to PROJECT modifications.

C. If any new, previously unsurveyed, areas are added to the APE(s), the procedures in Stipulation V shall be followed to identify historic properties that may be affected by the PROJECT.

V. SURVEY AND EVALUATION

A. MC, with the assistance of MnDOT CRU and in consultation with MnSHPO and other Consulting Parties, shall conduct surveys of the PROJECT's APE(s), including any areas added through revisions under Stipulation IV, in order to undertake and complete a reasonable and good faith effort to identify historic properties. MnDOT CRU shall advise FTA and MC if and when additional survey is necessary.

i. In any instance where a property cannot be fully evaluated prior to the initiation of the PROJECT's construction or the resumption of PROJECT activities in the vicinity of the property when identified pursuant to Stipulation XI, the property may be treated as though it is eligible for inclusion in the NRHP for the purpose of the Section 106 review of the PROJECT only. In these instances, and in addition to providing a justification for not performing a full evaluation, FTA shall document the NRHP criterion or criteria, potential area(s) of significance, and boundaries used to assume the property's eligibility so that this information can be used to assess effects of the PROJECT on the historic property pursuant to Stipulation VII.

ii. The survey and evaluation shall be performed by SOI-Qualified Professionals appropriate to the resource type(s) being identified and evaluated and shall meet the requirements of Stipulation II.

B. MnDOT CRU shall review the survey results and make NRHP eligibility recommendations to FTA, which shall submit its NRHP eligibility determinations to the Consulting Parties for review and comment pursuant to Stipulation III. Subject to the confidentiality requirements in Section 304 of the National Historic Preservation Act (54 USC § 307103) and 36 CFR § 800.11(c), MC shall post the survey results on the PROJECT website, or other means as appropriate, in order to obtain public input and shall share any comments received from the public with the Consulting Parties.

i. If MnSHPO does not respond during the applicable review period or if MnSHPO concurs, FTA's eligibility determinations shall become final and effects to any historic properties identified shall be assessed pursuant to Stipulation VII.

ii. If FTA and MnSHPO do not agree on the NRHP eligibility of a property, or if FTA and a Tribe that attaches religious and cultural significance to a property do not agree on NRHP eligibility, FTA shall resolve the disagreement pursuant to Stipulation XIV.

VI. PROJECT DESIGN DEVELOPMENT AND REVIEW

A. The PROJECT plans (drawings, specifications, special provisions, appendices, etc.), including plans for temporary construction-related work, shall effectively meet the PROJECT purpose and need, while avoiding, minimizing, and/or mitigating Adverse Effects to historic properties. Throughout the PROJECT design development process, MnDOT CRU shall advise MC in their efforts to meet this goal. The PROJECT plans shall also follow Stipulation IX, when applicable.

B. At its own discretion, including in response to the request of any Consulting Party, FTA, with the assistance of MnDOT CRU, may convene a meeting(s) or use other appropriate means to obtain Consulting Party input on PROJECT design development and effects of the PROJECT on historic properties. If a meeting is held, FTA or MnDOT CRU shall distribute meeting materials, as appropriate, in advance of the meeting. These meeting materials may include, but are not limited to, agendas, PROJECT plans, and effects assessments. The Consulting Parties may provide input in writing following the receipt of materials during the specified review time, during the meeting if one is held, or both. FTA and MC, with the assistance of MnDOT CRU, shall record and consider all Consulting Party input received pursuant to this stipulation as PROJECT plans are further developed.

C. MnDOT CRU shall review all PROJECT plans at the 30, 60, 90, and 100 percent (%), or equivalent, design stages. MnDOT CRU shall also review any modifications made to the 100% Plans (construction documents), whether those changes are made prior to, or during, PROJECT construction. If a modification of the 100% Plans is for an area within or in the vicinity of a historic property, including any design limits established for a historic property in accordance with Stipulation IX.B, MC shall not allow any destructive activities related to the PROJECT modification to begin until MnDOT CRU and FTA, if required, have completed their reviews under this Stipulation and Stipulation VII. Any submittals to the Consulting Parties shall follow the review times outlined in Stipulation III. To facilitate review, submittals may be limited to the portions of the PROJECT plans that illustrate the manner in which the PROJECT may affect historic properties previously identified (Attachment C) or identified under Stipulation V.

i. At each stage of the review, MnDOT CRU shall recommend to FTA whether revisions are necessary to the PROJECT's APE(s) pursuant to Stipulation IV.

ii. Upon completion of the 30% Plans and in addition to the APE review pursuant to Paragraph C.i of this Stipulation, MnDOT CRU shall prepare an assessment of effects pursuant to Stipulation VII, for submittal along with the 30% Plans to the Consulting Parties.

iii. Upon completion of the 60%, 90%, and 100% Plans, and if modifications are made to the 100% Plans, MnDOT CRU shall review the PROJECT plans. In addition to the APE review pursuant to Paragraph C.i of this Stipulation, MnDOT CRU shall assess whether any PROJECT design changes would result in a change to FTA's finding of effect prepared pursuant to Stipulation VII, whether the design-related requirements of Stipulation IX, have been met, when appropriate, and whether the plans incorporate previous commitments made to the Consulting Parties, including those made as part of any Mitigation Plan(s) prepared under Stipulation VIII.

a. If the previously made finding of effect remains valid, design-related requirements have been met, and all commitments reached during consultation have been incorporated into PROJECT design, MnDOT CRU shall notify FTA, who shall notify the Consulting Parties of its findings.

1. The 60% Plans shall be submitted to Consulting Parties for review and comment pursuant to Stipulation III along with the notification. Based on the nature and scale of the PROJECT changes since the 30% Plans, FTA, at its discretion, may hold a consultation meeting during the comment period to review the changes with Consulting Parties and seek their input.

2. The 90% Plans, 100% Plans, and modifications to the 100% Plans do not need to be submitted to the Consulting Parties unless, following review by MnDOT CRU, FTA is requesting additional feedback on the design of specific PROJECT elements, or if a Consulting Party so requests. Notification for modifications to the 100% Plans may be done through the reporting process outlined in Stipulation XIII.

b. If the previously made finding of effect no longer remains valid, if design-related requirements have not been met, or if commitments reached during consultation are not incorporated into the PROJECT plans at subsequent stages of design development, FTA shall make a new finding of effect with the assistance of MnDOT CRU pursuant to Stipulation VII, and proceed to Stipulation VIII, if necessary.

VII. ASSESSMENT OF EFFECTS ON HISTORIC PROPERTIES

A. FTA, with the assistance of MnDOT CRU, shall make a finding of effect for historic properties in the APE(s) based on the PROJECT's 30% Plans, or as necessary after the 30% Plans have been reviewed, to account for any subsequent changes in the PROJECT design that may result in newly identified historic properties or changes in the finding of effect for a historic property. MnDOT CRU shall assess effects of the PROJECT on historic properties in accordance with the Criteria of Adverse Effect as described in 36 CFR § 800.5(a)(1) and make a recommendation to FTA, supported by documentation that meets the requirements of Stipulation II.A. MnDOT CRU shall also recommend to FTA potential measures for avoiding, minimizing, and/or mitigating any Adverse Effect(s), including any applicable Standard Mitigation Measures (Appendix D) and any measures to be included in a Construction Protection Plan for Historic Properties (CPPHP, as described in Stipulation X).

i. As part of the assessment of effects, MnDOT CRU may recommend, and FTA may impose, conditions on the PROJECT to ensure an Adverse Effect to a historic property is avoided and/or minimized.

a. Conditions to design the PROJECT according to SOI Standards to the extent feasible shall be considered efforts to avoid and/or minimize potential Adverse Effects and follow Stipulation IX.

b. Conditions to protect a historic property during PROJECT construction shall be considered efforts to avoid and/or minimize potential Adverse Effects and follow Stipulation X.

ii. When effects are assessed following unanticipated effects (e.g., damage) to a known or newly identified historic property during PROJECT construction (see Stipulations XI and XII),

MnDOT CRU shall use the following guidance in addition to the Criteria of Adverse Effect when making a recommendation to FTA:

a. If the damage does not meet the threshold of an Adverse Effect, No Adverse Effect shall be recommended.

b. If the damage meets the threshold of an Adverse Effect, is repairable, and the property owner agrees to repairing the damage in accordance with the SOI Standards, an Adverse Effect shall be recommended along with Standard Mitigation Measure 1: Repair Unanticipated Damage to Historic Properties in Accordance with SOI Standards (Appendix D), when appropriate, to resolve the Adverse Effect.

c. If any of the following are true, an Adverse Effect requiring resolution under Stipulation VIII shall be recommended:

- The damage involves a National Historic Landmark;
- The damage cannot be repaired;
- The historic property must be demolished in whole or in part;
- The property owner does not consent to repairing the damage in accordance with the SOI Standards;
- Either the PROJECT Construction Contractor or Contractor's insurer resolves the damage claim by monetary payment to the property owner in lieu of a repair; or
- The repairs have the potential to cause additional Adverse Effects.

B. FTA shall review MnDOT CRU's assessment of effects and recommendations, and if acceptable, submit a finding of effect that meets the requirements of Stipulation II.A to the Consulting Parties for review pursuant to Stipulation III. FTA shall clearly state any condition(s) imposed on the PROJECT as part of the finding. Subject to the confidentiality requirements in 54 USC § 307103 and 36 CFR § 800.11(c), MC shall post the finding of effect on the PROJECT website, or other means as appropriate, in order to obtain public input and shall share any comments received from the public with the Consulting Parties within the review timeframe.

i. If FTA makes a finding of No Adverse Effect and MnSHPO and other Consulting Parties agree, no further consultation is required pending implementation of any conditions upon which the finding is based. Implementation of conditions shall be tracked as part of quarterly reporting outlined in Stipulation XIII.

ii. If FTA makes a finding of Adverse Effect, FTA shall notify and invite the ACHP to participate in the consultation to resolve the Adverse Effect at the same time FTA submits the finding of effect to the Consulting Parties for review. FTA shall also notify and invite the SOI

to participate in the consultation pursuant to 36 CFR § 800.10 and 54 USC § 306107 if the PROJECT is anticipated to have an Adverse Effect on a National Historic Landmark.

iii. FTA, at its discretion and based on the nature and scale of the Adverse Effect, may propose the implementation of one or more Standard Mitigation Measure(s) included in Appendix D: Standard Mitigation Measures, to resolve the Adverse Effect. The proposed use of Standard Mitigation Measures shall be submitted as part of FTA's finding of effect to all Consulting Parties. When applicable, deliverables required as part of a Standard Mitigation Measure shall be prepared in accordance with the requirements of Stipulation II and shall be submitted and reviewed pursuant to the timeline(s) and process outlined in Stipulation III, or as otherwise specified in the Standard Mitigation Measure.

a. If MnSHPO and other Consulting Parties agree to the use of the Standard Mitigation Measure(s), FTA and MC shall ensure the Standard Mitigation Measure(s) are carried out in order to resolve the Adverse Effect(s). Implementation of Standard Mitigation Measures shall be tracked as part of quarterly reporting outlined in Stipulation XIII.

b. If FTA determines that the use of a Standard Mitigation Measure(s) is not appropriate, or if MnSHPO (or the ACHP, if it chooses to participate in the consultation) objects to FTA's recommended use of a Standard Mitigation Measure(s) to resolve an Adverse Effect(s), or if other Consulting Parties request consideration of other measures to resolve an Adverse Effect(s), FTA shall consult with all Consulting Parties to consider alternative measures to avoid, minimize, and/or mitigate the Adverse Effect pursuant to Stipulation VIII.

iv. If MnSHPO objects to FTA's finding of effect or if other Consulting Parties do not agree with the finding, they shall provide comments to FTA specifying the reasons for their disagreement. FTA shall consult with MnSHPO and other Consulting Parties to resolve the disagreement in accordance with Stipulation XIV.

VIII. CONSULTATION TO RESOLVE ADVERSE EFFECTS

A. If FTA makes a finding of Adverse Effect and it cannot be resolved through Standard Mitigation Measure(s) outlined in Appendix D, FTA shall consult with the Consulting Parties and the owner of the historic property to seek and consider other measures to avoid, minimize, and/or mitigate the Adverse Effect. Consultation may take whatever form is appropriate based on the significance, character, and use of the historic property and the nature and scale of the undertaking and the Adverse Effect. The consultation must include an opportunity for the public to express their views in resolving the Adverse Effect(s). FTA, at its discretion, may determine that public participation under this stipulation is met via public review and comment conducted under the National Environmental Policy Act, as amended, and its implementing regulations.

i. If consultation identifies a way to avoid the Adverse Effect(s) entirely through redesign of a PROJECT element or other means, and MC and FTA agree, MC shall revise the PROJECT

plans and FTA (with the assistance of MnDOT CRU) shall reassess effects and modify the finding of effect in accordance with Stipulation VII.

ii. If through consultation it is determined the Adverse Effect(s) cannot be avoided entirely, a Mitigation Plan shall be prepared under Paragraph B of this Stipulation.

B. FTA, with the assistance of MnDOT CRU and MC, shall develop a Mitigation Plan(s) to document the measures identified through consultation under Paragraph A of this Stipulation to resolve the Adverse Effect(s). Mitigation Plan(s) may be prepared for the PROJECT as a whole, for individual construction bid packages, and/or for individual or groups of historic properties, as needed.

i. A Mitigation Plan shall outline measures to avoid, minimize, and/or mitigate Adverse Effects to the historic property. Measures may include, but are not limited to, additional design review pursuant to Stipulation IX, protecting historic properties during PROJECT construction pursuant to Stipulation X, and the Standard Mitigation Measures found in Appendix D. When applicable, deliverables required by a Mitigation Plan shall be prepared in accordance with the requirements of Stipulation II and shall be submitted and reviewed pursuant to the timeline(s) and process outlined in Stipulation III, or as otherwise specified in the Mitigation Plan.

ii. Upon completion of consultation, FTA shall submit a draft and final Mitigation Plan to the Consulting Parties and the property owner pursuant to Stipulation III. The Mitigation Plan shall be considered final following agreement in writing by both FTA and MnSHPO. FTA shall ensure that the final Mitigation Plan is added to the FTA Administrative Record and the Mitigation Plans' provisions are carried out by MC in order to resolve the Adverse Effect(s). Implementation of the Mitigation Plan shall be tracked as part of quarterly reporting outlined in Stipulation XIII.

C. If FTA and MnSHPO fail to agree on how to resolve the Adverse Effect, FTA shall consult with MnSHPO to resolve the disagreement in accordance with Stipulation XIV.

D. If required by a Mitigation Plan, construction activities may not begin or resume in the vicinity of the historic property until after the completion of the associated field work or implementation of protection measures outlined in the Mitigation Plan.

IX. DESIGN REQUIREMENTS

A. When required as a condition of a finding of No Adverse Effect for a specific historic property under Stipulation VII, or as a component of a Mitigation Plan developed under Stipulation VIII, MC, shall design the PROJECT in accordance with the SOI Standards to the extent feasible within and in the vicinity of the historic property while still meeting the PROJECT purpose and need. MC shall develop the PROJECT design in these areas with the assistance of MnDOT CRU and in consultation with MnSHPO, other Consulting Parties, and the property owner, when appropriate. If a City has officially designated a historic property for heritage preservation, the

design shall also take into consideration, as feasible, any design guidelines adopted by the City's HPC for the historic property.

B. The portion of the PROJECT corridor that shall be designed in accordance with the SOI Standards shall be documented in writing and delineated with appropriate documentation (e.g., maps) as part of any conditions to a finding of No Adverse Effect or as part of a Mitigation Plan. These design limits shall be determined by FTA, with the assistance of MnDOT CRU, other Consulting Parties, and the property owner, when applicable. If design limits must be modified due to changes in the PROJECT scope or expected effects, FTA shall seek Consulting Party input on the proposed modifications and the revised limits shall be agreed upon in writing by both FTA and MnSHPO.

C. Depending on the significance, character, and use of the historic property and the nature and scale of the effect, FTA and MnDOT CRU shall identify the method and appropriate points at which to gain input from MnSHPO, other Consulting Parties, and the property owner, when applicable, for determining the best approach(es) for meeting these design requirements. FTA shall propose the methods for consultation in the conditions for the finding of No Adverse Effect or shall outline the agreed-upon methods in the final Mitigation Plan.

X. CONSTRUCTION PROTECTION PLAN FOR HISTORIC PROPERTIES (CPPHP)

A. When required as a condition of a finding of No Adverse Effect for a specific historic property or a Standard Mitigation Measure proposed under Stipulation VII or as a component of a Mitigation Plan developed under Stipulation VIII, prior to the initiation of PROJECT construction as defined in Stipulation I.D, MC, with the assistance of MnDOT CRU and in consultation with FTA, Consulting Parties, and the property owner, when applicable, shall develop a CPPHP detailing the measures to be implemented prior to and during PROJECT construction to avoid or minimize effects to historic properties. The CPPHP shall also identify the entity(ies) responsible for carrying out the measures included in the CPPHP.

i. The CPPHP may be prepared for the PROJECT as a whole, for individual construction bid packages, and/or for individual or groups of historic properties, as needed.

ii. MC shall submit the draft and final CPPHP(s) to FTA for review and approval. Once FTA's comments are incorporated, FTA shall submit the draft and final CPPHP(s) to Consulting Parties pursuant to Stipulation III. If the CPPHP includes any property-specific protection measures, FTA shall also submit the draft and final CPPHPs to the owner of the historic property pursuant to Stipulation III. The CPPHP shall be considered final upon acceptance by FTA and shall be distributed to Consulting Parties and the property owner, when applicable. When necessary, amendments to the CPPHP shall follow the same process as its original development.

B. MC shall include the agreed-upon CPPHP in contract packages to inform PROJECT Construction Contractors of their responsibilities relative to historic properties. The CPPHP may be a separate document or combined with other PROJECT construction monitoring plans, as appropriate. MC

shall incorporate the property-specific protection measures into the PROJECT plans, when appropriate, and shall ensure the terms of the CPPHP(s) are implemented.

C. Depending on the type of historic property, the expected effects, and the conditions or Mitigation Plan(s) as written, MC may include the following measures in the CPPHP:

i. Construction Protection Measures (CPMs) that detail the specific protection measures and procedures to be implemented during PROJECT construction to protect historic properties.

ii. Historic Property Inspections (pre-, during, and post-construction) that provide a baseline of existing structural and physical conditions to facilitate identification and documentation of any structural and/or cosmetic damage caused by PROJECT construction. Inspections shall include, but are not limited to, building/structure foundations, exterior and interior elements, topography, landscaping, and any other historically significant or character defining features of the property to document any pre-existing defects or other damage. Inspection documentation shall include photographs and narrative to document the observed conditions before and after PROJECT construction, and as needed during PROJECT construction. Depending on the type and nature of the historic property and anticipated effects to it, photographic documentation should include, but is not limited to: ceilings, roofs, exterior and interior walls, windows, masonry, foundations, all sides of the exterior of the building, structure and bridge wingwalls, beams, substructures and superstructures, plumbing, equipment, fences and landscape walls, topography, vegetation, driveways and sidewalks, and any historically significant or character-defining features of the property. Photographs shall be razor sharp in focus, properly composed, and with adequate lighting to clearly show existing conditions such as deterioration and cracking that may be subject to dispute after initiation of PROJECT construction.

iii. Vibration Management and Remediation Measures (VMRMs) to address ground-borne vibration caused by PROJECT construction when it is projected to have a moderate to severe impact under NEPA that may result in an Adverse Effect on a historic property.

iv. Other types of potential measures may include, but are not limited to, maintenance of access measures and noise minimization and mitigation measures when noise caused by PROJECT construction is anticipated to have an Adverse Effect on a historic property.

D. To ensure adequate administration, MC shall include the following management controls in any CPPHPs developed:

i. Unexpected discoveries of historic properties, developed in accordance with Stipulation XI.

ii. Unanticipated effects to historic properties, developed in accordance with Stipulation XII.

iii. As appropriate, Consulting Party and property owner review of any documentation prepared under the CPPHP(s) adhering to the timelines outlined in Stipulation III, unless otherwise specified.

E. Prior to commencing construction activities, MC shall prepare PROJECT-specific Historic Property Awareness and Sensitivity Training. MC shall require PROJECT Construction Contractor(s), including Site Supervision (Superintendents and Foremen) and their direct supervisors, to complete the PROJECT-specific Historic Property Awareness and Sensitivity Training prior to the commencement of construction activities. If a Construction Contractor hires or assigns any new Site Supervision and/or direct supervisor(s) to the PROJECT during PROJECT construction, MC shall ensure that the new Site Supervision and/or direct supervisor(s) have completed the Historic Property Awareness and Sensitivity Training prior to being approved for supervising any construction activities. The Historic Property Awareness and Sensitivity Training shall include information on historic properties subject to the CPPHP, review requirements and processes for avoiding and minimizing effects to known historic properties, and procedures and protocols if unexpected discoveries are made

F. If, for any reason, the CPPHP requirements set forth in this Stipulation are not appropriate to a specific historic property or an anticipated effect, the consultation process and the format of the CPPHP, as outlined in Paragraphs A through E of this Stipulation, may be revised upon agreement by FTA and MnSHPO without amending this AGREEMENT.

G. MC shall ensure that all measures identified in the CPPHP are implemented during PROJECT construction and shall provide a record of monitoring activities in a quarterly report to FTA and in quarterly reports prepared pursuant to Stipulation XIII.

XI. UNEXPECTED DISCOVERIES

A. If suspected historic properties, including sites that contain human remains, unidentified animal bone, or mortuary objects, are discovered during PROJECT construction, all activities shall cease within one hundred (100) feet of the discovery to avoid and/or minimize harm to the property. MC shall include in PROJECT construction contracts a requirement for the PROJECT Construction Contractor(s) to immediately notify MC of the discovery and implement interim measures to protect the discovery from damage, looting, and vandalism. Measures may include, but are not limited to, protective fencing, covering of the discovery with appropriate materials, and/or posting of security personnel. MC shall notify FTA and MnDOT CRU within twenty-four (24) hours of the discovery. FTA shall then notify MnSHPO, other Consulting Parties, and the property owner. When appropriate, FTA shall notify any Tribes that may attach religious and cultural significance to the property. The Contractor shall provide access to Consulting Parties and law enforcement to the site and shall not resume work within the area until notified by MC.

B. If any suspected human remains are encountered, MC shall also follow the requirements of Minnesota Statutes (MS) § 307.08 and immediately notify local law enforcement and the Office of the State Archaeologist (OSA), the lead state agency for authentication of burial sites on non-federal lands. In accordance with MS § 307.08, the OSA has the final authority in determining if the remains are human and to ensure appropriate procedures are carried out in accordance with the statutes. Avoidance and preservation in place is the preferred option for the treatment of human remains. In accordance MS § 307.08(3), OSA is required to coordinate with the Minnesota Indian Advisory Council (MIAC) if the remains or associated burial items are thought

to be American Indian. MC, with the assistance of MnDOT CRU, shall work with OSA and MIAC to develop and implement a reburial plan, if that is the approach preferred as determined in accordance with MS § 307.08.

C. MC, with the assistance of MnDOT CRU, shall contract with a SOI-Qualified Professional to evaluate the newly discovered property for eligibility for listing in the NRHP. For properties with suspected human remains, the consulting archaeologist must coordinate their evaluation with the OSA's authentication of the burial. In lieu of a consultant's recommendation, FTA may assume a property is eligible for listing in the NRHP following consultation with, or based on input from, Consulting Parties pursuant to Stipulation V.A.i. If an evaluation is performed, MnDOT CRU shall provide an eligibility recommendation to FTA within seventy-two (72) hours of receipt of MC's consultant's report. FTA shall make a determination of eligibility pursuant to Stipulation V within seventy-two (72) hours of receiving the recommendation from MnDOT CRU. FTA shall submit its NRHP eligibility determination to the Consulting Parties for review and comment pursuant to Stipulation III. When applicable, FTA shall also follow Stipulation II.C in relation to any properties that may have religious or cultural significance to a Tribe(s).

i. If FTA determines that the property does not meet NRHP criteria, and MnSHPO concurs, construction activities can resume upon receipt of MnSHPO written concurrence with the eligibility determination and completion of activities required under Paragraph B of this Stipulation, if applicable.

ii. For all properties determined eligible for the NRHP, FTA shall make a finding of effect pursuant to Stipulation VII, and resolve any Adverse Effects pursuant to Stipulation VIII. In addition to the requirements in those stipulations, construction activities may resume after completion of activities required under Paragraph B of this Stipulation, if applicable.

XII. UNANTICIPATED EFFECTS TO HISTORIC PROPERTIES

A. If previously known historic properties are affected in an unanticipated adverse manner during PROJECT construction, all activities shall cease within one hundred (100) feet of the discovery to avoid and/or minimize harm to the property. MC shall include in PROJECT construction contracts a requirement for the PROJECT Construction Contractor to immediately notify MC of the effect and implement interim measures to protect the property from damage, looting, and vandalism. Measures may include, but are not limited to, protective fencing, covering of the property with appropriate materials, and/or posting of security personnel. The Construction Contractor shall not resume work until notified by MC. MC shall immediate notify FTA and MnDOT CRU. FTA shall then notify MnSHPO, other Consulting Parties, and the property owner. MC shall ensure a historic property inspection as described in Stipulation X.C.ii is prepared as soon as practicable to document damage to the historic property.

B. If reasonably convenient and appropriate, MC, MnDOT CRU, other Consulting Parties, and the property owner, when applicable, shall confer at the site within seventy-two (72) hours of notice of discovery to assess the property, determine the likely PROJECT effects to the property, and to determine the most appropriate Course of Action to repair any damage, if feasible.

i. The Course of Action shall specify the type of repair, the review process for the scope of work, and the responsibilities for ensuring repairs are made appropriately, including preparation of a post-construction historic property inspection as described in Stipulation X.C.ii. The Course of Action shall also outline where and when it may be safe to resume construction activities within and/or in the vicinity of the historic property. Whenever possible, measures to repair historic properties shall be developed so that they meet the SOI Standards and are carried out under the direct supervision of personnel that meet the requirements described in Stipulation II.

ii. Within seventy-two (72) hours of the meeting, MC shall prepare draft meeting notes documenting the results of the onsite meeting and a draft of the proposed Course of Action and provide them, and the historic property inspection prepared under paragraph A of this Stipulation, to meeting attendees for review. Attendees of the meeting have seventy-two (72) hours to review draft meeting notes and proposed Course of Action and provide comments to MC. MC shall finalize the meeting notes and Course of Action within twenty-four (24) hours after receiving comments and provide them to meeting attendees and FTA.

C. Once a Course of Action to repair the damage and further protect the property has been developed and consented to by the PROJECT Construction Contractor and the property owner, FTA with the assistance of MnDOT CRU shall assess effects pursuant to Stipulation VII. FTA shall review MnDOT CRU's assessment of effects and recommendations, and if acceptable, submit a finding of effect to the Consulting Parties for review pursuant to Stipulation III. If necessary, FTA shall resolve any Adverse Effects pursuant to Stipulation VIII.

XIII. REVIEWING AND REPORTING OF AGREEMENT IMPLEMENTATION

A. Every three (3) months following the execution of this AGREEMENT and until it expires or is terminated, MC, with the assistance of MnDOT CRU, shall provide FTA and all the Consulting Parties a summary report detailing work undertaken pursuant to its terms. Subject to the confidentiality requirements in 54 USC § 307103 and 36 CFR § 800.11(c), each report shall include an itemized listing of all measures required to implement the terms of this AGREEMENT, including but not limited to reviews required under Stipulation VI; implementation of any conditions required for a finding of No Adverse Effect or Standard Mitigation Measures proposed under Stipulation VII; implementation of any Mitigation Plans(s) prepared under Stipulation VIII; design review within and in the vicinity of historic properties required under Stipulation IX; and implementation of any CPPHPs prepared under Stipulation X. For each action, the report shall identify what steps MC has taken during the reporting period to implement those actions and identify any problems or unexpected issues encountered, any scheduling changes proposed, any disputes and objections submitted or resolved, and any changes recommended in implementation of this AGREEMENT and/or any Mitigation Plan(s) prepared under Stipulation VIII. Each report shall also include a timetable of activities proposed for implementation within the following reporting period and, as applicable, notices of the initiation of construction for individual construction bid packages.

B. The Consulting Parties shall review the reports pursuant to the timelines established in Stipulation III. MC shall notify the public via the PROJECT website about the publication of the quarterly reports and that the reports are available for inspection and review upon request. MC shall share any comments received from the public with the Consulting Parties.

C. At its own discretion, or at the request of any Signatory, FTA shall convene a meeting to facilitate review and comment on the reports, and to resolve any questions about their content and/or to resolve objections or concerns.

XIV. DISPUTE RESOLUTION

A. Should any Consulting Party object at any time to any actions proposed or the manner in which the terms of this AGREEMENT are implemented, FTA shall consult with such party to resolve the objection for a period not to exceed fifteen (15) calendar days. This resolution timeframe may be extended by mutual consent between FTA and the Consulting Party, with notification to the other Consulting Parties.

B. If FTA and MnSHPO do not agree on the NRHP eligibility of a property, or if FTA and a Tribe that attaches religious and cultural significance to a historic property do not agree on a property's NRHP eligibility, FTA shall submit documentation to the Keeper of the NRHP and request a formal determination of eligibility pursuant to 36 CFR Part 63 and 36 CFR § 800.4(c)(2). The Keeper's eligibility determination shall be considered final.

C. If FTA and Consulting Parties do not agree on findings of effect or resolutions of Adverse Effects, FTA shall forward all documentation relevant to the dispute, including FTA's proposed resolution, to all Consulting Parties and the ACHP.

i. The ACHP shall provide FTA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, FTA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP and the Consulting Parties, and provide them with a copy of this written response. FTA shall then proceed according to its final decision.

ii. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, FTA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, FTA shall prepare a written response that takes into account any timely comments regarding the dispute from the Consulting Parties, and provide them and the ACHP with a copy of such written response.

D. FTA's responsibility to carry out all other actions subject to the terms of this AGREEMENT that are not the subject of the dispute remain unchanged.

E. If a member of the public raises an objection in writing pertaining to implementation of this AGREEMENT, the Consulting Party receiving the objection shall notify FTA. FTA shall notify all parties to this AGREEMENT in writing of the objection. Unless otherwise agreed upon,

Consulting Parties have fifteen (15) calendar days to review and provide written comments on the objection to all Consulting Parties. FTA shall consider the objection and take all comments from all parties into consideration in reaching its decision on the objection. Within fifteen (15) calendar days following closure of the comment period, FTA shall render a decision regarding the objection, respond to the objecting party, and proceed according to its decision. FTA's decision regarding resolution of the objection shall be final.

XV. AMENDMENTS

Any Consulting Party may request an amendment to this AGREEMENT. This AGREEMENT may be amended when such an amendment is agreed to in writing by all Signatories and Invited Signatories. The amendment shall be effective on the date of the final signature by the Signatories and Invited Signatories. Copies of any amendments shall be provided to all the Consulting Parties and the ACHP.

XVI. DURATION

A. This AGREEMENT shall remain in effect from the date of execution for a period not to exceed ten (10) years. If FTA anticipates that the terms of this AGREEMENT shall not be completed within this timeframe, it shall notify the Consulting Parties in writing at least sixty (60) calendar days prior to this AGREEMENT'S expiration date. This AGREEMENT may be extended by the written concurrence of the Signatories and Invited Signatories.

B. FTA shall ensure the AGREEMENT is extended if all the Stipulations have not been completed. If this AGREEMENT expires and FTA elects to continue with the undertaking, FTA shall reinitiate Section 106 consultation in accordance with 36 CFR Part 800.

C. If, prior to the expiration date, FTA determines all the activities subject to this AGREEMENT are completed, including but not limited to implementation of any conditions required for a finding of No Adverse Effect or Standard Mitigation Measures specified under Stipulation VII; implementation of any CPPHP(s) prepared under Stipulation X; and implementation of any Mitigation Plan(s) prepared under Stipulation VIII, then FTA may terminate this AGREEMENT pursuant to Stipulation XVII.

XVII. TERMINATION

A. If all terms of this AGREEMENT have been completed prior to the expiration date, FTA may terminate the AGREEMENT with notification to Signatories, Invited Signatories, and Concurring Parties that the terms of the AGREEMENT have been completed. If a Consulting Party feels AGREEMENT termination is premature, or that the terms of the AGREEMENT have not been met, they shall respond within the timeframes outlined in Stipulation III.

B. Any Signatory or Invited Signatory may terminate this AGREEMENT by providing at least thirty (30) calendar days notice to all Consulting Parties. FTA shall consult with the Signatories and Invited Signatories during the thirty (30) calendar day notice period in an attempt to seek agreement on amendments or other actions that would avoid termination. In the event of termination, FTA, USACE, FHWA, and any other federal agencies invited to be a Consulting

Party under Stipulation I shall comply with 36 CFR §§ 800.3-800.13 with regard to the undertaking covered by this AGREEMENT.

XVIII. EXECUTION

A. This AGREEMENT may be executed in counterparts, with a separate page for each Consulting Party. This AGREEMENT shall become effective on the date of the final signature by the Signatories and Invited Signatories. The refusal of any party invited to concur with this AGREEMENT does not invalidate this AGREEMENT. FTA shall ensure each Consulting Party is provided with a fully executed copy of this AGREEMENT and that the final AGREEMENT, updates to appendices, and any amendments are filed with the ACHP.

B. Execution of this AGREEMENT by FTA and MnSHPO, and implementation of its terms is evidence that FTA has taken into account the effects of its undertaking on historic properties and has afforded the ACHP opportunity to comment pursuant to Section 106 of the National Historic Preservation Act.

SIGNATURE PAGE

PROGRAMMATIC AGREEMENT
BETWEEN
THE FEDERAL TRANSIT ADMINISTRATION
AND
THE MINNESOTA STATE HISTORIC PRESERVATION OFFICE
REGARDING
THE METRO GOLD LINE BUS RAPID TRANSIT PROJECT,
RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

SIGNATORY

FEDERAL TRANSIT ADMINISTRATION

By: Kelley Brookins Date: December 17, 2019
Kelley Brookins, Region 5 Administrator

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

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RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

SIGNATORY

MINNESOTA STATE HISTORIC PRESERVATION OFFICE

By: _____ Date: 01/07/20
Amy H. Spong, Deputy State Historic Preservation Officer

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

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THE METRO GOLD LINE BUS RAPID TRANSIT PROJECT,
RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

INVITED SIGNATORY

UNITED STATES ARMY CORPS OF ENGINEERS

By: _____ Date: January 7, 2020
Chad Konickson, Chief, Regulatory Branch, St. Paul District

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

PROGRAMMATIC AGREEMENT
BETWEEN
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REGARDING
THE METRO GOLD LINE BUS RAPID TRANSIT PROJECT,
RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

INVITED SIGNATORY

FEDERAL HIGHWAY ADMINISTRATION

By: _____ Date: 1/6/2020
for Wendall Meyer, Division Administrator (Minnesota)

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

PROGRAMMATIC AGREEMENT
BETWEEN
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THE METRO GOLD LINE BUS RAPID TRANSIT PROJECT,
RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

INVITED SIGNATORY

METROPOLITAN COUNCIL

By: _____ Date: 1/8/2020
Meredith Vadis, Regional Administrator

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

PROGRAMMATIC AGREEMENT
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THE METRO GOLD LINE BUS RAPID TRANSIT PROJECT,
RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

INVITED SIGNATORY

MINNESOTA DEPARTMENT OF TRANSPORTATION

By: Margaret Anderson Kelliher
Margaret Anderson Kelliher, Commissioner

Date: 12/31/2019

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

PROGRAMMATIC AGREEMENT
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RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

CONCURRING PARTY

RAMSEY COUNTY

By: _____ Date: 12/20/19
Ted Schoenecker, Public Works Director / County Engineer

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

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RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

CONCURRING PARTY

WASHINGTON COUNTY

By: _____ Date: 1/2/20
Don Theisen, Public Works Director

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

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RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

CONCURRING PARTY

CITY OF LANDFALL VILLAGE

By: _____ Date: 1/8/2020
Ed Shukle, City Administrator / HRA Executive Director

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

PROGRAMMATIC AGREEMENT
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THE METRO GOLD LINE BUS RAPID TRANSIT PROJECT,
RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

CONCURRING PARTY

CITY OF MAPLEWOOD

By: Marylee Abrams Date: 12-9-2019
Marylee Abrams, Mayor

and

By: Melinda Coleman Date: 12.9.2019
Melinda Coleman, City Administrator

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

PROGRAMMATIC AGREEMENT
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RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

CONCURRING PARTY

CITY OF OAKDALE

By: _____ Date: _____
Bart Fisher, City Administrator

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

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REGARDING
THE METRO GOLD LINE BUS RAPID TRANSIT PROJECT,
RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

CONCURRING PARTY

CITY OF SAINT PAUL

By: _____ Date: 1/13/2020
Melvin Carter, Mayor

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

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RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

CONCURRING PARTY

CITY OF WOODBURY

By: _____ Date: _____
Name: _____, Title: _____

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

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RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

CONCURRING PARTY

MAPLEWOOD HERITAGE PRESERVATION COMMISSION

By: _____ Date: _____
Name: _____, Title: _____

METRO Gold Line BRT 54 USC § 306108 PA

SIGNATURE PAGE

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RAMSEY AND WASHINGTON COUNTIES, MINNESOTA

CONCURRING PARTY

SAINT PAUL HERITAGE PRESERVATION COMMISSION

By: Barbara Bezat
Barbara Bezat, Chair

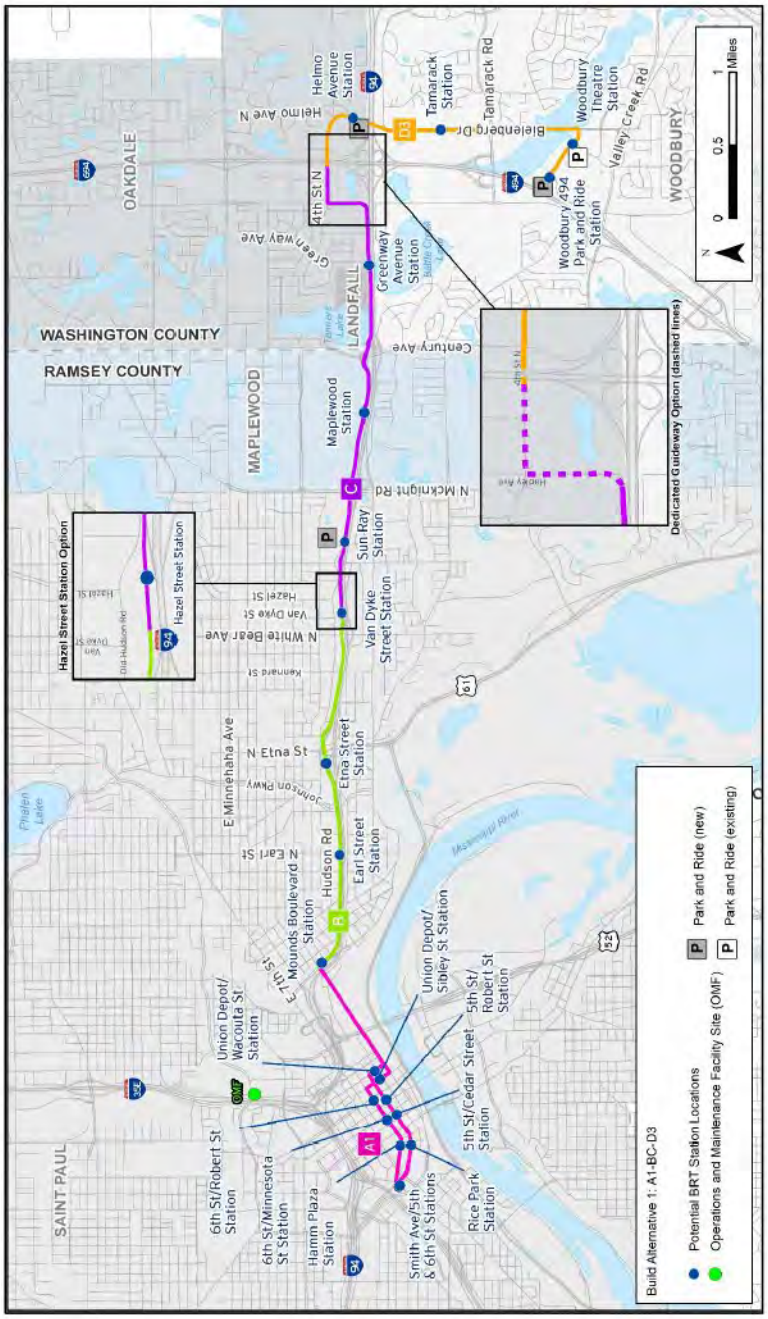
Date: 12/16/19

METRO Gold Line BRT 54 USC § 306108 PA DRAFT Rev09b

ATTACHMENT A

Project Location Map

METRO Gold Line BRT 54 USC § 306108 PA

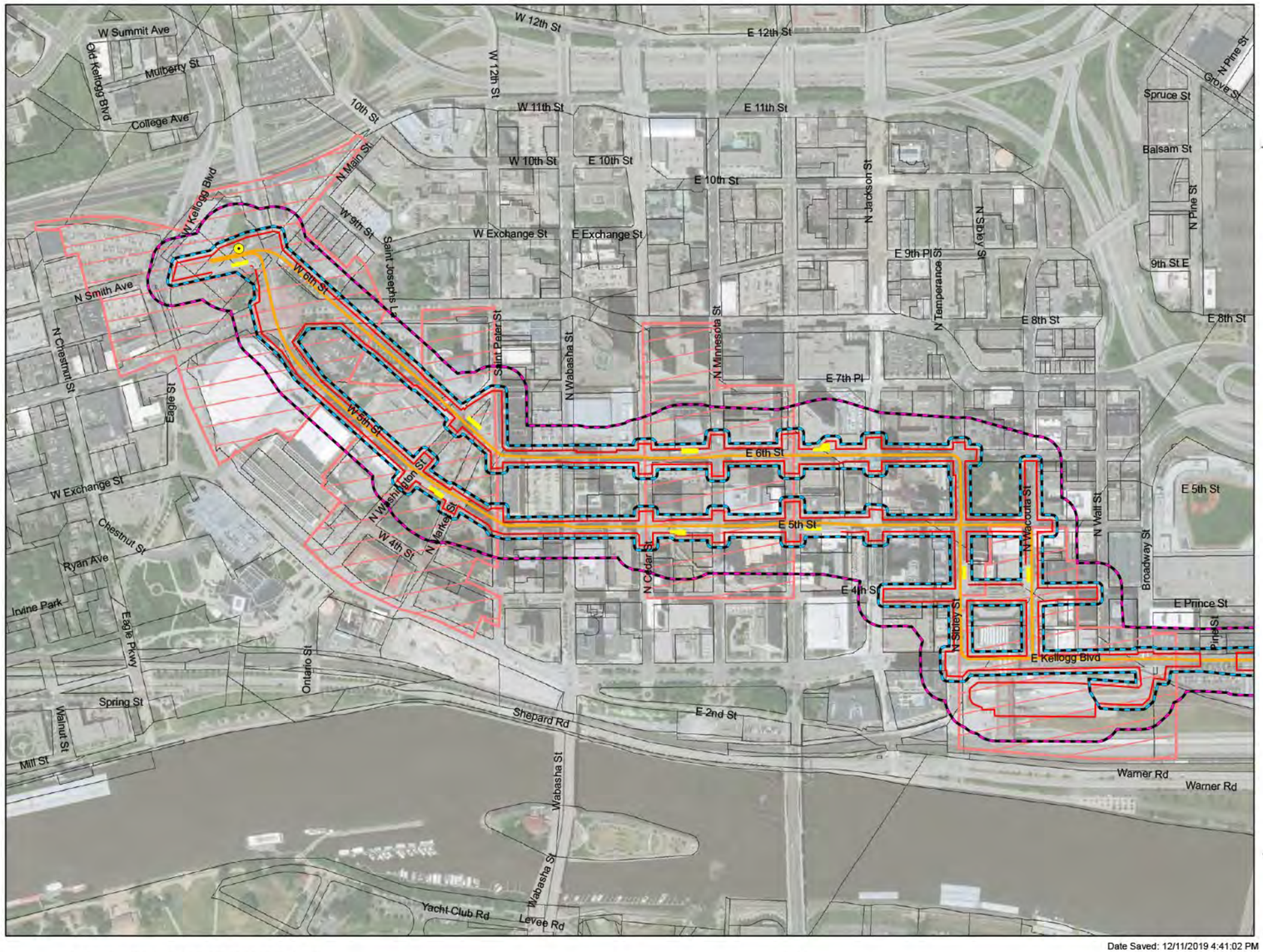


METRO Gold Line BRT 54 USC § 306108 PA A-1

ATTACHMENT B

Area of Potential Effects

METRO Gold Line BRT 54 USC § 306108 PA



Gold Line BRT

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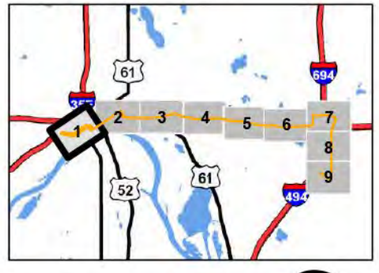
- Stormwater (9-4-2018)

*Union Depot routing removed 12/10/19



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Page 1 of 9

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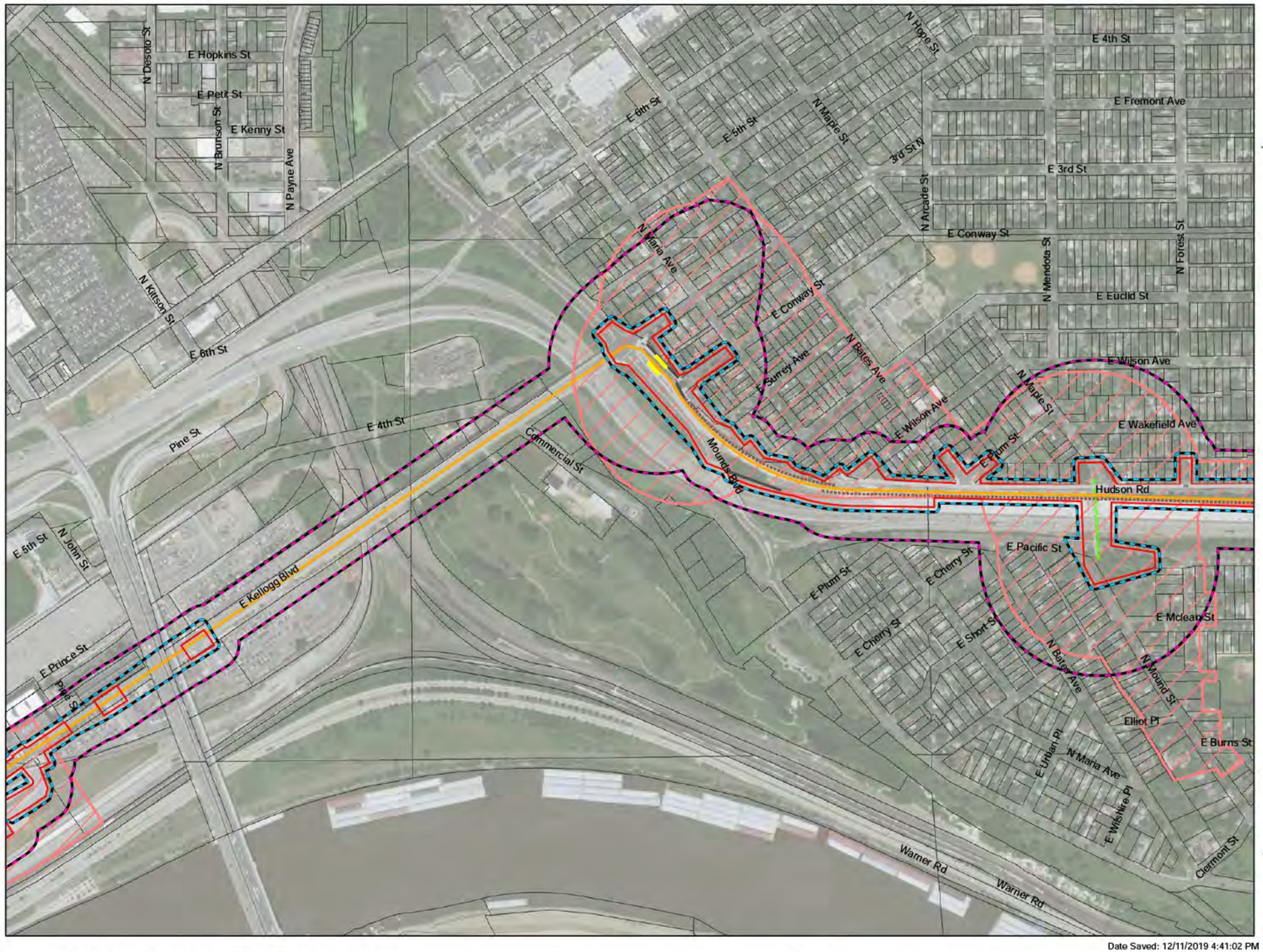
B-1



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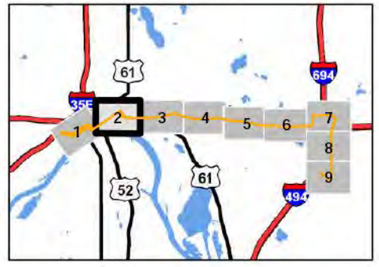

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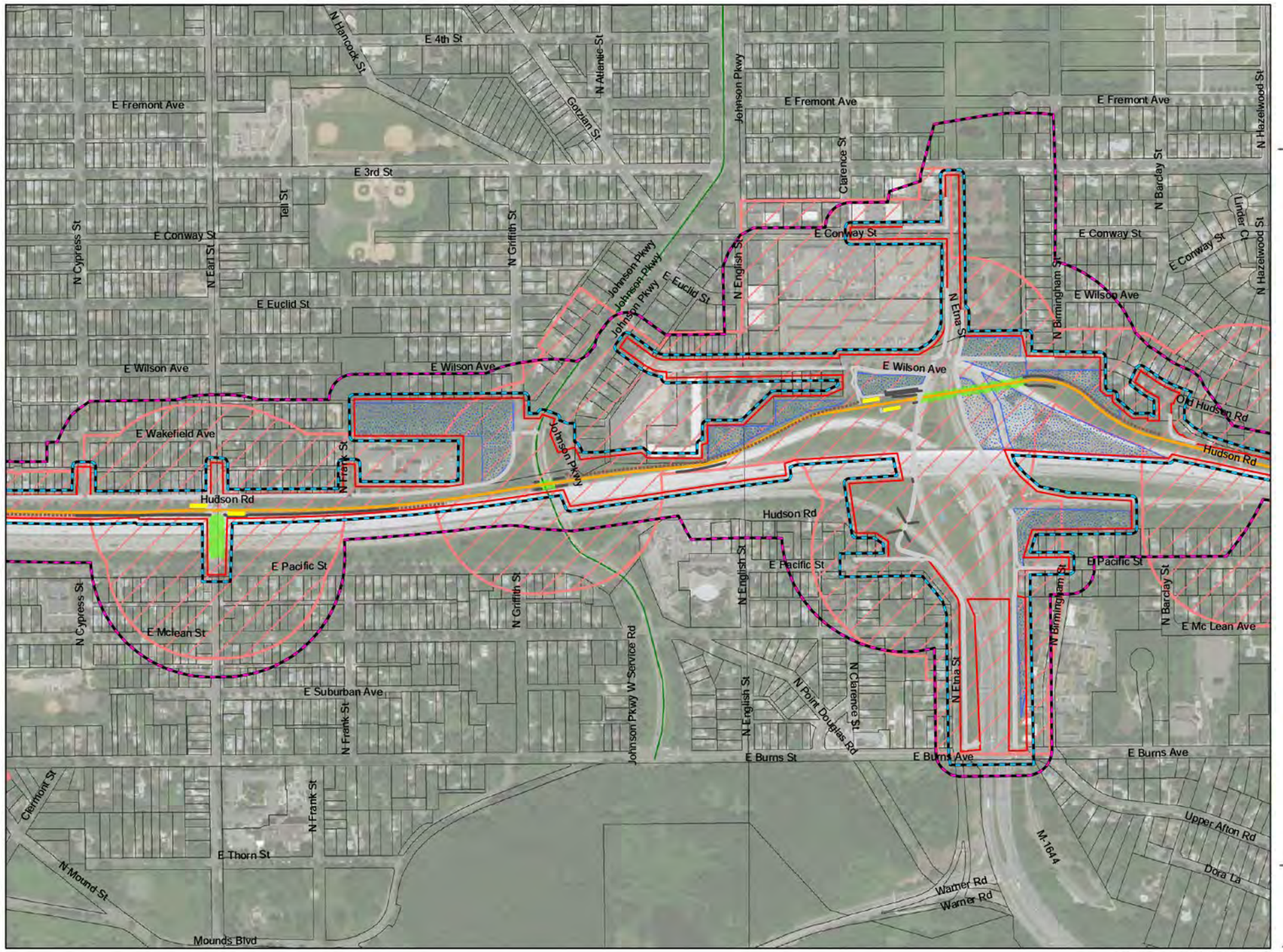

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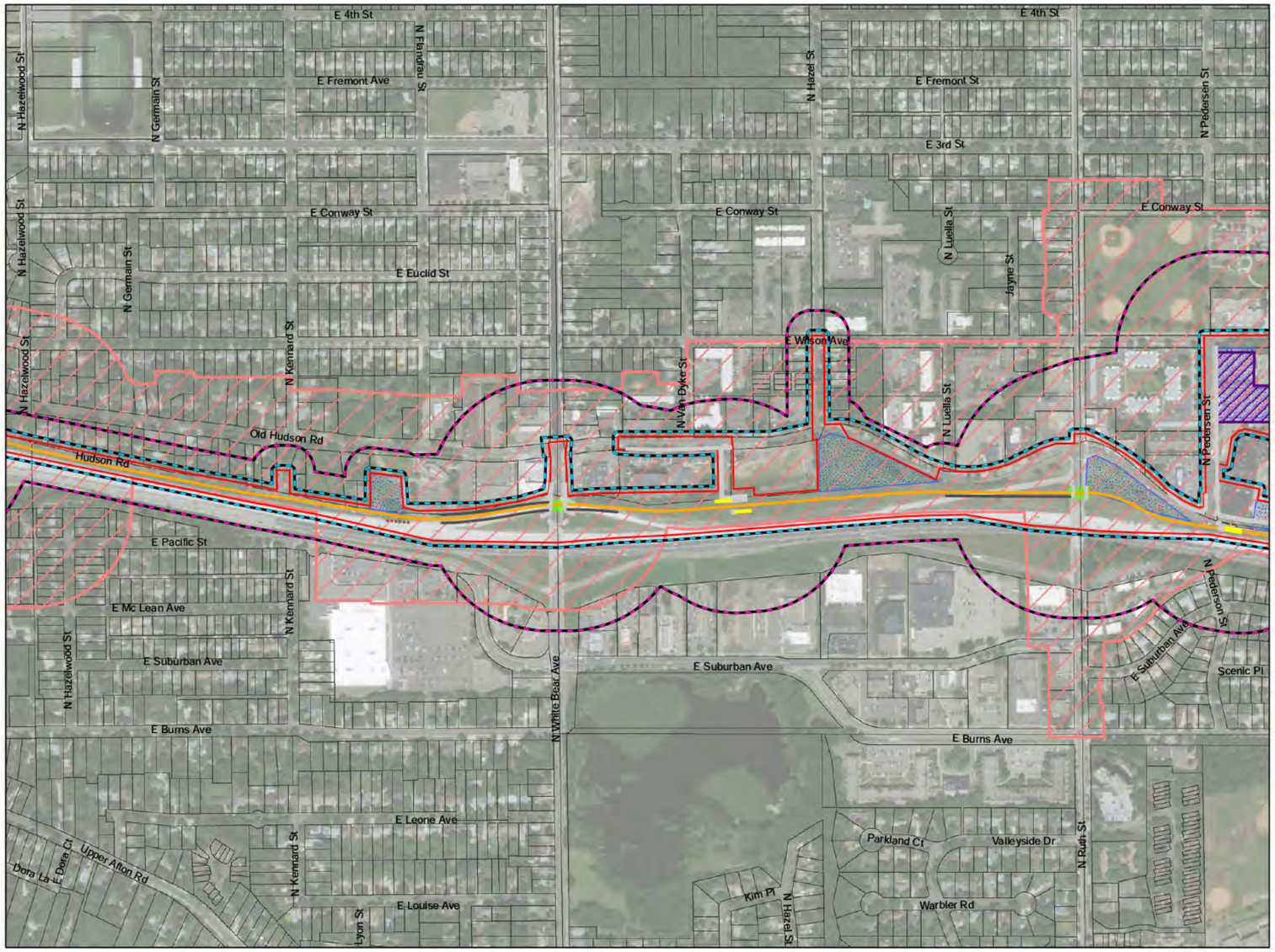

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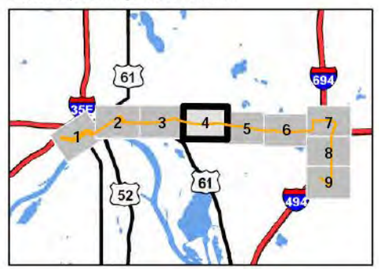

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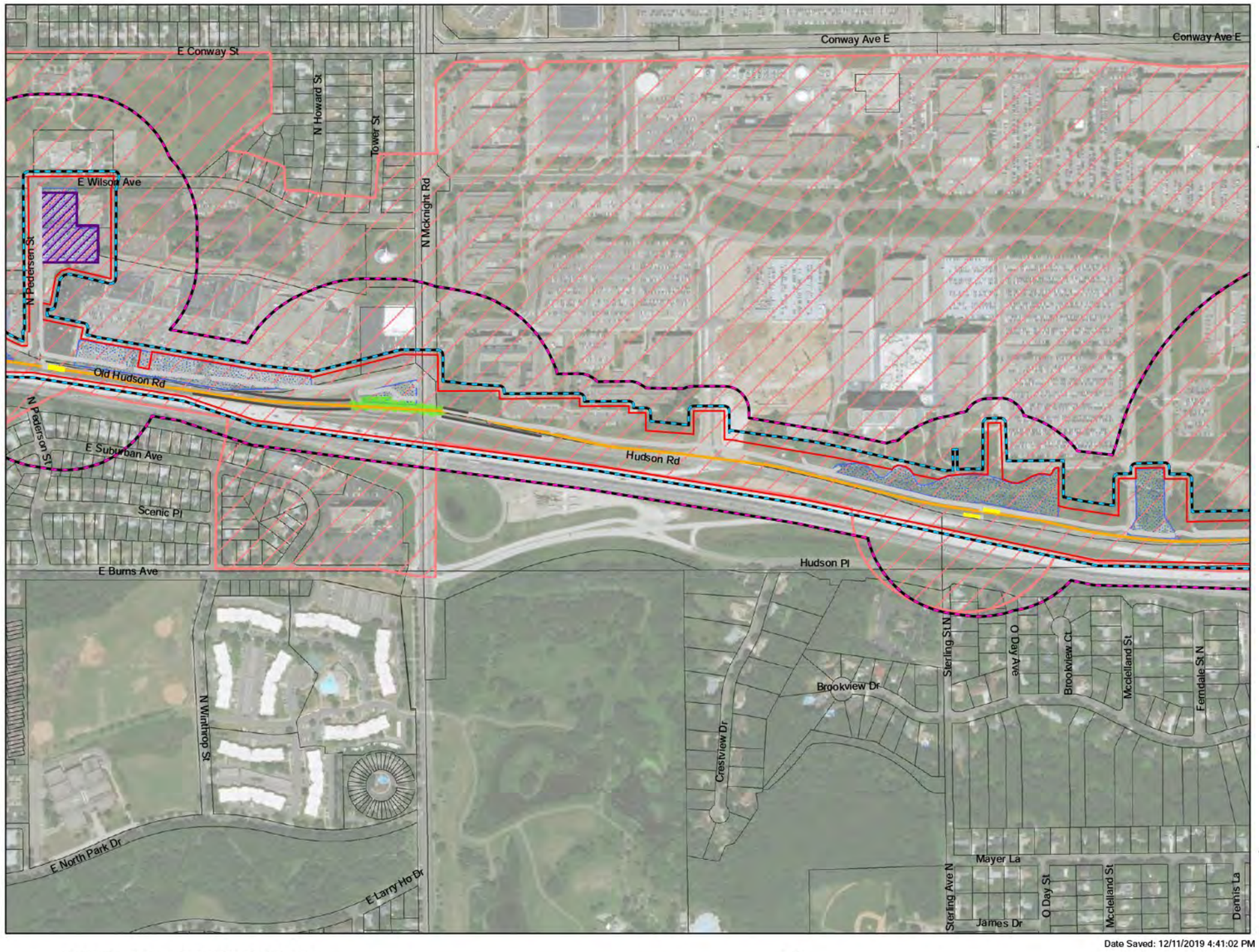
METRO Gold Line BRT 54 USC § 306108 PA B-4



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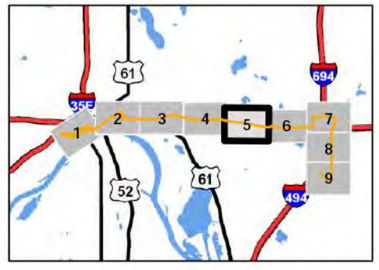

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DEPARTMENT OF TRANSPORTATION

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METRO Gold Line BRT 54 USC § 306108 PA

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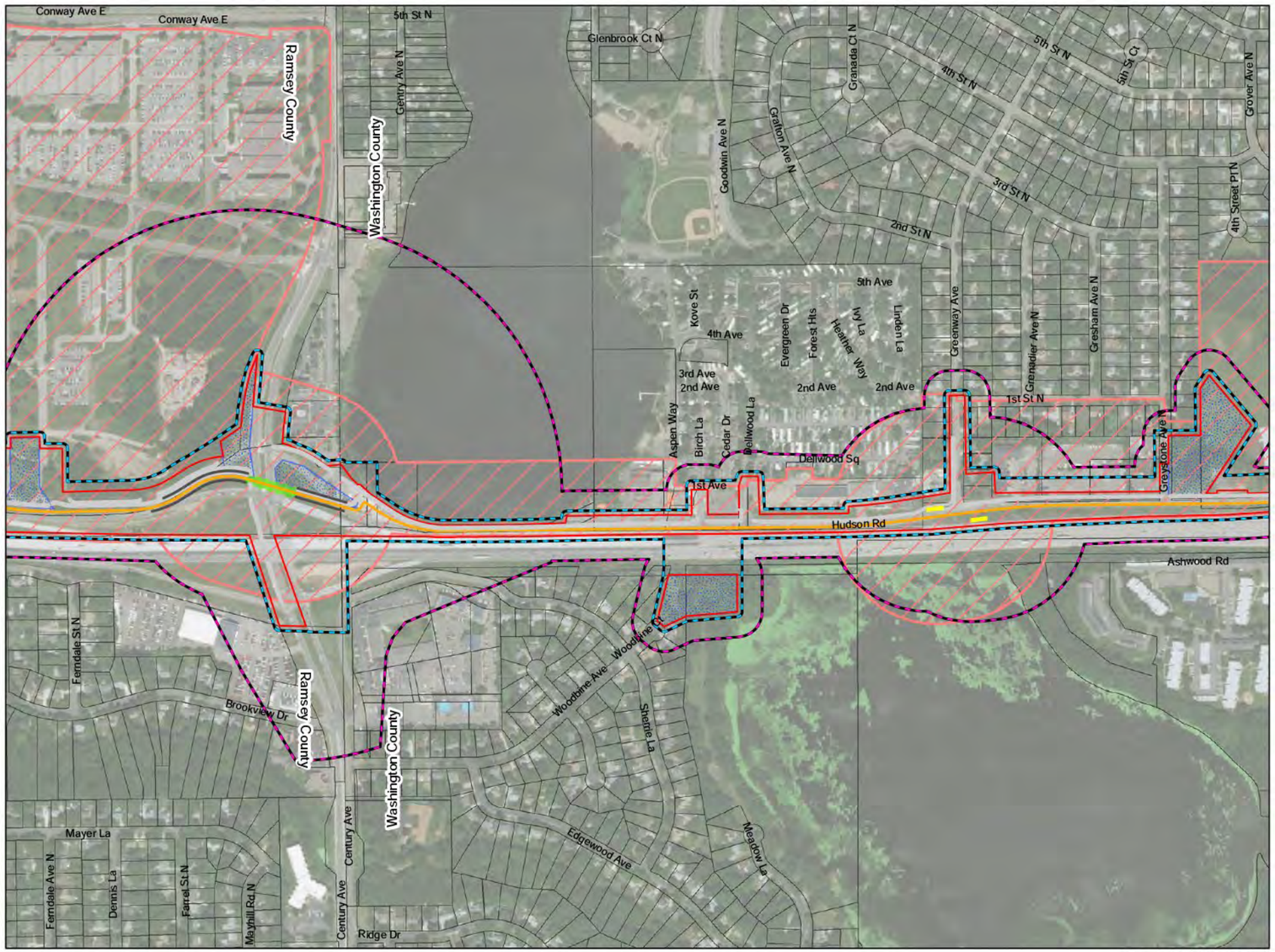

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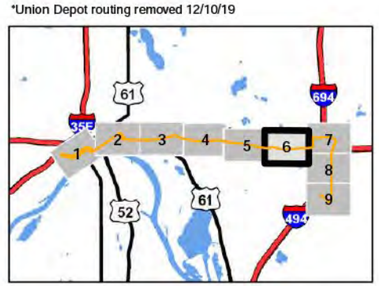

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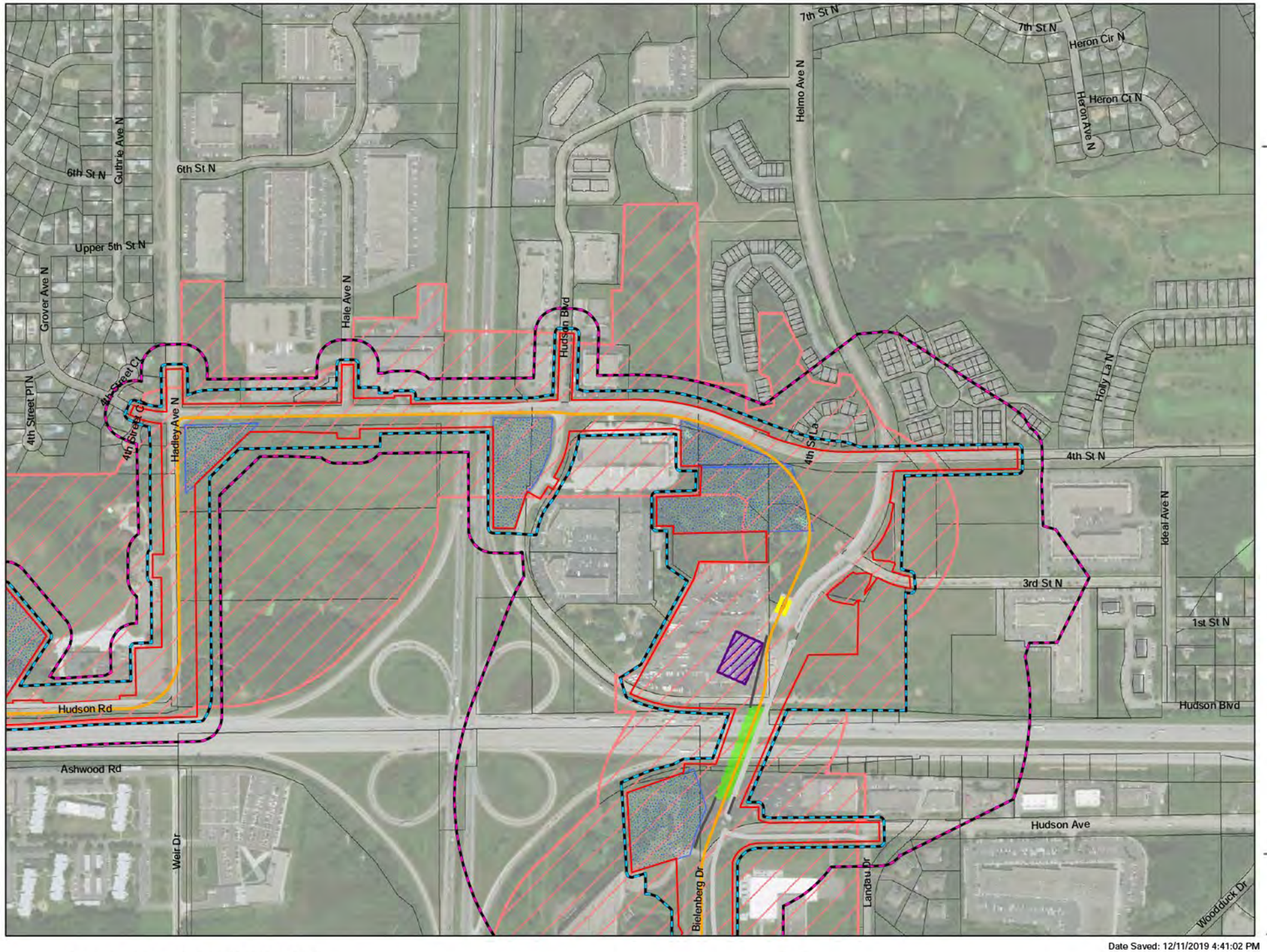
DEPARTMENT OF TRANSPORTATION

Page 6 of 9

METRO Gold Line BRT 54 USC § 306108 PA B-6



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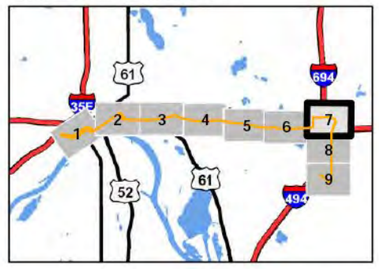

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DEPARTMENT OF TRANSPORTATION

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METRO Gold Line BRT 54 USC § 306108 PA

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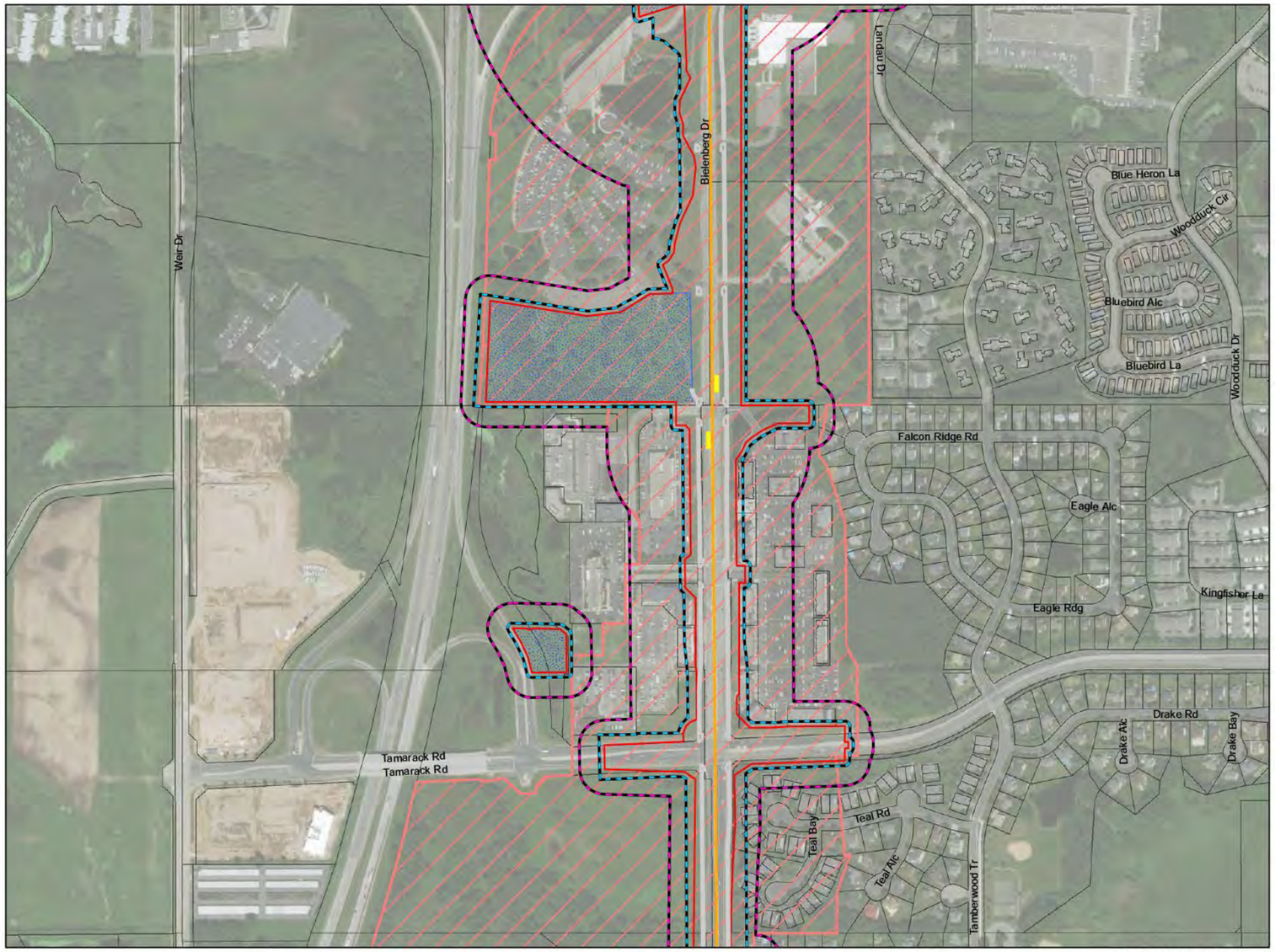

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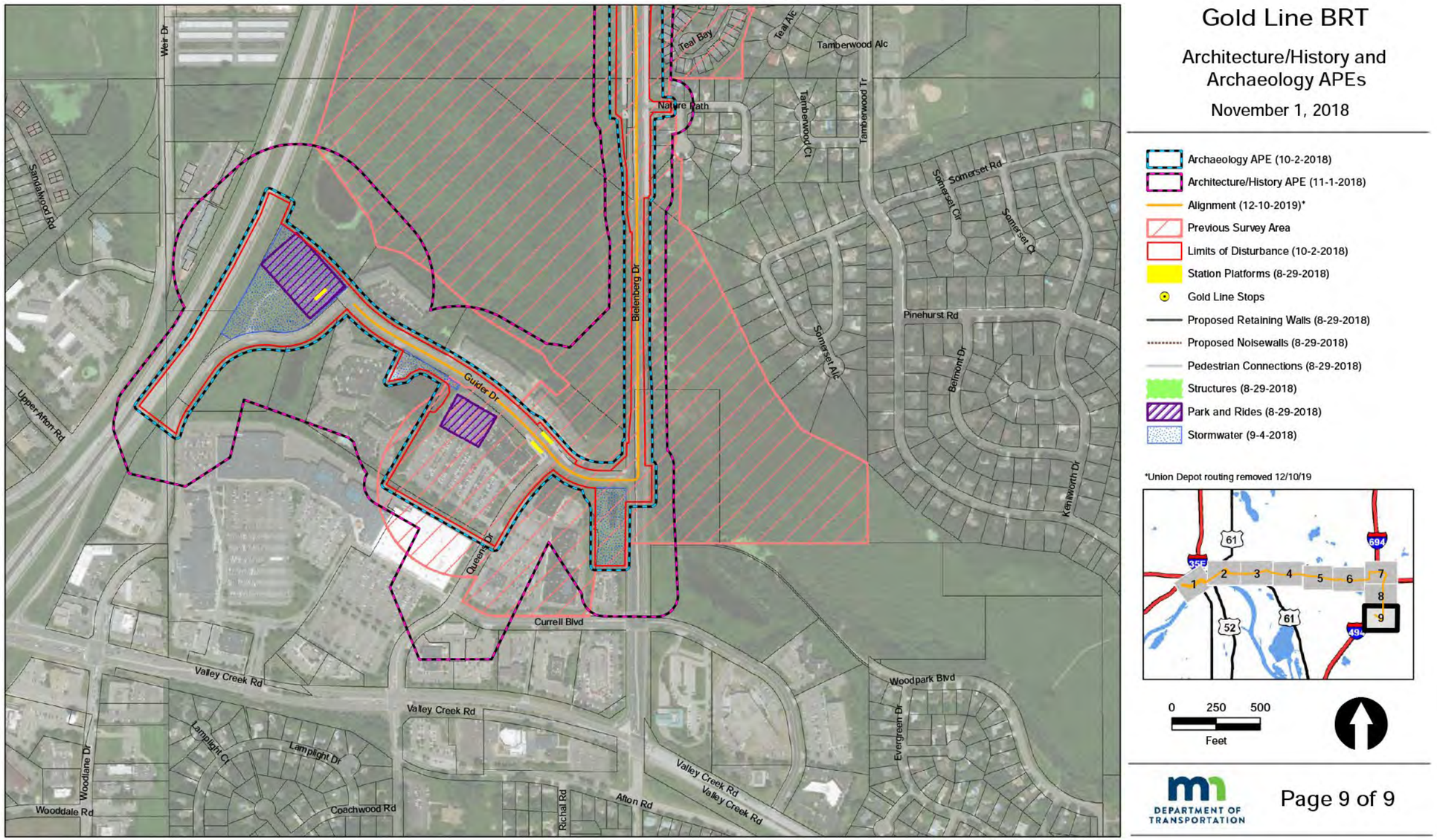
DEPARTMENT OF TRANSPORTATION

Page 8 of 9

METRO Gold Line BRT 54 USC § 306108 PA B-8



Gold Line BRT

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November 1, 2018

- Archaeology APE (10-2-2018)
- Architecture/History APE (11-1-2018)
- Alignment (12-10-2019)*
- Previous Survey Area
- Limits of Disturbance (10-2-2018)
- Station Platforms (8-29-2018)
- Gold Line Stops
- Proposed Retaining Walls (8-29-2018)
- Proposed Noisewalls (8-29-2018)
- Pedestrian Connections (8-29-2018)
- Structures (8-29-2018)
- Park and Rides (8-29-2018)
- Stormwater (9-4-2018)

*Union Depot routing removed 12/10/19

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DEPARTMENT OF TRANSPORTATION

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METRO Gold Line BRT 54 USC § 306108 PA

B-9

ATTACHMENT C

Known Properties Listed in and Determined Eligible for Listing

in the National Register of Historic Places

PROPERTIES LISTED IN AND DETERMINED ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES

Inventory No.	Property Name	Address	City	NRHP Status	
				Indiv.	Hist. Dist.[1]
	Historic Districts				
RA-MWC-0010	3M Center	2301 McKnight Rd.	Maplewood		Eligible
RA-SPC-8497	Johnson Parkway	N/A Johnson Pkwy.	Saint Paul		Treating as Eligible
RA-SPC-4580	Lowertown Historic District (LHD)	Roughly bounded by Shepard Rd. and Kellogg Blvd., and Broadway, 7th, and Sibley Sts.	Saint Paul	—	Listed
RA-SPC-8364	Saint Paul Urban Renewal Historic District (URHD)	Roughly bounded by Kellogg Blvd. and Wabasha, 6th, and Jackson Sts.	Saint Paul	—	Eligible
RA-SPC-4580	Rice Park Historic District (RPHD)	Roughly bounded by W. 6th, St. Peter, and Washington Sts., and W. Kellogg Blvd.	Saint Paul	—	Eligible
	Individual Resources				
RA-SPC-8465	Grace Lutheran Church	1730 Old Hudson Road, Saint Paul	Saint Paul	Eligible	—
RA-SPC-4693	Giesen-Hauser House/Peter & Mary Giesen House	827 Mound St.	Saint Paul	Listed	—
RA-SPC-2284	Texas Company Service Station	847 Hudson Rd.	Saint Paul	Eligible	—
RA-SPC-2481, RA-SPC-5204	Bell-Weber House	661 E. 3rd St.	Saint Paul	Eligible	—
RA-SPC-2491, RA-SPC-5208	Frederick Reinecker House #1	702 E. 3rd St.	Saint Paul	Treating as Eligible	—
RA-SPC-2490, RA-SPC-5207	Frederick Reinecker House #2	700 E. 3rd St.	Saint Paul	Treating as Eligible	—
RA-SPC-2040	Peter Bott House and Garage	326 Maria Ave.	Saint Paul	Treating as Eligible	—
RA-SPC-2619, RA-SPC-5232	Tandy Row	668–674 E. 4th St.	Saint Paul	Eligible	—
RA-SPC-5462	Finch, VanSlyck and McConville Dry Goods Company Building	366 Wacouta St.	Saint Paul	Listed	Listed LHD: c

[1] Within the *Individual Resources* section, "c" means the property is contributing to the identified historic district.

Inventory No.	Property Name	Address	City	NRHP Status	
				Indiv.	Hist. Dist.[1]
RA-SPC-5225, RA-SPC-6907	Saint Paul Union Depot	214 E. 4th St. (roughly bounded by Shepard Rd., and Wacouta, 4th, and Sibley Sts.	Saint Paul	Listed	Listed LHD: c
RA-SPC-4518	United States Post Office and Custom House	180 E. Kellogg Blvd.	Saint Paul	Listed	—
RA-SPC-1979	Merchants National Bank Building	366–368 Jackson St.	Saint Paul	Listed	—
RA-SPC-3167, RA-SPC-5223, RA-SPC-6903	Pioneer Press and Endicott Buildings	332 N. Robert St. and 142 E. 5th St.	Saint Paul	Listed	—
RA-SPC-3170	Manhattan Building	360 N. Robert St.	Saint Paul	Listed	—
RA-SPC-8907	Mutual Life Insurance Company Building	345 Cedar St.	Saint Paul	Listed	Eligible URHD: c
RA-SPC-5446, RA-SPC-8096	Osborn Building	370 N. Wabasha St.	Saint Paul	Listed	Eligible URHD: c
RA-SPC-3168, RA-SPC-4645	First Farmers and Merchants Bank/First National Bank Building	332 Minnesota St.	Saint Paul	Eligible	Eligible URHD: c
RA-SPC-0050	Saint Paul Athletic Club	340 Cedar St.	Saint Paul	Eligible	Eligible URHD: c
RA-SPC-5444	Germania Bank	6 W. 5th St.	Saint Paul	Listed	—
RA-SPC-5245	Saint Paul Public Library / James J. Hill Reference Library	80–90 W. 4th St.	Saint Paul	Listed	Eligible RPHD: c
RA-SPC-5266	United States Post Office, Courthouse, and Customs House (Landmark Center)	75 W. 5th St.	Saint Paul	Listed	Eligible RPHD: c
RA-SPC-3493	Saint Paul Hotel	350 N. Market St.	Saint Paul	Eligible	Eligible RPHD: c
RA-SPC-3495	Hamm Building	408 Saint Peter St.	Saint Paul	Listed	—
RA-SPC-5360	New Palace Theatre / St. Francis Hotel	1–33 W. 7th Pl. and 435–437 N. Wabasha St.	Saint Paul	Eligible	—

ATTACHMENT D

Standard Mitigation Measures

STANDARD MITIGATION MEASURES

INTRODUCTION

This appendix of the Gold Line Bus Rapid Transit Project (PROJECT) Programmatic Agreement (AGREEMENT) includes standard mitigation measures that may be implemented under the terms of the AGREEMENT to resolve, or resolve in part, Adverse Effects on historic properties.

MEASURE 1: REPAIR UNANTICIPATED DAMAGE TO HISTORIC PROPERTIES IN ACCORDANCE WITH SOI STANDARDS

APPLICABILITY

This measure may be implemented either during or after the completion of PROJECT construction to resolve, or resolve in part, an Adverse Effect identified under AGREEMENT Stipulation XII.

In addition to meeting the Secretary of the Interior's (SOI) *Standards for the Treatment of Historic Properties* (36 CFR § 68), as applicable (SOI Standards), repairs to the historic property shall also follow the guidance provided within National Park Service's Preservation Briefs (https://www.nps.gov/tps/how-to-preserve/briefs.htm) to the greatest extent possible.

The Metropolitan Council (MC) is responsible for ensuring that the deliverables outlined below are submitted and reviewed as described.

DELIVERABLES, SUBMITTED AND REVIEWED AS DOCUMENTED IN THE COURSE OF ACTION PREPARED IN ACCORDANCE WITH STIPULATION XII AND AS SPECIFIED DURING CONSULTATION:

- Scope of Work, including plans, specifications, and/or other documentation necessary to ensure work is carried out pursuant to the SOI Standards.
- If applicable, a description of new construction protection measures (CPMs) required to avoid additional effects on the historic property
- Historic property inspections as described in AGREEMENT Stipulation X.C.ii. As noted in AGREEMENT Stipulation XII, one inspection is required to document the damage to the historic property immediately following discovery of the damage. A post construction historic property inspection is also required to document that the repairs were carried out as planned and that no additional harm was done to the historic property.

Unless otherwise specified during consultation, and agreed to in writing, all repairs and deliverables shall be completed no later than one (1) year following the date the PROJECT initiates revenue service operations.

MEASURE 2: PHASE III DATA RECOVERY OF ARCHAEOLOGICAL SITES

APPLICABILITY

Phase III data recovery of archaeological sites may be implemented either before or during PROJECT construction to resolve, or resolve in part, an Adverse Effect to an archaeological site(s) determined eligible for inclusion in the National Register of Historic Places (NRHP) under AGREEMENT Stipulation V. In most cases, this measure resolves, or resolves in part, an Adverse Effect resulting from the substantial alteration or destruction of the site, or any part thereof.

In addition to meeting the SOI's Guidelines for Archaeological Documentation, the Phase III fieldwork and documentation shall be completed in accordance with the guidelines of the Minnesota Office of the State Archeologist (OSA), the Minnesota State Historic Preservation Office (MnSHPO), and the Minnesota Department of Transportation (MnDOT) Cultural Resources Unit (CRU).

The cost of curation, when necessary, shall be borne by the PROJECT. MC shall work with MnSHPO and MnDOT CRU to identify a repository for curation that shall meet Federal repository standards established under 36 CFR § 79.9 and ensure the curation meets the standards of the chosen repository.

MC shall ensure that information gained through the Phase III Data Recovery is shared with the public in a meaningful way to the extent possible, taking into consideration the need to safeguard sensitive archaeological information.

DELIVERABLES, SUBMITTED AND REVIEWED PURSUANT TO STIPULATION III:

- Draft and Final Research Design/Data Recovery Plan, including information about proposed public education efforts
- Draft and Final Phase III Data Recovery Report, including all required text, maps, photographs, and illustrations
- Report on how the information gained through the Data Recovery has been shared with the public to the extent possible. This report shall be integrated into the PROJECT reports required under Stipulation XIII.

Unless otherwise specified during consultation, and agreed to in writing, all deliverables shall be completed no later than one (1) year following the date the PROJECT initiates revenue service operations.

MEASURE 3: DOCUMENTATION OF ARCHITECTURE/HISTORY PROPERTIES

APPLICABILITY

Documentation of architecture/history properties may be implemented either before or during PROJECT construction to resolve, or resolve in part, an Adverse Effect to an architecture/history property determined eligible for inclusion in the NRHP under AGREEMENT Stipulation V. In most cases, this measure resolves, or resolves in part, an Adverse Effect resulting from the substantial alteration or destruction of the historic property, or any part thereof.

Documentation may include either of the following, which FTA shall specify as part of its recommendation to use this standard mitigation measure:

A. Minnesota Historic Property Record (MHPR): MHPR documentation is typically appropriate for properties with local or state significance. Depending on the historic property and the nature and scale of the effect, documentation shall be specified to be done at Level I as defined in Minnesota Historic Property Record Guidelines, published by the Minnesota Department of Transportation and Minnesota Historical Society and updated on June 2009.

B. Historic American Building Survey (HABS)/Historic American Engineering Record (HAER)/Historic American Landscape Survey (HALS): HABS/HAER/HALS documentation is typically appropriate for National Historic Landmarks, other historic properties with national significance, and select properties with state or local significance. Depending on the historic property and the nature and scale of the effect, documentation shall be specified to be done at Level I, II, or III, as defined in 68 FR 43159, published on July 21, 2003.

In addition to meeting the SOI's Standards for Historical Documentation and/or the SOI's Standards for Architectural and Engineering Documentation, as appropriate, all fieldwork and documentation for MHPRs shall be completed in accordance with the guidelines of MnSHPO and MnDOT CRU, and all fieldwork and documentation for HABS/HAER/HALS records shall be completed in accordance with the National Park Service's current guidance for the specified program.

MC shall ensure that information gained through the preparation of the documentation, either MHPR or HABS/HAER/HALS, is shared with the public in a meaningful way.

DELIVERABLES:

- Draft and Final documentation, including all required text, maps, and photographs, submitted and reviewed pursuant to Stipulation III for MHPR or as required by the NPS for integration into the HABS/HAER/HALS collections at the Library of Congress. Information about proposed public education efforts shall also be submitted and reviewed pursuant to Stipulation III.

- Report on how the information gained through the documentation has been shared with the public. This report shall be integrated into the PROJECT reports required under Stipulation XIII.

Unless otherwise specified during consultation, and agreed to in writing, all deliverables shall be completed no later than one (1) year following the date the PROJECT initiates revenue service operations.

MEASURE 4: NATIONAL REGISTER OF HISTORIC PLACES NOMINATION

APPLICABILITY

A National Register nomination may be prepared to resolve, or resolve in part, an Adverse Effect to a historic property determined eligible for inclusion in the NRHP under AGREEMENT Stipulation V. In most cases, this measure resolves, or resolves in part, an Adverse Effect resulting from indirect effects on the historic property, such as known audible or visual effects, or reasonably foreseeable effects, such as a development catalyzed by the PROJECT.

Actual nomination of the historic property shall be at the discretion of MnSHPO and shall follow the established procedures of the National Park Service as outlined in 36 CFR § 60. In accordance with 36 CFR § 60.6(g), the property owners shall be given the opportunity to object to listing their property in the NRHP.

MC, with the assistance of MnDOT CRU, shall ensure that information gained through the NRHP nomination is shared with the public in a meaningful way.

DELIVERABLES:

- Draft NRHP nomination, prepared by the SOI-Qualified Professional in consultation with MnDOT CRU and submitted to MnSHPO pursuant to 36 CFR § 60. Multiple drafts may be required, with each subsequent draft incorporating recommendations made by MnSHPO. At the same time as this submittal, information about proposed public education efforts shall be submitted and reviewed pursuant to Stipulation III. In instances where the review process results in a determination that the property is not eligible for inclusion in the NRHP, MnSHPO shall document that determination in writing and the preparation of a final draft NRHP nomination and public education shall not be required.

- Final draft NRHP nomination meeting the requirements for scheduling the nomination on a State Review Board agenda. MC must receive a written determination from MnSHPO that the nomination form meets the requirements for scheduling the nomination on a State Review Board agenda; however, MnSHPO is not obligated to schedule the nomination. After MnSHPO notifies MC of its acceptance of the final draft NRHP nomination, any changes to the nomination required by MnSHPO or the State Review Board shall be the responsibility of MnSHPO.

- Report on how the information gained through the preparation of the NRHP nomination has been shared with the public. This report shall be integrated into the PROJECT reports required by Stipulation XIII.

Unless otherwise specified during consultation, and agreed to in writing, all deliverables shall be completed no later than one (1) year following the date the PROJECT initiates revenue service operations.

METRO Gold Line

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

Finding of No Significant Impact

Appendix C. Mitigation Commitments

January 2020

APPENDIX C. MITIGATION COMMITMENTS

The mitigation and other features of the Project that reduce adverse impacts, to which the FTA and the Council committed in the EA and FONSI, are summarized in the following table. Implementation of these mitigation commitments is part of the approval and issuance of this FONSI.

This summary is provided in the FONSI to facilitate the monitoring of the implementation of the mitigation commitments; however, the EA provides the context and the full description of all mitigation commitments that are included in the Project. The Council will establish a program for monitoring the implementation of the mitigation commitments as part of its project management oversight. FTA will oversee the Council's program for monitoring environmental compliance through quarterly review meetings, progress reports, or other means specified by FTA.

TABLE C-1: SUMMARY OF ANTICIPATED IMPACTS AND AVOIDANCE, MINIMIZATION AND MITIGATION COMMITMENTS

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Traffic	Long-Term Impacts	• Ensure adequate space beneath the bridges for future needs on I-94 and I-694	Council
Traffic	Short-Term Impacts	• Temporary disruptions; road closures • Localized traffic increases in congestion with detours	Council
Traffic	Long-Term Mitigation Measures	• Hold space beneath the proposed Helmo Avenue-Bielenberg Drive bridge that would accommodate 5 thru lanes and 2 auxiliary lanes in each direction on I-94 • Hold space beneath the proposed 4th Street bridge that would accommodate 3 thru lanes and 2 auxiliary lanes in each direction on I-694	Council
Traffic	Short-Term Mitigation Measures	• Develop construction staging plans • Develop maintenance of traffic plans	Council
Transit	Long-Term Impacts	• 7,100 riders per day (2,950 new transit trips) • Decrease daily VMT by 5.3 miles	Council
Transit	Short-Term Impacts	• Temporary stop relocations, or route closures or detours	Council
Transit	Long-Term Mitigation Measures	• No mitigation required	Council
Transit	Short-Term Mitigation Measures	• Inform riders about temporary service changes • Post information at bus stops • Publish details on website and in onboard "Connect" brochure	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Parking and Driveways	Long-Term Impacts	**Parking** • Loss of 603 parking spaces • Addition of 450 parking spaces **Driveways** • Removal at Leo's Chow Mein • Relocation at Apostolic Bible Institute (replacing with a new driveway located approximately 180 feet to the north)	Council
Parking and Driveways	Short-Term Impacts	**Parking** • Additional temporary loss of 259 parking spaces along Alignment B **Driveways** • Disruptions to some driveway access points during construction	Council
Parking and Driveways	Long-Term Mitigation Measures	**Parking** • Coordinate with cities to identify specific parking mitigation • Compensate property owners for parking impacts in accordance with the Uniform Relocation Act and Minnesota Statutes Chapter 117 **Driveways** • Compensate property owners for impacts to driveways in accordance with the Uniform Relocation Act and Minnesota Statutes Chapter 117	Council
Parking and Driveways	Short-Term Mitigation Measures	• Install signage directing business patrons to streets where parking is available • Conduct ongoing and transparent outreach • Develop construction staging to minimize impacts to parking and driveways	Council
Pedestrian and Bicycle Facilities	Short-Term Impacts	• Temporary trail and sidewalks closures	Council
Pedestrian and Bicycle Facilities	Short-Term Mitigation Measures	• Develop construction staging to minimize impacts to facilities • Install signage directing users to detours and alternate nearby crossings	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Community Facilities, Character and Cohesion	Long-Term Impacts	• Community facilities • Partial parcel acquisition at Grace Lutheran Church in Alignment B • Potential adverse impact may occur along Alignment C where parking losses anticipated • Community character and cohesion • None identified	Council
Community Facilities, Character and Cohesion	Short-Term Impacts	• Traffic detours could increase traffic through neighborhoods or change access to community facilities • Sidewalk closures and detours could affect pedestrian traffic patterns • Increased levels of noise and dust may affect neighborhood character • Large construction equipment may be perceived as visually disruptive	Council
Community Facilities, Character and Cohesion	Long-Term Mitigation Measures	• Compensate building and business owners for acquisitions • Compensation will be in accordance with the Uniform Relocation Act Minnesota Statutes Chapter 117	Council
Community Facilities, Character and Cohesion	Short-Term Mitigation Measures	• Maintain access through construction • Install signage and signal controls • Use BMPs and specific plans developed to provide alternative access • Provide adequate notice about construction plans and phasing • Maintain access to existing bus stops • Alert public to detours	Council
Acquisitions, Displacements and Relocations	Long-Term Impacts[a]	• Partial acquisition of 35 parcels, resulting in 28.5 acres of acquisitions • Full acquisition of 2 parcels, resulting in 11.1 acres of acquisitions and the displacement of approximately 21 businesses	Council
Acquisitions, Displacements and Relocations	Short-Term Impacts[a]	• Temporary easements would result in: • 204 affected parcels with a combined area of 26.0 acres	Council
Acquisitions, Displacements and Relocations	Long-Term Mitigation Measures	• Continue efforts to avoid property acquisition • Continue engagement efforts with affected property owners • Provide fair market compensation and/or relocation benefits per the Uniform Relocation Act and Minnesota Statutes Chapter 117	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Acquisitions, Displacements and Relocations	Short-Term Mitigation Measures	• Restore temporary construction easements to pre-easement conditions • Provide outreach opportunities for property owners	Council
Visual Quality and Aesthetics	Long-Term Impacts	• No high-level visual change to Project area as a whole	Council
Visual Quality and Aesthetics	Short-Term Impacts	• Presence of large equipment, and traffic control measures and construction activity may be perceived as visually disruptive • Construction activities in residential area and along trails may be perceived as visually disruptive	Council
Visual Quality and Aesthetics	Long-Term Mitigation Measures	• Coordinate with Saint Paul to comply with preservation of Significant Public Views goal in comprehensive plan • Design of the new BRT-exclusive bridge over Johnson Parkway would use materials compatible and visually consistent with the existing I-94 bridge over Johnson Parkway • Removal of vegetation and introduction of built features would be addressed with appropriate site-specific landscaping • Retain and restore vegetation, as appropriate • Develop landscape plans for areas adjacent to elevated structures, retaining walls, and noise barriers • Section 106 process and terms of PA will inform design modifications to avoid, minimize and mitigate visual impacts to historic properties	Council
Visual Quality and Aesthetics	Short-Term Mitigation Measures	• Phased construction activity to minimize duration • Remove debris and equipment on a regular basis	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Business and Economic Resources	Long-Term Impacts	• Increase of 146 Minnesota jobs by 2040 • Displacement of approximately 21 commercial uses (auto- and trucking-related) due to right-of-way acquisition • Loss of on-street and off-street parking and changes to commercial property access • Reduction in parking revenue due to removal of metered on-street parking spaces • Reduced property tax collection with full acquisition of property	Council
Business and Economic Resources	Short-Term Impacts	• Temporary access changes to businesses affecting customer access, on-street parking availability, service access, traffic flow, and congestion • Businesses dependent on ease of customer access may experience a loss of revenue during construction • Businesses with outdoor activities could experience negative impacts due to noise, dust, or other nuisance conditions during nearby construction activities • Businesses that rely on providing customers with a quiet atmosphere may also be affected during nearby construction activities • Disruption of utility services when utilities need to move or be replaced	Council
Business and Economic Resources	Long-Term Mitigation Measures	• Provide fair market compensation and/or relocation benefits for displaced businesses and compensation for private-property parking impacts per the Uniform Relocation Act and Minnesota Statutes Chapter 117	Council
Business and Economic Resources	Short-Term Mitigation Measures	• Coordinate with businesses and provide maintenance of traffic, maintenance of access, business signage, and advanced communication of construction activities	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Safety and Security	Short-Term Impacts	• Safety risk to workers and public due to construction activities • Public safety, particularly as it relates to people who encroach upon open excavation sites and other construction activity • Safety and security risks during construction due to additional work in right-of-way and reconstruction of bridge over I-694	Council
Safety and Security	Long-Term Mitigation Measures	• At full-access intersections with the dedicated center running or side running guideway, new traffic signals would be constructed • Design guideway for emergency vehicle access • Provide public address systems, video monitoring, and emergency telephones at stations • Provide detectable warning strips at edge of raised platform boarding platforms • Provide general illumination of station platforms as well as vehicular and pedestrian circulation lighting • Provide emergency lighting in all public areas • Vehicular traffic areas within station boundaries would be illuminated • Fence station platforms on the side not used to access the BRT • Striping/markings rather than a physical barrier to delineate the guideway from regular traffic and parking lanes • Provide Metro Transit Police Department and local law enforcement routine patrols of stations, guideway and BRT vehicles, as well as nearby bus routes and stops • Conduct a Preliminary Hazard Analysis to assess hazards associated with Project and identify appropriate mitigation measures	Council
Safety and Security	Short-Term Mitigation Measures	• Develop Safety and Security Management Plan and a Safety and Security Certification Plan to guide safety and security policies for the Project during design and construction • Secure construction sites with fencing and security gates to prevent access by individuals who do not have clearance	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Environmental Justice	Long-Term Impacts	• No anticipated disproportionately high or adverse effects to environmental justice populations	Council
Environmental Justice	Short-Term Impacts	• Disproportionately high and adverse effect on environmental justice populations along Hudson Road (Alignment B) related to visual impacts during construction • Disproportionately high and adverse effect on environmental justice populations along Alignment B and C related to construction noise and vibration	Council
Environmental Justice	Long-Term Mitigation Measures	• See “Acquisitions, Displacements and Relocations" for mitigation measures	Council
Environmental Justice	Short-Term Mitigation Measures	• Signage directing business patrons to streets where parking is available • Ongoing and transparent outreach program to inform business owners and residents of construction activities • Implement construction staging to minimize short-term impacts • See “Visual Quality and Aesthetics” for mitigation measures • See “Noise and Vibration” for mitigation measures	Council
Utilities	Long-Term Impacts	• Relocation of buried fiber optic cable in Alignment C • Potential to impact buried oil pipeline in Alignment D3 • Potential relocation of changeable message sign and equipment • Potential impact to accessibility of utility vaults at station in downtown Saint Paul	Council
Utilities	Short-Term Impacts	• Construction activities such as excavation and grading, placing structural foundations and using large-scale equipment could affect utilities • Service disruptions throughout construction	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Utilities	Long-Term Mitigation Measures	• Coordinate on existing facilities with each utility owner • Existing utilities will be confirmed and mapped so that design avoids the utilities, where practicable • Unidentified utilities that could require mitigation will be addressed in future phases • Existing utility vaults will be adjusted to match the new grade or will add or replace riser collars	Council
Utilities	Short-Term Mitigation Measures	• Provided temporary connections to customers prior to permanent relocation activities • Coordination with the utility owner/operators during construction would occur to determine the potential disruptions in service • Notify affected property owners of service disruptions • If unidentified utilities are encountered during construction, the owner of the utility will be identified, and appropriate mitigation measures determined • Implement confined space entry safety plan • Remediate contaminated soils prior to utility excavations • Remediate and dispose of hazardous pipe coatings and materials impacted by utility relocations	Council
Floodplains	Long-Term Impacts	• Potential floodplain impact of 4,842 cubic yards of fill with additional impacts possible for two locations at which the floodplain elevations are unknown • No anticipated Project impacts to floodways	Council
Floodplains	Long-Term Mitigation Measures	• Replacement storage required for impacts at Alignments C and D3 • Coordinate mitigation requirements during Engineering Phase with Ramsey-Washington Metro Watershed District through permitting processes • Review model and compensatory storage for each area to avoid a net increase in impacts and/or the potential for flooding outside of the Project area	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Surface Waters (Wetlands, Waterbodies and Waterways)	Long-Term Impacts	• Approximately 2.60 acres to surface waters[b] with an additional 105 square feet (0.002 acre) of impacts at Tanners Lake • No impact to any "high-quality" surface waters	Council
Surface Waters (Wetlands, Waterbodies and Waterways)	Long-Term Mitigation Measures	• Project-related impacts to surface waters avoided and minimized to the extent possible • Engineering Phase will incorporate, where feasible, additional avoidance and minimization measures, which could include constructing steeper inslopes, broken backslopes, and treating stormwater prior to discharge • Stormwater ponds are proposed in upland areas, if feasible • Permits are required from the USACE, DNR, MPCA and Ramsey-Washington Metro Watershed District • Mitigated through the purchase of credits from state-managed wetland bank, rather than pursue on-site replacement of surface waters due to limited available space conducive to creating surface water • Potential wetland replacement based on current rules and regulations and 2.602 acres of impact would be: • 5.20 acres replaced (minimum 2:1 ratio) or as specified in approved permits • 6.50 acres replaced (potential 2.5:1 ratio) or as specified in approved permits	Council
Stormwater and Water Quality	Long-Term Impacts	• New and reconstructed impervious area: 78 acres	Council
Stormwater and Water Quality	Short-Term Impacts	• Disturbed soils combined with Project area runoff could potentially erode soil surfaces and drainageways, form gullies and deposit sediment in adjacent waterbodies • Without temporary BMPs (required through permitting process), these activities could destabilize slopes and affect water quality	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Stormwater and Water Quality	Long-Term Mitigation Measures	• Based on Capitol Region and Ramsey-Washington Metro watershed districts' rules mitigation measures are required for all Project-related new and reconstructed impervious surfaces • Primary and secondary BMP sites to demonstrate the Project's ability to meet regulatory requirements have been identified and will be utilized as necessary to meet project stormwater needs • Complete more hydrologic modeling of current and proposed conditions to more accurately assess if additional rate-control measures required • Use BMPs to remove total suspended solids • Implement additional stormwater pollution control devices as needed to meet the watershed districts' requirements for total suspended solids removal and pretreatment for filtration/infiltration systems • Construction documents will include erosion-control measures, dewatering requirements, and establish final impervious surfaces. These meet various agencies' requirements and be included in construction documents • Special consideration given to regionally significant ecological areas	Council
Stormwater and Water Quality	Short-Term Mitigation Measures	• Apply temporary BMPs (required through the permitting process) to prevent construction activities from destabilizing slopes and adversely affecting water quality • Short-term impacts to specific locations would be determined during future Project phases, but the Council anticipates that impacts would not extend more than 10 feet from limits of disturbance • Locate temporary retaining walls or soil berms in small, isolated area to minimize wetland fill • Likely to require temporary dewatering to install bridge abutments and walls, and to do grading activities	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Hazardous Materials and Contamination	Long-Term Impacts	• No hazardous or regulated materials produced by Project during its operation • Acquiring land that is contaminated or contains hazardous or regulated material creates risk in form of costs and potential liability to Project	Council
Hazardous Materials and Contamination	Short-Term Impacts	• Six regulated material sites and 41 regulated reuse material sites within potential area of disturbance of Alignment BC-D3	Council
Hazardous Materials and Contamination	Long-Term Mitigation Measures	• Enroll in the MPCA Brownfield Program • Obtain approvals for any contamination management and clean-up plans • Land acquired that contains hazardous or regulated material, removal or cleanup will be addressed as outlined in the Response Action Plan (RAP) or Construction Contingency Plan (CCP) that will be developed for the Project prior to construction.	Council
Hazardous Materials and Contamination	Short-Term Mitigation Measures	• Develop RAP to mitigate contamination • Develop CCP as part of RAP to manage discovery of previously unknown contamination during construction • Develop spill prevention, control and countermeasure plan to address proper handling, treating, storing and disposing of solid wastes, petroleum products, and other regulated materials/wastes construction uses or generates • Assess site for asbestos-containing materials, lead-based paint, other regulated materials/wastes before demolition of structures	Council
Noise and Vibration	Long-Term Impacts	• The Project would not produce long-term impacts to noise	Council
Noise and Vibration	Short-Term Impacts	• Potential for temporary noise or vibration impacts from construction activities, such as pile driving and jackhammering, or equipment (typically diesel engines)	Council
Noise and Vibration	Long-Term Mitigation Measures	• Relocated noise barriers will be replaced in-kind so the noise reduction currently provided remains at least the same as the existing condition	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Noise and Vibration	Short-Term Mitigation Measures	• Prepare detailed noise and vibration control plan to mitigate short-term construction noise and vibration. Key elements include: • Contractor's specific equipment types • Schedule and methods of construction • Maximum noise and vibration limits for each piece of equipment with certification testing • Prohibitions on certain types of equipment and processes during the nighttime hours without variances • Identification of specific sensitive sites near construction sites • Methods for projecting construction noise and vibration levels • Implementation of noise and vibration control measures where appropriate • Acoustic shielding requirements for jackhammers, chainsaws and pavement breakers • Methods for responding to community complaints	Council
Biological Environment (Wildlife Habitat and Endangered Species)	Long-Term Impacts	**Endangered Species** • Potential impacts to northern long-eared bat, rusty patched bumble bee and Blanding's turtle **Wildlife Habitat** • Impacts to wildlife habitat anticipated; however, wildlife in Project area are generalist species adapted to urbanized conditions and the low-quality habitat within resource study area • Potential impact to high-quality habitat areas – Battle Creek Lake and Tamarack Nature Preserve • Project would impact 8.8 acres of terrestrial habitat • Project would impact 5 acres of aquatic habitat	Council
Biological Environment (Wildlife Habitat and Endangered Species)	Short-Term Impacts	Use of heavy equipment and silt fence/construction barriers would impact wildlife habitat and cause temporary disruptions to wildlife	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Biological Environment (Wildlife Habitat and Endangered Species)	Long-Term Mitigation Measures	**Endangered Species** • Reseed disturbed land with native seed mix, with preferred plant species nectar sources, to minimize impacts to the rusty patched bumble bee • Minimize mowing for routine maintenance during the active season (mid-March through mid-October), keep some areas unmowed (leave refugia), and use a high cutting height (ideally 12-16 inches) within the limits of disturbance (LOD) within the high potential zone for the rusty patched bumble bee. • Install appropriate lighting and implement other appropriate mitigation measures to avoid long-term impacts to northern long-eared bat • Maintain suitable roosting habitat if presence of bats or potential presence of bats. • Consider if design of new bridge could incorporate suitable roosting sites **Wildlife Habitat** • Utilize construction and post-construction BMPs to lessen impacts to terrestrial and aquatic habitats	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Biological Environment (Wildlife Habitat and Endangered Species)	Short-Term Mitigation Measures	**Endangered Species** • During or before construction, utilize measures to avoid or minimize impacts to northern long-eared bat per the USFWS Consistency letter (See *Appendix D Coordination and Correspondence* of the EA) • During or before construction, minimize mowing during the active season (mid-March through mid-October), keep some areas unmowed (leave refugia), and use a high cutting height (ideally 12-16 inches) within the LOD within the high potential zone for the rusty patched bumble bee. • Construction contractors will prepare an invasive species and noxious weeds management plan. • Minimize tree and vegetation removals to extent possible • Landscape design will include pollinator planting areas and flowering meadow prairie and additional wildflower planting/restoration areas within the Project corridor • Consult with USFWS during development of construction schedules • Direct temporary lighting away from suitable bat habitat during the active season • Apply time-of-year restrictions for tree removal when bats not likely to be present, or limit tree removal • Conduct visual emergence survey prior to construction to ensure structures are not being utilized by bats; if structures are noted to be in use by bats, additional coordination or identification of species may be required • Limit tree removal to Project-specified plans and inform contractors about clearing limits and field markings • Do not remove documented, still-suitable roosts; trees within ¼-mile of roosts; or documented foraging habitat at any time • Implement DNR-established standard construction BMPs, as needed, to protect Blanding's turtles • For bridges that would require reconstruction or removal, complete a field survey to identify use of the area by migratory birds before construction begins **Wildlife Habitat** • BMPs would be used to lessen impacts to terrestrial and aquatic habitats • Stabilize areas disturbed by construction with interim and final erosion- and sediment-control measures that include seeding plans to inhibit spread of invasive species or noxious weeds	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Cultural Resources (Section 106)	Long-Term Impacts	• 29 architecture/history properties identified • No archaeological sites identified, to date • Effects will be evaluated under the terms of the executed PA(see **Appendix B**)	Council
	Short-Term Impacts	• Addressed under the terms of the executed PA	Council
	Long-Term Mitigation Measures	• Addressed under the terms of the executed PA • If adverse effects are identified, consultation with consulting parties will occur	Council
	Short-Term Mitigation Measures	• Addressed under the terms of the executed PA • If adverse effects are identified, consultation with consulting parties will occur as outlined in the executed PA • Could include a protection plan that specifies requirements for contractors to minimize effects of construction activities	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Indirect Effects and Cumulative Impacts	Long-Term Impacts	**Indirect Effects** • New development near stations could impact the built and natural environment; displace residents due to rising property values; and increase traffic congestion and parking demand **Potential Cumulative Impacts** • Transportation: Continued development of transit and transportation facilities would generally increase demand for transportation; decrease in auto trips due to Project would reduce cumulative demand on roadway and increase demand on pedestrian, bicycle and pedestrian facilities. • Community Facilities, Character and Cohesion: Continued development of transit and transportation facilities would place increased demands on community services and facilities and could change community character. • Acquisitions and Displacements: Continued development of transit and transportation facilities could cumulatively displace residents and/or businesses. • Visual Quality and Aesthetic Resources: Continued development of transit and transportation facilities could cumulatively change the visual setting in the Project area over time. Specifically, the visual setting would become more organized and urbanized; and wide-open views would, in some cases, become more closed. • Business and Economic Resources: Continued development of transit and transportation facilities may cumulatively strengthen the business climate by providing improved transportation access to customers and employees. • Environmental Justice: Development around station areas could result in increased property values and corresponding increases in rents and real estate taxes. The Project would provide offsetting benefits such as affordable, accessible and equitable transportation for low-income and minority residents with increased access to financial opportunities (jobs), educational opportunities, health services and recreational amenities. • Floodplains: Continued development of transit and transportation facilities may cumulatively affect hydrology and floodplains without the implementation of BMPs. • Stormwater and Water Quality: Could include increased sediment and pollutant load • Air Quality: Continued transportation and land development could result in increased air pollutant emissions. When combined with the Project, which the analysis anticipates would reduce the overall air pollutant load due to less automobile use, the cumulative impact on air quality could be an improvement over conditions without the Project. Also, the Metro Transit electric bus fleet plan would contribute to air quality improvements in the region as electric buses replace diesel-powered buses.	Council

Resource	Category	Build Alternative 1 (A1-BC-D3) Impacts and Mitigation Measures	Responsible Agency
Indirect Effects and Cumulative Impacts	Long-Term Mitigation Measures	• Local, state and federal regulations are in place to minimize potential cumulative effects • Mitigation for direct impacts will further minimize the potential for cumulative impacts	Council
Section 4(f) Resources	Long-Term Impacts	• Preliminary Section 4(f) *de minimis* determination on the following public parks and recreation resources: • Johnson Parkway – minor amount of permanent and temporary easements for guideway, sidewalks, storm sewer pipe and access for routine stormwater facility maintenance • Menomini Park – stormwater facility and access road • Multi-use trail in Woodbury – minor alignment shift within public right of way • Historic resources • Effects evaluated under the terms of the executed PA	Council
Section 4(f) Resources	Short-Term Impacts	• Temporary closure of Johnson Parkway and regional trail (approximately 90 days) • Temporary closure of Menomini Park trail; construction of access road (one construction season) • Temporary closure of multi-use trail in Woodbury (one construction season)	Council
Section 4(f) Resources	Long-Term Mitigation Measures	• Grade slopes to match into the existing landform at Johnson Parkway • Restore landscaping in disturbed park space to preconstruction condition • Restore trails to preconstruction condition • Reseed new pond within Menomini Park	Council
Section 4(f) Resources	Short-Term Mitigation Measures	• Detour Menomini Park trail and Johnson Parkway regional trail to local streets • Notify public about closures and detours in advance • Minimize construction duration	Council

[a] *The number of acquisitions, displacements and relocations are based on the 15% Concept Plans. The Council will further refine these impacts as the Project design advances during the Project Development and Engineering phases.*

[b] *Impacts related to non-linear facilities (stormwater and park-and-ride facilities) are expected to be reduced as design is advanced and more analysis completed for anticipated stormwater needs for the Project. Based on these reductions, anticipated cumulative impacts for non-linear are expected to be less than 0.5 acre and fall under the Transportation Regional General Permit.*

METRO Gold Line

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

Finding of No Significant Impact

Appendix D. Section 4(f) Concurrence Letters

January 2020

D.1. City of Saint Paul Concurrence Letter

U.S. Department
of Transportation
Federal Transit
Administration

REGION V
Illinois, Indiana,
Michigan, Minnesota
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

November 25, 2019

Alice Messer
Design and Construction Manager
Saint Paul Parks and Recreation Department
25 West 4th Street, 500 City Hall Annex
Saint Paul, MN 55102

RE: Section 4(f) de minimis Use Determination for Johnson Parkway – City of Saint Paul Concurrence METRO Gold Line Bus Rapid Transit Project, Ramsey and Washington counties, Minnesota

Dear Ms. Messer:

The Federal Transit Administration (FTA) is writing to request formal concurrence for the METRO Gold Line Bus Rapid Transit Project (Project) Section 4(f) *de minimis* impact determination for Johnson Parkway from the City of Saint Paul. This letter provides the background and rationale that supports the *de minimis* impact determination. Please respond in writing to this request for concurrence by December 13, 2019.

The Metropolitan Council (Council) is seeking federal funding under the Capital Investment Grant program from the FTA; therefore, the Project must comply with the federal statute for Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966.

A. Section 4(f) Description

Section 4(f) of the USDOT Act is a federal law that protects publicly-owned parks, recreation areas, wildlife and/or waterfowl refuges, as well as significant historic sites, whether publicly or privately owned. Section 4(f) requirements apply to all transportation projects that require funding or other approvals by the USDOT. As a USDOT agency, FTA must comply with Section 4(f). FTA's Section 4(f) regulations are located in 23 CFR Part 774.

De minimis impacts to parks are defined as those that do not adversely affect the activities, features, or attributes qualifying the property for protection under Section 4(f) (23 CFR 774.17). The official(s) with jurisdiction over the property and the public must be informed of the intent to make a *de minimis* use determination. If the official(s) with jurisdiction concurs in writing that the project will not adversely affect the activities, features, or attributes of the property eligible for Section 4(f) protection, then the FTA may finalize the *de minimis* impact determination. Upon City of Saint Paul concurrence on the *de minimis* determination for Johnson Parkway, FTA will publish the *de minimis*

determination and your agency's final concurrence will be reported in the environmental decision document.

B. Section 4(f) Property Description

Johnson Parkway is part of the City of Saint Paul's Grand Round, a "park system connecting all parts of St. Paul with expansive boulevards and luxurious greenery that would serve cyclists and pedestrians." The parkway is approximately 2.25 miles long and features green space and medians along portions of its corridor. Johnson Parkway connects Lake Phalen to Indian Mounds Park. The parkway includes sections with a naturalistic feel and a section with an urban feel. Park space owned by the City of Saint Paul and managed by the Parks and Recreation Department is located on the east and west sides of Johnson Parkway, and it includes vegetated open areas within the Project limits of potential disturbance where the parkway would travel under the Project guideway and I-94.

C. Description of Project Changes to Johnson Parkway

The use includes permanent and temporary construction impacts for the proposed guideway over Johnson Parkway and regional trail, construction of a new sidewalk and two storm sewer pipes, and grading and landscaping within existing park space in Johnson Parkway designated right of way.

This preliminary determination was based on the minor area of permanent (0.45 acres) and temporary (0.52 acres) impacts in the 2.25-mile parkway and minimal disturbance of landscaped areas and restoration of landscaping in the park space. The preliminary determination is also based on the temporary closure of a portion of the regional trail that will be of shorter duration (90 days) than the two-year construction period for the Project, and the trail will be fully reconstructed in place to preconstruction conditions. The use would not impact the parkway's function of connecting all parts of Saint Paul with boulevards and greenery that serve motorists, cyclists and pedestrians.

D. Section 4(f) *de minimis* Use Determination

The Council met with the City of Saint Paul Planning and Economic Development and Public Works departments on September 4, 2018, January 9, 2019, and April 2, 2019, and with the City of Saint Paul Planning and Economic Development and Parks and Recreation departments on April 26, 2019, to review Project impacts and receive input on the preliminary assessment of *de minimis* impact at Johnson Parkway. Following the April 26 meeting, and at the request of the city to explore other options for the proposed stormwater basin on park property, the Council developed a concept plan that shifted the location of the stormwater basin to the west of the park property. On April 30, 2019, the city responded that they agreed that the proposed storm sewer pipes for connection to a stormwater facility located to the west of the park property and associated easements would be a *de minimis* impact. The FTA has determined that the construction and operation of the Project will not adversely affect the activities, features, or attributes that qualify Johnson Parkway for Section 4(f) protection. Based on the analysis, design, and avoidance, minimization, and mitigation measures identified to date as summarized in the Project's Environmental Assessment (EA) and consistent

with the requirements of 23 CFR 774.5(b), FTA has concluded that a *de minimis* use determination is appropriate for Johnson Parkway.

The public has been afforded an opportunity to review and comment on the potential effects of the Project on the protected activities, features, or attributes of the Section 4(f) property. The METRO Gold Line Bus Rapid Transit Project EA was distributed for public review on October 7, 2019, and the comment period concluded November 6, 2019. The project impacts were also presented at public meetings held on October 22 and 23, 2019, and drop-in hours on October 28, 2019. No comments specific to the *de minimis* finding were received.

In consideration of the lack of public comment, combined with the fact that there have not been any changes to the Project's preferred alternative which alter our assessment of impacts to your facility, FTA has concluded that a *de minimis* use determination is appropriate for Johnson Parkway.

This letter, as signed by the City of Saint Paul, serves as documented concurrence by the City of Saint Paul that Project actions would result in *de minimis* impacts at Johnson Parkway.

For the purposes completing the Section 106 of the National Historic Preservation Act process for the Project, FTA is treating Johnson Parkway as eligible for the National Register of Historic Places. The FTA, the Minnesota State Historic Preservation Office (MnSHPO) and the Council, in coordination with the Minnesota Department of Transportation Cultural Resources Unit, and other Section 106 consulting parties, are preparing a Programmatic Agreement to guide the completion of the Section 106 process, including the assessment of effects. If FTA finds there will be an adverse effect under Section 106, it will complete an analysis under Section 4(f) to determine if there would be a Section 4(f) use of Johnson Parkway as a historic property. The results of such an analysis would be submitted to MnSHPO, which is the official with jurisdiction for historic properties, for concurrence.

If you require additional assistance, please contact Tony Greep at (312) 353-1646 or anthony.greep@dot.gov. Thank you for your consideration of this request.

Sincerely,

JASON M CIAVARELLA

Digitally signed by JASON M CIAVARELLA
Date: 2019.11.25 14:23:59 -06'00'

Jay Ciavarella
Director, Office of Planning and Program Development

Section 4(f) de minimis Use Determination for Johnson Parkway – City of Saint Paul Concurrence METRO Gold Line Bus Rapid Transit Project, Ramsey and Washington counties, Minnesota

Concurrence: The City of Saint Paul, as owner and manager of Johnson Parkway, concurs with the FTA's determination that the METRO Gold Line Bus Rapid Transit Project will result in a Section 4(f) *de minimis* use on Johnson Parkway, as defined in 23 CFR 774.17 and as demonstrated in this letter.

Signature: _____ Date: 12-7-19

Name: Michael Hahm Title: Director of Parks and Recreation

City of Saint Paul, MN

cc: Anthony Greep, FTA
Elizabeth Brieseth, FTA
Bill Dermody, City of Saint Paul
Paul Sawyer, City of Saint Paul
Chris Beckwith, METRO Gold Line
Charles Carlson, METRO Gold Line
Lyssa Leitner, METRO Gold Line
Chelsa Johnson, METRO Gold Line

D.2. City of Woodbury Concurrence Letter

U.S. Department
of Transportation
Federal Transit
Administration

REGION V
Illinois, Indiana,
Michigan, Minnesota,
Ohio, Wisconsin

200 West Adams Street
Suite 320
Chicago, IL 60606-5253
312-353-2789
312-886-0351 (fax)

November 25, 2019

Janelle Schmitz
Assistant Community Development Director
City of Woodbury
8301 Valley Creek Road
Woodbury, MN 55125

RE: Section 4(f) de minimis Use Determination for Menomini Park and on the multi-use trail on Bielenberg Drive – City of Woodbury Concurrence METRO Gold Line Bus Rapid Transit Project, Ramsey and Washington counties, Minnesota

Dear Ms. Schmitz:

The Federal Transit Administration (FTA) is writing to request formal concurrence for the METRO Gold Line Bus Rapid Transit Project (Project) Section 4(f) *de minimis* impact determination for Menomini Park and for the multi-use trail on Bielenberg Drive from the City of Woodbury. This letter provides the background and rationale that supports the *de minimis* impact determination. Please respond in writing to this request for concurrence by December 13, 2019.

The Metropolitan Council (Council) is seeking federal funding under the Capital Investment Grant program from the FTA; therefore, the Project must comply with the federal statute for Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966.

A. Section 4(f) Description

Section 4(f) of the USDOT Act is a federal law that protects publicly-owned parks, recreation areas, wildlife and/or waterfowl refuges, as well as significant historic sites, whether publicly or privately owned. Section 4(f) requirements apply to all transportation projects that require funding or other approvals by the USDOT. As a USDOT agency, FTA must comply with Section 4(f). FTA's Section 4(f) regulations are located in 23 CFR Part 774.

De minimis impacts to parks are defined as those that do not adversely affect the activities, features, or attributes qualifying the property for protection under Section 4(f) (23 CFR 774.17). The official(s) with jurisdiction over the property and the public must be informed of the intent to make a *de minimis* use determination. If the official(s) with jurisdiction concurs in writing that the project will not adversely affect the activities, features, or attributes of the property eligible for Section 4(f) protection, then the FTA may finalize the *de minimis* impact determination. Upon City of Woodbury concurrence on the *de minimis* determination for Menomini Park and for the multi-use trail on

Bielenberg Drive, FTA will publish the *de minimis* determination and your agency's final concurrence will be reported in the environmental decision document.

B. Section 4(f) Property Description

Both of these facilities are located within the City of Woodbury. Menomini Park is located on the south side of I-94. The multi-use trail runs on the south side of Tamarack Road to the east side of Bielenberg Drive and continues south to Tamarack Nature Preserve. Menomini Park is located directly west of Battle Creek Lake. The long and narrow, 10.82-acre neighborhood park features an accessible play structure, basketball court, fishing pier, and picnic tables with a paved trail running the length of the park. The park is owned and managed by the City of Woodbury.

The paved multi-use trail on Bielenberg Drive trail is within and owned by the City of Woodbury. The trail is part of a larger network of paved trails connecting Woodbury's parks. Near the Project area the trail runs on the south side of Tamarack Road to the east side of Bielenberg Drive and continues south to Tamarack Nature Preserve. The trail is accessible to bicyclists and pedestrians.

C. Description of Project Changes to Menomini Park and the multi-use trail on Bielenberg Drive

Menomini Park

The Project includes a stormwater facility at Menomini Park. The stormwater facility would require removing approximately 5,000 cubic yards of soil for a 0.62-acre bioretention (or stormwater detention) pond on the south side of I-94 within Menomini Park. A 335-foot storm sewer inlet pipe would extend under I-94 to convey stormwater to the pond in Menomini Park. Approximately 90 feet of the pipe would be located within Menomini Park. Another 50-foot storm sewer outlet pipe would drain from the pond to Battle Creek Lake located east of the pond. The pond and pipe installation require approximately 0.65 acres in permanent easement from the City of Woodbury. Based on discussions with the City, the proposed pond would be in an area not used for recreational purposes. A temporary construction access road from Woodbine Court to the proposed pond site would temporarily close about 340 feet of an existing 8-foot wide bike and pedestrian trail in the park for one construction season (approximately six months).

Multi-use Trail on Bielenberg Drive

Approximately 1,475 feet of the multi-use trail from Tamarack Road to about 450 feet south of Nature Path would be temporarily closed for one construction season (approximately six months) to construct Bus Rapid Transit (BRT) infrastructure.

The trail would be reconstructed within the existing public right-of-way. Approximately 845 feet of the trail would be reconstructed in its existing location. About 250 feet of the trail that approaches the Tamarack Road intersection would shift about 4.5 feet east of the existing trail to accommodate ramps to comply with the Americans with Disability Act (ADA). Similarly, 380 feet of the trail at

Section 4(f) de minimis Use Determination for Menomini Park and on the multi-use trail on Bielenberg Drive – City of Woodbury Concurrence METRO Gold Line Bus Rapid Transit Project, Ramsey and Washington counties, Minnesota

Nature Path (160 feet north and 220 feet south of the intersection) would shift about 2 feet east of the existing trail to accommodate ramps at the intersection.

D. Section 4(f) *de minimis* Use Determination

The Council met with the City of Woodbury on September 13, 2018, to review Project impacts and receive input on the preliminary assessment of *de minimis* impact on Menomini Park and on the multi-use trail on Bielenberg Drive. The city did not provide input on the preliminary assessment of *de minimis* impacts to these resources. The FTA has determined that the construction and operation of the Project will not adversely affect the activities, features, or attributes that qualify Menomini Park and on the multi-use trail on Bielenberg Drive for Section 4(f) protection. Based on the analysis, design, and avoidance, minimization, and mitigation measures identified to date as summarized in the Project's Environmental Assessment (EA) and consistent with the requirements of 23 CFR 774.5(b). FTA has concluded that a *de minimis* use determination is appropriate for Menomini Park and for the multi-use trail on Bielenberg Drive.

The public has been afforded an opportunity to review and comment on the potential effects of the Project on the protected activities, features, or attributes of the Section 4(f) property. The METRO Gold Line Bus Rapid Transit Project EA was distributed for public review on October 7, 2019, and the comment period concluded November 6, 2019. The project impacts were also presented at public meetings held on October 22 and 23, 2019, and drop-in hours on October 28, 2019. No comments specific to the *de minimis* finding were received.

In consideration of the lack of public comment, combined with the fact that there have not been any changes to the Project's preferred alternative which alter our assessment of impacts to your facility, FTA has concluded that a *de minimis* use determination is appropriate for Menomini Park and for the multi-use trail on Bielenberg Drive.

This letter, as signed by the City of Woodbury, serves as documented concurrence by the City of Woodbury that Project actions would result in *de minimis* impacts at Menomini Park and at the multi-use trail on Bielenberg Drive.

If you require additional assistance, please contact Tony Greep at (312) 353-1646 or anthony.greep@dot.gov. Thank you for your consideration of this request.

Sincerely,

JASON M CIAVARELLA

Digitally signed by JASON M CIAVARELLA
Date: 2019.11.25 14:30:12 -06'00'

Jay Ciavarella
Director, Office of Planning and Program Development

Section 4(f) de minimis Use Determination for Menomini Park and on the multi-use trail on Bielenberg Drive – City of Woodbury Concurrence METRO Gold Line Bus Rapid Transit Project, Ramsey and Washington counties, Minnesota

Concurrence: The City of Woodbury, as owner and manager of Menomini Park and owner of the multi-use trail on Bielenberg Drive, concurs with the FTA's determination that the METRO Gold Line Bus Rapid Transit Project will result in a Section 4(f) *de minimis* use on Menomini Park and on the multi-use trail on Bielenberg Drive, as defined in 23 CFR 774.17 and as demonstrated in this letter.

Signature: _____ Date: 12/12/19

Name: Chris Hartell Title: Engineering Director

City of Woodbury, MN

cc: Anthony Greep, FTA
Elizabeth Brieseth, FTA
Dwight Picha, City of Woodbury
Eric Searles, City of Woodbury
Tony Kutzke, City of Woodbury
Chris Beckwith, METRO Gold Line
Charles Carlson, METRO Gold Line
Lyssa Leitner, METRO Gold Line
Chelsa Johnson, METRO Gold Line

METRO Gold Line

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

Finding of No Significant Impact

Appendix E. U.S. Fish and Wildlife Service Concurrence Letters

January 2020

United States Department of the Interior
FISH AND WILDLIFE SERVICE
Minnesota-Wisconsin Ecological Services Field Office
4101 American Blvd E
Bloomington, MN 55425-1665
Phone: (952) 252-0092 Fax: (952) 646-2873
http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html

In Reply Refer To:
Consultation Code: 03E19000-2018-I-1423
Event Code: 03E19000-2019-E-04694
Project Name: METRO Gold Line Bus Rapid Transit Project

September 18, 2019

Subject: Concurrence verification letter for the 'METRO Gold Line Bus Rapid Transit Project' project under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated to verify that the **METRO Gold Line Bus Rapid Transit Project** (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*).

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities: If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or Northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

The following species may occur in your project area and **are not** covered by this determination:

- Higgins Eye (pearlymussel), *Lampsilis higginsii* (Endangered)
- Rusty Patched Bumble Bee, *Bombus affinis* (Endangered)

Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

Name

METRO Gold Line Bus Rapid Transit Project

Description

The Gold Line BRT project is a planned nine-mile transitway located in Ramsey and Washington Counties in the eastern part of the Twin Cities Metropolitan Area, Minnesota. The corridor is generally parallel to Interstate 94 (I-94) and would better connect downtown Saint Paul with its east side neighborhoods and the suburban cities of Maplewood, Landfall, Oakdale, and Woodbury.

Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened Northern long-eared bat. Therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

Qualification Interview

1. Is the project within the range of the Indiana bat[1]?

   [1] See Indiana bat species profile

   Automatically answered
   No

2. Is the project within the range of the Northern long-eared bat[1]?

   [1] See Northern long-eared bat species profile

   Automatically answered
   Yes

3. Which Federal Agency is the lead for the action?
   C) Federal Transit Administration (FTA)

4. Are *all* project activities limited to non-construction[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

   [1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

   No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces[1]?

   [1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

   No

6. Does the project include *any* activities **within** 0.5 miles of an Indiana bat and/or NLEB hibernaculum[1]?

   [1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

   No

7. Is the project located **within** a karst area?

   No

8. Is there *any* suitable[1] summer habitat for Indiana Bat or NLEB **within** the project action area[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

   [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

   [2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the national consultation FAQs.

   Yes

9. Will the project remove *any* suitable summer habitat[1] and/or remove/trim any existing trees **within** suitable summer habitat?

   [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

   Yes

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

    No

11. Have presence/probable absence (P/A) summer surveys[1][2] been conducted[3][4] **within** the suitable habitat located within your project action area?

    [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

    [2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

    [3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

    [4] Negative presence/probable absence survey results obtained using the summer survey guidance are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

    No

12. Does the project include activities **within documented NLEB habitat**[1][2]?

    [1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

    [2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

    No

13. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

    Yes

14. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?

    B) During the inactive season

15. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

    Yes

16. Will the tree removal alter *any* **documented** Indiana bat or NLEB roosts and/or alter any surrounding summer habitat **within** 0.25 mile of a documented roost?

    No

17. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

    No

18. Are *all* trees that are being removed clearly demarcated?

    Yes

19. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

    Yes

20. Does the project include maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins)?

    No

21. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

    No

22. Does the project include slash pile burning?

    No

23. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

    Yes

24. Is there *any* suitable habitat[1] for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

    [1] See the Service's current summer survey guidance for our current definitions of suitable habitat.

    Yes

25. Has a bridge assessment[1] been conducted **within** the last 24 months[2] to determine if the bridge is being used by bats?

    [1] See User Guide Appendix D for bridge/structure assessment guidance

    [2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

    Yes

    SUBMITTED DOCUMENTS

    - *Brdige Assessment.docx https://ecos.fws.gov/ipac/project/P6ZAMUOOQBGXFIVAKWGAKET2HI/projectDocuments/13961608*

26. Did the bridge assessment detect *any* signs of bats roosting in/under the bridge (bats, guano, etc.)?

    Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

    No

27. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

    Yes

28. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

    Yes

29. Is there *any* suitable habitat[1] for Indiana bat or NLEB **within** 1,000 feet of the structure? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

    [1] See the Service's current summer survey guidance for our current definitions of suitable habitat.

    Yes

30. Has a structure assessment[1] been conducted **within** the last 24 months[2] to determine if bats are using the structure(s)?

    [1] Structure assessment for occupied buildings means a cursory inspection for bat use. For abandoned buildings a more thorough evaluation is required (See User Guide Appendix D for bridge/abandoned structure assessment guidance).

    [2] Assessments must be completed no more than 2 years prior to conducting any work on the structures, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that structure in subsequent years.

    Yes

    SUBMITTED DOCUMENTS

    - *Brdige Assessment.docx https://ecos.fws.gov/ipac/project/P6ZAMUOOQBGXFIVAKWGAKET2HI/projectDocuments/13961608*

31. Did the structure assessment detect bats or sign of bat roosting (bats, guano, etc.) in/under the structure?

    No

32. Will the structure removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

    Yes

33. Will the project involve the use of **temporary** lighting *during* the active season?

    Yes

34. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting will be used?

    Yes

35. Will the project install *any* new or replace any existing **permanent** lighting in addition to the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities?

    Yes

36. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting (other than the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities) will be installed or replaced?

    Yes

37. Does the project include percussives or other activities (**not including tree removal/ trimming or bridge/structure work**) that will increase noise levels above existing traffic/ background levels?

    No

38. Are *all* project activities that are **not associated with** habitat removal, tree removal/ trimming, bridge or structure removal, replacement, and/or maintenance, lighting, or use of percussives, limited to actions that DO NOT cause any stressors to the bat species, including as described in the BA/BO (i.e. activities that do not involve ground disturbance, percussive noise, temporary or permanent lighting, tree removal/trimming, nor bridge/ structure activities)?

    Examples: lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

    Yes

39. Will the project raise the road profile **above the tree canopy**?

    No

40. Are the project activities that are not associated with habitat removal, tree removal/ trimming, bridge removal, replacement, and/or maintenance, structure removal, replacement, and/or maintenance, and lighting, consistent with a No Effect determination in this key?

    Automatically answered
    Yes, other project activities are limited to actions that DO NOT cause any stressors to the bat species as described in the BA/BO

41. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

    Automatically answered
    Yes, because the tree removal/trimming that occurs outside of the active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost

42. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered
Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected

43. Is the structure removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered
Yes, because the structure has been assessed using the criteria documented in the BA and no signs of bats were detected

44. **General AMM 1**
Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

Yes

45. **Tree Removal AMM 1**
Can *all* phases/aspects of the project (e.g., temporary work areas, alignments) be modified, to the extent practicable, to avoid tree removal[1] in excess of what is required to implement the project safely?

Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable. Projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented and LAA as long as Tree Removal AMMs 3, 5, 6, and 7 are implemented.

[1] The word "trees" as used in the AMMs refers to trees that are suitable habitat for each species within their range. See the USFWS' current summer survey guidance for our latest definitions of suitable habitat.

Yes

46. **Tree Removal AMM 2**
Can *all* tree removal activities be restricted to when Northern long-eared bats are not likely to be present (e.g., the inactive season)[1]?

[1] Coordinate with the local Service Field Office for appropriate dates.

Automatically answered
Yes

47. **Tree Removal AMM 3**
Can tree removal be limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits)?

Yes

48. **Tree Removal AMM 4**
Can the project avoid cutting down/removal of *all* (1) **documented**[1] Indiana bat or NLEB roosts[2] (that are still suitable for roosting), (2) trees **within** 0.25 miles of roosts, and (3) documented foraging habitat any time of year?

[1] The word documented means habitat where bats have actually been captured and/or tracked.

[2] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

Yes

49. **Lighting AMM 1**
Will *all* **temporary** lighting used during the removal of suitable habitat and/or the removal/trimming of trees within suitable habitat be directed away from suitable habitat during the active season?

Yes

50. **Lighting AMM 2**
Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society[1][2] to rate the amount of light emitted in unwanted directions?

[1] Refer to Fundamentals of Lighting - BUG Ratings

[2] Refer to The BUG System—A New Way To Control Stray Light

Yes

51. **Lighting AMM 2**
Will the **permanent** lighting used during removal of suitable habitat and/or the removal/ trimming of trees within suitable habitat be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

52. **Lighting AMM 1**
Will *all* **temporary** lighting be directed away from suitable habitat during the active season?

Yes

53. **Lighting AMM 2**
Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society[1][2] to rate the amount of light emitted in unwanted directions?

[1] Refer to Fundamentals of Lighting - BUG Ratings

[2] Refer to The BUG System—A New Way To Control Stray Light

Yes

54. **Lighting AMM 2**
Will the **permanent** lighting (other than any lighting already indicated for tree clearing or bridge/structure removal, replacement or maintenance activities) be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

Project Questionnaire

1. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?
Yes

2. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?
No

3. How many acres[1] of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

   [1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

   9

4. Please describe the proposed bridge work:

   The Build alternative would result in several existing bridge structures being modified or replaced.

5. Please state the timing of all proposed bridge work:

   unknonwn

6. Please describe the proposed structure work:

   unknown

7. Please state the timing of all proposed structure work:

   year round

Avoidance And Minimization Measures (AMMs)

These measures **were accepted** as part of this determination key result:

GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

LIGHTING AMM 1

Direct temporary lighting away from suitable habitat during the active season.

LIGHTING AMM 2

When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

TREE REMOVAL AMM 1

Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal.

TREE REMOVAL AMM 2

Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/ rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.

TREE REMOVAL AMM 3

Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

TREE REMOVAL AMM 4

Do not remove **documented** Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or
documented foraging habitat any time of year.

Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on March 16, 2018. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects. The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Minnesota-Wisconsin Field Office
4101 American Boulevard East
Bloomington, Minnesota 55425-1665

January 14, 2020

Mrs. Christine Meador
Environmental Scientist
HNTB Corporation
111 Monument Circle, Suite 1200
Indianapolis, IN 46204

Re: 03E19000-2020-I-0245 Metro Gold Line Bus Rapid Transit Project

Dear Mrs. Meador,

This letter is in response to your request for concurrence with the determination that activities associated with construction of the Metro Gold Line Bus Rapid Transit (BRT) Project in Ramsey and Washington counties may affect, but are not likely to adversely affect the rusty patched bumble bee (*Bombus affinis,* RPBB), a species federally listed as endangered on March 21, 2017. Impacts to the northern long-eared bat (*Myotis septentrionalis*) as a result of this project are anticipated to be insignificant or discountable and take is not currently prohibited with the use of the 4(d) rule.

The Federal Transit Administration has determined that construction within the proposed action area and operation of the Metro Gold Line BRT will result in insignificant or discountable impacts to the rusty patched bumble bee. Further, impacts to the northern long-eared bat have already been evaluated or covered by the final 4(d) rule.

We agree that adverse effects to RPBB are not likely to occur as a result of the proposed project. The proposed project area includes 118 acres within the mapped RPBB high potential zones (as of the March 2019 update). Of these 118 acres, approximately 18 acres are considered suitable habitat for rusty patched bumble bees. The 18 acres of suitable RPBB habitat includes areas of unmanicured upland grasslands with sparse tree/shrub cover. The remaining 100 acres within the proposed project area are composed of dense forest, manicured lawns, impervious cover, and aquatic habitats. Approximately 2 acres, of the 100 acres, are of dense forested habitat located within the project area that falls within a mapped RPBB high potential zone; however, overwintering bees are not likely due to wet or saturated soils, the lack of edge habitat, and the shortage of nearby high-quality floral resources.

Of the 18 acres of upland grassland habitat, 11 acres will be cleared and grubbed. The effects of this action will be temporary, as the area will be revegetated with a native mix once the project has been completed. The majority of these 18 upland acres are existing rights-of-way or are located

adjacent to existing rights-of way. Upon inspection of the habitat in these areas, it is unlikely that RPBB would be nesting there due to the proximity of existing roadways, soil compaction, and the low quality of available floral resources. Additionally, the U.S. Fish and Wildlife Service (USFWS) will work with the Federal Transit Administration on the construction schedule to avoid impacting the availability of floral resources during the RPBB active season, approximately March 15 through October 15.

The remaining 7 acres identified as suitable grassland habitat will be permanently converted to impervious surface as part of the new roadway and BRT travel lanes. The majority of these acres are located adjacent to existing rights-of-way or within existing rights-of-way and are repeatedly exposed to disturbance via mowing and roadway use. Of the 7 acres, a strip of 0.52 acres near the southwest corner of 4th Street North and Hadley Avenue will be permanently converted to a dedicated BRT lane. These 0.52 acres are located along the edge of an upland grassland area; however, upon inspection, we do not anticipate RPBB to use the area for nesting or overwintering due to wet or saturated soils adjacent to and within the proposed roadway, the lack of nearby high quality floral resources, soil compaction adjacent to the existing roadway, and the repeated disturbance from the maintenance of the existing roadway.

The USFWS will work with the Federal Transit Administration on the construction schedule to avoid impacting the availability of floral resources during the RPBB active season, approximately March 15 through October 15, and to avoid impacting suitable overwintering habitat during the inactive season, approximately October 15 through March 15. If RPBB were present in any foraging or nesting habitat within the action area, we do not anticipate the loss of low quality habitat or the temporary loss of suitable habitat to have an adverse effect on the species.

In addition to avoiding construction activities during the active season, proposed mitigation measures include minimizing tree/vegetation removals, minimizing or avoiding mowing during the RPBB active season, keeping some areas unmowed (leaving refugia), and using a high cutting height (ideally 12-16 inches). Disturbed natural areas will be revegetated with a native seed mix that will provide beneficial floral resources to RPBB in the area. The USFWS's Minnesota-Wisconsin Field Office will review proposed construction schedules to identify times that further reduce the likelihood of negative impacts to RPBB during the active and inactive seasons.

This concludes consultation under Section 7 of the Endangered Species Act, as amended. Please contact our office if this project changes, or if new information reveals effects of the action that may affect proposed or listed species or critical habitat in a manner or to an extent not previously considered in your original request. If mortality of northern long-eared bats or RPBBs occurs once this line is in operation, our office must be notified within 2 business days to review the potential for impacts to the species.

If you have any questions regarding this consultation, please contact Ms. Dawn Marsh, Fish and Wildlife Biologist at 952-252-0092, extension 202, or via email at dawn_marsh@fws.gov.

Sincerely,

Sarah J. Quamme
Field Supervisor

METRO Gold Line

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

Finding of No Significant Impact

Appendix F. Findings of Fact and Conclusions

January 2020

TABLE OF CONTENTS

TABLES

ATTACHMENT

Attachment F-A: *EA/EAW Publication and Notification Materials*

ACRONYMS AND ABBREVIATIONS

2040 TPP	*2040 Transportation Policy Plan*
ACHP	Advisory Council on Historic Preservation
APE	Area of Potential Effect
BMP	Best Management Practice
BRT	Bus Rapid Transit
BRTOD	Bus Rapid Transit Oriented Development
CCP	Construction Contingency Plan
CFR	Code of Federal Regulations
Council	Metropolitan Council
CRWD	Capitol Region Watershed District
CTIB	Counties Transit Improvement Board
CWA	Clean Water Act
DNR	Minnesota Department of Natural Resources
EA	Environmental Assessment
EAW	Environmental Assessment Worksheet
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
EQB	Environmental Quality Board
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
HPZ	High Potential Zone
I-94	Interstate 94
LGU	Local Governmental Unit
LOD	Limits of Disturbance
LOS	Level of Service
LPA	Locally Preferred Alternative
MCES	Metropolitan Council Environmental Services
MnDOT	Minnesota Department of Transportation
MnDOT CRU	MnDOT Cultural Resources Unit
MNRRA	Mississippi National River and Recreation Area
MnSHPO	Minnesota State Historic Preservation Office
MOT	Maintenance of Traffic
MPCA	Minnesota Pollution Control Agency

MRCCA	Mississippi River Critical Corridor Area
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NLAA	Not Likely to Adversely Affect
NRHP	National Register of Historic Places
NPDES/SDS	National Pollutant Discharge Elimination/State Disposal System
NPS	National Park Service
PA	Programmatic Agreement
PBO	Programmatic Biological Opinion
Project	METRO Gold Line Bus Rapid Transit Project
RAP	Response Action Plan
RGU	Responsible Governmental Unit
RPBB	Rusty Patched Bumble Bee
RWMWD	Ramsey-Washington Metro Watershed District
TOD	Transit-Oriented Development
URA	Uniform Relocation Assistance and Real Property Acquisition Policies Act
USACE	U.S. Army Corps of Engineers
USC	U.S. Code
USFWS	U.S. Fish and Wildlife Service
WCA	Wetland Conservation Act

APPENDIX F. FINDINGS OF FACT AND CONCLUSIONS

F.1. Statement of Issue

The Metropolitan Council (Council) proposes a 10-mile transitway located in Ramsey and Washington counties in the eastern part of the Twin Cities Metropolitan Area. The Project corridor is generally parallel to Interstate 94 (I-94) and would better connect downtown Saint Paul with the suburban cities of Maplewood, Landfall, Oakdale and Woodbury.

Preparation of an Environmental Assessment Worksheet (EAW) is considered discretionary for this project under Minnesota Rules 4410.4300. The Council is the project proposer. The Council is also the Responsible Governmental Unit (RGU) for review of this project, as per Minnesota Rules 4410.4300, Subpart 22.

The Council's decision in this matter shall be either a negative or a position declaration of the need for an environmental impact statement (EIS). The Council must order an environmental impact statement for the Project if it determines that the Project has the potential for significant environmental effects.

Based upon the information in the record, which comprises the Environmental Assessment/Environmental Assessment Worksheet (EA/EAW) for the Project, related studies referenced in the EA/EAW, comments received during the public comment period, responses to substantive comments, and other supporting documents, the Council makes the Findings of Fact and Conclusions this document describes.

F.2. Administrative Background

The Council is the RGU and project proposer for the METRO Gold Line Bus Rapid Transit Project (Project). A combined Federal Environmental Assessment (EA) and State EAW has been prepared for this Project in accordance with Minnesota Rules Chapter 4410 and the National Environmental Policy Act (NEPA) (42 USC § 4321 et. seq.). The EA/EAW was developed to assess the impacts of the Project and other circumstances to determine if an EIS is indicated.

The EA/EAW was filed with the Minnesota Environmental Quality Board (EQB) and circulated for review and comments to the required EAW distribution list. A "Notice of Availability" was published in the EQB Monitor on Oct. 7, 2019. The legal notice of availability was published on Oct. 7, 2019, in the *Star Tribune*. A press release was issued on Oct. 4, 2019. Advertisements of the two public meetings and project office drop-in hours were placed in three area newspapers. **Attachment F-A** contains copies of these documents.

The public meetings were also promoted on social media where content was displayed 20,240 times. Over 300 poster flyers were distributed to households in the City of Landfall. Copies of this document, or details on where to find the document, were sent to agencies, local governments, libraries and other interested organizations in accordance with Minnesota Rule 4410.1500, "Publishing and Distributing EAW." Below is a summary of the EA notice of availability distribution.

- 555 adjacent property owners were notified via letter
- 784 Gold Line email subscribers were notified via email
- 1,381 Gold Line Partners email subscribers were notified via email
- 40 Gold Line mail subscribers were notified via letter
- Members of the Gold Line Community and Business Advisory Committee, Technical Advisory Committee, and Corridor Management Committee were notified via email
- 72 people who commented during scoping were notified

The document and reference materials were also available on the Project website at: www.metrotransit.org/gold-line. Hard copies of the document were available at the following locations:

- **Gold Line Project Office:** Metro Square Building, 121 7th Place E., Suite 102, Saint Paul, MN 55101
- **Downtown Saint Paul Central Library (George Latimer Central Library):** 90 W. 4th St., Saint Paul, MN 55102
- **Dayton's Bluff Library:** 645 E. 7th St., Saint Paul, MN 55106
- **Sun Ray Library:** 2105 Wilson Ave., Saint Paul, MN 55119
- **Maplewood Library:** 3025 Southlawn Drive, Maplewood, MN 55109
- **Landfall City Hall:** One 4th Ave., Landfall, MN 55128
- **Oakdale Library:** 1010 Heron Ave. N., Oakdale, MN 55128
- **Woodbury Library (R.H. Stafford Library):** 8595 Central Park Place, Woodbury, MN 55125
- **Federal Transit Administration, Region 5:** 200 W. Adams St., Suite 320, Chicago, IL 60606

The Council held the following two public meetings:

- **Tuesday, Oct. 22, 2019: 5-7 p.m.**
  East Side Learning Center at Harding Senior High School
  1526 E. 6th St., Saint Paul, MN 55106
- **Wednesday, Oct. 23, 2019: 5-7 PM**
  Landfall Community Center
  Two 4th Ave. N., Landfall, MN 55128

The Council also held drop-in hours:

- **Monday, Oct. 28, 2019: 11 AM-1 PM**
  Gold Line Project Office
  121 7th Place E., Suite 102, Saint Paul, MN 55101

A total 37 people signed in at the public meetings and two people signed in during the drop-in hours. All attendees were provided with a Project fact sheet and a comment form upon entering the meeting venues. The public meetings were held in an open house format. A series of exhibit boards described the Project area, purpose and need, lead and cooperating agencies, federal and state permits and approvals, alternatives, Section 4(f) resources, Section 106 (historic properties), and instructions about how to comment. The 15% Concept Plan roll plots also were available for viewing at the public meetings. Attendees were invited to speak to Project staff to discuss specific issues and ask questions regarding the Project. A court reporter was available at both public meetings to record oral public comments. An American Sign Language interpreter was present at both public meetings, and a Spanish translator was present at the meeting location in Landfall. Copies of the EA, Section 4(f) Evaluation, draft PA, and all EA appendices were available at the meetings for attendees to review. The exhibit boards and 15% Concept Plan roll plots (see **Appendix G**) were available on the Project webpage after the meetings.

During the public comment period, the Council received 35 comments about the EA and two comments about the draft PA. Comments were provided via the Project email list, the comment form on the Project website and by U.S. mail. Comments were also given verbally to a court reporter at the Oct. 22 and 23, 2019, public meetings.

The following agencies sent comment letters:

- U.S. Environmental Protection Agency (EPA)
- Minnesota Department of Natural Resources
- Minnesota Department of Transportation
- Minnesota Pollution Control Agency (MPCA)
- State Historic Preservation Office (EA and PA)
- The Council
- Ramsey County
- City of Maplewood
- City of Oakdale
- City of Saint Paul
- City of Woodbury
- Sierra Club North Star Chapter

Appendix A of the Finding of No Significant Impact (FONSI) contains a summary table of the comments, copies of the comments and agency letters, and responses to substantive comments.

No changes to the EA/EAW were necessary because of the public comments. Changes to the PA based on comments received were made as appropriate.

F.3. Findings of Fact

F.3.1. Project Description

The Project is a planned 10-mile transitway in Ramsey and Washington counties in the eastern part of the Twin Cities Metropolitan Area. The Project generally would operate parallel to I-94 and would better connect downtown Saint Paul with the suburban cities of Maplewood, Landfall, Oakdale and Woodbury.

More broadly, the Project would better connect the eastern Twin Cities Metropolitan Area to the regional transit network via the Union Depot multimodal hub in downtown Saint Paul. The Project also intends to serve and draw ridership from other portions of the metropolitan area, including portions of eastern Washington County, Dakota County to the south, and Hennepin County (including the City of Minneapolis to the west).

The Project would include all-day, bi-directional transit service that operates from 5 a.m. to midnight on weekdays and weekends between the existing Smith Avenue Transit Center in downtown Saint Paul and a new station located near the Woodbury Theatre and I-494 in Woodbury. The Project includes 10 stations in downtown Saint Paul, including two new stations at Union Depot, and 11 stations along the remainder of the alignment. The Project would operate in a guideway dedicated only to bus rapid transit (BRT) for 66 percent of its route and in mixed traffic for 34 percent. The dedicated guideway is new roadway that is being constructed for the Project.

F.3.2. Findings Regarding Criteria for Determining the Potential for Significant Environment Effects

Minnesota Rules 4410.1700 provides that an EIS shall be ordered for projects that have the potential for significant environmental effects. In deciding whether a project has the potential for significant environmental effects, the following four factors described in Minnesota Rules 4410.1700, Subpart 7 shall be considered:

> A. type, extent, and reversibility of environmental effects;
>
> B. cumulative potential effects. The RGU shall consider the following factors: whether the cumulative potential effect is significant; whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and the efforts of the proposer to minimize the contributions from the project;
>
> C. the extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The RGU may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project; and
>
> D. the extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.

The Council's key findings with respect to each of these criteria are set forth below.

F.4. Type, Extent and Reversibility of Environmental Effects

The Council finds that the analysis completed during the EA/EAW process is adequate to determine whether the Project has the potential for significant environmental effects. The EA/EAW describes the type and extent of impacts anticipated to result from the Project. The public/agency comments received during the public comment period (see **Appendix A** of the FONSI) were taken into account in considering the type, extent and reversibility of Project effects. Following are the key findings regarding potential environmental effects of the Project and the design features included to avoid, minimize, and mitigate these impacts and environmental commitments as a result of the EA/EAW process (see also **Chapter 5** of the FONSI).

F.4.1. Land Use

The communities in the study area have prepared 2040 comprehensive plans, with most plans currently under review by the Council. The City of Landfall has adopted an updated 2040 comprehensive plan and the cities of Saint Paul, Maplewood, Oakdale and Woodbury have draft updates available for public review while under review by the Council. The land use policies described in the 2040 draft comprehensive plans are compatible with the Project. These plan updates frequently identify and consider the Project route when envisioning future land use, growth and development in the proposed station areas. In addition, the Saint Paul Planning Commission and City Council adopted station area plans for the Mounds Boulevard, Earl Street, Etna Street, White Bear Avenue and Sun Ray stations in October 2015 and amended the plans in February 2019. The station area plans update the city's comprehensive plan and supersede other area plans. Also, the cities of Oakdale and Maplewood adopted bus rapid transit oriented development plans in April 2018 and March 2019, respectively, as part of those cities' 2040 comprehensive plan updates.

The draft *Ramsey County 2040 Comprehensive Plan*[1] is guided by the county's "All Abilities Transportation Network Policy" for implementing an integrated and fully interconnected, multimodal transportation system. The plan further supports transit solutions including Transit-Oriented Development (TOD) and compact growth strategies. The plan identifies the METRO Gold Line Project.

The *Washington County 2040 Comprehensive Plan*[2] includes a series of policies and strategies aimed at effectively planning for and implementing transit (Transportation Goal 1) and encouraging TOD (Land Use Goals 2 and 3). The plan identifies the METRO Gold Line Project.

The Council's *2040 Transportation Policy Plan* (2040 TPP) includes the Project and identifies the Locally Preferred Alternative (LPA) in its fiscally-constrained transit investment plan. The 2040 TPP acknowledges that the Counties Transit Improvement Board (CTIB) identified the Project as a funding priority for its Phase 1 Program of Projects.

A 2018 update to the 2040 TPP identifies the Project as a planned "transitway expansion assumed to be funded within the current revenue scenario." The 2018 update acknowledges the importance of BRT scalability and adaptability to meet changes in transit demand over time.[3]

Portions of the Project are within the Mississippi River Critical Corridor Area (MRCCA) and the Mississippi National River and Recreation Area (MNRRA). The MRCCA is cooperatively managed by local governments, the DNR, the Council and the National Park Service (NPS); the MNRRA is a unit of the NPS. Alignment A1 borders the MRCCA/MNRRA boundary on Kellogg Boulevard between Sibley Street and I-94. Within this area, BRT would operate on the existing roadway in mixed traffic (not in a dedicated lane). The Project would not construct new stations within the MRCCA/MNRRA. Therefore, the Project would conform with MRCCA requirements and would not constitute a use of MNRRA.

The Council does not anticipate impacts to land use because the Project would be compatible with land use planning documents; therefore, the Council does not propose avoidance, minimization or mitigation measures. Ongoing coordination with local communities would occur for the placement of BRT stations and park-and-ride facilities.

F.4.2. Geology, Soils, and Topography/Land Forms

The Project would not produce long-term impacts to geology. Physical impacts to geology would occur during construction, however, the analysis did not identify karst formations (geologic hazards) in the study area; therefore, the Preferred Alternative would not produce short-term impacts to geologic features or hazards.

Because most of the Project would follow the existing roadway network, substantial grading in areas with steep slopes or other constraints are not anticipated; however, the need for grading in a few locations with steep slopes adjacent to roadways, such as areas where the guideway would be located between I-94 and the frontage road

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1 *Ramsey County 2040 Comprehensive Plan. Available at: https://www.ramseycounty.us/sites/default/files/Projects%20and%20Initiatives/RamseyCounty2040_FullDraft_Jan2019.pdf. Accessed June 2019.*

2 *Washington County. Washington County 2040 Comprehensive Plan – A Policy Guide to 2040. Approved December 2018. Available at: https://www.co.washington.mn.us/DocumentCenter/View/21955/Washington-County-2040-Comprehensive-Plan-Draft-Submitted-to-Met-Countil . Accessed June 2019.*

3 *Metropolitan Council. "2040 Transportation Policy Plan. Chapter 6: Transit". Available at: https://metrocouncil.org/Transportation/Planning-2/Key-Transportation-Planning-Documents/Transportation-Policy-Plan/tpp-update/2018-Transportation-Policy-Plan-Update/Chapter-6-Transit-Investment-Direction-and-Plan.aspx. Last modified October 2018 Update. Accessed December 2018."*

are anticipated. The Council would utilize additional slope stabilization measures and potential retaining walls at these locations to mitigate the potential for erosion.

The Council does not anticipate impacts to soils from the Project; therefore, the Council does not propose avoidance, minimization and mitigation measures. All Project-related construction activities would adhere to the applicable grading and erosion-control standards and permitting requirements of the MPCA, Minnesota Department of Transportation (MnDOT), Capitol Region Watershed District (CRWD), Ramsey-Washington Metro Watershed District (RWMWD) and the corridor communities.

F.4.3. Water Resources

F.4.3.1. Wetlands

The Clean Water Act establishes regulations related to discharging pollutants into the Waters of the United States and for regulating quality standards for surface waters. Title 33, USC, Section 1344, *et seq.* The U.S. Environmental Protection Agency (EPA) oversees states' implementation of these regulations, reviews permit applications and provides comments to the agency with jurisdiction. Title 33, USC, Section 1344, Part 320, *et seq.* Section 404 of the Clean Water Act establishes a permitting program to regulate the discharge of dredged or fill material into Waters of the United States, excluding those wetlands that are hydrologically isolated on the landscape. Title 33, USC, Section 1344. The Federal Transit Administration (FTA), as the lead federal agency, implements Executive Order 11990 via U.S. Department of Transportation Order 5660.1A. USACE is responsible for implementing Section 404 of the Clean Water Act. Title 33, USC, Section 1344. USACE coordinated with FTA on development of the EA and will issue its permit decision under Title 40, CFR, Part 230 after FTA completes its environmental review process.

Build Alternative 1 would impact a total 2.652 acres of surface waters. The Council will further evaluate possible measures to avoid or minimize these impacts as the Project design advances during the Project Development and Engineering phases. Mitigation for wetland impacts is expected through the purchase of credits from a state-managed wetland bank. Mitigation will be at a minimum 2:1 ratio, meaning 2 acres of mitigation is required for each 1 acre of impact.

The Project would require a CWA wetland permit from the USACE, a Public Waters Work Permit from DNR and a Section 401 certification from the MPCA and RWMWD. The City of Saint Paul has waived local government unit (LGU) jurisdiction to RWMWD and MnDOT's right-of-way does not contain wetlands; therefore, RWMWD would be the designated LGU for the Project and would require a Wetland Conservation Act (WCA) wetland replacement plan.

F.4.3.2. Floodplains

Section 404 of the Clean Water Act, the Rivers and Harbors Appropriation Act of 1899 and Executive Order 11988 – "Floodplain Management" are federal laws that protect floodplains. Title 33, USC, Section 1344. Title 33, USC, Section 403. The Minnesota Department of Natural Resources (DNR) establishes state and local protections through public waters work permits; watershed districts; water management organizations/commissions; or city permits

The Council anticipates the Preferred Alternative would impact floodplains with a minimum of 4,842 cubic yards of fill, and potential additional fill at two locations in Woodbury based on grading tie-in elevation. Mitigation will be provided for the fill and permitted through the appropriate regulatory agency. The Council will further evaluate measures to minimize these impacts as the Project design advances during the Project Development and Engineering phases. The Council does not anticipate impacts to floodways.

F.4.3.3. Groundwater

Impacts to wells are not anticipated from operation or construction of the Project. If any unused or unsealed wells are discovered during construction, they will be sealed in accordance with Minnesota Rules Chapter 4725.

The Preferred Alternative would not produce long-term or short-term impacts to groundwater. The Council does not anticipate needs for a permanent surface or groundwater appropriation permit.

F.4.3.4. Stormwater

The Council anticipates the Project would increase stormwater runoff due to the introduction of new and reconstructed impervious surfaces. Impervious surfaces include roadways such as transitways and local streets; sidewalks and trails; parking facilities; and transit station platforms and structures such as bridges and parking areas. Various regulatory authorities require treatment for water quality, rate control and quantity (or volume) for these increases. In addition, the CRWD and RWMWD also require projects to control runoff volume from the reconstructed impervious surfaces with practices such as infiltration, which could potentially benefit groundwater recharge and water quality, and it could reduce peak discharges to local streams.

The Preferred Alternative would require mitigation measures for all Project-related new and reconstructed impervious surfaces of 78 acres.

Construction activities for the Preferred Alternative would likely require temporary dewatering to install structure abutments and walls, and to do grading activities. Construction activities for the Build Alternatives also would likely require temporary dewatering to install structure abutments and walls, and to do grading activities.

F.4.4. Contamination/Hazardous Materials/Wastes

To identify and evaluate sites potentially containing regulated materials (pollutants, contaminants and/or hazardous materials), the Council completed a Phase I Environmental Site Assessment (ESA) in 2018[4] and a Phase II ESA in 2019[5]. The assessment identified the possible risk for soil and groundwater contaminants that have the potential to migrate from nearby sites to the Project study area.

The Council has undergone the initial environmental due diligence steps with the completion of the Phase I ESA and Phase II ESA. Based on the results of these documents and continued design to avoid and minimize impacts to contaminated areas, where disturbance of hazardous and contaminated material cannot be avoided, the next step the Council will take is to enter into the MPCA Brownfield program so that appropriate letters of assurance may be requested.

The Council will also develop a Response Action Plan (RAP) prior to the start of construction that addresses proper management techniques for the management (handling, storage treatment, and disposal) of hazardous materials, contaminated media (soil, groundwater, sediment, etc.), and other regulated materials/wastes. The Council will also develop as part of the RAP, a Construction Contingency Plan (CCP) for handling previously unknown contaminants that construction activities discover. All contaminated media encountered during construction will be managed in accordance with state and federal regulations and in keeping with MPCA best management practices (BMPs) and the RAP/CCP. For any petroleum or chemical release that is encountered or

[4] *WSB & Associates Inc. and HNTB Corporation. Modified Phase I Environmental Site Assessment, Gold Line Bus Rapid Transit Alignments A, B, C and D3. August 2018.*

[5] *SEH Inc. Phase II Environmental Site Assessment, METRO Gold Line Bus Rapid Transit Alignments A, B, C and D3. August 2019.*

may occur, the Minnesota Duty Officer would be contacted within 24 hours of the release, and the Officer would then immediately make the required agency contacts.

The Council will assess structures for asbestos-containing materials, lead-based paint and other regulated materials/wastes before demolition. The Council will prepare a demolition and disposal plan for identified contaminants that construction activities may discover.

F.4.5. Fish, Wildlife, Plant Communities, and Sensitive Ecological Resources (Rare Features)

F.4.5.1. Federally Listed Species

Section 7 of the Endangered Species Act of 1973 requires all federal agencies to consider and avoid, if possible, adverse impacts to federally listed threatened or endangered species or their critical habitats that could result from the FTA's direct, regulatory or funding actions. 6 USC § 1531-1544, 87 Stat. 884. The resource study area does not include habitat designated or proposed as critical.

The analysis found the following threatened or endangered species within the two counties:

- Higgins eye pearlymussel, an endangered mussel species
- Snuffbox mussel, an endangered mussel species
- Spectaclecase mussel, an endangered mussel species
- Winged mapleleaf mussel, an endangered mussel species
- Northern long-eared bat, a threatened mammal species
- Rusty patched bumble bee, an endangered insect species
- Adverse impacts are not anticipated for the four mussel species.

FTA determined that the Project is within the scope, and adheres to the criteria of, the Feb. 5, 2018, FHWA, Federal Railroad Administration (FRA), and FTA Programmatic Biological Opinion (PBO) for Transportation Projects within the Range of the Indiana Bat and Northern Long-Eared Bat to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973.[6] FTA determined that with the adoption of applicable avoidance and minimization measures, the Project is not likely to adversely affect the northern long-eared bat. The U.S. Fish and Wildlife Service (USFWS) concurrence verification letter on the northern long-eared bat is located in **Appendix E**.

Since the publication of the EA and as part of their review as cooperating agencies, MnDOT and FHWA identified the need for additional consultation for impacts to the federally endangered rusty patched bumble bee (RPBB). Specifically, the Project will impact roadside vegetation within an area USFWS has identified as a High Potential Zone (HPZ). The information available to FTA during consultation with USFWS in 2018 and 2019 indicated that the RPBB did not forage in roadside habitat. As part of the EA, FTA, in consultation with the USFWS, had determined the Project would not impact habitat areas that would affect the RPBB due to the Project's proximity to roadway rights-of-way dominated by non-native and noxious weeds and therefore determined the Project would not impact the species. Research sponsored by MnDOT and published in June 2019 found that the RPBB does in fact use roadside habitat in the Twin Cities metropolitan area and will forage on non-native flowering species. MnDOT has also completed surveys in 2019 for RPBB in roadside areas and documented their presence in areas

[6] *https://www.fws.gov/midwest/endangered/section7/fhwa/pdf/BORevised02052018forIbatNLEB_FHWA_FRA_%20FTA.pdf*

of the Twin Cities and southeast Minnesota, including in areas dominated by non-native and noxious weeds. This new information was made available to the Council and FTA in October 2019.

The Project area overlaps with the RPBB HPZ and contains suitable habitat such as unmanicured upland grasslands. The amount of potential suitable RPBB habitat within the HPZ is approximately 15 percent or 18 acres of the total 118 acres within the limits of disturbance (LOD). Based on the presence of potential habitat within the LOD and recent studies provided by MnDOT, FTA now presumes presence of the RPBB where the Project area overlaps with the HPZ. Construction of the Project will involve clearing and grubbing of an estimated 11 acres that will result in short-term loss of vegetated areas. The majority of these 11 acres are existing rights-of-way or grasslands immediately adjacent to the existing rights-of-way. This loss of this habitat is considered short-term because these areas will be revegetated with native mix upon the completion of the Project.

The remaining 7 acres of unmanicured upland grasslands habitat may be permanently lost due to construction of roadway and BRT travel lanes. These impacts are associated with old field habitat located at the southeast corner of 4th Street North and Hadley Avenue, the southwest corner of 4th Street North and Helmo Avenue, and the south side of I-94 at Bielenberg Drive. These areas are located immediately adjacent to, or within, the existing rights-of-way and are considered low quality habitat due to disturbance via mowing or the presence of open water. Based on MnDOT's 2019 findings, the RPBB will utilize existing right-of-way and low-quality habitat.

This new information relative to the use of areas dominated by non-native and noxious weeds was unavailable to FTA at the time of the initial consultation with USFWS. As a result of the new information, FTA has made a revised determination of "may affect, not likely to adversely affect" for the RPBB, as the Project will be disturbing areas of low- to moderate-quality vegetation beyond the inslope of the roadway. FTA requested concurrence from the USFWS on this determination for the RPBB. USFWS concurrence letter is located in **Appendix E**. Consultation with USFWS local field office will continue as design advances to further minimize and reduce the potential for conflict to RPBB during the active season. Field surveys will be coordinated with USFWS to further refine potential impacts to RPBB.state-listed species.

The EA/EAW analysis used the Natural Heritage Information System database, which the DNR maintains, to identify potential state-listed species within 1 mile of the Preferred Alternative. Of the 19 species the analysis found, 16 are historic records or have completely aquatic life cycles and are associated with the Mississippi River; therefore, no Project-related impacts to these species are anticipated.

The Project could have the potential to produce impacts to the following three state-listed species: kitten-tails (*Besseya bullii),* Peregrine falcon (*Falco peregrinus*), and Blanding's turtle (*Emydoidea blandingii*). However, based on the analysis results, the Council does not anticipate the Project would impact them.

F.4.5.2. Wildlife Habitats

The Preferred Alternative would produce impacts to wildlife habitat; however, because the extent of the potential area of disturbance is minimal, and higher-quality habitat is adjacent to it, the Council anticipates these impacts would be negligible. Overall, these impacts are negligible to terrestrial and aquatic wildlife. Due to the resource study area's urbanized location and low quality of the existing habitat, wildlife that live in the area are generalist species that are more tolerant of human presence and activities, and they have demonstrated by their presence that they can adapt to this type of environment. The conversion of habitat or undeveloped space to a transportation facility would not impair the continued persistence of wildlife.

F.4.6. Historic Properties

The National Historic Preservation Act (hereinafter referred to as Section 106) requires federal agencies to consider the effects of their actions on historic properties before undertaking a project. 16 USC § 470. 36 CFR Part 800 Pursuant to 36 CFR § 800.2(a)(2), FHWA and USACE recognized FTA as the lead federal agency for the Section 106 process.[7]

49 USC § 5309(d)(1)(C) requires the environmental review process for FTA's Capital Investment Grants program to be completed in two years. To ensure this requirement was met, FTA determined that a phased process was appropriate for completing the Section 106 process. In accordance with 36 CFR § 800.4(b)(2), FTA, with assistance from the MnDOT Cultural Resources Unit (MnDOT CRU) and the Council, consulted with the Minnesota State Historic Preservation Office (MnSHPO), other consulting parties, and the public to prepare a PA (see **Appendix B**) to guide the completion of the Section 106 process for the Project. FTA also invited the Advisory Council on Historic Preservation (ACHP) to participate in the development of the PA. ACHP chose not to participate but did provide technical assistance when requested by MnSHPO. The PA establishes roles and responsibilities for its implementation and includes processes for identifying and evaluating properties for the National Register of Historic Places (NRHP), assessing effects on historic properties, and resolving any adverse effects. The PA also spells out design development and review processes and requirements for protecting historic properties during Project construction. FTA sought input from the public on the draft PA through the NEPA public comment process.

To date, the FTA and MnDOT CRU have identified 29 historic properties within the Project's architecture/history and archaeological Areas of Potential Effect (APEs). All identified properties are architecture/history properties. No NRHP-listed or -eligible archaeological properties have been identified within the Project's archaeological APE. The 29 architecture/history properties identified within the Project's APE include four historic districts, 19 properties that are individually eligible for, or listed in, the NRHP, and six properties that are both individually listed, or eligible for, the NRHP and listed or eligible as a contributing element to a historic district.[8] Per the terms of the executed PA, the FTA and MnDOT CRU will continue to conduct surveys to identify architecture/history properties in areas added to the architecture/history APE, as well as in previously surveyed areas that will be 50 years of age or older at the initiation of Project construction, that may be affected by the Project. Per the terms of the executed PA, the Project will also continue to survey the areas added to the archaeological APE to identify potential archaeological sites that may be affected by the Project. If FTA determines the Project would have an adverse effect on a historic property, FTA will consult with MnSHPO and other consulting parties per the terms of the executed PA to consider avoidance, minimization and/or mitigation measures to resolve the adverse effect.

The Council shall follow during the Project's implementation stipulations in the PA. With the execution and implementation of the PA, FTA finds that the Project has satisfied the requirements of Section 106 of the National Historic Preservation Act.

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[7] *In a letter dated July 9, 2018, USACE recognized FTA as the lead federal agency pursuant to 36 CFR Part 800.2(a)(2) to act on USACE's behalf for meeting the requirements of Section 106. In a letter dated Aug. 28, 2019, FHWA invited FTA to be designated as the lead federal agency for the Section 106 process per 36 CFR § 800.2(a)(2) to act on FHWA's behalf to fulfill our collective responsibilities under the Section 106 process, and FTA accepted this designation in a letter dated Sept. 16, 2019.*

[8] *The 19 properties identified as individually eligible for or listed in the NRHP includes four properties being treated as eligible for the NRHP for the purpose of completing the Section 106 process for the Project.*

F.4.7. Visual Resources

The Council does not anticipate the Preferred Alternative would produce major changes to the visual character of the Project corridor. The design process would address potential low to moderate visual contrast.

As the Project moves into the Engineering Phase, design to mitigate impact to the Significant Views of Downtown Saint Paul and the Mississippi River at the Mounds Boulevard Stations and the Dayton's Bluff Heritage Preservation District will be coordinated with the City of Saint Paul to comply with the Significant Public Views goal in the Saint Paul comprehensive plan (Strategy 3.17) "preserve significant public views through standards that regulate such impacts as height, bulk, scale, and view corridor."

The design of the new BRT-exclusive bridges over Johnson Parkway and near the 3M campus would use visually compatible details and materials to further minimize impacts and match the new bridge with the existing I-94 bridge. Appropriate design and landscaping techniques would minimize the impact from vegetation removal and introduction of built features. Landforms to accommodate the new bridges will be designed to restore slope and landform to be consistent with the existing setting. Vegetation would be retained and restored, as appropriate to be consistent with existing massing and species. Landscape plans for areas adjacent to elevated structures, retaining walls, and noise barriers would be developed. The PA will inform design modifications to avoid, minimize and mitigate visual impacts to historic properties. Resolution of adverse effects will be completed under the terms of the PA (see **Appendix B**) as the Project advances through the Project Development and Engineering phases.

Visual-quality-related mitigation for all affected residential properties will be addressed in the Engineering phase of the Project. Stations would be designed to be aesthetically attractive and to complement their surroundings. Station design and aesthetics will be addressed during continued design advancement during the Project Development and Engineering phases and through ongoing outreach efforts conducted in the surrounding neighborhoods.

The impacts to visual resources during construction will be further minimized by staging construction activity to minimize the duration to the extent possible, restoring areas disturbed during construction and regularly utilize BMPs to remove debris and equipment from residential areas.

F.4.8. Air

Public transportation projects proposed for federal funding must meet the requirements of the Clean Air Act. 42 USC § 85. Air quality conformity is a process intended to ensure that FTA funded transit projects are consistent with the air quality goals set forth in the Clean Air Act. 42 USC § 7506(c). In order to conform, a transit project must come from a currently conforming Metropolitan Transportation Plan and Transportation Improvement Program, must not cause or contribute to any air quality hot spots and must follow any other requirements in the State Implementation Plan for air quality that pertain to the project. 40 CFR § 93.114 and 93.115.

The Council is the federally designated Metropolitan Planning Organization that develops the conforming Metropolitan Transportation Plan (locally known as the Transportation Policy Plan, or TPP) and Transportation Improvement Program. The Council's 2040 TPP (2018 Update) identifies the Project (in which it is named the METRO Gold Line), and the Council anticipates the Project would begin operating around 2024. In July 2014, the MPCA found the draft 2040 TPP conforms with EPA requirements (see the *Physical and Environmental Resources Technical Report* (Attachment A-5-6) of the EA for documentation of conformity). The Project is not included in MnDOT's *2019-2022 State Transportation Improvement Program,* but the Council included it in its *2020-2023 Transportation Improvement Program for the Twin Cities Metropolitan Area.*

The Project would not create stationary source air emissions. The analysis conducted for the Project demonstrates there would be no anticipated exceedances of air pollutant concentrations during the operating

phase of the Project; therefore, no mitigation measures are necessary. The State of Minnesota does not require permits related to air quality for projects of this type.

The analysis also demonstrates that the Council does not anticipate exceedances during Project construction; however, where applicable and prudent, the Project would implement EPA-recommended measures to reduce short-term construction impacts to air quality, and a series of BMPs would be implemented during construction to control dust.

F.4.9. Noise

The Council does not anticipate that the Project would exceed the MPCA noise standards, so the Council used the more protective FTA criteria to determine locations for mitigating Project-related impacts to noise. The Preferred Alternatives would not produce long-term noise impacts; therefore, the Council does not propose avoidance, minimization or mitigation measures for the Preferred Alternative. The Project would relocate existing noise barriers along I-94 in consultation with FHWA and MnDOT to accommodate the BRT dedicated guideway. The relocated noise barriers will be replaced in-kind, so the noise reduction currently provided remains at least the same as the existing condition (see the *Physical and Environmental Resources Technical Report* in Appendix A of the EA).

The primary means of mitigating short-term noise and vibration due to Project-related construction activities is a detailed noise and vibration control plan, which the Council will require.

F.4.10. Transportation

Short-term mitigation strategies could include providing signage that directs business patrons to streets where parking is available and implementing an ongoing outreach program that informs business owners and residents about construction activities in the neighborhood. Additionally, the Council would implement staged construction activities to minimize short-term impacts to the greatest extent possible. The construction contractor would implement the staging plan and would reduce the loss of parking spaces during construction to the extent possible. The construction staging plan will address these areas to minimize the duration and frequency of these impacts. The construction staging would be developed as the design of the Project advances during the Engineering phase and prior to the start of construction.

The Council would develop maintenance of traffic (MOT) plans during the Engineering Phase and prior to construction and submit for approval to the roadway authorities. The MOT plans would address construction phasing, maintenance of traffic, traffic signal operations, access through the work zone, any road closures, and any traffic detours.

The Council does not anticipate long-term impacts to transit; therefore, they do not propose avoidance, minimization or mitigation measures.

To minimize the short-term impacts to bus operations during construction, before temporary stop closures and detours go into effect, the Council and its Metro Transit division would inform riders about the temporary service changes by posting information at bus stops and publishing details on its website and in its onboard “Connect” brochure.

Based on measures incorporated as part of the Project design, the Council does not anticipate long-term impacts to traffic; therefore, they do not propose additional avoidance, minimization or mitigation measures. As part of its design, the Project would incorporate improvements to roadways and intersections to provide Level of Service (LOS) D or better traffic operations at all intersections in the Project corridor, and to provide safe and efficient traffic and BRT operations. The Preferred Alternative would achieve an acceptable LOS D or better with these improvements in place.

To address short-term impacts, the Council will develop a detailed construction staging plan for the Project. It will also develop MOT plans during the Engineering Phase to address construction phasing, traffic signal operations, and access through the work zone, road closures and traffic detours.

The Project would build a new mixed traffic bridge at the crossing of I-94 connecting Helmo Avenue and Bielenberg Drive. This bridge would include a center running guideway, a multi-use trail and roadway lanes for local traffic. The Dedicated Guideway Option at Hadley Avenue and 4th Street, which is included under Alignment C, would reconstruct a bridge at the crossing of Interstate 694 at 4th Street to accommodate a dedicated guideway along 4th Street. The Project would reconstruct the existing roadway bridge to include a center running guideway and multi-use trail. The Council coordinated with FHWA and MnDOT on the conceptual design of these bridges to ensure there will be adequate space beneath the bridges for future needs on I-94 and I-694 that are currently being studied. See the "Traffic" section of **Table C-1** in **Appendix C** of the FONSI for specific commitments. The agencies will continue to coordinate as the design advances through the Project Development and Engineering phases.

F.4.11. Cumulative Potential Effects

The Project's direct and indirect effects, when considered with the potential resource impacts of other past, present and reasonably foreseeable actions in the study area, may contribute to cumulative effects on the transportation system, land use and the natural environment. However, based on the cumulative impacts assessment, it is unlikely that the extent that the combined impacts to resources would reach a level of concern that would warrant special avoidance, minimization and mitigation measures for the Project other than those described herein. The Project's direct impacts would be mitigated in accordance with applicable local, state and federal regulations including Section 106 of the National Historic Preservation Act (NHPA), Sections 404 and 401 of the Clean Water Act, the National Pollutant Discharge Elimination/State Disposal System (NPDES/SDS) permitting process for stormwater runoff at construction sites, the federal Endangered Species Act, and the Uniform Relocation Act and Minnesota Statutes Chapter 117.

F.4.12. Other Potential Environmental Effects

F.4.12.1. Acquisitions, Displacements and Relocations

The Project would acquire property in accordance with the Uniform Relocation Act and Real Property Acquisition Policies Act (URA) of 1970 to ensure fair and equitable treatment to people whose real property is acquired or who are displaced because of federally funded projects; to provide relocation assistance; and to provide decent, safe and sanitary housing within the displaced person's financial means. 42 USC § 61. 49 CFR Pt 24. Project-related property acquisition is also subject to Chapter 117 of the Minnesota Statutes, which requires compensation and standardized relocation benefits. Minnesota Statues 2019 § 117.187. The URA and the Minnesota Statutes requirements apply to full and partial acquisitions, displacement, and permanent and temporary easements.

A total of 35 partial acquisitions and 2 full commercial acquisitions are required. Approximately 21 businesses would be displaced; no institutional entities or housing units would be displaced. The number of displacements is approximate and is subject to change. The Council will further refine acquisition, displacement and relocation needs as the Project design advances during the Project Development and Engineering phases.

F.4.12.2. Utilities

The Council anticipates several long-term impacts from the Preferred Alternative to existing underground and overhead utilities throughout the limits of disturbance. As the Project design advances, the Council will evaluate utilities on a case-by-case basis to determine potential impacts due to Project construction and operations. If

elements of the Project conflict with existing utilities, owners may need to modify, relocate or reconstruct the utilities. The Council will coordinate with each utility owner regarding impacts to existing facilities as the Project advances through Project Development and into the Engineering Phase.

The Project will avoid and/or minimize potential maintenance impacts to buried oil pipelines through advancement of design near the proposed Helmo Avenue Station and along Bielenberg Drive. The Council will coordinate with pipeline owners to advance design that will minimize impacts to pipeline maintenance activities. The Council recognizes routine maintenance or extraordinary repairs may be necessary for these pipelines. The design advancement will coordinate the placement of the guideway, structures, and traffic systems to limit the future disruption of BRT operations and allow construction access to the pipelines. Advancement of design will evaluate where 1) the footprint of disturbance on the pipeline can be reduced through perpendicular crossings of the guideway, 2) offsetting the guideway to allow pipeline maintenance access when parallel to the pipeline, 3) adjusting proposed grading where feasible to limit additional fill on top of the pipeline, and 4) placement of permanent structures (i.e., stations and bridges) and stormwater facilities would minimize impacts to pipeline maintenance activities.

The Project will not impact Metropolitan Council Environmental Services (MCES) interceptor sewer lines for Alignment A, C, and D3. Within Alignment B a valve box for the MCES interceptor sewer line is located near the guideway. The Project will avoid and/or minimize any potential impacts through design advancement during the Project Development and Engineering phases.

In most areas utility vaults would not result in a conflict with the station platform. However, the Project could impact the accessibility of utility vaults located in downtown Saint Paul within Alignment A1 due to bump outs at the station areas. The 5th Street/Robert Street Station, Union Depot/Sibley Street Station and Union Depot/Wacouta Street Station will have bump-outs to accommodate combined pull-out and in-lane stopping. The Council will continue to evaluate the extent of impacts from station construction and will coordinate with utility owners as the Project design advances through the Project Development and Engineering phases.

The Preferred Alternative would produce short-term impacts to utilities during construction activities such as excavation and grading, placing structural foundations and using large-scale equipment. Utility relocations would result in service disruptions during limited durations throughout construction. The Council anticipates these disruptions would be minimal, and providers would establish temporary connections for customers before permanently relocating utilities facilities. The Council will coordinate with utility owners to schedule disruptions to service.

The Council will continue to confirm and map the locations of existing utilities in the Project area during the Project Development and Engineering phases so that it can refine designs to best avoid the utilities, where practicable. Where conflict is unavoidable, the Council will coordinate with utility owners to identify Project-related impacts and potential mitigation measures such as relocations, replacements or other actions. If a legal agreement exists stating that a utility owner would pay to move the utility to accommodate a roadway improvement project, the Council will coordinate with that owner per the conditions of the agreement. Existing utility land rights will also be evaluated to determine their impact on relocation costs.

The Council will continue to coordinate with Minnesota Pipeline LLC and Flint Hills Resources to advance the design on the BRT guideway and other Project infrastructure in compliance with standards separating the Project from the oil pipelines. The Council will analyze any adjustments to the Project resulting from ongoing coordination and the Project will maintain a specified distance from the oil pipelines as determined through this coordination. The Council will continue to evaluate any potential impact as the Project design advances through the Project Development and Engineering phases.

The Council will coordinate during construction with utility owners and operators to determine potential disruptions in service. If Project construction requires temporary service disruptions, the utility owners would notify affected property owners. Potential disruptions would be temporary, and owners would restore utility services to

preconstruction levels in a timely manner. If construction activities reveal previously unidentified utilities, the Council would notify the owner of the utility and determine appropriate mitigation measures. The Council will coordinate closely with owners of water supply lines critical for the cooling systems of the data centers within Alignment D3. In the case of a disruption to the water supply, a temporary connection would be established.

The Council will also implement measures to avoid and mitigate risks associated with utility relocations, including implementing a confined space entry safety plan, remediating contaminated soils prior to utility excavations, and remediating and disposing of hazardous pipe coatings and materials impacted by utility relocations.

The Council will mitigate accessibility impacts at the station platforms by adjusting existing utility vaults to match the new grade, including raising or lowering and resetting existing frames, covers, and lids and adding or replacing riser collars.

F.4.12.3. Community Facilities, Character and Cohesion

The Council anticipates that over time, continued development of transit and transportation facilities in the Project area, combined with future actions and the direct and indirect effects of the Project, would place increased demands on community services and facilities and could change community character. For locations where comprehensive plans call for growth and mixed-use development, such changes in character would be consistent with planned growth and development. Without attentive management and adequate funding, overuse or degradation of facilities or resources could result. Because cities and park jurisdictions typically forecast and plan for future population growth over time, their development plans would anticipate such potential impacts. The types of indirect and cumulative impacts identified are typically consistent with and governed by applicable land use plans and capital improvement plans to expand public infrastructure and services. Also, the Council and the counties and municipalities in the corridor have plans to expand and enhance parks and open spaces in the area to meet the demand of population growth over time.

F.4.12.4. Business and Economic Resources

The Council anticipates that the continued development of transit and transportation facilities in the Project area over time, combined with future actions and the direct and indirect effects of the Project, may cumulatively strengthen the business climate by providing improved transportation access to customers and employees. While the Project could negatively affect individual businesses, particularly in the short term due to construction activity, the cumulative result of the Project would be positive. Development that occurs in response to the Project and the reasonably foreseeable future actions would be expected to increase access to businesses in the area and expand the base of potential local consumers. Applicable municipal codes and land use plans regulate all development.

F.4.12.5. Safety and Security

The continued development of transit and transportation facilities in the Project area over time, combined with future actions, natural population growth, and the direct and indirect effects of the Project, may cumulatively add to the demands on law enforcement and security providers, potentially affecting staffing levels and budgets over the long term. Local municipalities, counties and emergency service providers would plan measures to address safety and security for Project-induced development and future actions. The Council would establish a Safety and Security Management Plan and a Safety and Security Certification Plan to guide safety and security policies for the Project during design and construction. These plans would include requirements for design criteria, hazard analyses, threat and vulnerability analyses, construction safety and security, operational staff training and emergency response measures. These plans would also specify actions and requirements of Metro Transit and its police force to maintain safety and security during BRT operations.

F.4.13. Summary Finding

The Council finds that the Project, as it is proposed, does not have the potential for significant environmental effects based on the type, extent, and reversibility of impacts to the resources evaluated in the EA/EAW and in the Findings summary above. Project impacts will be mitigated as described in the EA/EAW and the FONSI document.

F.5. Cumulative Potential Effects

As discussed in the EAW, the cumulative potential effects have been considered and the proposed project has minimal potential for cumulative impacts to the resources directly or indirectly affected by the project. Given the laws, rules, and regulations in place as well as local regulatory requirements and comprehensive planning and zoning laws, substantive adverse cumulative impacts to resources as not anticipated.

F.6. Extent to Which the Environmental Effects are Subject to Mitigation by Ongoing Public Regulatory Authority

The mitigation of environmental impacts will be designed and implemented in coordination with regulatory agencies (including the coordination and approvals listed in **Table F-1**) and will be subject to the permitting processes. Permits and approvals that have been obtained or may be required prior to project construction include those listed in **Table F-1**. The permits listed include general and specific requirements for mitigation of environmental effects of the project. Therefore, the Council finds that the environmental effects of the Project are subject to mitigation by ongoing regulatory authority.

TABLE F-1: PERMITS AND APPROVALS REQUIRED STATUS

Unit of Government	Type of Application	Status
FTA	Environmental Decision Document	Completed
FHWA	Environmental Decision Document	To be completed
FTA, Department of Interior, as applicable	Section 4(f) Determination	Completed
FTA	Capital Investment Grant	To be completed
FTA, ACHP	Section 106 Programmatic Agreement (PA)	Completed
FHWA	Right-of-Way Use Agreement	To be completed
U.S. Army Corps of Engineers	Section 404 Wetland Permit	To be completed
USFWS	Endangered Species Act, Section 7 Determination	Completed
DNR	Public Waters Work Permit	To be completed
DNR	Water Appropriation Permit	Contractor to acquire, if needed
Board of Water and Soil Resources	Joint Application Form for Activities Affecting Water Resources in Minnesota	To be completed
MnSHPO	Section 106 PA	Completed
MnDOT	Right-of-Way Permit	To be completed

Unit of Government	Type of Application	Status
MnDOT	Application for Drainage Permit	To be completed
MnDOT	Application for Utility Accommodation on Trunk Highway Right-of-Way	To be completed
MnDOT	Application for Miscellaneous Work on Trunk Highway Right-of-Way	To be completed
MPCA	National Pollutant Discharge Elimination System Permit	To be completed
MPCA	Section 401 Water Quality Certification	To be completed
Minnesota Department of Agriculture	Noxious Weed Management Plan	To be completed
Council	Environmental Decision Document under state environmental process	To be completed
CTIB[a]	Cooperative funding agreement	Completed
Washington County and Ramsey County	Property tax levy, bonds	To be completed
Ramsey County	Property tax revenue	Completed
Ramsey County Regional Railroad Authority	Sales tax revenues	Completed
Washington County, Ramsey County, Saint Paul, Maplewood, Landfall, Oakdale and Woodbury	Road Crossing/Right-of-Way Permits	To be completed
Saint Paul, Maplewood, Landfall, Oakdale and Woodbury	Building Permits	To be completed
Saint Paul, Maplewood, Oakdale, Woodbury, CRWD, South Washington Watershed District and RWMWD	Erosion/Sediment Control/Grading Permits	To be completed
Saint Paul Heritage Preservation Commission	Certificate of Appropriateness	To be completed
Saint Paul, Maplewood, Washington Conservation District, Woodbury, CRWD and RWMWD	Wetland Conservation Act Permit	To be completed

[a] *The Counties Transit Improvement Board dissolved in September 2017, and the board then transferred its funds to the counties to manage.*

F.7. Extent to Which Environmental Effects can be Anticipated and Controlled as a Result of Other Available Environmental Studies Undertaken by Public Agencies or the Project Proposer, Including other EISs

The Council has extensive experience in major transit project construction and assessment of environmental effects. Many transit projects have been designed and constructed throughout the area encompassed by this governmental agency. All environmental, design, and construction staff are very familiar with the Project area.

Council staff has conducted risk assessments throughout the development of the Project and are well equipped to anticipate and solve issues as the arise. The Council finds that the environmental effects of the Project can be anticipated and controlled as a result of the assessment of potential issues during the environmental review process and the Council's experience in addressing similar issues on previous projects.

F.8. Conclusions

1. The Metropolitan Council has jurisdiction in determining the need for an environmental impact statement on this Project.
2. All requirements for environmental review of the Project have been met.
3. The EA/EAW and the permit development processes to date related to the Project have generated information which is adequate to determine whether the Project has the potential for significant environmental effects.
4. Areas where potential environmental effects have been identified will be addressed during the final design of the Project. Mitigation will be provided where impacts are expected to result from project construction, operation, or maintenance. Mitigative measures provided in **Appendix C** of the FONSI will be incorporated into Project design and have been or will be coordinated with federal, state and local agencies during the permit processes.
5. Based on the criteria in Minnesota Rules part 4410.1700, Subpart 7, the Project does not have the potential for significant environmental effects.
6. An environmental impact statement is not required for the METRO Gold Line Bus Rapid Transit Project.
7. Any findings that might properly be termed conclusions and any conclusions that might properly be called findings are hereby adopted as such.

Based on the Findings and Conclusions contained herein and on the entire record:

The Metropolitan Council hereby determines that the METRO Gold Line Bus Rapid Transit Project will not result in significant environmental impacts, and that the Project does not require the preparation of an environmental impact statement.

For Metropolitan Council

Signature: _____ Date: _____

Title: _____

METRO Gold Line

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

Finding of No Significant Impact

Appendix F: Findings of Fact and Conclusions

Attachment F-A:
EA/EAW Publication and Notification Materials

January 2020

EQB MONITOR NOTICE OF AVAILABILITY, OCTOBER 7, 2019

Environmental Assessment/Environmental Assessment Worksheet

Project Title: METRO Gold Line Bus Rapid Transit Project

Comment Deadline: November 6, 2019

Project Description: The Metropolitan Council (Council) and the Federal Transit Administration (FTA) have issued an Environmental Assessment (EA)/Environmental Assessment Worksheet (EAW) for the METRO Gold Line Bus Rapid Transit (BRT) Project. Gold Line BRT is a proposed nine- or ten-mile bus rapid transit line that will connect Saint Paul, Maplewood, Landfall, Oakdale and Woodbury with bus-only lanes generally north of and near Interstate 94. Gold Line is proposed to provide 21 full-amenity stations and frequent all-day service, seven days a week.

The Environmental Assessment evaluates potential environmental, social, economic and transportation benefits and impacts from the project's construction and operations. Upon consideration of the comments received on the EA/EAW, the FTA and the Council will determine the adequacy of the environmental document. If further documentation is necessary, preparing an Environmental Impact Statement (EIS), revising the EA/EAW, or providing clarification in the Findings of Fact and Conclusions would accomplish this. If an EIS is not necessary, the Council will prepare a Negative Declaration on the need for an EIS to fulfill Minnesota state environmental requirements. Further, if, upon consideration of comments received on the EA/EAW, the FTA agrees with the Council's findings, the FTA will issue a Finding of No Significant Impact.

Comments on the accuracy and completeness of the information, potential impacts that may warrant further investigation before the project is commenced, and the need for an EIS on the project are being accepted through November 6, 2019. Written comments can be submitted via: Email: goldline@metrotransit.org Online: metrotransit.org/gold-line-environmental Mail: Gold Line Project Office, c/o Chelsa Johnson, 121 7th Place E., Suite 102, St. Paul, MN 55101

The Council will host two public open house events on the EA/EAW on Tuesday, October 22, 2019 at East Side Learning Hub at Harding High School located at 1526 6th St. E., St. Paul 55106 and Wednesday, October 23, 2019 at Landfall Community Center located at 2 Fourth Ave, Landfall, 55128. The open house events will begin at 5:00 p.m. and end at 7:00 p.m. All venues are ADA accessible. Gold Line Project Office will also host drop-in hours on Monday October 28, 2019 from 11:00 a.m. to 1:00 p.m. Attendees will have the opportunity to talk to project staff and submit written comments at the events. If you require any assistance to participate in these meetings, such as a translator or other accommodations, please contact Liz Jones at 652-602-1977 or Elizabeth.jones@metrotransit.org

Document Availability: The METRO Gold Line BRT EA/EAW can be viewed at the following locations: Gold Line website: metrotransit.org/gold-line-environmental George Latimer Central Library, 90 W. 4th St., Saint Paul, MN 55102 Dayton's Bluff Library, 645 E 7th St., St. Paul, MN 55106 Sun Ray Library, 2105 Wilson Ave., St. Paul, MN 55119 Maplewood Library, 3025 Southlawn Dr., Maplewood, MN 55109 Landfall City Hall, 1 4th Ave., Landfall, MN 55128 Oakdale Library, 1010 Heron Ave. N., Oakdale, MN 55128 R.H. Stafford Library, 8595 Central Park Pl., Woodbury, MN 55125 Gold Line Project Office, 121 7th Pl. E., Suite 102, St. Paul 55101 The Project Office is open Monday through Friday between 8:00 a.m. and 4:00 p.m. A CD will be sent to interested businesses, individuals, and organizations, when requested. To request additional translation or ADA accommodations, please contact Liz Jones, Gold Line BRT Public Outreach Coordinator, at 652-602-1977 or Elizabeth.jones@metrotransit.org at least ten days prior to the comment period close.

Link to document: https://www.metrotransit.org/gold-line-ea

Responsible Governmental Unit (RGU): Metropolitan Council

RGU Contact Person:
Chelsa Johnson
Environmental Lead Metro Transit – Gold Line Project Office
121 7th Place E., Suite 102
St. Paul, MN 55101
651-602-1997
goldline@metrotransit.org

MEDIA RELEASE, OCTOBER 4, 2019

METROPOLITAN COUNCIL

Public comment needed on METRO Gold Line BRT Environmental Assessment

Metropolitan Council sent this bulletin at 10/04/2019 10:20 AM CDT

Having trouble viewing this email? View it as a Web page.

METRO Gold Line

NEWS RELEASE

Contact: John Schadl (651) 602-1508

Public comment needed on METRO Gold Line BRT Environmental Assessment

Open houses to be held on east metro bus rapid transit line

Saint Paul – The public is being asked to weigh in on a new rapid transit line that will connect the east metro to downtown Saint Paul. Planning, design and development work is underway on the METRO Gold Line Bus Rapid Transit line that will serve Woodbury, Oakdale, Maplewood, Landfall and Saint Paul. Service is scheduled to begin in 2024.

Both the state and federal government require a detailed environmental assessment of the project. That work has been completed, and the public has 30 days to review it and make comments that will be included in the final public record.

The environmental assessment considers a wide variety of possible impacts the project could have on the neighborhoods and communities it serves. Some of the topics covered include connection to community and social resources, impacts on the environment, historic properties and even indirect effects and long-term impacts.

"No one understands these impacts better than the people and organizations the line will serve," said Gold Line Project Manager Christine Beckwith. "A successful transit line has to become part of the communities it serves. Feedback from the people and businesses who will use the line every day is essential and extremely helpful to us as we work to make sure the project becomes a seamless part of the community."

The METRO Gold Line is a planned 10-mile bus rapid transit (BRT) line that will connect Saint Paul, Maplewood, Landfall, Oakdale and Woodbury with bus-only lanes generally north of and near Interstate 94. The Gold Line will provide more transit connections to the east metro with 21 full-amenity transit stations and frequent all-day service, seven days a week.

The project is being managed through a unique partnership between the Metropolitan Council, Metro Transit, Minnesota Department of Transportation, Ramsey and Washington counties, and the cities of Saint Paul, Maplewood, Landfall, Oakdale, and Woodbury.

The environmental assessment has been completed and results are provided in the document. The 30-day public comment period is Oct. 7 to Nov. 6, 2019. The full environmental assessment is available on the Gold Line project website, metrotransit.org/gold-line-environmental, and at local government offices and libraries throughout the corridor beginning on Oct. 7. A list of locations to view the document is available below.

The Metropolitan Council is hosting public events to provide information on the environmental assessment, answer questions and offer an opportunity for public comment. The environmental assessment document along with supporting materials will be available for viewing. The public may also provide written comments or verbal comments on the document at these events. There will be no formal presentation. Public events will be held at the following times and locations:

Open House

Tuesday, Oct. 22

5 p.m. to 7 p.m.

East Side Learning Hub at Harding High School

1526 Sixth Street East

St. Paul

Open House

Wednesday, Oct. 23

5 p.m. to 7 p.m.

Landfall Community Center

2 Fourth Avenue

Landfall

Office Hours at the Gold Line Project Office

Monday, Oct. 28

11 a.m. to 1 p.m.

121 Seventh Place East, Suite 102

St. Paul

In addition to the Gold Line project website, the METRO Gold Line Bus Rapid Transit Environmental Assessment can be viewed at the following locations:

- George Latimer Central Library, downtown St. Paul

- Dayton's Bluff Library, St. Paul
- Sun Ray Library, St. Paul
- Maplewood Library, Maplewood
- Landfall City Hall, Landfall
- Oakdale Library, Oakdale
- H. Stafford Library, Woodbury
- Gold Line Project Office, downtown St. Paul

The public may also submit comments online or through the mail:

- Email: goldline@metrotransit.org
- Online: metrotransit.org/gold-line-environmental
- Mail: Gold Line Project Office, c/o Chelsa Johnson, 121 Seventh Place East, Suite 102, St. Paul, MN 55101

###

The METRO Gold Line is a planned 10-mile bus rapid transit (BRT) line that will connect Saint Paul, Maplewood, Landfall, Oakdale and Woodbury with bus-only lanes generally north of and near Interstate 94.

metrotransit.org/gold-line-project

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LEGAL NOTICE AFFIDAVIT OF PUBLICATION, OCTOBER 7, 2019

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)

StarTribune
650 3rd Ave. S, Suite 1300 | Mineapolis, MN | 55488

Terri Swanson, being first duly sworn, on oath states as follows:

1. (S)He is and during all times herein stated has been an employee of the Star Tribune Media Company LLC, a Delaware limited liability company with offices at 650 Third Ave. S., Suite 1300, Minneapolis, Minnesota 55488, or the publisher's designated agent. I have personal knowledge of the facts stated in this Affidavit, which is made pursuant to Minnesota Statutes §331A.07.

2. The newspaper has complied with all of the requirements to constitute a qualified newspaper under Minnesota law, including those requirements found in Minnesota Statutes §331A.02.

3. The dates of the month and the year and day of the week upon which the public notice attached/copied below was published in the newspaper are as follows:

Dates of Publication		Advertiser	Account #	Order #
StarTribune	10/07/2019	METRO GOLD LINE BUS RAPID TRANSIT	1000369909	329478

4. The publisher's lowest classified rate paid by commercial users for comparable space, as determined pursuant to § 331A.06, is as follows: **$481.60**

5. Mortgage Foreclosure Notices. Pursuant to Minnesota Statutes §580.033 relating to the publication of mortgage foreclosure notices: The newspaper's known office of issue is located in Hennepin County. The newspaper complies with the conditions described in §580.033, subd. 1, clause (1) or (2). If the newspaper's known office of issue is located in a county adjoining the county where the mortgaged premises or some part of the mortgaged premises described in the notice are located, a substantial portion of the newspaper's circulation is in the latter county.

FURTHER YOUR AFFIANT SAITH NOT.

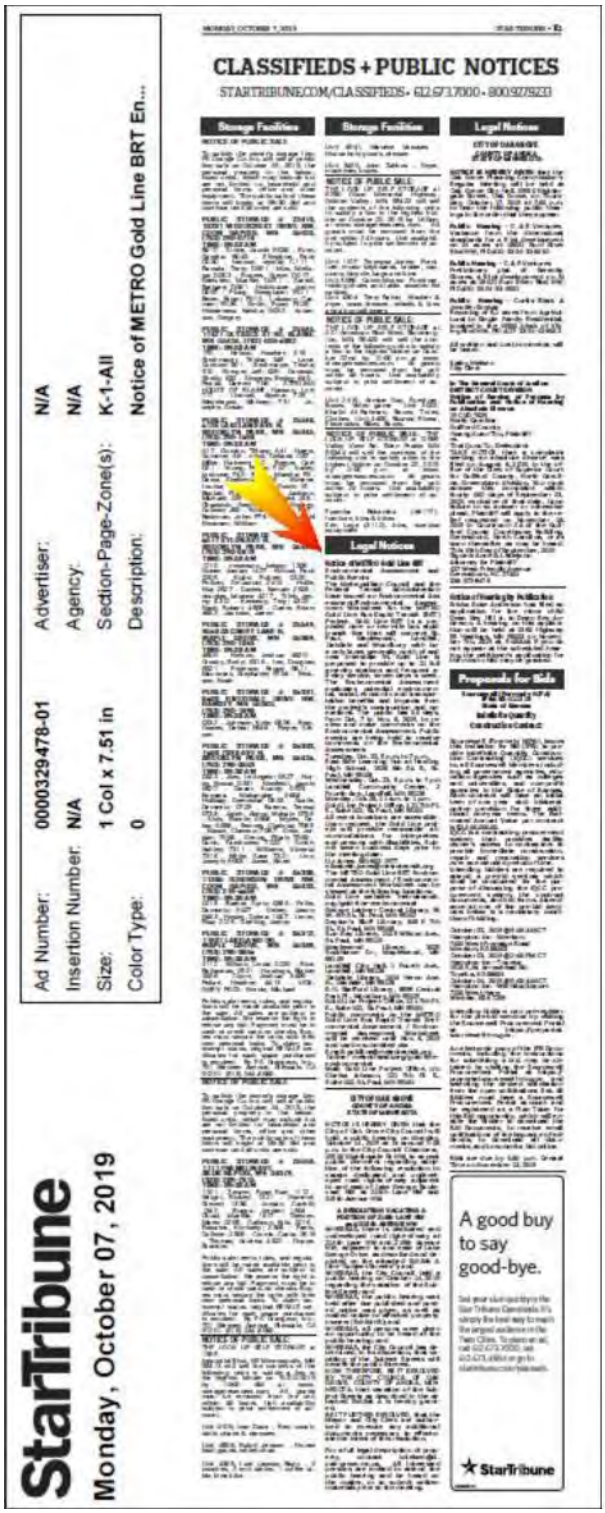
Terri Swanson

Subscribed and sworn to before me on: 10/07/2019

JALENE K. HOWARD
NOTARY PUBLIC - MINNESOTA
My Commission Expires Jan. 31, 2020

Notary Public

LEGAL NOTICE PUBLISHED IN STAR TRIBUNE, OCTOBER 7, 2019



StarTribune
Monday, October 07, 2019

Ad Number: 0000329478-01
Insertion Number: N/A
Size: 1 Col x 7.51 in
Color Type: 0
Advertiser: N/A
Agency: N/A
Section-Page-Zone(s): K-1-All
Description: Notice of METRO Gold Line BRT En...

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Proposals for Bids

A good buy to say good-bye.

StarTribune

following unit to satisfy a lien to the highest bidder on October 22, 2019 by 2:00 p.m. at www.storagetreasures.com. All goods must be removed from the unit within 24 hours. Unit availability subject to prior settlement of account.

Eyamba Bokamba (#4117)- furniture, bins & bikes
Erin Lege (3112)- bins, exercise equipment

Legal Notices

Notice of METRO Gold Line BRT

Environmental Assessment and Public Events
The Metropolitan Council and the Federal Transit Administration have issued an Environmental Assessment/Environmental Assessment Worksheet for the METRO Gold Line Bus Rapid Transit (BRT) Project. Gold Line BRT is a proposed nine- or ten-mile bus rapid transit line that will connect St. Paul, Maplewood, Landfall, Oakdale and Woodbury with bus-only lanes generally north of and near Interstate 94. Gold Line is proposed to provide up to 21 full amenity stations and frequent all-day service, seven days a week. The Environmental Assessment evaluates potential environmental, social, economic and transportation benefits and impacts from the project's construction and operations. The public has 30 days, from Oct. 7 to Nov. 6, 2019, to review and make comments on the Environmental Assessment. Public events are being held to receive comments on the Environmental Assessment:
Tuesday, Oct. 22, 5 p.m. to 7 p.m.
East Side Learning Hub at Harding High School, 1526 6th St. E., St. Paul, MN 55106
Wednesday, Oct. 23, 5 p.m. to 7 pm
Landfall Community Center, 2 Fourth Ave., Landfall, MN 55128
Monday, Oct. 28, 11 a.m. to 1 p.m.
Gold Line Project Office, 121 7th Pl. E., Suite 102, St. Paul, MN 55101
All event locations are accessible. Upon request, the Gold Line project will provide reasonable accommodations for interpreters and persons with disabilities. Submit seven business days prior to the meeting date:
Liz Jones: 651-602-1977
elizabeth.jones@metrotransit.org
The METRO Gold Line BRT Environmental Assessment / Environmental Assessment Worksheet can be viewed at the following locations:
Gold Line website: metrotransit.org/gold-line-environmental
George Latimer Central Library, 90 W. 4th St., St. Paul, MN 55102
Dayton's Bluff Library, 645 E 7th St., St. Paul, MN 55106
Sun Ray Library, 2105 Wilson Ave., St. Paul, MN 55119
Maplewood Library, 3025 Southlawn Dr., Maplewood, MN 55109
Landfall City Hall, 1 Fourth Ave., Landfall, MN 55128
Oakdale Library, 1010 Heron Ave. N., Oakdale, MN 55128
R.H. Stafford Library, 8595 Central Park Pl., Woodbury, MN 55125
Gold Line Project Office, 121 7th Pl. E., Suite 102, St. Paul, MN 55101
Public comments on the METRO Gold Line Bus Rapid Transit Environmental Assessment / Environmental Assessment Worksheet will be received until Nov. 6, 2019 and can be submitted via:
Email: goldline@metrotransit.org
Online: metrotransit.org/gold-line-environmental
Mail: Gold Line Project Office, c/o Chelsa Johnson, 121 7th Pl. E., Suite 102, St. Paul, MN 55101

CITY OF OAK GROVE
COUNTY OF ANOKA
STATE OF MINNESOTA

PIONEER PRESS, OCTOBER 14, 2019

PIONEER PRESS
Monday, October 14, 2019

Ad Number: 71442408-01
Insertion Number: N/A
Size: 3 Col x 5.25 in
Color Type: N/A
Advertiser: Metro Gold Line Bus Rapid Transit
Agency: N/A
Section-Page-Zone(s): A-3-All
Description: Public Comment (3x5.25)

TwinCities.com Monday 34

Fargo, N.D.

Text messages foreshadowed death of Minnesota woman

Accused killer to be sentenced Friday

By April Baumgarten

Just days before her death in October 2018, Amanda Koch Engel sent out a series of text messages, saying "Dayl" were driving in "the car" and she was afraid "he" would hurt her.

"If you don't hear from me tomorrow, then something went wrong. ... But you know what. I drive and "Dayl" are Billy and Crystal Herman," one text from the 29-year-old woman said.

Four months later, Engel's body was found Feb. 4, 2019, in the Shyenne River in the Spirit Lake Indian Reservation south of Warwick, N.D. Prosecutors now allege Billy Joe Herman, 44, strangled Engel, then lobbed with a cord while his fiancée, 40-year-old Crystal Marie Herman who's now known as , drove Engel's vehicle in mid-October 2018.

Amanda Engel

He beat Engel with a shovel before pulling her body in the river, according to court documents and transcripts from hearings leading up to Johnson's June sentencing in Eddy County District Court. Johnson was ordered to serve 30 years in prison after pleading guilty to a Class A A felony of accomplice to murder.

Herman has pleaded guilty to second-degree murder in U.S. District Court, and prosecutors will ask that he serve life in prison without parole when he is sentenced Friday in Fargo.

'CAN'T TALK NOW'

Herman and Johnson had a child together in 2010 before they were married in 2011 in Warwick, according to divorce filings in Clay County District Court.

Johnson filed for divorce in early September 2018, and it was finalized in April 2019, along with Johnson's name change.

Former Eddy County State's Attorney Travis Thornson said about 2pm of the crime during Johnson's change of plea and sentencing hearings. He said Herman and Johnson were separated but still married in September 2018, when Herman arrived at Johnson's mother's house and told Johnson to come outside.

"According to Crystal, Billy Herman demanded that Crystal meet with him, and that if she didn't, he would harm their child," Peterson said, according to the transcript. "He needless to say, Crystal Herman went with Billy Herman."

Billy Herman's criminal history before Engel's murder included several assaults and domestic violence. Johnson's criminal history involved theft and child neglect, according to Peterson.

Herman "became acquainted with" Engel in the summer of 2018, but it appears Johnson did not know Engel before the fall of 2018, the transcript said.

Engel was originally from Breckenridge, Minn., but she lived in different towns before coming to Warwick, N.D., her last known location, according to authorities.

She lived with her aunt, Jamie Anderson, of Halstad, Minn., for a time. Anderson previously told the Forum News Service that Engel was a "wild child, but she was very caring and wanted to help."

The last time Engel contacted Anderson was via Facebook on Oct. 12, 2018, five days before she died.

Billy Joe Herman

Crystal Johnson

Herman strangled Engel on the Spirit Lake Indian Reservation, and Johnson washed across Engel to open the passenger door, letting the victim fall out. Johnson then moved them around to make room for Herman to put Engel in the trunk.

Herman then drove Engel's vehicle about 6 miles in a bridge.

Crystal Herman claims that having seen enough," she went to sit in the vehicle, but she heard Herman beat Engel to death with a shovel before dragging her in the Sheyenne River, the prosecutor said.

'I JUST DON'T UNDERSTAND'

It's unclear what motivated Herman or why Johnson said of him. However, Johnson's cooperation with the enforcement led to the discovery of Engel's body in February 2019, according to her attorney, Nicole Brodahl.

The couple continued to use Engel's vehicle, including when they robbed cross-stores in Burton, N.D., and Perley, Minn., and committed a burglary in Grandin, N.D., in late October, law enforcement said. Herman is serving a prison sentence in Stillwater in connection with the crimes, which at times involved a hit and hundreds that covered their faces, according to court documents.

Johnson was arrested Nov. 10, 2018, in Hillsboro, N.D., while driving Engel's car, the transcript said. Herman was arrested separately, but evidence found inside the car linked him to the murder, law enforcement said.

Johnson is serving her sentence in the women's prison in New England, N.D. The Forum sent her an email through a system for contacting inmates but did not receive a response.

Johnson apologized to Engel's family in May 2019 when she was sentenced, saying the killing weighed heavily on her. "I will have to live with that for the rest of my life, walking like you guys would have to," she said, according to the transcript.

Engel's mother, Denise Stevenson, said during Johnson's sentencing hearing that her family lives have changed forever.

"And I just don't understand why they had to take Amanda's life, when she was the type of person that would give anything to anybody," she said. "She was a very giving person and a caring person, and she did not deserve this."

Turkish-backed Syrian opposition fighters celebrate in Ain al-Arab, in Kurdish province Aleppo, after entering near the border from Tal Abyad, Syria, on Sunday. State-run Anadolu news agency reported Tal Abyad had fallen to a Turkish military offensive.

LEVENT KULA / AP

CONTINUED FROM 1A

› Troops withdrawn

would not continue," said the official, who called the situation "a total s—storm."

Amid reports of Islamic State militants escaping prison in the area, a U.S. official confirmed that the American forces had been unable to carry out plans to move several dozen high-value detainees to more secure locations, as first reported by the New York Times.

One official said that multiple Kurdish-run detention facilities were now targeted and that the U.S. military believed hundreds of detainees had escaped.

Trump decided late Saturday to remove all of about 1,000 U.S. troops from the area within weeks as a Turkish invasion targeting U.S.-allied Syrian Kurdish fighters against the Islamic State extended deep into Syrian territory, ending U.S. supply lines and endangering American forces.

A week ago, after a phone call with Turkish President Recep Tayyip Erdogan, Trump had ordered several dozen troops to pull back from the immediate border area when Turkey said an invasion was imminent.

In Congress, criticism of Turkey and Trump was vocal and bipartisan.

"The weakness and incompetence that this president has shown when it comes to national security is stunning," Sen. Jack Reed, D.I., the ranking Democrat on the Armed Services Committee, said in a statement. Accusing Trump of "bending to autocrats," Reed said that "instead of telling Erdogan to stand down, President Trump is in full retreat. It's shameful."

The senior official repeated denials that Trump had given Erdogan a "green light" to send his forces into Syria.

"He did say 'Don't do this or bad things are going to happen,'" the official said, such as canceling U.S. efforts to improve trade between the two countries, preventing Turkey from rejoining the F-35 fighter jet program, and rescinding an invitation for Erdogan to visit the White House next month.

Trump did not say "don't do this because our troops would bomb" Turkish forces, because such action is deemed illegal unless conducted in self-defense, the official said.

Defense Secretary Mark Esper, speaking on "Fox News Sunday," said that Turkey was fully committed to its operation regardless of what the United States did, and that the administration did not want to go to war with a longstanding NATO ally.

Asked whether he thought Turkey sensed like much of an ally now, Esper said he did not.

"I think Turkey, the act of their behavior over the past several years, has been problematic," he said. "I mean, they are spinning out of the West, on orbit, if you will."

The perception that U.S. troops were in increasing danger as Turkey and its allies unleashed border forces and continued to advance led to the new withdrawal announcement, U.S. officials said. Turkey launched artillery rounds Friday near a U.S. Special Operations outpost in the area, despite knowing its location, officials said.

While relatively few in number, U.S. troops in northeast and eastern Syria, along with smaller French and British contingents, have aided and directed the Kurdish-led ground fight against the Islamic State for the past several years and now find a symbolic bulwark against interference by the Syrian government and outside forces.

With their departure, the many players in Syria's ever-hopping conflicts scrambled for an advantage, as civilians fled the fighting and an unknown number of Islamic State prisoners reportedly escaped.

Russia and Iran aided Syrian government forces, long held in alignment by informal lines of control bordering Kurdish-held and U.S.-supported areas in Syria, quickly seized the opportunity. The Kurdish fighters, outmanned and out-armed by the Turks and their Syrian militia allies, announced late Sunday that they had invited Syrian government forces into towns and cities that have been under their control for years.

"We don't want the Russians and Syrians in here, but obviously we understand why they reached out," the senior administration official said.

The official said that, long-standing Syria air defense ties contacts with Russia were continuing, but that "we haven't been in contact in any way, shape or form to invite them in or share views on the Near East with them."

As the situation continued to evolve, U.S. officials planning a response focused on sanctions, to be imposed against Turkey as early as Monday.

Treasury Secretary Steven Mnuchin, appearing on ABC's "This Week," said he spoke Friday with the Turkish finance minister, and Energy Department officials are also in touch with their Turkish counterparts. "They know what we will do if they don't stop these activities," he said. Last week, Trump threatened to "obliterate" the Turkish economy if Erdogan went awry of what he would allow.

The administration believes that the sanctions — and the knowledge that Turkey does not want to confront with the Syrian Army or its Russian ally — are the best weapons to convince Turkey to "behave," the senior administration official said.

CONTINUED FROM 1A

› Hunter Biden

of the White House Counsel to help inform its application of the Biden Administration's guidelines or standards in his business decision-making."

Joe Biden, speaking to reporters after a union forum in suburban Des Moines, Iowa, said he was not discuss that decision with him before posting the statement.

"No one has asserted my son did a single thing wrong," Biden added, praising his lawyer into the position, "except a lying president."

And Biden promised to bar his family members from occupying any office within the White House and said they would not sit in meetings or if they are a Cabinet member." That was a jab at Trump, who tapo daughter Ivanka and her husband, Jared Kushner, as advisers. Biden did not say if his pledge meant that Jill Biden, his wife, would not get the office itself initially assigned to first ladies should he win.

He further vowed that no one in his family will have "any business relationship with anyone that relates to a foreign corporation or foreign country."

Hunter Biden's work over some stir at the center of the House impeachment inquiry into Trump, who has admitted to asking foreign powers for investigations into Biden's business dealings abroad.

The White House released a rough transcript of a call in which Trump asks Ukraine's new president, Volodymyr Zelenskiy, to probe Biden's family and Ukraine's role in the 2016 election that put Trump in office. Trump has also encouraged China to dig into Hunter Biden's work in that country, asserting without evidence that he earned $1.5 billion from a "sweetheart" business deal there.

The president's personal attorney, Rudy Giuliani, is also under increasing scrutiny for his efforts to dig into Hunter Biden's business background. Late last week, two businessmen involved in Giuliani's efforts to investigate Hunter Biden's dealings in Ukraine were charged with federal campaign finance violations.

Still, Republicans reacted to news of Hunter Biden's decision to step away from the Chinese-backed BHR Equity Investment Fund Management Co. with deep skepticism.

"I think this is just another way to save a failing campaign. Dad's going down," Georgia Rep. Doug Collins, the top Republican on the House Judiciary Committee, said on Fox News Channel's "Sunday Morning Futures."

He knows he's in trouble and this is just another way to try and distract attention."

On the same show, White House counselor Kellyanne Conway said Hunter Biden "should have done this quite a while ago."

Both have stated repeatedly that there is no evidence of wrongdoing against Hunter Biden, despite intensifying attacks from Trump before the 2020 election.

"Despite extensive scrutiny, at no time has any law enforcement agency, either domestic or foreign, alleged that Hunter engaged in wrongdoing of any point during his five-year term," Mnuchin said in his Sunday post, of Biden's experience in Ukraine.

The attorney wrote that Hunter Biden worked as an unpaid board member for HHR Equity Investment Fund Management Co. "based on his interest in seeking ways to bring Chinese capital to international markets."

"To this, Hunter has not received any compensation for being on BHR's board of directors," Mnuchin said. "He has not, record of any return on his investment. Sons have been no distributions to BHR shareholders since Hunter obtained his equity interest."

One of Biden's Democratic presidential rivals praised the move, noting that Trump's children are openly trading on his name in business deals around the world while Trump occupies the Oval Office.

"I think it demonstrates the difference in standards relative to the White House," said Pete Buttigieg, the mayor of South Bend, Ind.

"I mean, have you ever Hunter Biden stepping down from a position in order to make sure, even though there's been no accusation of wrongdoing — doing something just to make sure there's not even the appearance of a conflict of interests, while, in the White House, the president of the United States is a walking conflict of interest," he said.

Public Comment Needed
on the
METRO Gold Line Bus Rapid Transit Project
Environmental Assessment

Public comments will be accepted from Oct. 7 to Nov. 6, 2019.
View the report and more information on submitting comments:
metrotransit.org/gold-line-environmental

OPEN HOUSES		OFFICE HOURS
Oct. 22 5 p.m. - 7 p.m. East Side Learning Hub at Harding High School 1540 Sixth St. E. Saint Paul	Oct. 23 5 p.m. - 7 p.m. Landfall Community Center 7 Fourth Ave. Landfall	Oct. 28 11 a.m. - 1 p.m. Gold Line Project Office 121 Seventh Pl. E. Suite 102 Saint Paul

For more information on the environmental assessment and upcoming events:
• metrotransit.org/gold-line-project
• goldline@metrocouncil.org
• 651-602-1953

METRO Gold Line

STILLWATER GAZETTE, OCTOBER 11, 2019

The Gazette • Friday, October 11, 2019 • Daily Updates Online at www.StillwaterGazette.com • PAGE A3

12th Annual Lakeview Health Foundation Gala to raise funds for Oncology & Infusion Center

The 12th annual Lakeview Health Foundation Gala is set for Friday, Oct. 25 at JX Event Venue in Stillwater. This year's event will benefit Lakeview Hospital's Oncology & Infusion Center. Funds raised will be used to purchase heated infusion chairs, lobids and personal viewing screens, and to create a family resource center and hospitality center.

"Patients with cancer tell us how thankful they are for comfort and conveniences that make their experience a little better," said Paul Erickson, executive director of the Lakeview Health Foundation. "We are grateful to our community for supporting the gala each year to help us enhance patients' experience while at Lakeview."

According to family member whose father was treated for cancer at Lakeview, "We got as good if not better care here from a top-notch oncologist and top-notch nursing. And we got it in this intimate atmosphere – right in our backyard – where people know my dad's name and his music. We felt like family."

Lakeview's Oncology & Infusion Center provides a soothing, healing environment for thousands of patients with cancer each year. There are nearly 10,000 patient visits each year at the infusion room, and almost 4,000 at the oncology clinic.

The annual Lakeview Health Foundation Gala has raised $1.2 million for patients since the event's inception in 2008.

The gala starts at 6 p.m. and is sponsored by Anderson Corporation. The event features a four-course dinner by the Lake Elmo Inn, music, dancing and a live auction. Highlights of the live auction include a seven-night stay at a luxury home in Hawaii; golf package at TPC Twin Cities, including golf and tickets to the 2020 3M Open; Celine Dion concert tickets plus hotel and dinner; and guided pheasant hunt at Maple Island Hunt Club.

To reserve tickets, visit lakeviewhealth.org/news-and-events or call 651-430-8735.

See Washington County Historic Courthouse by candlelight Oct. 17

Courthouse by Candlelight Tours will be at three different times this evening of Thursday, Oct. 17, at the Washington County Historic Courthouse in Stillwater.

Tours will be at 7, 7:30, and 8 p.m. The cost is $10 per person. Reservations are required, and may be made at www.co.washington.mn.us/tours.

Are you afraid of the dark? Join the group for a unique experience walking the halls of the Historic Courthouse at night by candlelight. Explore the areas typically closed to the public, including the basement, sheriff's residence, and the 1900s county jail. Learn the history behind this historic site and listen to some fun, slightly spooky stories along the way.

Tours recommended for those ages 16 and older. All minors must be accompanied by an adult. Note that there will be dim lighting, low-hanging objects, and uneven terrain. Due to the nature of the tour, it is not handicapped accessible.

The Historic Courthouse is at the corner of Third and Pine streets in Stillwater.

Sixth Annual Stairs of Stillwater event to benefit Youth Advantage

The 6th Annual Stairs of Stillwater is the official 5K event of HarvestFest! This fun, family-friendly 5K walk winds its way through scenic downtown Stillwater featuring historic staircases and beautiful views of the St. Croix River Valley.

On Saturday, Oct. 12 at 9:30 a.m., Youth Advantage will host its sixth annual Stairs of Stillwater walk. The event begins at North Lowell Park in downtown Stillwater along the waterfront, north of the bridge near the gazebo and concludes in the heart of the HarvestFest activities.

Proceeds will benefit Youth Advantage, a non-profit organization serving families who live within School District 834 boundaries. "Youth Advantage enriches our community by empowering our clients, at-risk children, to engage with their peers and flourish through participation in extracurricular activities," said Board Chair Jon McCormick.

Participant check-in begins at 9:30 a.m. followed by the singing of the National Anthem just prior to the 9:30 a.m. start. Early Registration is $30 ends October 4, Standard Registration is $35 October 5 through October 11 and Onsite Registration$20. Participants can register at youthadvantage.org/stairs. Contact Youth Advantage at info@youthadvantage.org for more information.

4-H open house

Washington County community members are invited to learn more about 4-H at an upcoming open house.

4-H is a youth development program where students work on projects, engage in community service and develop leadership skills. It's open to youth in kindergarten through one year post high school. The county's 4-H clubs will be in attendance at the open house to share people what the organization has to offer through demonstrations and other activities.

The open house takes place from 1-4 p.m. Saturday, Oct. 26, at the Washington County Fairgrounds. It's free and open to the public so come stop by and learn more.

Learn more about 4-H in Washington County here or call 651-430-6800.

Christopher T. Nelson Joins Eckberg Lammers

Eckberg Lammers is pleased to announce the addition of Christopher Nelson as we expand our Municipal Law group.

In his new role, Christopher will serve as one of Eckberg Lammers' final civil municipal attorneys.

"The addition of Christopher is part of the firm's ongoing commitment to the firm's Municipal Law practice," shareholder Tom Weidner stated. "Christopher brings with him a well-rounded legal background that will aid in providing our municipalities with quality representation and results."

Nelson has an exceptional acumen for guiding local government clients throughout Minnesota, representing numerous municipalities prior to joining Eckberg Lammers.

Christopher earned his Juris Doctor degree, magna cum laude, in 2013 from William Mitchell College of Law. After graduation, Nelson worked in the public sector, where he clerked for the Honorable Rosa L. Leaning of the Third Judicial District, gaining experience on civil, criminal and family law cases. He then worked for the Housing Justice Center focusing on affordable housing litigation and policy before starting in private practice in 2017.

Library Corner

Stay connected with Bayport Public Library

Book Club
Monday, Oct. 14, 6:30 p.m., upstairs at the Library.
All are welcome to join our monthly book club. We will be discussing The Invisibilities by Chloe Benjamin. Please check with Library staff if you need assistance acquiring this book.

School Break Movies
Thursday, Oct. 17 and Friday, Oct. 18 at 1 p.m.
Looking for something to do when school is out? Stop by the library for a movie with free lemonade and popcorn! See the film at the Library or on our website. Everyone is welcome!

Evening Bedtime Evenings
Wednesday, Oct. 23, 6 p.m. – 7:30 p.m., for kids in grades K-5, pre-registration is required.
Learn how to draw bees and create a honeycomb textured background. Learn about the importance of pollinators while creating and. Space is limited, please register at bayportlibrary.org or by calling the Library.

Jam Session
Monday, 9:30 – 11 p.m.
Music lovers gather to play instruments and sing. Every-ones, young and old, is welcome. Dust off your guitar, fiddle, banjo, accordion, flute, harmonica, mandolin, ukulele and bring a simple tune to share. If you don't play an instrument but like to sing, you are also welcome to join in the fun!

Family Storytime
Tuesdays at 10:30 a.m.
Join Miss Peggy for stories, songs and rhymes! This is open to children of all ages and their parents and caregivers.

Baby Storytime
Thursdays at 10:30 a.m.
Join Miss Jill for songs, rhymes and bounces, and playtime. Baby storytime is for babies from birth to two years of age and their parents and caregivers. Older siblings are welcome to attend.

Café Philo
Fridays, 10:15 to 11:30 a.m.
All are welcome to join this weekly discussion group. Topics range from local to global to cosmic, including such issues as the environment, the future of artificial intelligence, genetically modified foods, and finances facing St. Croix Valley residents. The sessions are casual with folks joining in whenever they can. Please come for some stimulating conversation and a good cup of coffee.

Know Your Library
For over 100 years, this Bayport Public Library has been enriching the community and nurturing lifelong learning. If you are interested in understanding of the Library, please call Sara Danielson, Volunteer Coordinator, at 651-401-3450 or email danielsonsara4@gmail.com.

Scavenger Hunt: Hey, Kids
This month's scavenger hunt is for pumpkins! Stop by the Library to find all of them!

New, noteworthy materials
NFL 100: A Century of Pro Football edited by Brad Gaston
Timed to coincide with the National Football League's 100th anniversary, this book celebrates the history of America's most popular and highly watched sport.

Smithsonian World War II
Step by Step, published by DK
Traces the epic history of World War 2 across the globe with more than 100 detailed maps.

The Crossovers by Kwame Alexander (Middle Grade Readers)
Are you ready for an adventure? Imagine if one day you woke up and all the growth-ups had vanished. That's exactly what happens in Lucy Dampier's who is coming up with a plan to find out what's going on.

I Survived the Great Molasses Flood, 1919 by Lauren Tarshis (Middle Grade IWD Audiobook)
One hundred years ago, a killer wave of molasses struck a crowded Boston neighborhood. Discover the story of this strange disaster in the next book in the New York Times bestselling I Survived series. It is a very relatable story based on a historical event.

Quote of the week
"I think of life as a good book. The further you get into it, the more it begins to make sense." – Harold Kushner

Contact
Visit bayportlibrary.org or call 651-275-4416 for registration or information. The library is located at 580 N. Fourth St. Bayport. Open Mon.-Sat. at 10 a.m. Check our website for complete hours.

Library Corner is compiled by Bayport Public Library board president Sara Wagner.

ATTENTION: HIP REPLACEMENT RECIPIENTS

Smith & Nephew product catalog includes the now-recalled **Birmingham Hip Resurfacing (BHR)** and **R3 Hip Replacement** systems. As a result of malfunctions in both devices, many patients who have received these defective surgical implants have needed dangerous, painful, and costly revision surgery to correct the damage done.

Smith & Nephew's "Pure" Birmingham Hip Resurfacing and BHR Total Hip Implant Systems both used dangerous, defective materials that proved ineffective and harmful to patients. After years of higher-than-expected failure rates and an abnormal number of cases requiring revision surgery, the manufacturer finally recalled the BHR System product in September 2015.

Side effects include:
- **Severe hip and leg pain**
- **Tissue and bone damage**
- **Reduced joint mobility**
- **Pseudotumors in the area**

If you or a loved one has suffered harmful side effects or required painful and costly revision surgery after receiving a defective **Smith & Nephew, Stryker, Depuy or Zimmer** hip implant call us today.

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Public Comment Needed
on the
METRO Gold Line Bus Rapid Transit Project
Environmental Assessment
Public comments will be accepted from Oct. 7 to Nov. 6, 2019.
View the report and more information on submitting comments:
metrotransit.org/gold-line-environmental

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For more information on the environmental assessment and upcoming events:
- metrotransit.org/gold-line-project
- goldline@metrotransit.org
- 651-602-1555

METRO Gold Line

THE BULLETIN, OCTOBER 16, 2019

The Bulletin — Wednesday, October 16, 2019 — 4B

COMMUNITY

CALENDAR

Wednesday, Oct. 16

Caregiver Support Group, 2:30-4:30 p.m., All Saints Lutheran Church, 8100 Belden Blvd., Cottage Grove

Afton Heritage Preservation Commission, 5 p.m., Afton City Hall

Woodbury Walking Club, 6 p.m., 3100 Edgewater Drive

Woodbury City Council workshop meeting, 6:30 p.m., Woodbury City Hall

Flamingo Garden Club, 7 p.m., Cottage Grove City Hall

Cottage Grove City Council, 7 p.m., Cottage Grove City Hall

Narcotics Anonymous, 7 p.m., 8659 99th St. S., Cottage Grove

AA, 8 p.m., Community United Church of Christ, 1145 Summit Ave., St Paul Park

Thursday, Oct. 17

Woodbury Rotary Club, 7:15-8:15 a.m., The Machine Shed, Lake Elmo

American Red Cross blood drive, 10 a.m. to 4 p.m., St. Ambrose Catholic Church, 4125 Woodbury Drive

TOPS, 5:30 p.m., Zion Lutheran Church, 8500 Hillside Trail S., Cottage Grove

Newport City Council, 6:30 p.m., Newport City Hall Council Chambers

CoDA East Metro Group (12-step program), 6:30-7:30 p.m., Rasmussen College, 8565 Eagle Point Circle N., Woodbury

AA, 7:30 p.m., 14107 Hudson Road E., Afton

Valley Creek AA, 7:30 p.m., 7383 Afton Road, Woodbury

AA Big Book, 6 p.m., Community United Church of Christ, 1145 Summit Ave., St Paul Park

Friday, Oct. 18

Overeater's Anonymous, 10 a.m., Woodbury Lutheran Church, 7380 Afton Road

American Red Cross blood drive, 12:30-6:30 p.m., Newport Lutheran Church, 900 15th St., Newport

AA, 8 p.m., 1060 Radio Drive, Woodbury

Woodbury AA Big Book, 6:30 p.m., 9805 Upper Afton Road, Woodbury

AA, 7 p.m., Community United Church of Christ, 1145 Summit Ave., St Paul Park

AA, 7:15 p.m., 7760 Hargis Parkway, Woodbury

Saturday, Oct. 19

Men's AA, 9 a.m., 14107 Hudson Road E., Afton

AA, 9 a.m., Community United Church of Christ, 1145 Summit Ave., St Paul Park

AA Big Book, 9 a.m., 15730 Afton Blvd. E., Afton

Model train flea market, 9 a.m. to 2 p.m., Woodbury High School, 2665 Woodlane Drive

Narcotics Anonymous, 6 p.m. 1060 Chicago Ave., St. Paul Park

Sunday, Oct. 20

Plywood, noon, American Legion Post 68, 328 Broadway Ave., St. Paul Park

Narcotics Anonymous, 9 p.m., 7360 Afton Road, Woodbury

AA, 8 p.m., Community United Church of Christ, 1145 Summit Ave., St Paul Park

Monday, Oct. 21

Woodbury Bridge Club, 9 a.m., Central Park Valley Creek Room B, Woodbury

TOPS, 10:15 a.m., 8040 Somerset Road lower level, Woodbury

TOPS, 5:30 p.m., Hope Square, 6967 90th St. S., Cottage Grove

AA, 6 p.m., Community United Church of Christ, 1145 Summit Ave., St Paul Park

Overeater's Anonymous, 6:30 p.m., Woodwinds Hospital, 1925 Woodwinds Drive, Woodbury

AAIM, 6:30-8 p.m., Stillwater Library in Margaret Rivers Room A, 224 Third St. N.

St. Paul Park City Council, 7 p.m., St. Paul Park City Hall

Cottage Grove Public Services Commission, 7 p.m., Cottage Grove City Hall

Serenity Sisters AA, 7:15 p.m., 9805 Upper Afton Road, Woodbury

Valley Creek AA, 7:30 p.m., 7383 Afton Road, Woodbury

Tuesday, Oct. 22

TOPS, 9:45 a.m., St. Andrew's Church, 1590 Portland Ave., St. Paul Park

Washington County Board, 9 a.m. to 7 p.m., Washington County Government Center

American Red Cross blood drive, 11 a.m. to 5 p.m., American Legion, 328 Broadway, St. Paul Park

RAJAS to Read, 6:30 p.m., Newport Public Library, 600 Seventh St.

AA, 7 p.m., 1060 Radio Drive, Woodbury

Gamblers Anonymous, 7 p.m., Risen of Shanon Lutheran Church, 6975 Jamaica Ave. S., Cottage Grove

AA, 7 p.m., 1060 Chicago Ave., St. Paul Park

AA, 7:30 p.m., Community United Church of Christ, 1145 Summit Ave., St Paul Park

Wednesday, Oct. 23

Woodwinds Club — Toastmasters, noon, Hazelton Building, 900 Bielenberg Drive, Woodbury

AA, noon, 9805 Upper Afton Road, Woodbury

Woodbury Walking Club, 6 p.m., 3100 Edgewater Drive

Afton Parks Committee, 6 p.m., Afton City Hall

Narcotics Anonymous, 7 p.m., 8659 99th St. S., Cottage Grove

Woodbury City Council, 7:30 p.m., Woodbury City Hall

AA, 8 p.m., Community United Church of Christ, 1145 Summit Ave., St Paul Park

Thursday, Oct. 24

Memorial Blood Center blood drive, 8:30 a.m. to 2 p.m., Woodwinds Health Campus, 1925 Woodwinds Drive, Woodbury

Newport Park Board, 6 p.m., Newport City Hall

TOPS, 5:30 p.m., Zion Lutheran Church, 8500 Hillside Trail S., Cottage Grove

District 834 School Board, 6 p.m., Stillwater City Hall

CoDA East Metro Group (12-step program), 6:30-7:30 p.m., Rasmussen College, 8565 Eagle Point Circle N., Woodbury

District 833 School Board, 6:30 p.m., District Service Center, Cottage Grove

3M and Vincent meeting, 7-9 p.m., Woodbury High School, 2665 Woodlane Drive

AA, 7:30 p.m., 14107 Hudson Road E., Afton

Valley Creek AA, 7:30 p.m., 7383 Afton Road, Woodbury

AA Big Book, 6 p.m., Community United Church of Christ, 1145 Summit Ave., St Paul Park

Friday, Oct. 25

Overeater's Anonymous, 10 a.m., Woodbury Lutheran Church, 7380 Afton Road

AA, 8 p.m., 1060 Radio Drive, Woodbury

Woodbury AA Big Book, 6:30 p.m., 9805 Upper Afton Road, Woodbury

AA, 7 p.m., Community United Church of Christ, 1145 Summit Ave., St Paul Park

AA, 7:15 p.m., 7760 Hargis Parkway, Woodbury

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Songs by Arthur Freed & Nacio Herb Brown
Based on the classic Metro-Goldwyn-Mayer film by special arrangement with Warner Bros. Theatre Ventures, Inc.
The full stage adaptation of "the greatest movie musical of all time" is filled with fabulous costumes, snappy dialogue, and a hit parade score of unforgettable songs.
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Fridays & Saturdays at 7:30 p.m.
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R.H. STAFFORD LIBRARY EVENTS

Reducing Anxiety Through Meditation
10 a.m. to noon Thursday, Oct. 17
Doctors and medical practitioners are promoting the benefits of meditation to relieve stress and anxiety. When we are in a state of physical and mental calmness, we have more control over our emotions towards life's moments. Join Arvind Naik for this informative lecture. There will also be a short meditation sitting. Register online at WashCoLib.org/Events, the library information desk or by calling 651-731-3500.

Let's Write! Poetry Writing Workshop
6-7:30 p.m. Tuesday, Oct. 22
A writing workshop focused on poetry the fourth Tuesday of every month in the library's quiet study room. This Let's Write! program has you bring 1-2 of your own poems. Attendees will read each other's work and make helpful suggestions to make them the best poems possible. The second half of each session will focus on poetry prompts and writing poetry. Register online at WashCoLib.org/Events, the library information desk or by calling 651-731-3500.

Business Plan Essentials for Artists
10 a.m. to 12:30 p.m. Thursday, Oct. 24
Learn how to prepare a simple business plan, in arts-friendly language, to help you organize all the various aspects of your artistic practice and make informed business decisions. This workshop is presented by Springboard for the Arts. Registration is required. Register online at WashCoLib.org/Events, the library information desk or by calling 651-731-3500.

Tween Book Club
5:30-6:30 p.m. Thursday, Oct. 24
Do you feel too old for the "kid" programs but aren't yet old enough to join the teen programs? Tween Thursday Book Club days are designed for 8-12 year olds who want to come together to talk about a shared title, enjoy some light snacks and do an activity/game together. Attendees will read and discuss "Love Sugar Magic: A Dash of Trouble" by Anne Mendoza.

PARK GROVE LIBRARY EVENTS

Let's Make Stuff: Chinese Brush Painting
6-8 p.m. Wednesday, Oct. 16
Learn to paint natural scenes with bamboo brushes and ink. Begin by discussing the properties of bamboo brushes, mark-making techniques, brush strokes and ink characteristics. Then practice painting specific animals and natural subjects on rice paper. Let's Make Stuff is a creative class for adults. Each class will feature a different project and all materials will be provided. Class size is limited so registration is required. Register online at WashCoLib.org/Events, at the library information desk or by calling 651-730-4850.

Let's Draw!
4-5 p.m. Thursday, Oct. 24
Do you enjoy drawing? Do you want to increase your abilities and/or meet like-minded friends? Visit the library and focus on drawing through step-by-step instructions, prompts, and/or free drawing. All skill levels are welcome. This event is recommended for ages 8-12. No registration required.

Video Editing on the Cheap
10:30 a.m. to 12:30 p.m. Saturday, Oct. 26
A $10,000 video editing suite can do a lot for your videos, but you don't need that much investment to boost the look and appeal of your videos. In this class, take a look at some cheap or free apps that will help you edit and deliver good video on a low budget. Bring a device with a video camera. Register online at WashCoLib.org/Events, the library information desk or by calling 651-439-3010.

Seventh grade STEM Students of the Month

Lake Middle School in Woodbury has named its seventh grade STEM Students of the Month for September. Earning the honors are Lillian Brower (left) and Jake Marchiando (right), nominated by Miss Randy (center).

Public Comment Needed

on the
METRO Gold Line Bus Rapid Transit Project
Environmental Assessment

Public comments will be accepted from Oct. 7 to Nov. 6, 2019
View the report and more information on submitting comments at:
metrotransit.org/gold-line-environmental

OPEN HOUSES			OFFICE HOURS
Oct. 22 5 p.m. - 7 p.m. East Side Learning Hub at Harding High School 1540 Sixth St. E Saint Paul	Oct. 23 5 p.m. - 7 p.m. Landfall Community Center 2 Fourth Ave. Landfall	Oct. 28 11 a.m. - 1 p.m. Gold Line Project Office 121 Seventh Pl. E. Suite 102 Saint Paul	

For more information on the environmental assessment and upcoming events:
- metrotransit.org/gold-line-project
- gold-line@metrotransit.org
- 651-602-1553

METRO Gold Line

METRO Gold Line

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

Finding of No Significant Impact

Appendix G. EA Open House Exhibits

January 2020

METRO Gold Line

METRO Gold Line Bus Rapid Transit
OPEN HOUSE
October 2019

At today's open house you can review and provide input on the Environmental Assessment and Preferred Build Alternative

Open house format:

- View boards and maps
- Review Environmental Assessment
- No formal presentation
- Talk with project staff
- Provide comments

Provide your comments at today's meeting:

- Verbally to court reporter
- Written comment form
- Online via the project website or email
- Comment period began October 7 and ends on November 6, 2019

METRO Gold Line BRT Overview

METRO Gold Line

21 Stations between Saint Paul and Woodbury

- **10** Downtown Saint Paul
- **5** Saint Paul East Side Neighborhoods
- **1** Maplewood
- **1** Landfall/Oakdale
- **1** Oakdale
- **3** Woodbury

4 Park & Rides

- Sun Ray Station (existing)
- Helmo Avenue Station (new)
- Woodbury Theatre Station (existing)
- Woodbury 494 Park & Ride Station (new)

4 BRT-exclusive bridge crossings

- Highway 61/Etna Street
- Johnson Parkway
- McKnight Road
- Highway 120/Century Avenue

2 BRT, roadway and trail bridge crossings

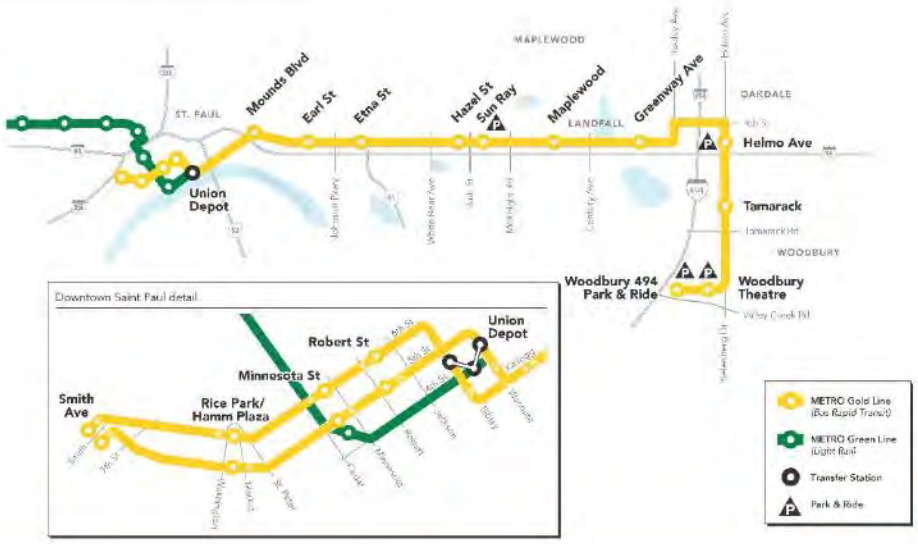
- I-94 connecting Helmo Avenue and Bielenberg Drive
- 4th Street

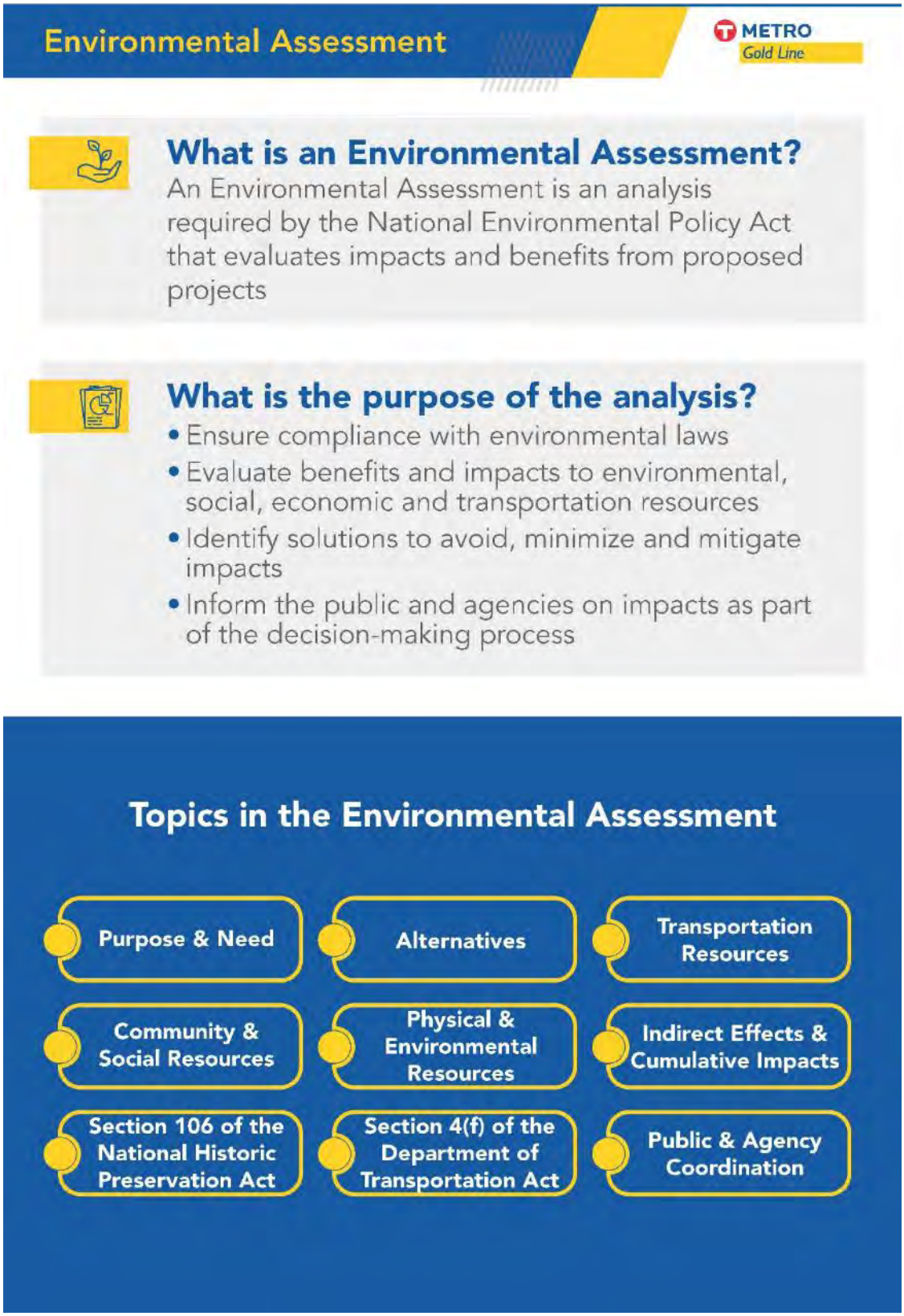
2 BRT-exclusive underpasses

- White Bear Avenue
- Ruth Street

Proposed operating schedule

- 5 a.m. to midnight, 7 days a week
- Buses every 10 minutes during rush hour
- Buses every 15 to 30 minutes during non-rush hour




Environmental Assessment
METRO
Gold Line
What is an Environmental Assessment?
An Environmental Assessment is an analysis required by the National Environmental Policy Act that evaluates impacts and benefits from proposed projects
What is the purpose of the analysis?
• Ensure compliance with environmental laws
• Evaluate benefits and impacts to environmental, social, economic and transportation resources
• Identify solutions to avoid, minimize and mitigate impacts
• Inform the public and agencies on impacts as part of the decision-making process
Topics in the Environmental Assessment
Purpose & Need
Alternatives
Transportation Resources
Community & Social Resources
Physical & Environmental Resources
Indirect Effects & Cumulative Impacts
Section 106 of the National Historic Preservation Act
Section 4(f) of the Department of Transportation Act
Public & Agency Coordination

Lead and Cooperating Agencies

METRO Gold Line

Who is involved in the Environmental Assessment?

- Federal Transit Administration serves as the lead federal agency. Funding is being pursued through Federal Transit Administration's Capital Investment Grants Program.
- Metropolitan Council serves as the project sponsor and Responsible Government Unit for state environmental review process
- Cooperating agencies are government agencies that have jurisdiction or special expertise on issues to be addressed, and intend to cooperate on the Environmental Assessment. These agencies include:
  - Federal Highway Administration
  - U.S. Army Corps of Engineers
  - Minnesota Department of Transportation
- Cooperating agencies provide input on the project's purpose and need, impacts and alternatives evaluations and resource analyses' level of detail

▲ *The Minnesota Department of Transportation and Federal Highway Administration provide guidance on activities impacting Interstate 94 right-of-way*

▲ *Wetland field walk with the U.S. Army Corp of Engineers Technical Evaluation Panel*

Project Permits and Approvals

METRO Gold Line

Federal and State Permits and Approvals

JURISDICTION	PERMIT/APPROVAL*
Federal Agencies	
Federal Transit Administration	• Environmental Decision Document • Section 4(f) Determination • Section 106 Programmatic Agreement
Federal Highway Administration	• Environmental Decision Document • Right-of-Way Use Agreement
U.S. Army Corps of Engineers	• Section 404 Permit
U.S. Fish and Wildlife Service	• Endangered Species Act • Section 7 Determination
Advisory Council on Historic Preservation	• Section 106 Programmatic Agreement
State Agencies	
Minnesota Department of Transportation	• Right-of-Way Permit • Application for Drainage Permit • Application for Utility Accommodation on Trunk Highway Right-of-Way • Application for Miscellaneous Work on Trunk Highway Right-of-Way
State Historical Preservation Office	• Section 106 Programmatic Agreement
Department of Natural Resources	• Public Waters Work Permit • Water Appropriation Permit
Minnesota Board of Water and Soil Resources	• Joint Application Form for Activities Affecting Water Resources in Minnesota
Minnesota Pollution Control Agency	• National Pollutant Discharge Elimination System Permit • Section 401 Water Quality Certification
Department of Agriculture	• Noxious Weed Management Plan

**Other local permits may be needed*

Federal Agency Requirements

METRO Gold Line

Federal Transit Administration

- Responsible for preparing Environmental Assessment
- Finding of No Significant Impact will be issued after the public comment if there are no significant impacts identified
- Final Section 4(f) evaluation and Final Programmatic Agreement will be in Finding of No Significant Impact

Federal Highway Administration

- Responsible for coordinating on I-94 and the federal-aid highway system
- Right-of-Way Use Agreement will require Federal Highway Administration approval to use a portion of I-94 right-of-way for transit infrastructure
- No right-of-way will be permanently acquired as part of the 99-year agreement. However, the terms of the agreement will impact planning for future highway projects.
- Federal Highway Administration will issue its own Finding of No Significant Impact after Federal Transit Administration completes its environmental review process

U.S. Army Corps of Engineers

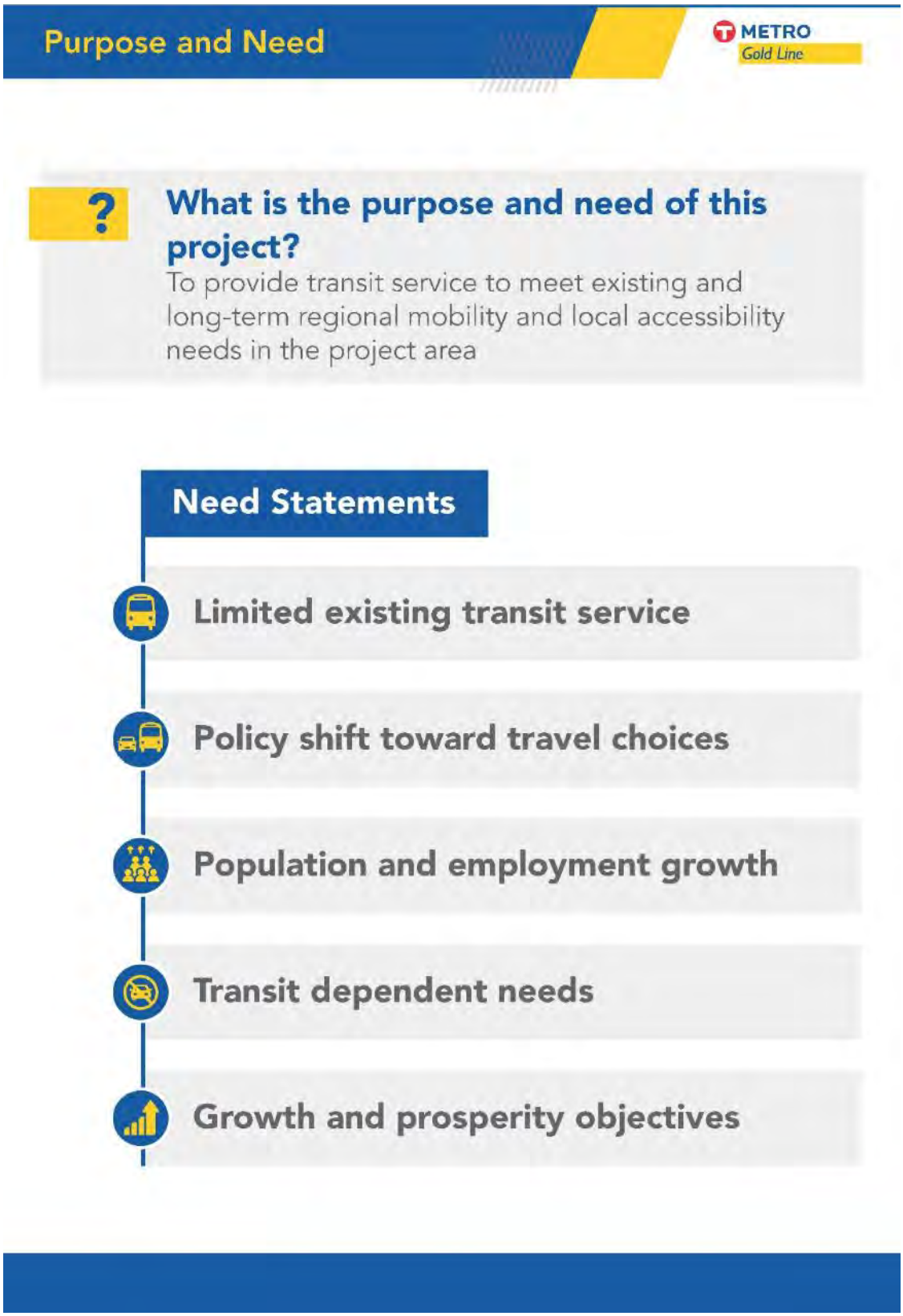
- Administers the Section 404 of the Clean Water Act to relegate the discharge of dredge and fill materials into the waters of the U.S., including wetlands
- Permit decision under Section 404 will be issued after Federal Transit Administration completes its environmental review process

U.S. Fish and Wildlife Service

- Responsible for ensuring compliance with the Endangered Species Act, the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act
- Federal Transit Administration has initiated informal consultation to determine the likelihood of effects on listed species to fulfill Endangered Species Act Section 7 obligations

Advisory Council on Historic Preservation

- Oversees implementation of Section 106 of the National Historic Preservation Act which requires federal agencies to consider effects of federal undertakings on properties listed in or eligible for the National Register of Historic Places


Purpose and Need
METRO
Gold Line
What is the purpose and need of this project?
To provide transit service to meet existing and long-term regional mobility and local accessibility needs in the project area
Need Statements
Limited existing transit service
Policy shift toward travel choices
Population and employment growth
Transit dependent needs
Growth and prosperity objectives

Alternatives
METRO Gold Line
Alternatives Evaluated in the Environmental Assessment
No-Build Alternative
• Existing transportation system as presented in the Metropolitan Council 2040 Transportation Policy Plan without the project
Build Alternative 1 (Locally Preferred Alternative)
• Alignments A1 B C D3
Build Alternative 2
• Alignments A2 B C D3
Alternatives (Figure 2.2-1 of Environmental Assessment)
WASHINGTON COUNTY
RAMSEY COUNTY
SAINT PAUL
MAPLEWOOD
LANDFALL
OAKDALE
WOODBURY
Union Depot Station
Mounds Boulevard Station
Earl Street Station
Hazel Street Station
Sun Ray Station
Tamarack Station
Woodbury Theatre Station
Woodbury 494 Park and Ride Station
Build Alternative 1: A1-BC-D3
Build Alternative 2: A2-BC-D3
Potential BRT Station Locations
Operations and Maintenance Facility Site (OMF)
Park and Ride (new)
Park and Ride (existing)
0
0.5
1 Miles

METRO Gold Line

BRT Operating Environment

BRT would operate in a dedicated guideway (BRT-only lanes) and in mixed traffic (regular traffic lanes)

Dedicated guideway would be new roadway constructed for the project, with the exception of using existing dedicated guideway in downtown Saint Paul

Operations (Figure 2.2-2 of Environmental Assessment)

Example of BRT operating conditions

Section 4(f) Resources

METRO Gold Line

Section 4(f) of the Transportation Act of 1966

- States that a federally funded project may not be approved when it impacts publicly owned parks, recreation areas, wildlife and waterfowl refuges or historic sites. An impact to a Section 4(f) property occurs when land is permanently incorporated, temporarily occupied or the proximity of the project would substantially impair protected features. Federal Transit Administration may not approve the use of Section 4(f) property unless a determination is made that: 1) there is no feasible and prudent avoidance alternative; 2) the action includes all possible planning to minimize harm; or 3) Federal Transit Administration determines the use will have a *de minimis* impact.
- Federal Transit Administration has complied with Section 4(f) by:
  - Identifying protected properties within the project area
  - Consulting with owners with jurisdiction of protected properties
  - Assessing potential impacts and examining ways to avoid impacts
  - Identifying potential minimization and mitigation strategies
- You are invited to review and comment on the project effects on protected activities, features or attributes of Section 4(f) properties
- Opportunity for public review and comment concerning the potential effects of the project on Section 4(f) properties is satisfied in conjunction with this open house and the Environmental Assessment public comment period per 23 CRF 774

▲ *Johnson Parkway in Saint Paul is a Section 4(f) property*

Historic Properties (Section 106)

METRO Gold Line

What is Section 106?

Section 106 of the National Historic Preservation Act of 1966 requires federal agencies to consider the effects of their undertakings on historic properties

What are historic properties?

Any prehistoric or historic district, site, building, structure or object included in or eligible for inclusion in the National Register of Historic Places

What is the National Register of Historic Places?

- The National Register of Historic Places is the nation's official list of properties recognized for their significance in American history, architecture, archaeology, engineering and culture
- A historic property must meet one or more of the following criteria:
  - ***Criterion A:*** Association with events, activities or broad patterns of history
  - ***Criterion B:*** Association with persons significant in the past
  - ***Criterion C:*** Characteristic of a type, period or method of construction
  - ***Criterion D:*** Potential to yield information
- In addition to meeting at least one of the above criteria, a property must generally be at least 50 years of age and retain sufficient integrity to convey its significance

Historic Properties (Section 106)

METRO Gold Line

What is the process for completing a Section 106 review?

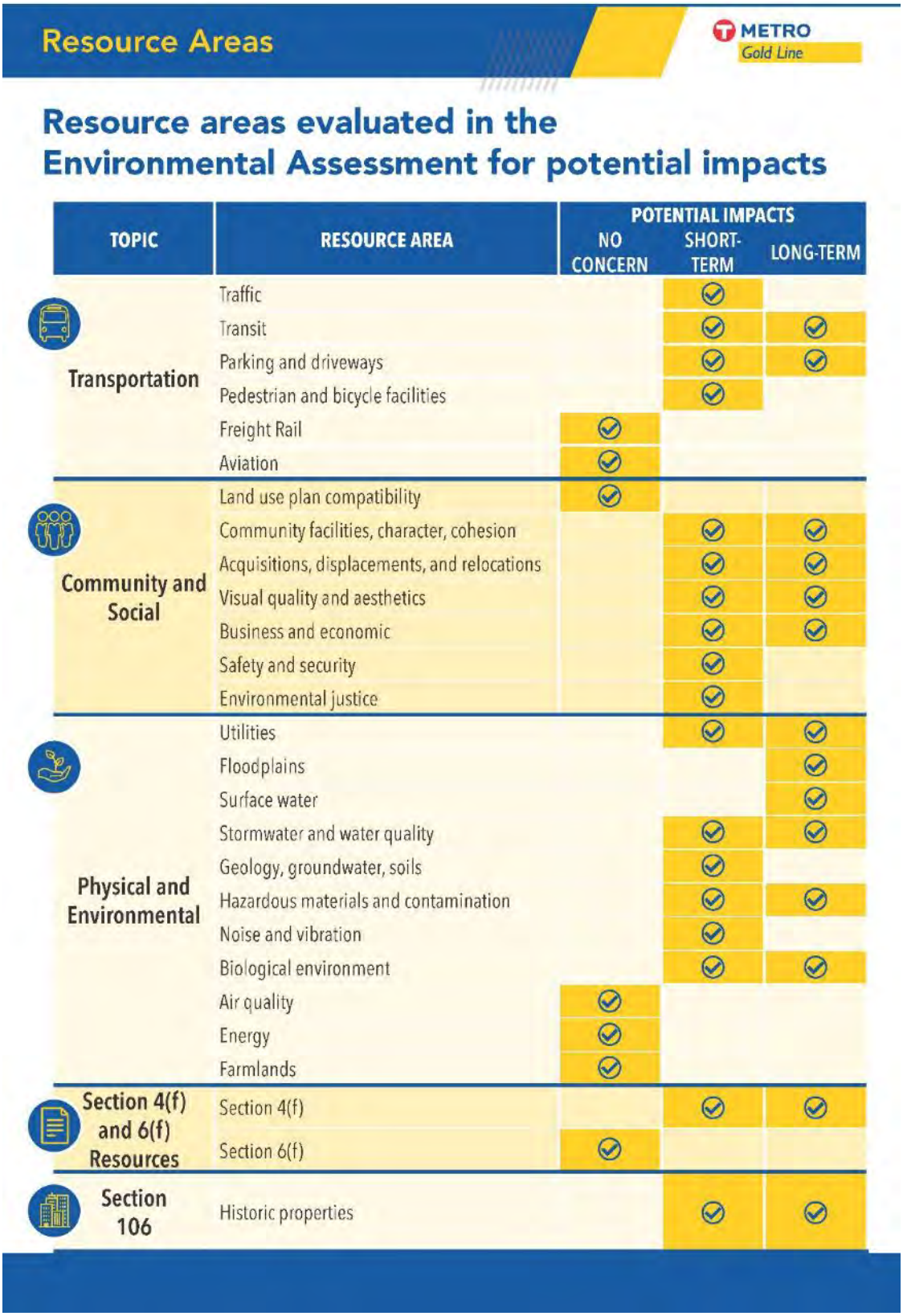
- Identify historic properties that may be affected by the project (within the area of potential effect)
- Determine how those historic properties might be affected by the project and whether any of those effects would be adverse
- Identify measures to avoid, minimize or mitigate adverse effects
- Reach an agreement with the State Historic Preservation Office, Tribal Historic Preservation Offices and other interested parties on identified measures

What is a Programmatic Agreement?

- Outlines a process for identifying and evaluating properties for the National Register of Historic Places, assessing effects on historic properties and resolving any adverse effects
- Identifies design development and review processes and requirements for protecting historic properties during project construction
- Opportunity for public review and comment on the draft Programmatic Agreement for the Gold Line project is satisfied in conjunction with this open house and the Environmental Assessment public comment period
- Public comments will be considered by the Federal Transit Administration for the assessment of effects. The Determination of Effect will be finalized in 2020 and available at: *www.metrotransit.org/gold-line-environmental*

▲ *3M campus in Maplewood*

▲ *Union Depot in downtown Saint Paul*



Resource Areas

METRO Gold Line

Resource areas evaluated in the Environmental Assessment for potential impacts

TOPIC	RESOURCE AREA	POTENTIAL IMPACTS: NO CONCERN	POTENTIAL IMPACTS: SHORT-TERM	POTENTIAL IMPACTS: LONG-TERM
Transportation	Traffic		✓	
	Transit		✓	✓
	Parking and driveways		✓	✓
	Pedestrian and bicycle facilities		✓	
	Freight Rail	✓		
	Aviation	✓		
Community and Social	Land use plan compatibility	✓		
	Community facilities, character, cohesion		✓	✓
	Acquisitions, displacements, and relocations		✓	✓
	Visual quality and aesthetics		✓	✓
	Business and economic		✓	✓
	Safety and security		✓	
	Environmental justice		✓	
Physical and Environmental	Utilities		✓	✓
	Floodplains			✓
	Surface water			✓
	Stormwater and water quality		✓	✓
	Geology, groundwater, soils		✓	
	Hazardous materials and contamination		✓	✓
	Noise and vibration		✓	
	Biological environment		✓	✓
	Air quality	✓		
	Energy	✓		
	Farmlands	✓		
Section 4(f) and 6(f) Resources	Section 4(f)		✓	✓
	Section 6(f)	✓		
Section 106	Historic properties		✓	✓

Identification of the Preferred Alternative

METRO Gold Line

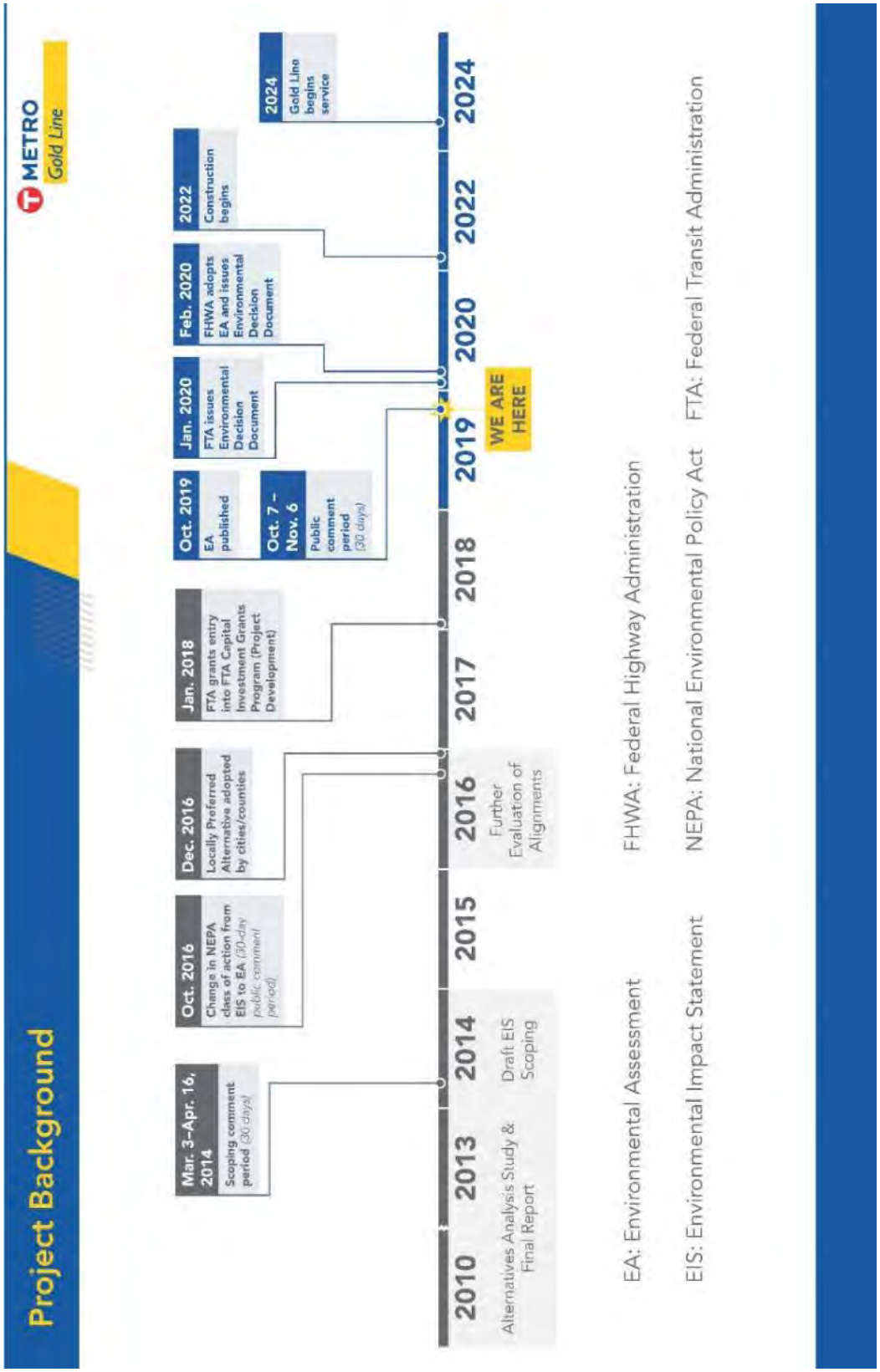
Build Alternative 1

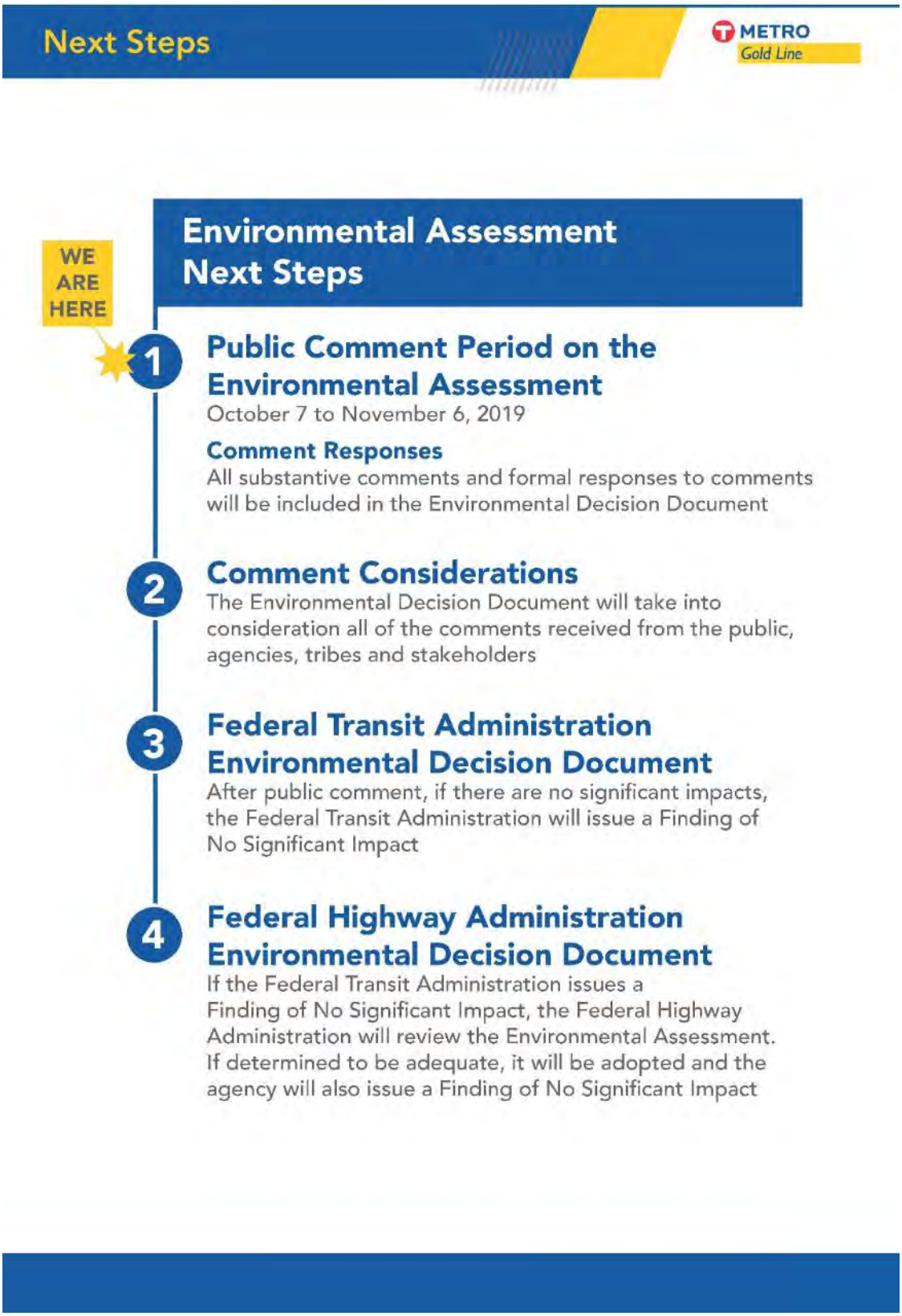
Best meets the purpose and need when compared to Build Alternative 2

Benefits of Alignment A1 under Build Alternative 1 *(preferred)*

1. Provides direct access to downtown Saint Paul
2. Serves greatest employment and housing density where population and employment growth is expected
3. Includes high concentrations of zero-vehicle households
4. Provides direct access to transit for environmental justice populations living in downtown Saint Paul
5. Maximizes travel time savings with one-seat ride through downtown Saint Paul
6. Maximizes ridership

Alternatives (Figure 2.2-1 of Environmental Assessment)


METRO Gold Line
Project Background
2010
2013
2014
2015
2016
2017
2018
2019
2020
2022
2024
Alternatives Analysis Study & Final Report
Draft EIS Scoping
Further Evaluation of Alignments
WE ARE HERE
Mar. 3–Apr. 16, 2014
Scoping comment period (30 days)
Oct. 2016
Change in NEPA class of action from EIS to EA (30-day public comment period)
Dec. 2016
Locally Preferred Alternative adopted by cities/counties
Jan. 2018
FTA grants entry into FTA Capital Investment Grants Program (Project Development)
Oct. 2019
EA published
Oct. 7 – Nov. 6
Public comment period (30 days)
Jan. 2020
FTA issues Environmental Decision Document
Feb. 2020
FHWA adopts EA and issues Environmental Decision Document
2022
Construction begins
2024
Gold Line begins service
EA: Environmental Assessment
FHWA: Federal Highway Administration
EIS: Environmental Impact Statement
NEPA: National Environmental Policy Act
FTA: Federal Transit Administration


Next Steps
METRO
Gold Line
WE ARE HERE
Environmental Assessment Next Steps
1
Public Comment Period on the Environmental Assessment
October 7 to November 6, 2019
Comment Responses
All substantive comments and formal responses to comments will be included in the Environmental Decision Document
2
Comment Considerations
The Environmental Decision Document will take into consideration all of the comments received from the public, agencies, tribes and stakeholders
3
Federal Transit Administration Environmental Decision Document
After public comment, if there are no significant impacts, the Federal Transit Administration will issue a Finding of No Significant Impact
4
Federal Highway Administration Environmental Decision Document
If the Federal Transit Administration issues a Finding of No Significant Impact, the Federal Highway Administration will review the Environmental Assessment. If determined to be adequate, it will be adopted and the agency will also issue a Finding of No Significant Impact

How to Comment

METRO Gold Line

Public Comment Period

The public comment period for the Environmental Assessment is October 7 to November 6, 2019

Review the Environmental Assessment:

- Electronically:
  - www.metrotransit.org/gold-line-environmental
- Hard Copy:
  - George Latimer Central Library, downtown Saint Paul
  - Dayton's Bluff Library, Saint Paul
  - Sun Ray Library, Saint Paul
  - Maplewood Library, Maplewood
  - Landfall City Hall, Landfall
  - Oakdale Library, Oakdale
  - R.H. Stafford Library, Woodbury
  - Gold Line Project Office, 121 7th Place East, Suite 102, Saint Paul

Comment Submittal Methods

All comment submittal methods are considered equal

Comment Responses

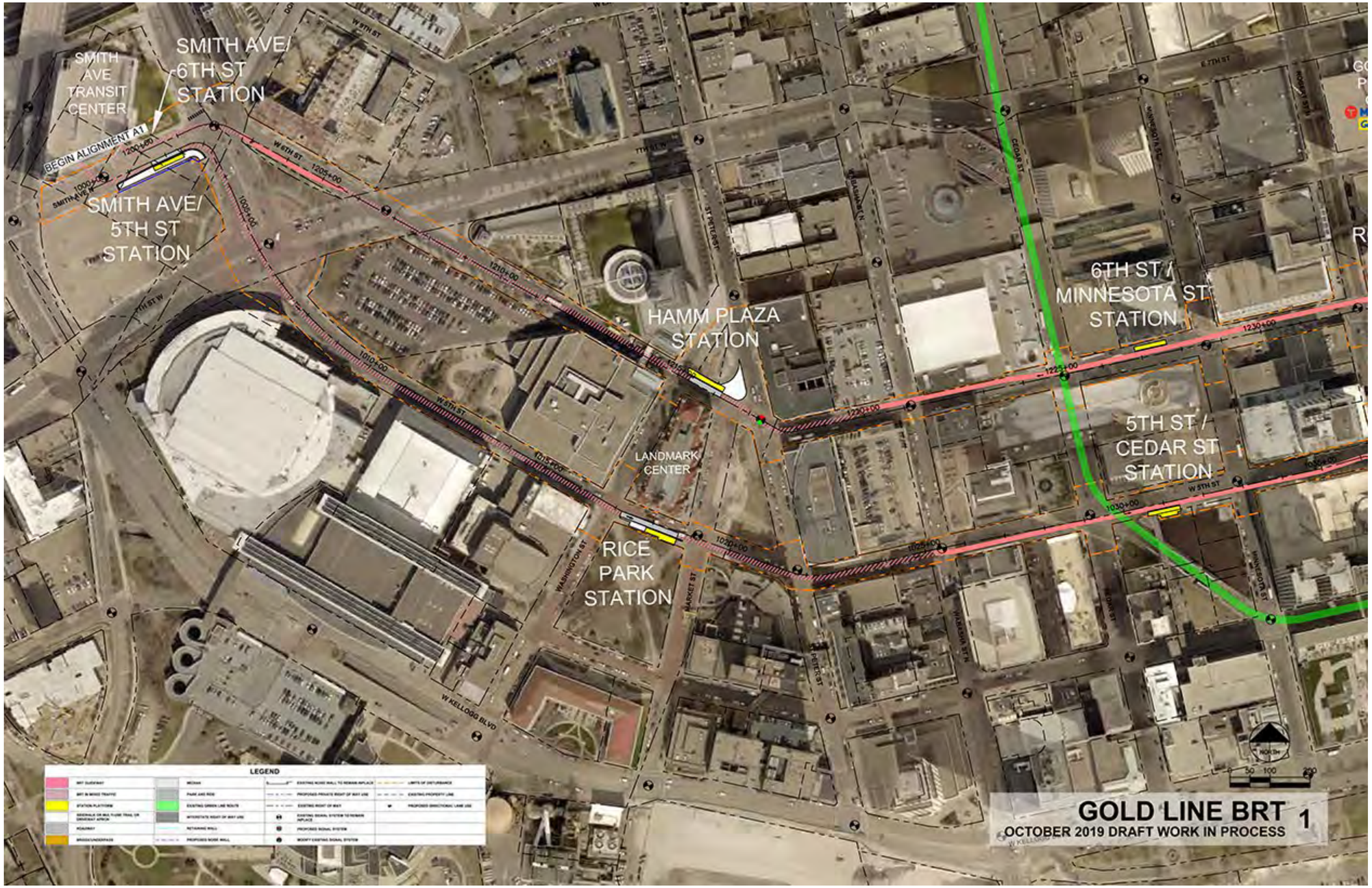
The Federal Transit Administration and the Metropolitan Council will consider all comments submitted and will provide responses to substantive comments in the Federal Transit Administration's Environmental Decision Document

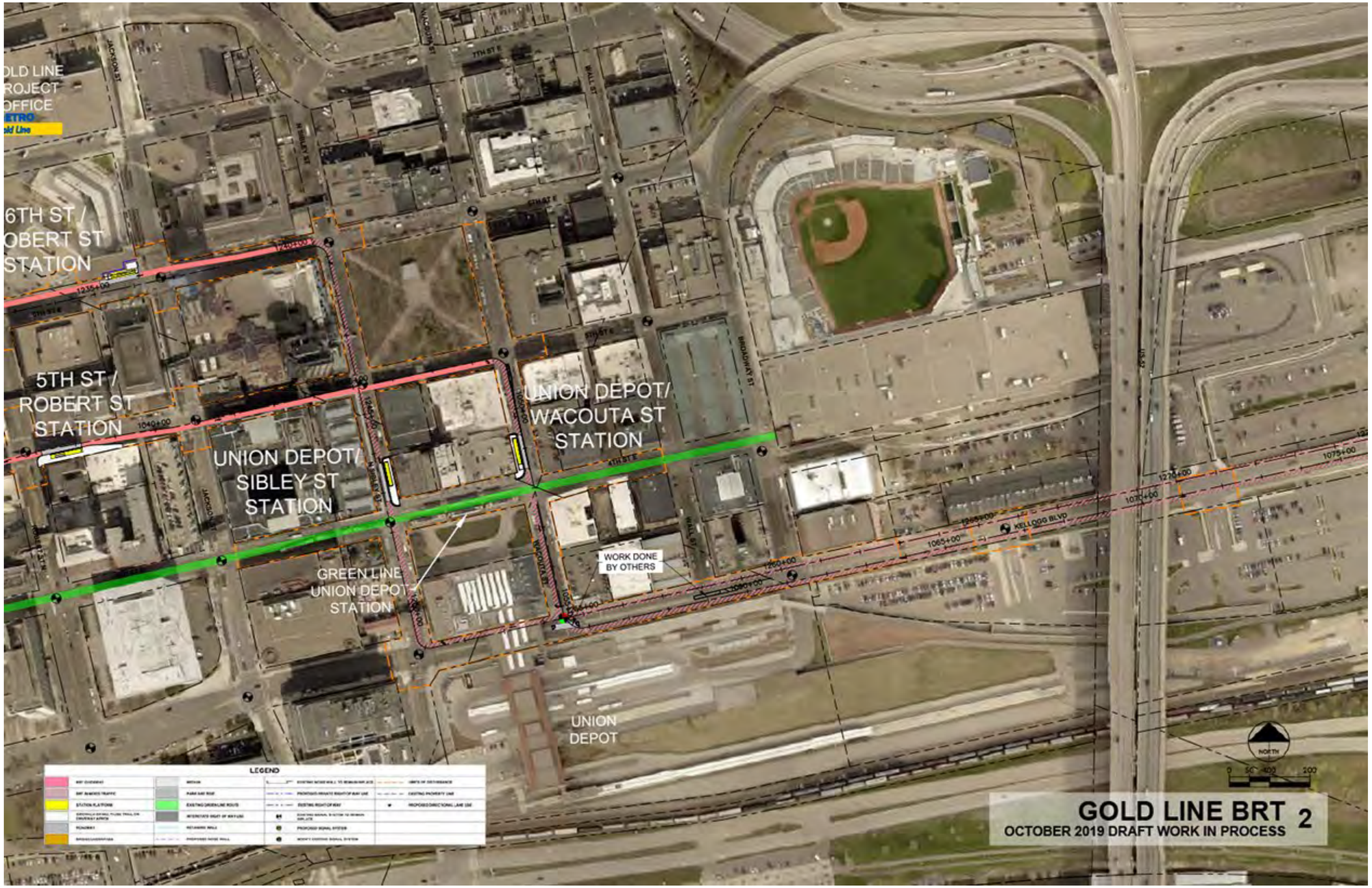
Submit Comments

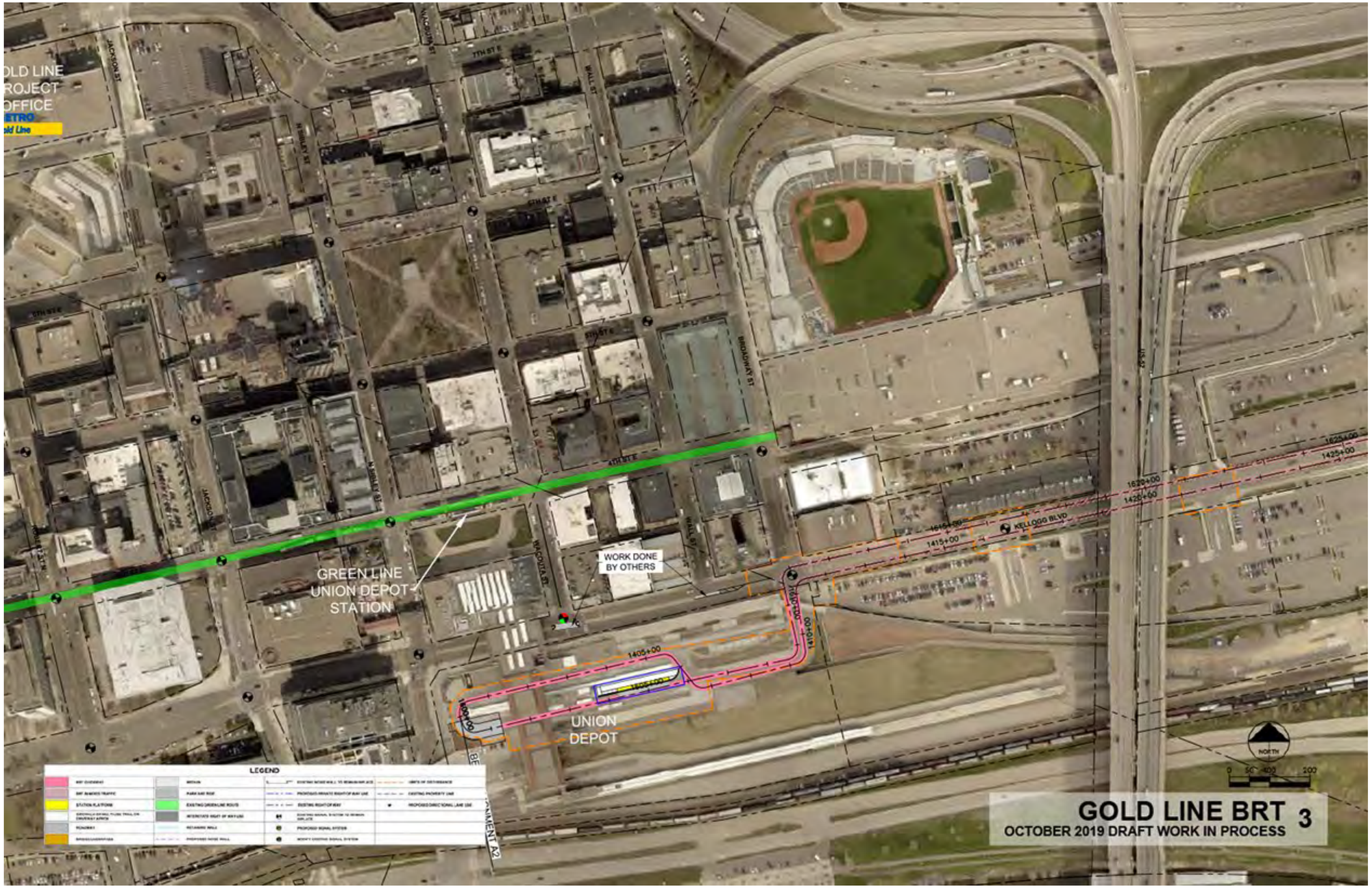
Throughout the public comment period, anyone can submit comments through the following methods:

- **Email:** goldline@metrotransit.org
- **Online:** www.metrotransit.org/gold-line-environmental
- **Mail:** Gold Line Project Office, c/o Chelsa Johnson
  121 7th Place East, Suite 102, Saint Paul, MN 55101
- **Verbally via court reporter at environmental assessment event**
- **Written comment forms at environmental assessment event**

▲ *Example of a station*


SMITH AVE TRANSIT CENTER
SMITH AVE/ 6TH ST STATION
BEGIN ALIGNMENT A1
SMITH AVE/ 5TH ST STATION
HAMM PLAZA STATION
6TH ST / MINNESOTA ST STATION
5TH ST / CEDAR ST STATION
LANDMARK CENTER
RICE PARK STATION
W KELLOGG BLVD
LEGEND
GOLD LINE BRT 1
OCTOBER 2019 DRAFT WORK IN PROCESS


OLD LINE
ROJECT
OFFICE
6TH ST /
OBERT ST
STATION
5TH ST /
ROBERT ST
STATION
UNION DEPOT/
SIBLEY ST
STATION
UNION DEPOT/
WACOUTA ST
STATION
GREEN LINE
UNION DEPOT
STATION
WORK DONE
BY OTHERS
UNION
DEPOT
KELLOGG BLVD
LEGEND
NORTH
GOLD LINE BRT 2
OCTOBER 2019 DRAFT WORK IN PROCESS


OLD LINE
ROJECT
OFFICE
ETRO
old Line
JACKSON ST
7TH ST E
WALL ST
BROADWAY ST
US-52
KELLOGG BLVD
GREEN LINE
UNION DEPOT
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LEGEND
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GOLD LINE BRT 3
OCTOBER 2019 DRAFT WORK IN PROCESS


℄ BRT GUIDEWAY WB
℄ BRT GUIDEWAY EB
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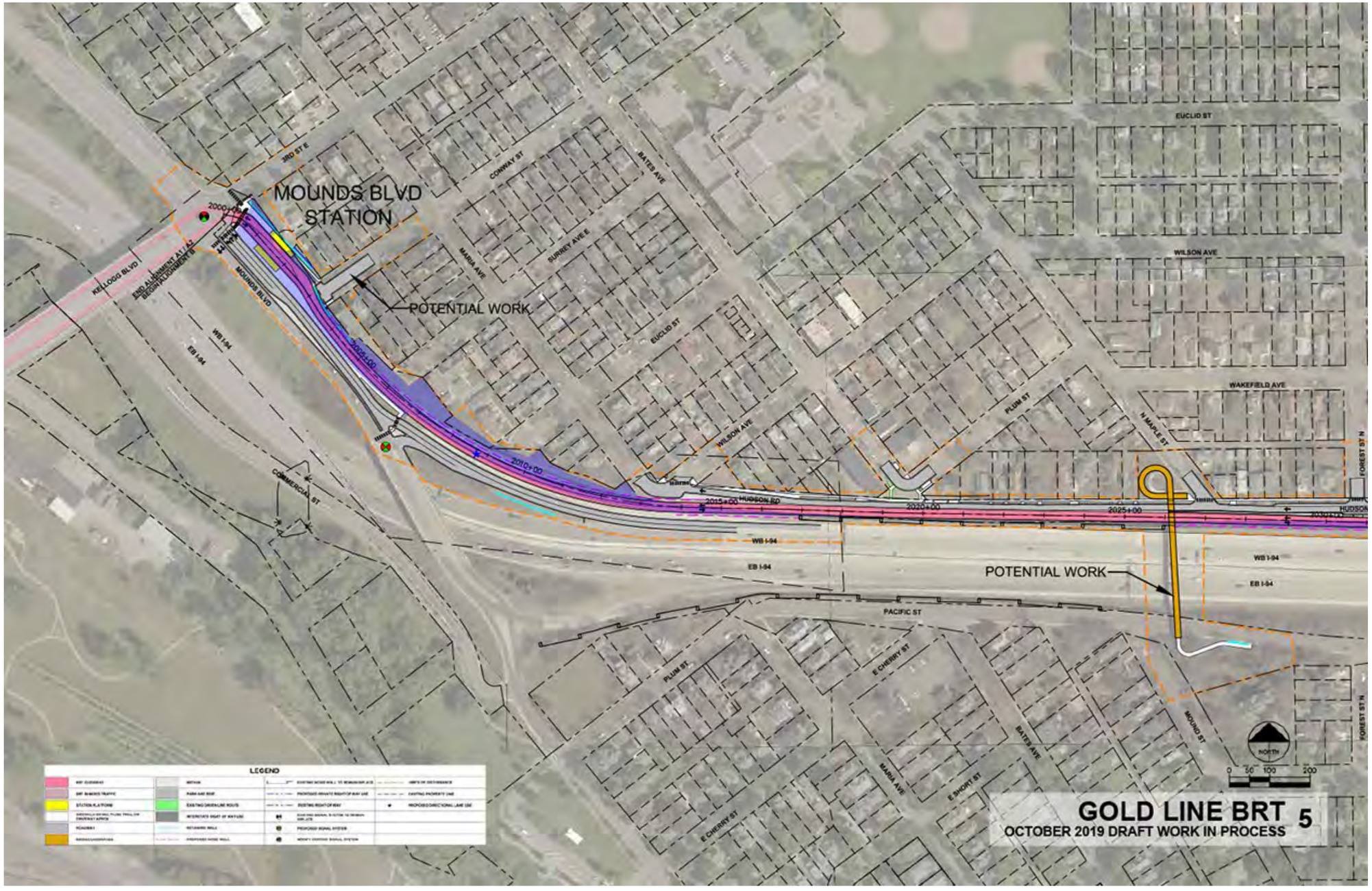
OCTOBER 2019 DRAFT WORK IN PROCESS


MOUNDS BLVD STATION
POTENTIAL WORK
POTENTIAL WORK
3RD ST E
CONWAY ST
BATES AVE
MARIA AVE
SURREY AVE E
EUCLID ST
WILSON AVE
WAKEFIELD AVE
PLUM ST
N MAPLE ST
FOREST ST N
KELLOGG BLVD
MOUNDS BLVD
WB I-94
EB I-94
COMMERCIAL ST
HUDSON RD
PACIFIC ST
E CHERRY ST
E SHORT ST
MOUND ST
2000+00
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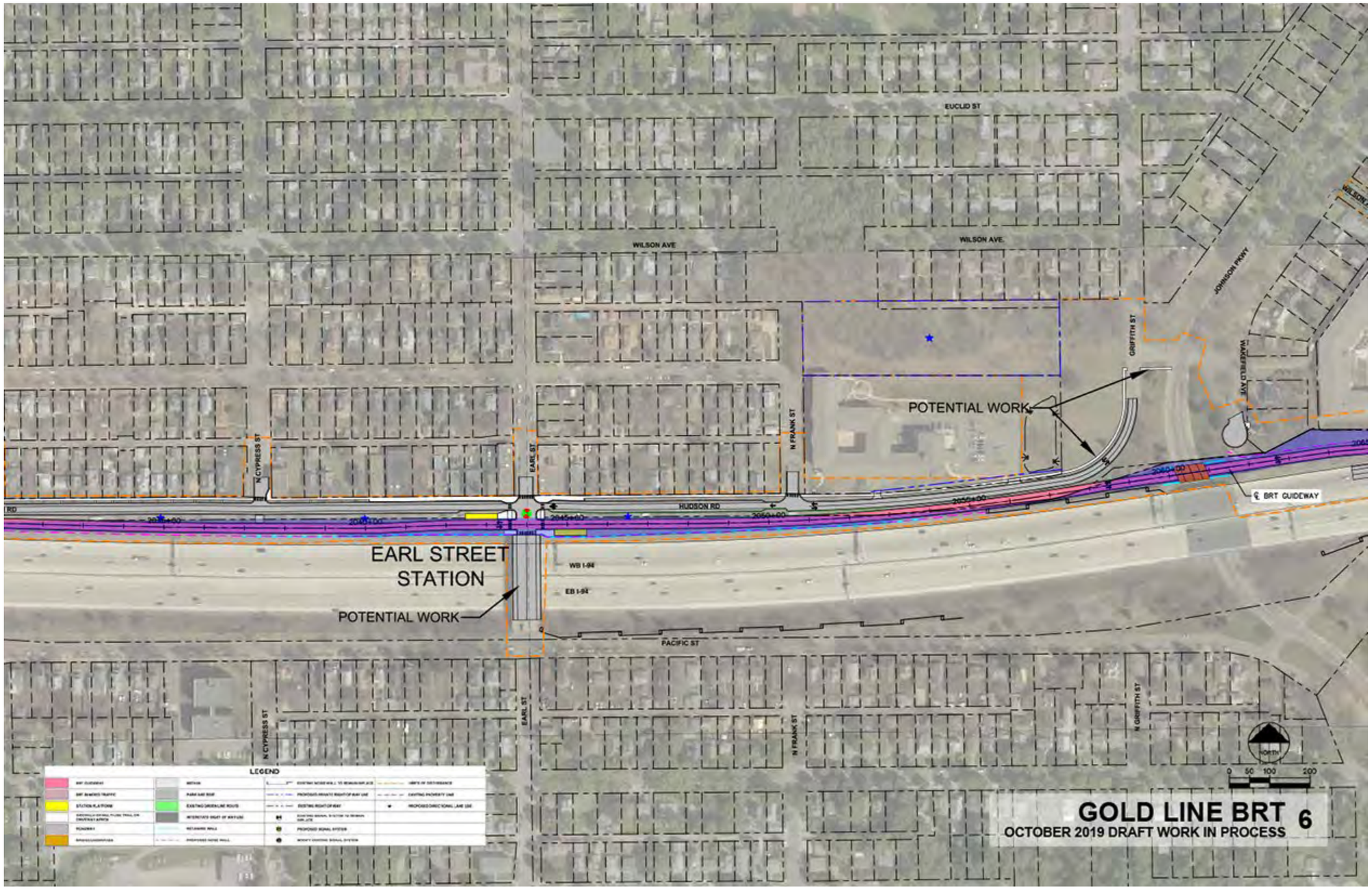
GOLD LINE BRT 5
OCTOBER 2019 DRAFT WORK IN PROCESS


EUCLID ST
WILSON AVE
WILSON AVE.
JOHNSON PKWY
GRIFFITH ST
WAKEFIELD AVE
POTENTIAL WORK
N CYPRESS ST
EARL ST
N FRANK ST
HUDSON RD
BRT GUIDEWAY
EARL STREET STATION
WB I-94
EB I-94
POTENTIAL WORK
PACIFIC ST
N GRIFFITH ST
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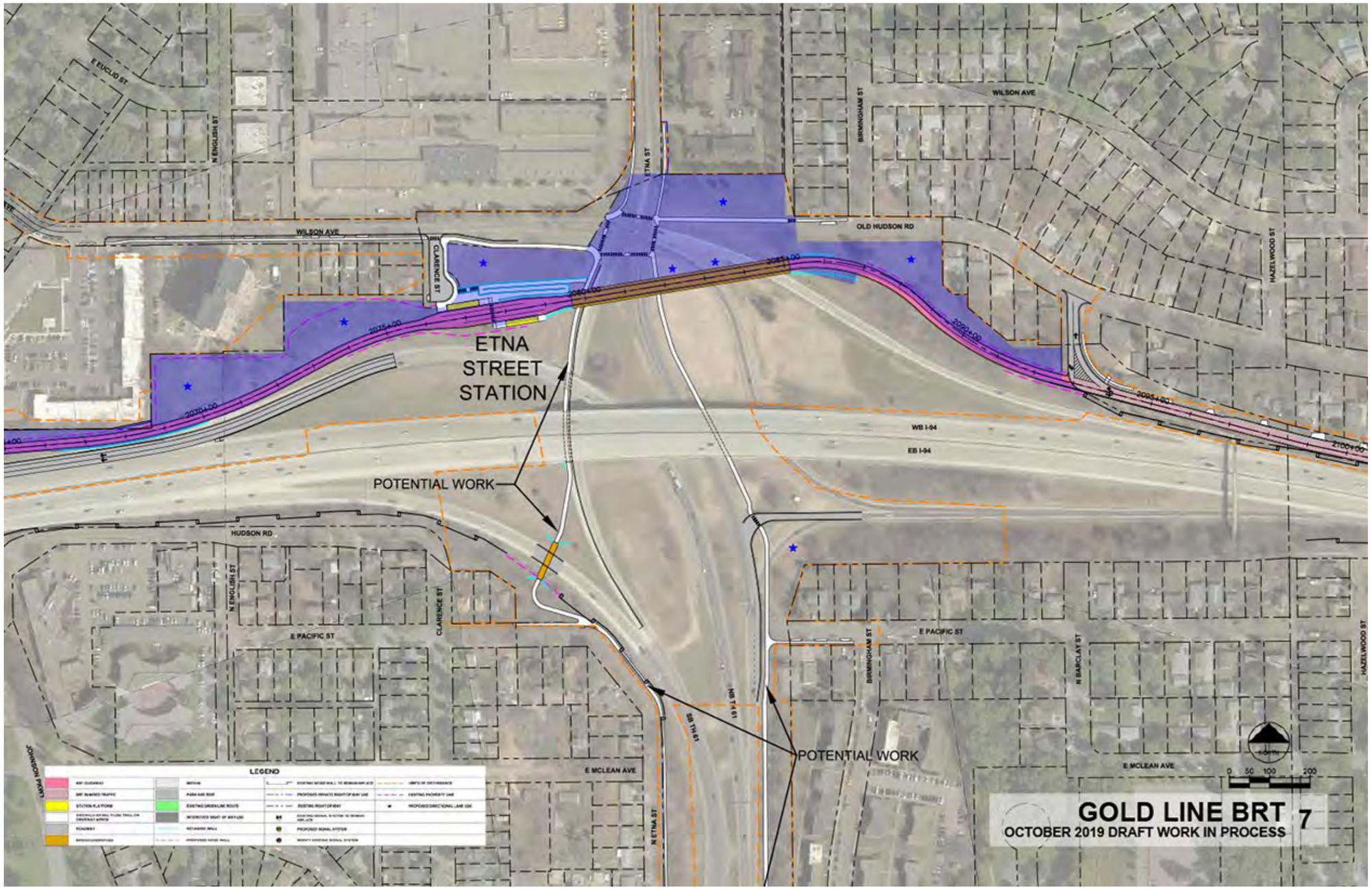
GOLD LINE BRT 6
OCTOBER 2019 DRAFT WORK IN PROCESS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CLARENCE ST
ETNA ST
BIRMINGHAM ST
OLD HUDSON RD
HAZELWOOD ST
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2020+00
2000+00
2005+00
2100+00
ETNA STREET STATION
WB I-94
EB I-94
POTENTIAL WORK
HUDSON RD
E PACIFIC ST
JOHNSON PKWY
N ETNA ST
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N BARCLAY ST
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POTENTIAL WORK
LEGEND
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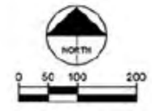
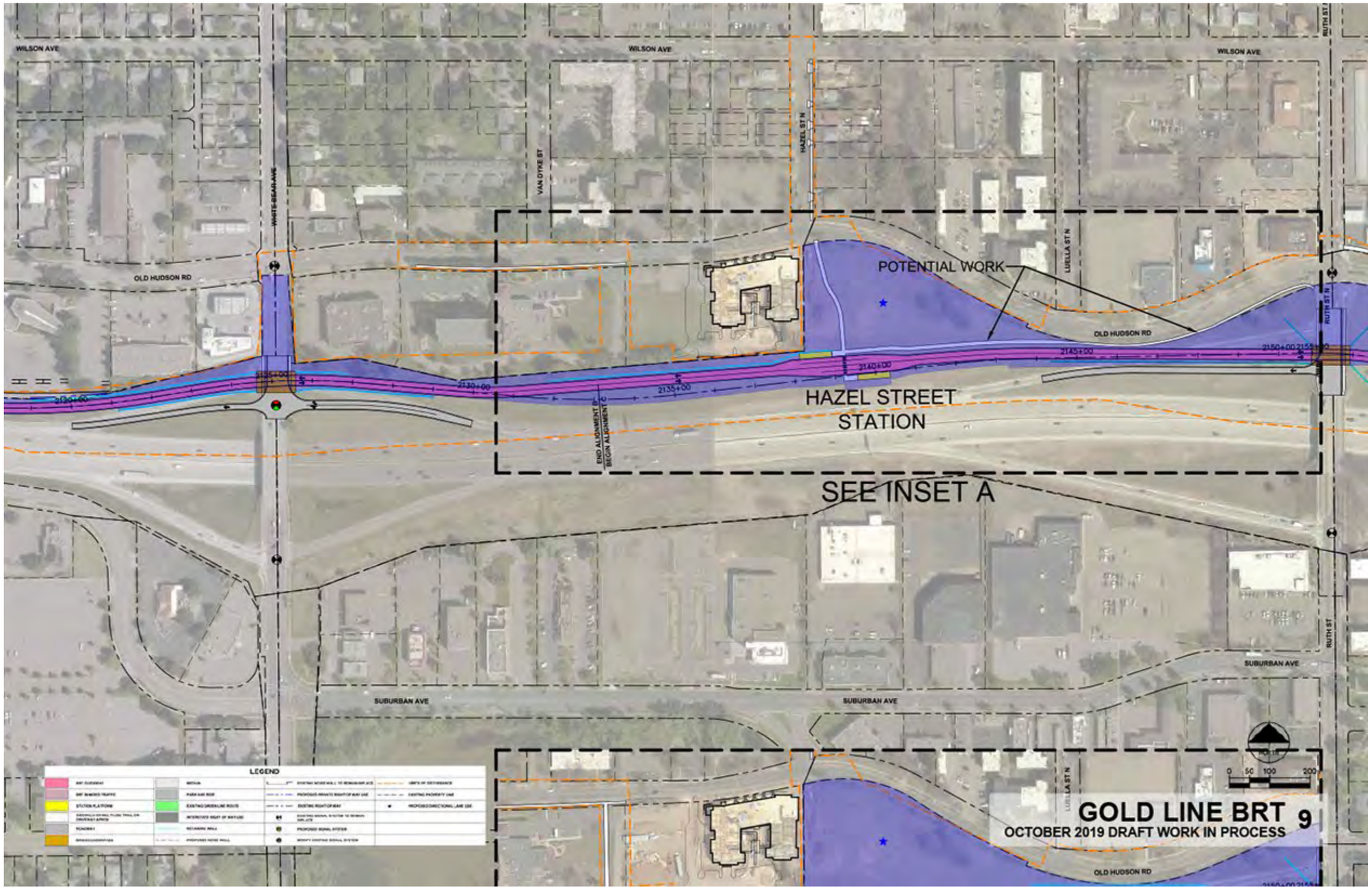
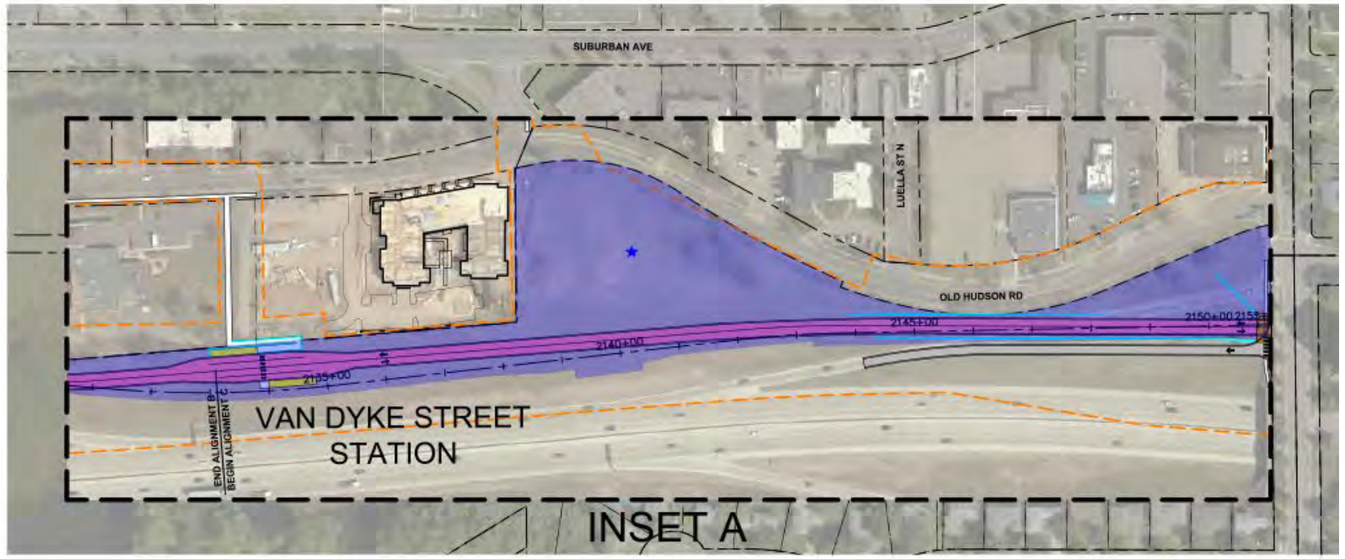
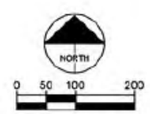
GOLD LINE BRT
OCTOBER 2019 DRAFT WORK IN PROCESS
7



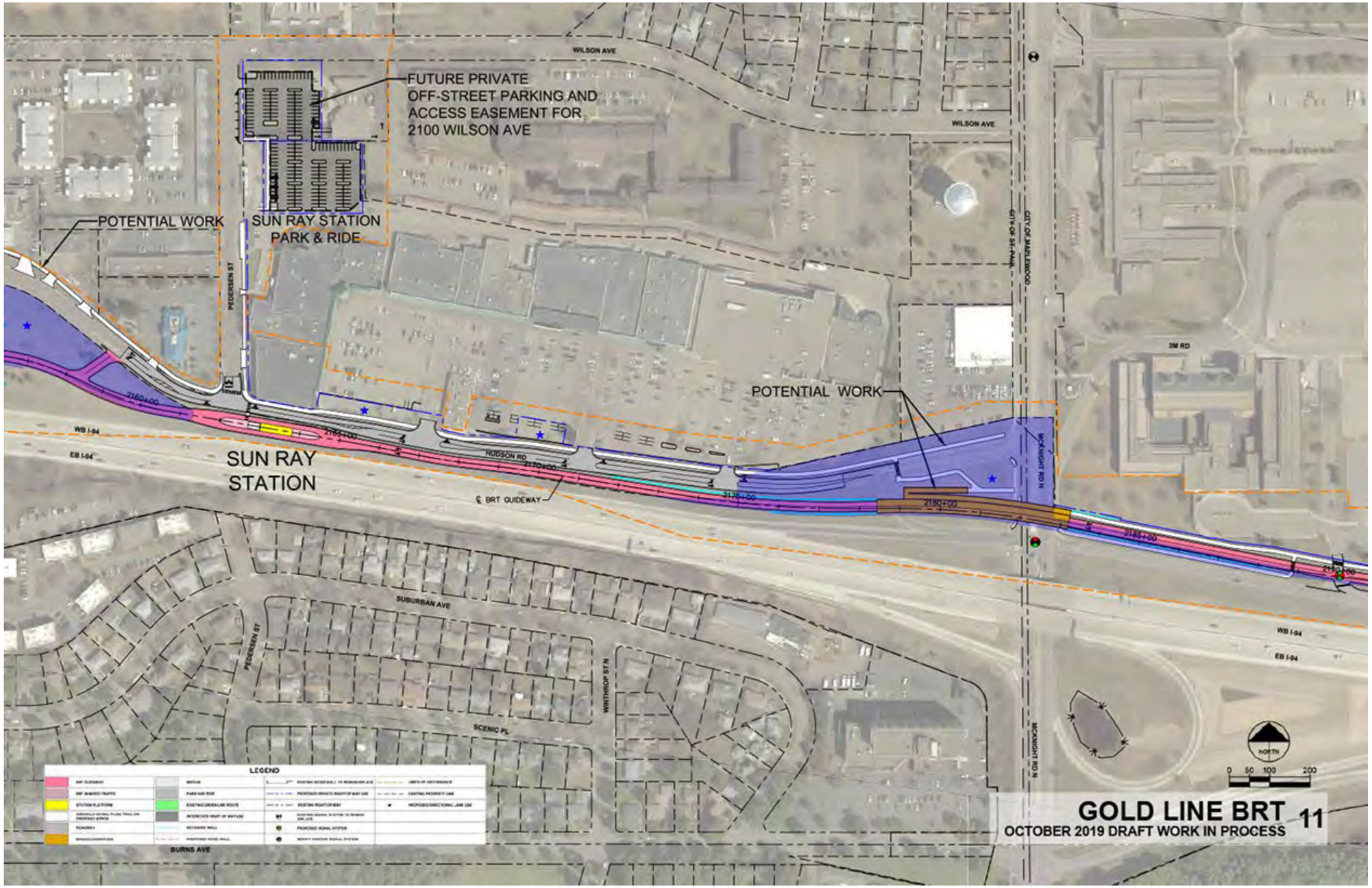
GOLD LINE BRT 8
OCTOBER 2019 DRAFT WORK IN PROCESS

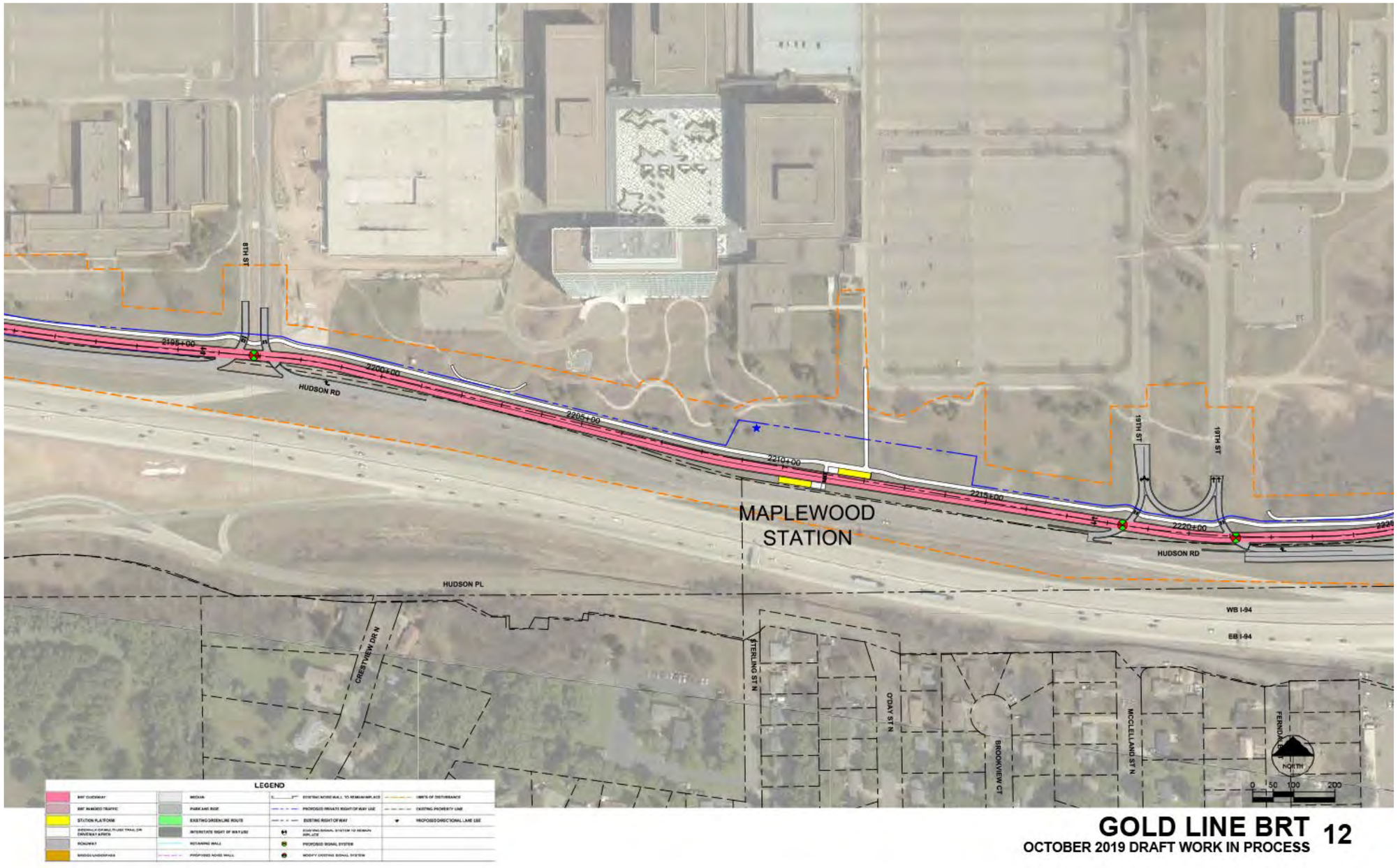

WILSON AVE
WILSON AVE
WILSON AVE
WHITE BEAR AVE
VAN DYKE ST
HAZEL ST N
LUELLA ST N
RUTH ST N
RUTH ST
OLD HUDSON RD
OLD HUDSON RD
POTENTIAL WORK
HAZEL STREET STATION
SEE INSET A
SUBURBAN AVE
SUBURBAN AVE
SUBURBAN AVE
2130+00
2135+00
2140+00
2145+00
2150+00
LEGEND
0 50 100 200
GOLD LINE BRT 9
OCTOBER 2019 DRAFT WORK IN PROCESS

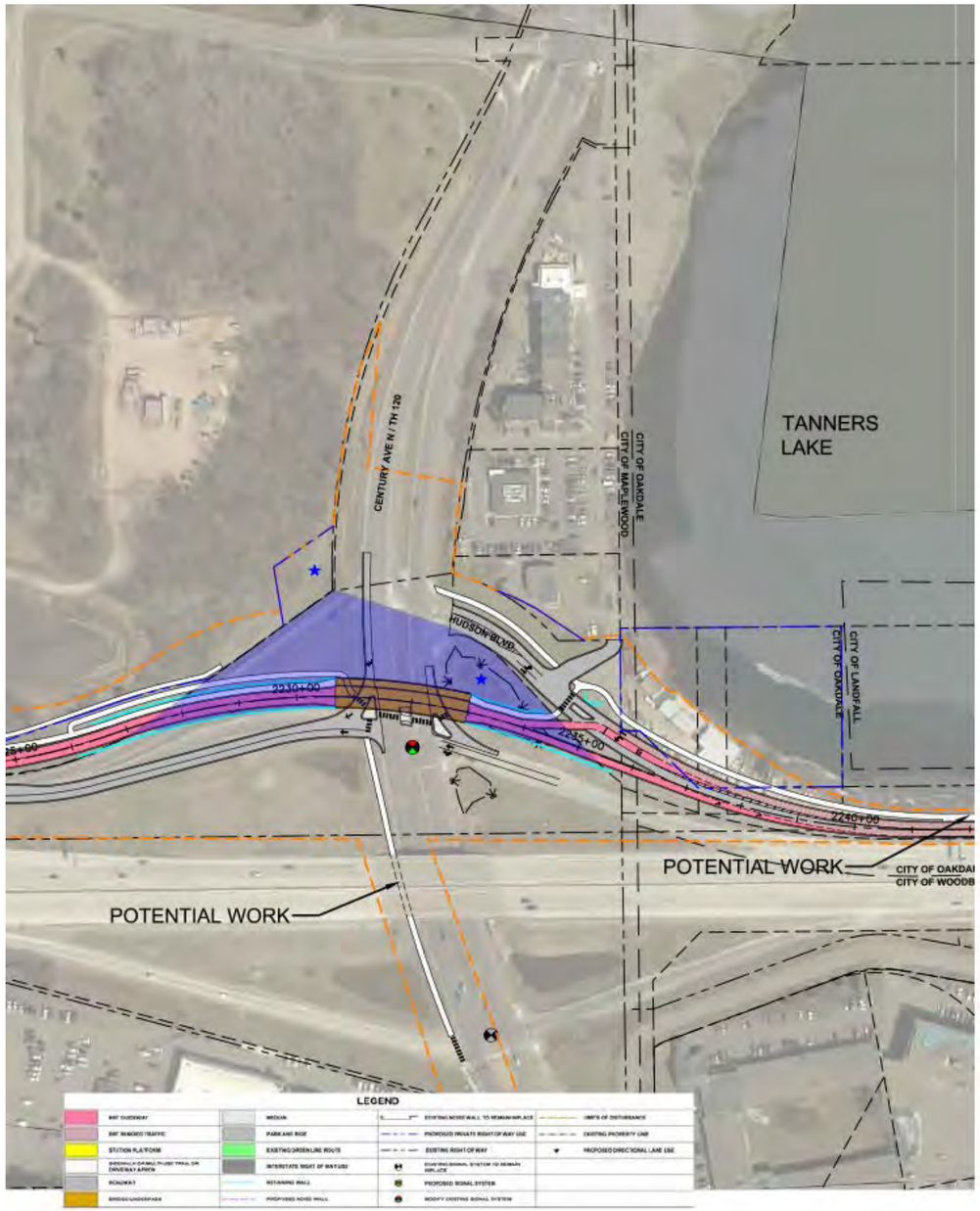


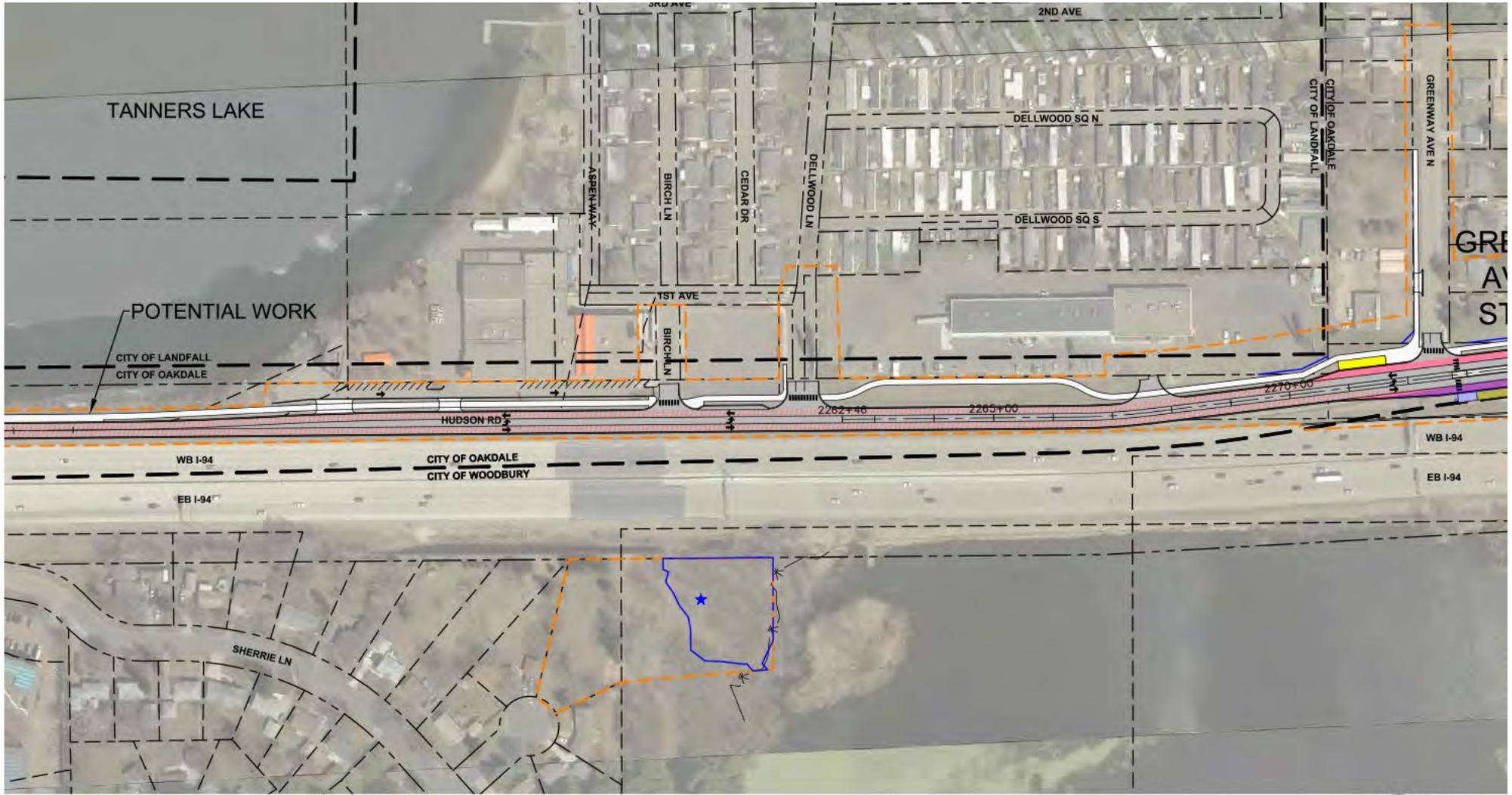


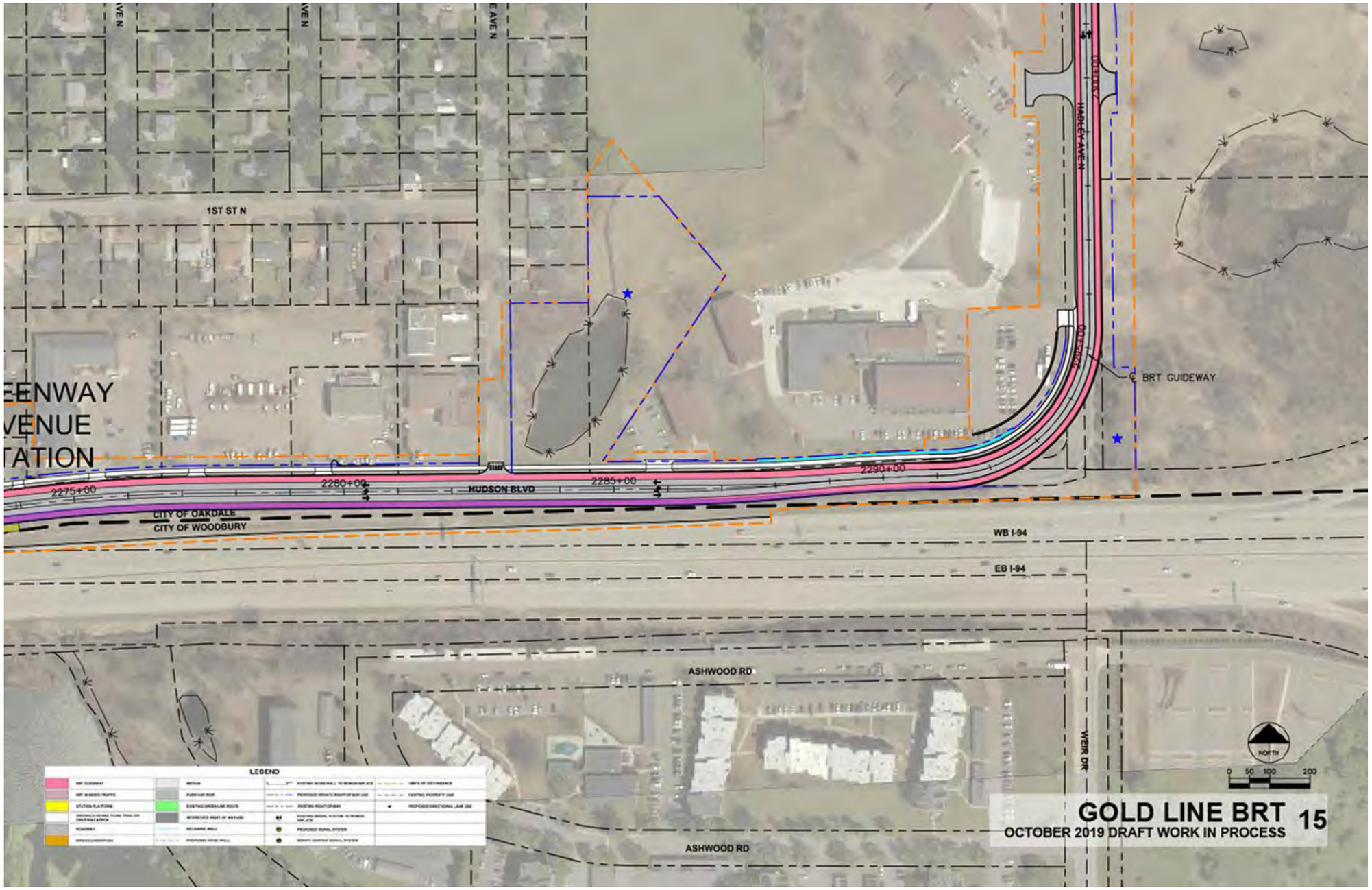
GOLD LINE BRT 10
OCTOBER 2019 DRAFT WORK IN PROCESS

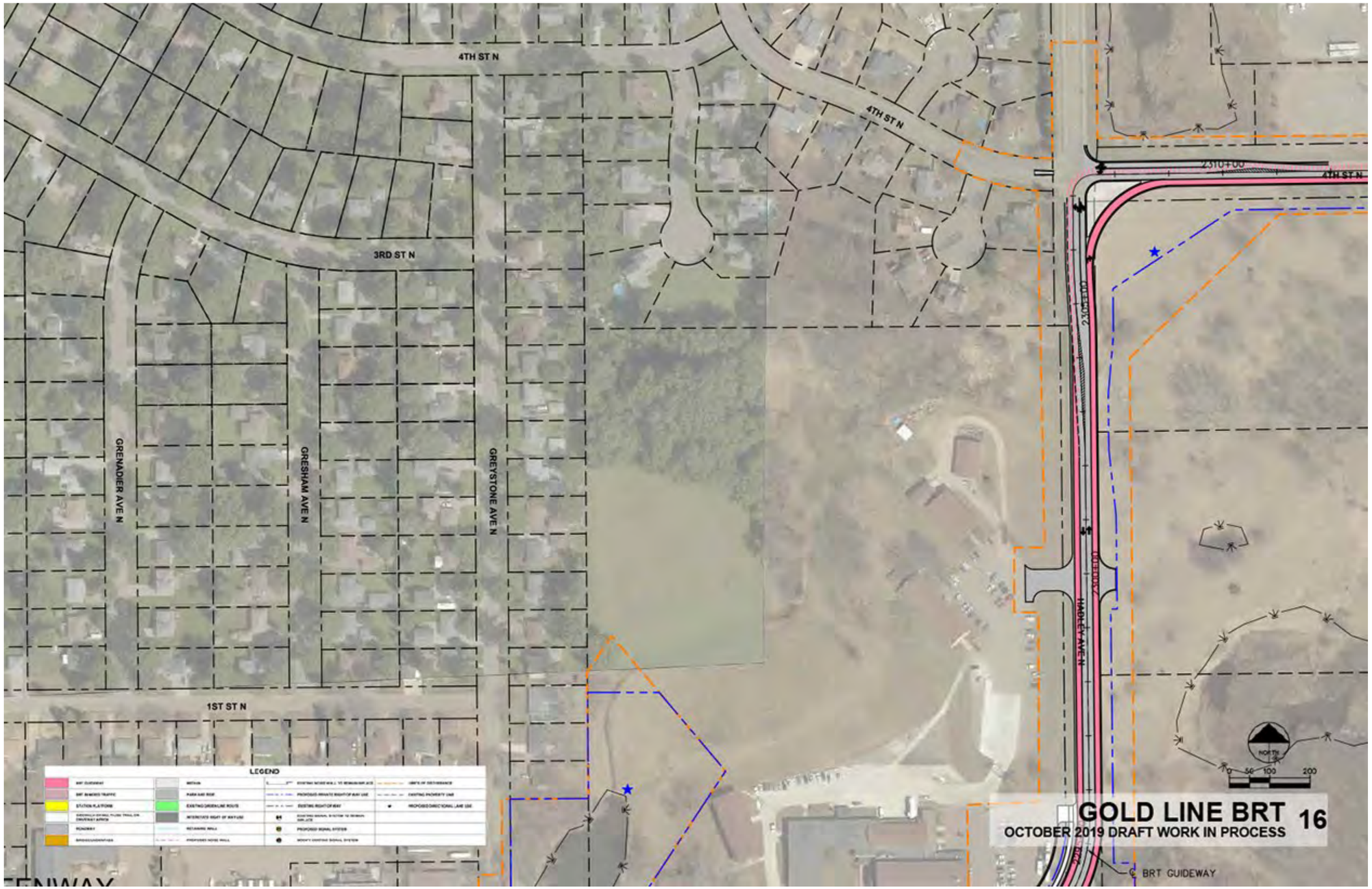

FUTURE PRIVATE
OFF-STREET PARKING AND
ACCESS EASEMENT FOR
2100 WILSON AVE
POTENTIAL WORK
SUN RAY STATION
PARK & RIDE
POTENTIAL WORK
SUN RAY
STATION
WILSON AVE
WILSON AVE
PEDERSEN ST
HUDSON RD
BRT GUIDEWAY
WB I-94
EB I-94
SUBURBAN AVE
PEDERSEN ST
WINTHROP ST N
SCENIC PL
MCKNIGHT RD N
3M RD
CITY OF SAINT PAUL
CITY OF MAPLEWOOD
LEGEND
BURNS AVE
NORTH
0 50 100 200
GOLD LINE BRT 11
OCTOBER 2019 DRAFT WORK IN PROCESS

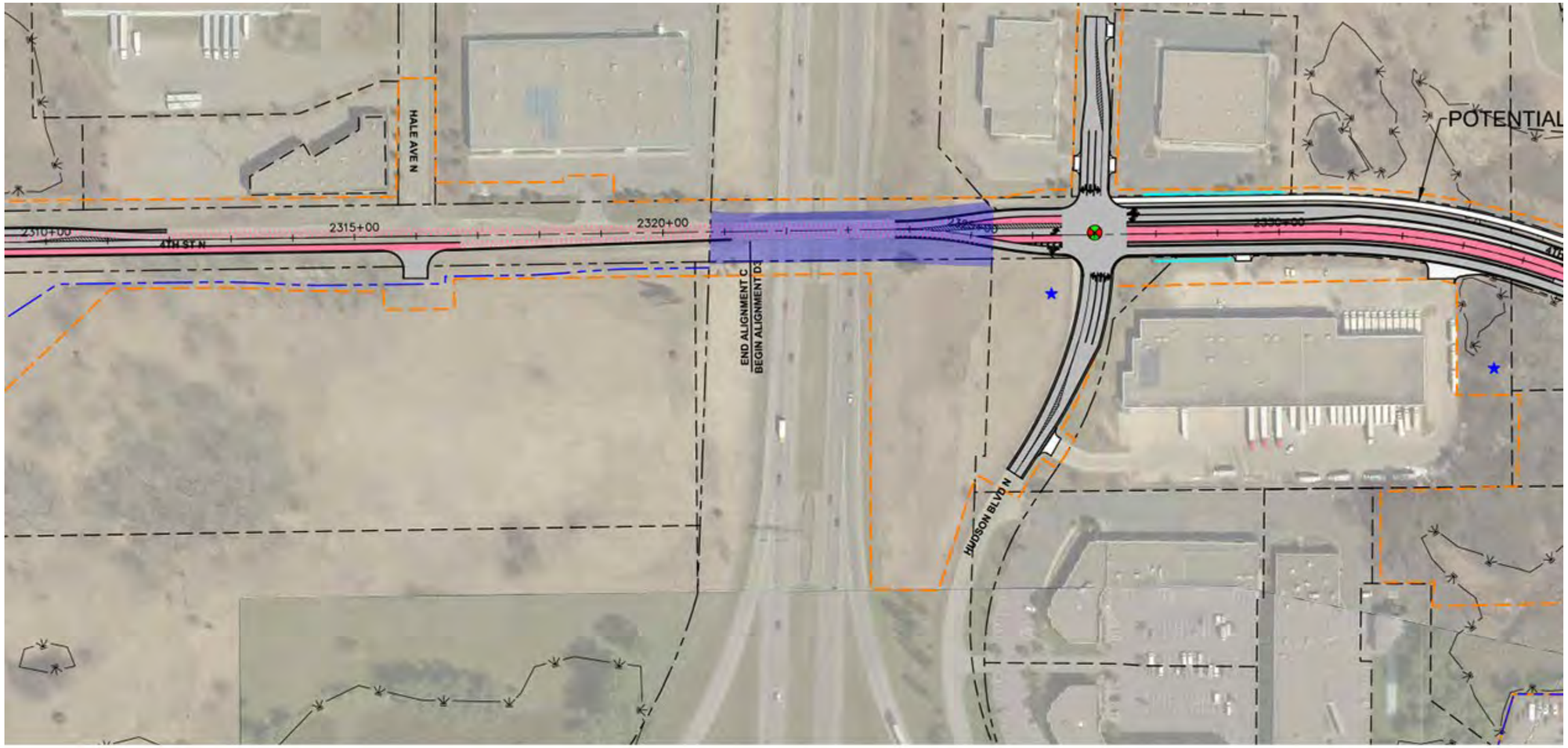

MAPLEWOOD STATION
HUDSON RD
HUDSON PL
8TH ST
19TH ST
CRESTVIEW DR N
STERLING ST N
O'DAY ST N
BROOKVIEW CT
MCCLELLAND ST N
FERNDALE
WB I-94
EB I-94
NORTH
0 50 100 200
2195+00
2200+00
2205+00
2210+00
2215+00
2220+00
LEGEND
GOLD LINE BRT 12
OCTOBER 2019 DRAFT WORK IN PROCESS

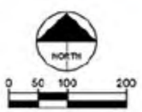

TANNERS LAKE
CENTURY AVE N / TH 120
CITY OF OAKDALE
CITY OF MAPLEWOOD
HUDSON BLVD
CITY OF LANDFALL
CITY OF OAKDALE
2510+00
2535+00
2740+00
POTENTIAL WORK
POTENTIAL WORK
CITY OF OAKDAL
CITY OF WOODB
LEGEND
NORTH
0 50 100 200
GOLD LINE BRT 13
OCTOBER 2019 DRAFT WORK IN PROCESS


TANNERS LAKE
POTENTIAL WORK
CITY OF LANDFALL
CITY OF OAKDALE
3RD AVE
2ND AVE
ASPENWAY
BIRCH LN
CEDAR DR
DELLWOOD LN
DELLWOOD SQ N
DELLWOOD SQ S
CITY OF OAKDALE
CITY OF LANDFALL
GREENWAY AVE N
1ST AVE
BIRCH LN
HUDSON RD
2262+46
2265+00
2270+00
WB I-94
CITY OF OAKDALE
CITY OF WOODBURY
EB I-94
SHERRIE LN
LEGEND
NORTH
0 50 100 200
GOLD LINE BRT 14
OCTOBER 2019 DRAFT WORK IN PROCESS

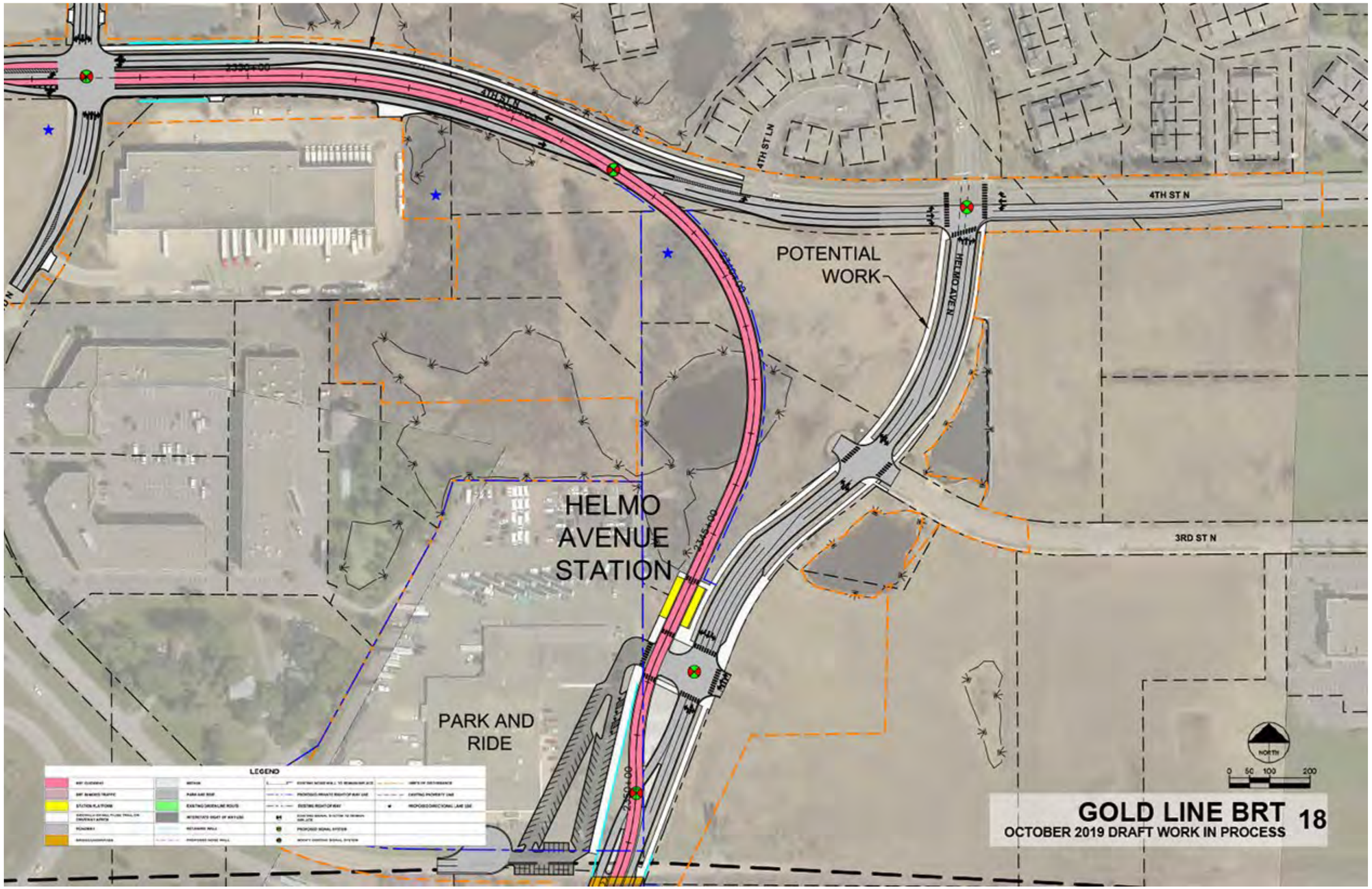

1ST ST N
HADLEY AVE N
BRT GUIDEWAY
HUDSON BLVD
2275+00
2280+00
2285+00
2290+00
CITY OF OAKDALE
CITY OF WOODBURY
WB I-94
EB I-94
ASHWOOD RD
WEIR DR
LEGEND
NORTH
0 50 100 200
GOLD LINE BRT
OCTOBER 2019 DRAFT WORK IN PROCESS
15

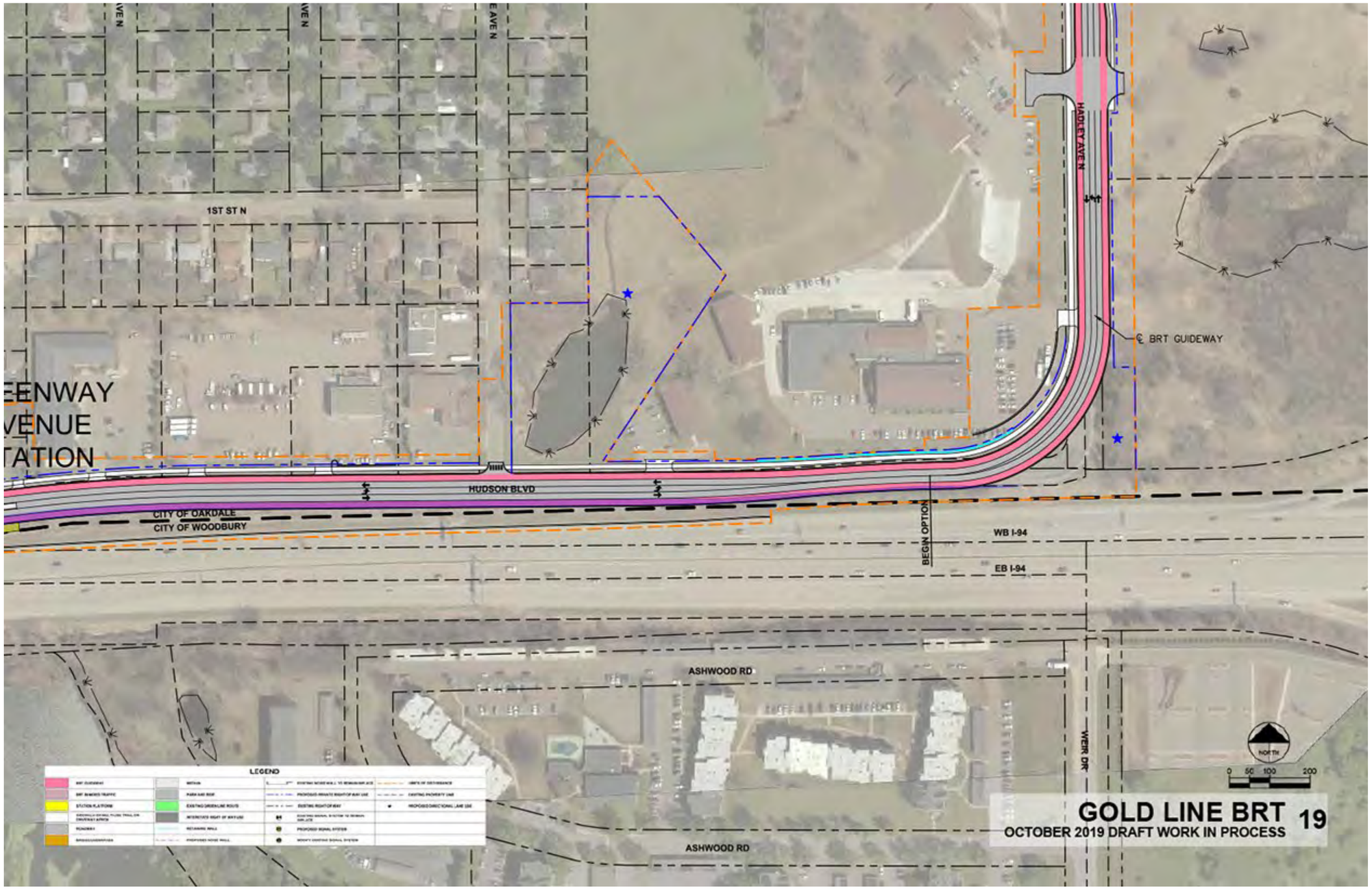

4TH ST N
4TH ST N
3RD ST N
GRENADIER AVE N
GRESHAM AVE N
GREYSTONE AVE N
1ST ST N
HADLEY AVE N
LEGEND
GOLD LINE BRT
OCTOBER 2019 DRAFT WORK IN PROCESS
16
BRT GUIDEWAY

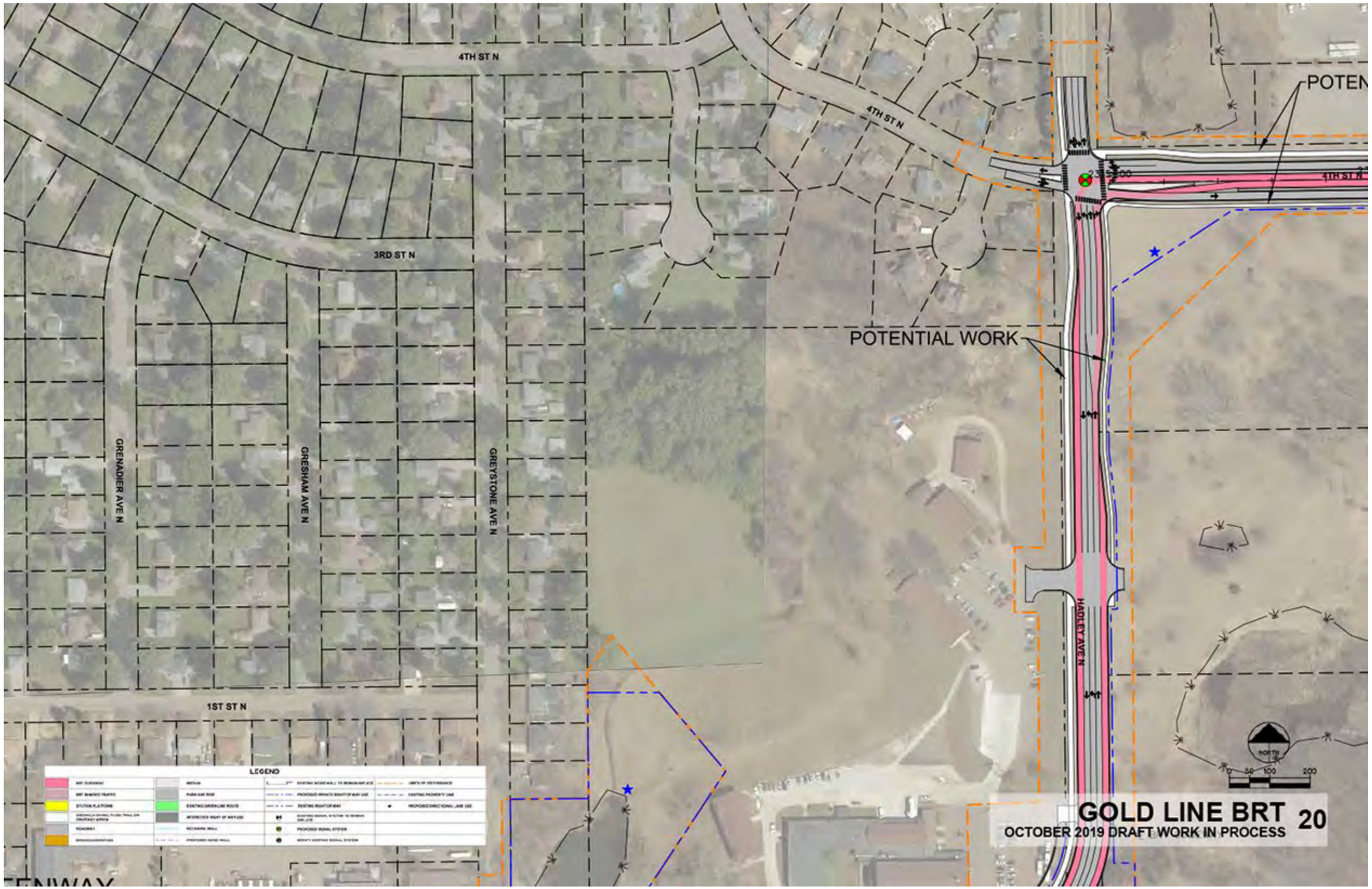


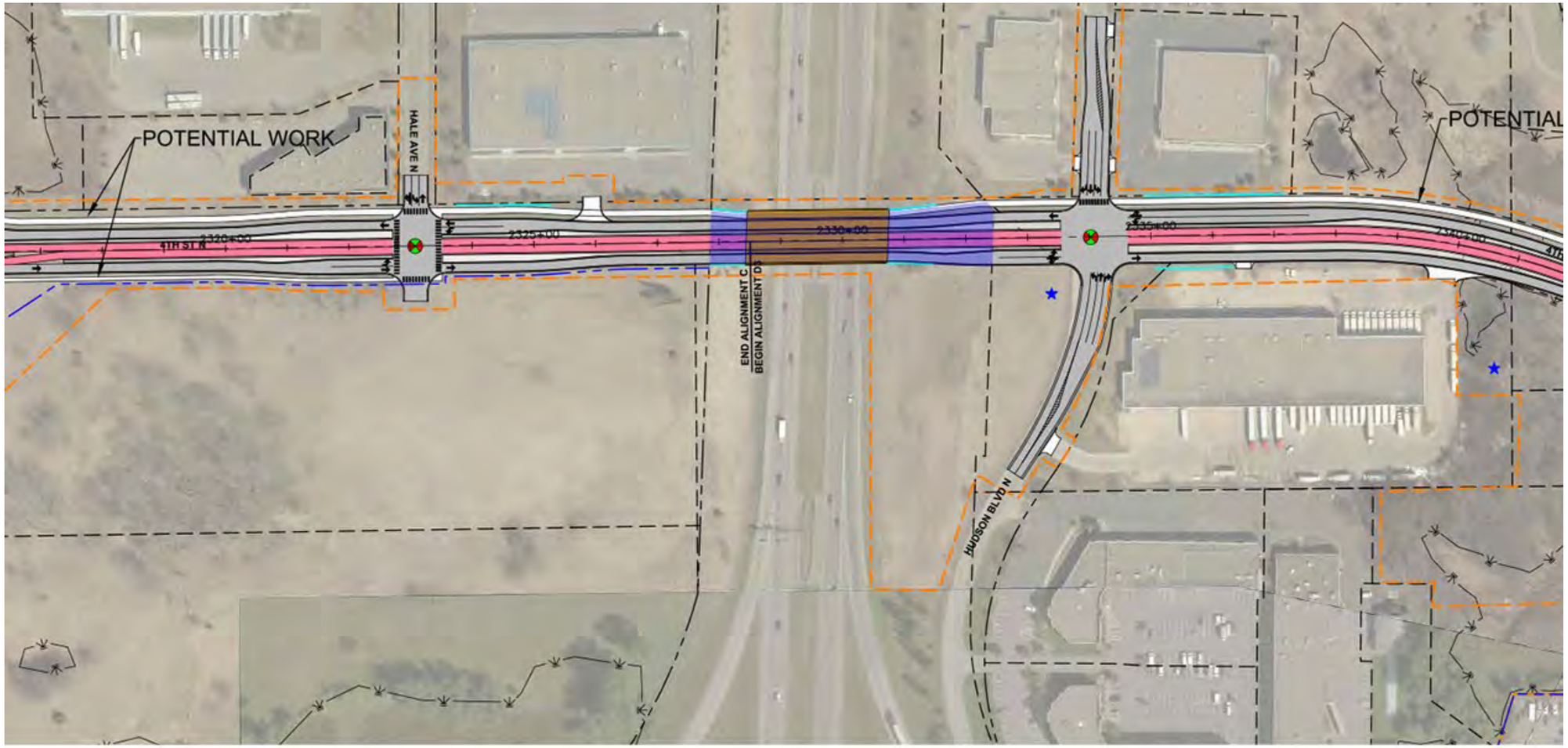


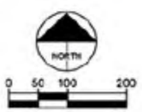
GOLD LINE BRT 17
OCTOBER 2019 DRAFT WORK IN PROCESS


POTENTIAL WORK
HELMO AVENUE STATION
PARK AND RIDE
4TH ST LN
4TH ST N
HELMO AVEN
3RD ST N
2330+00
2345+00
2360+00
NORTH
0 50 100 200
LEGEND
GOLD LINE BRT
OCTOBER 2019 DRAFT WORK IN PROCESS
18

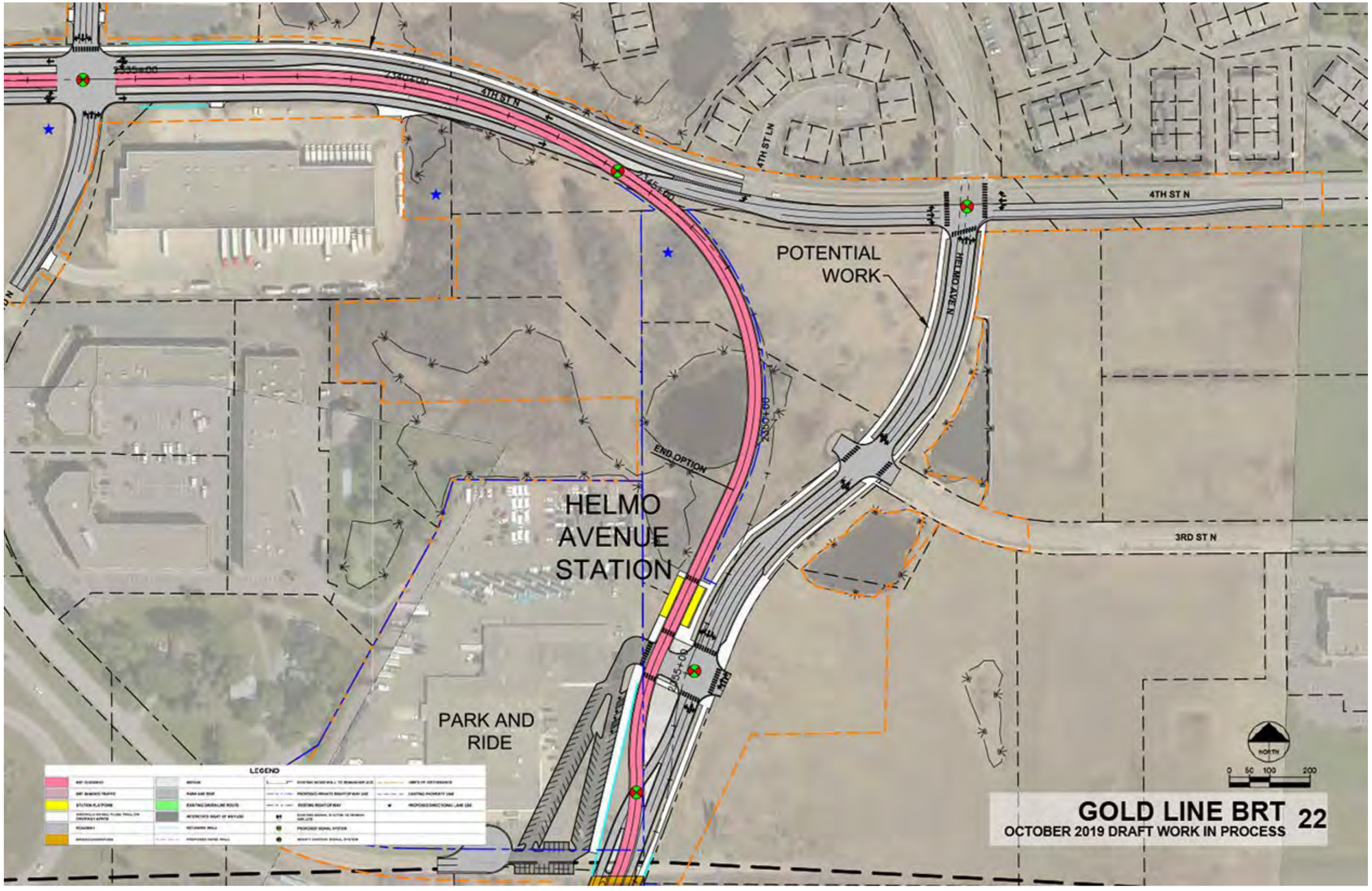

1ST ST N
HADLEY AVE N
℄ BRT GUIDEWAY
HUDSON BLVD
CITY OF OAKDALE
CITY OF WOODBURY
BEGIN OPTION
WB I-94
EB I-94
ASHWOOD RD
WEIR DR
ASHWOOD RD
LEGEND
NORTH
0 50 100 200
GOLD LINE BRT 19
OCTOBER 2019 DRAFT WORK IN PROCESS

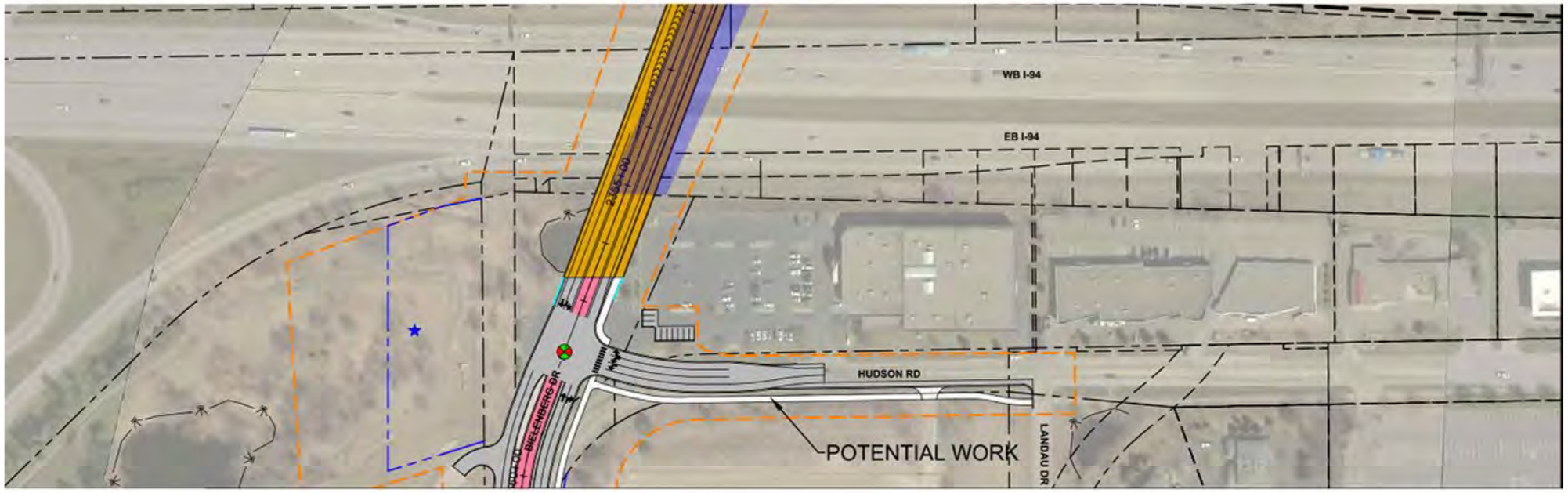

4TH ST N
4TH ST N
3RD ST N
POTEN
POTENTIAL WORK
4TH ST N
GRENADIER AVE N
GRESHAM AVE N
GREYSTONE AVE N
HADLEY AVE N
1ST ST N
LEGEND
NORTH
0 50 100 200
GOLD LINE BRT 20
OCTOBER 2019 DRAFT WORK IN PROCESS

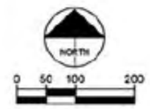




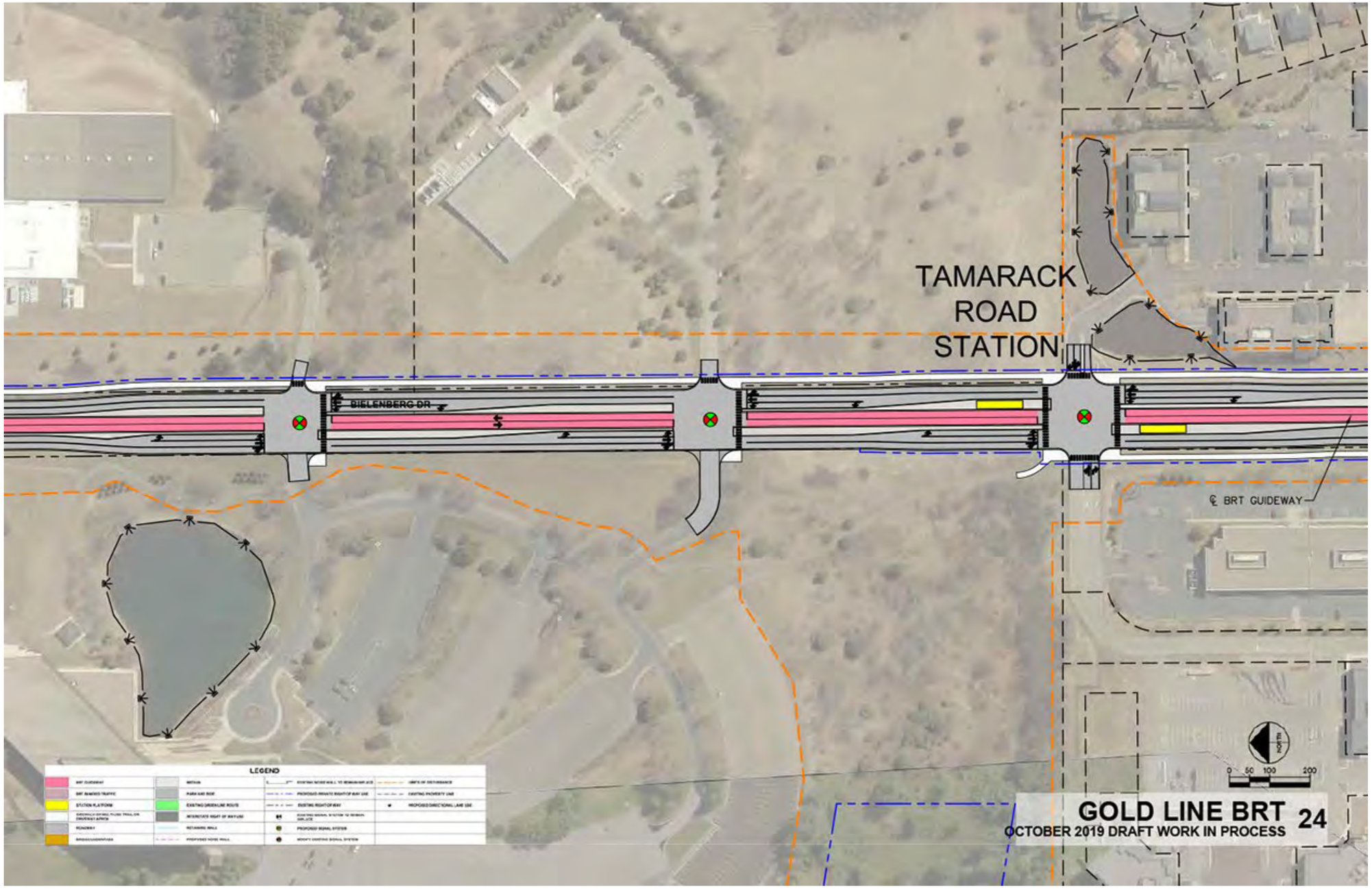
GOLD LINE BRT 21
OCTOBER 2019 DRAFT WORK IN PROCESS

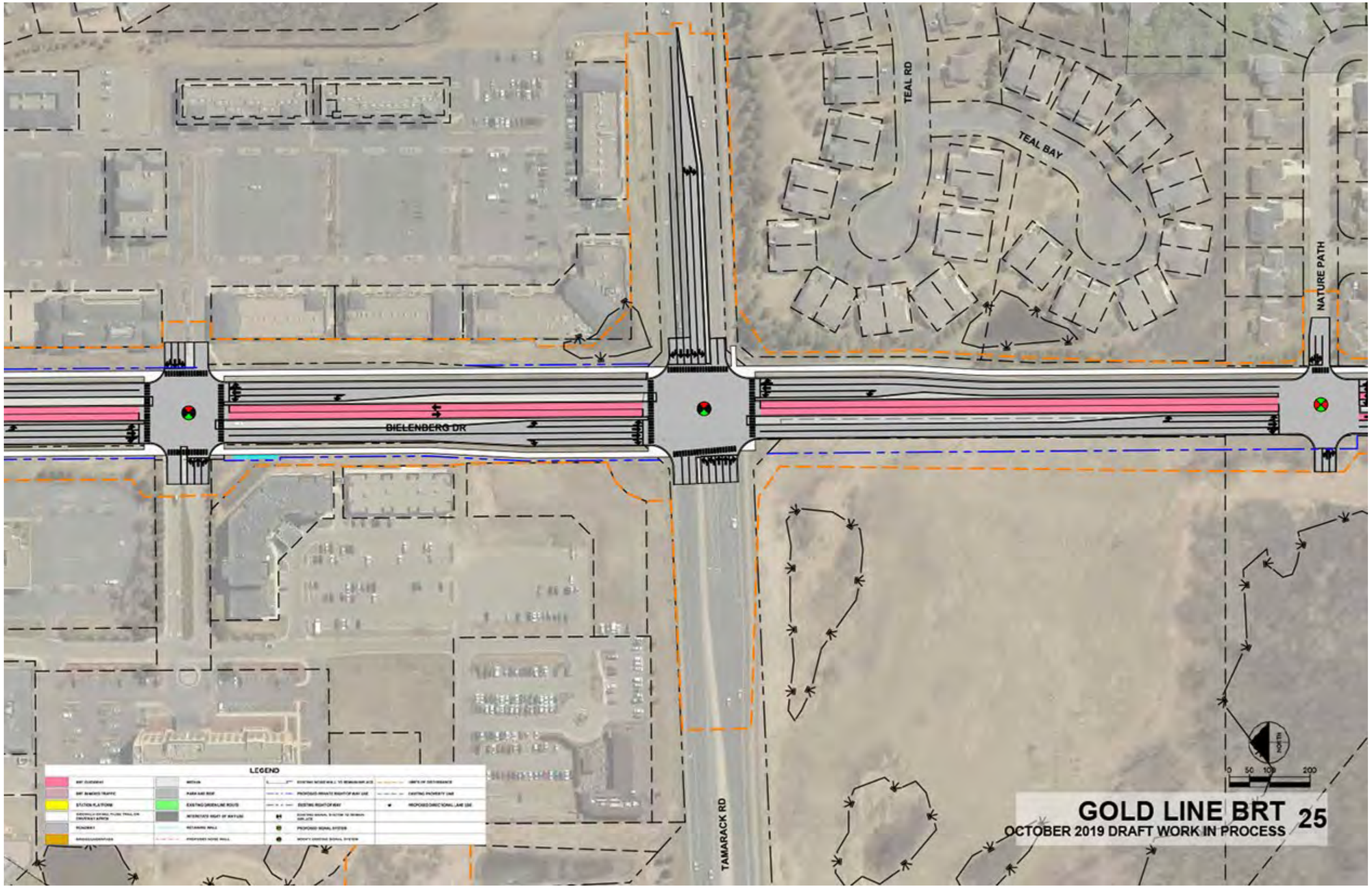

POTENTIAL WORK
HELMO AVENUE STATION
PARK AND RIDE
4TH ST N
4TH ST LN
HELMO AVE N
3RD ST N
END OPTION
LEGEND
NORTH
0 50 100 200
GOLD LINE BRT 22
OCTOBER 2019 DRAFT WORK IN PROCESS

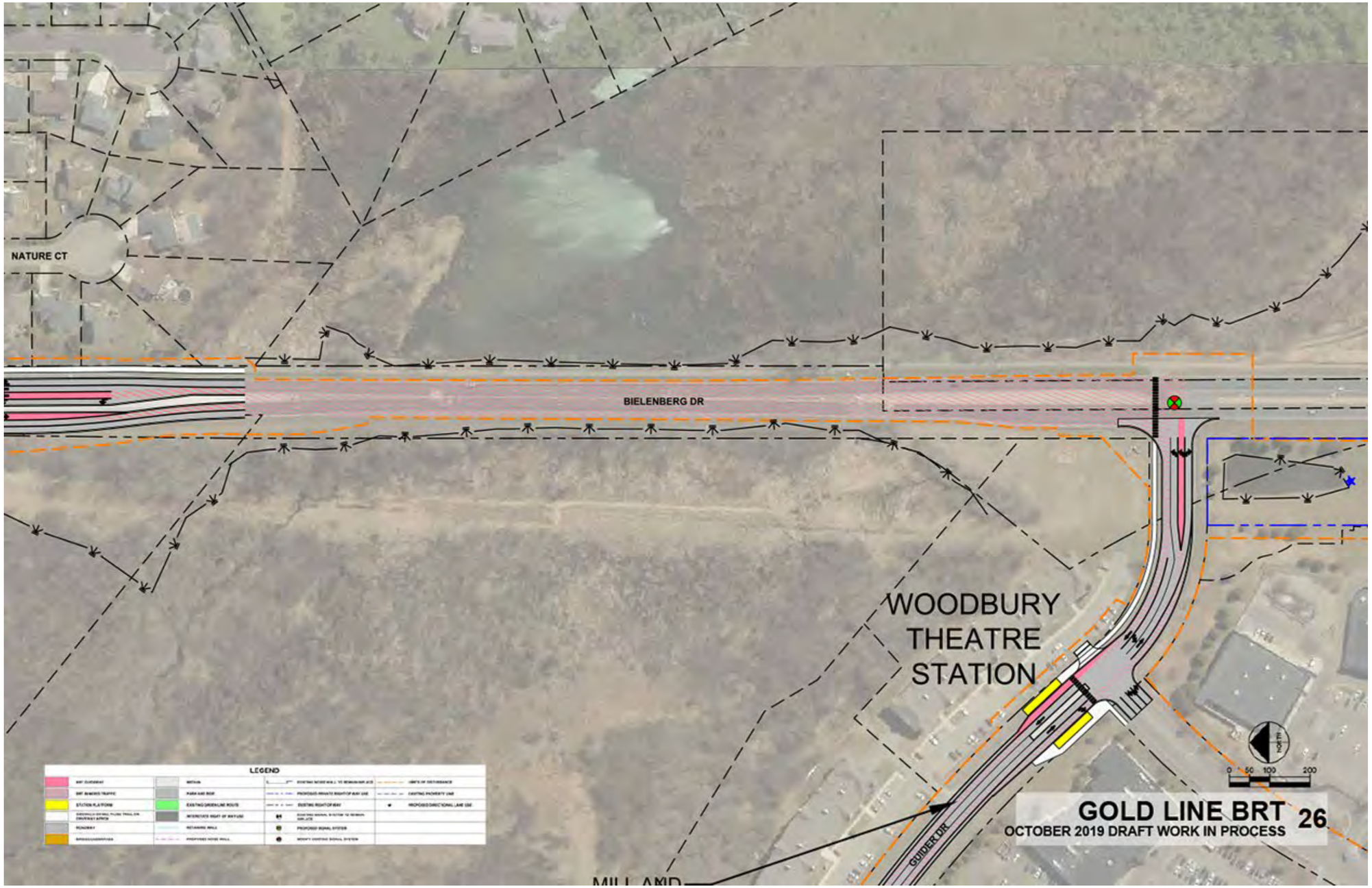


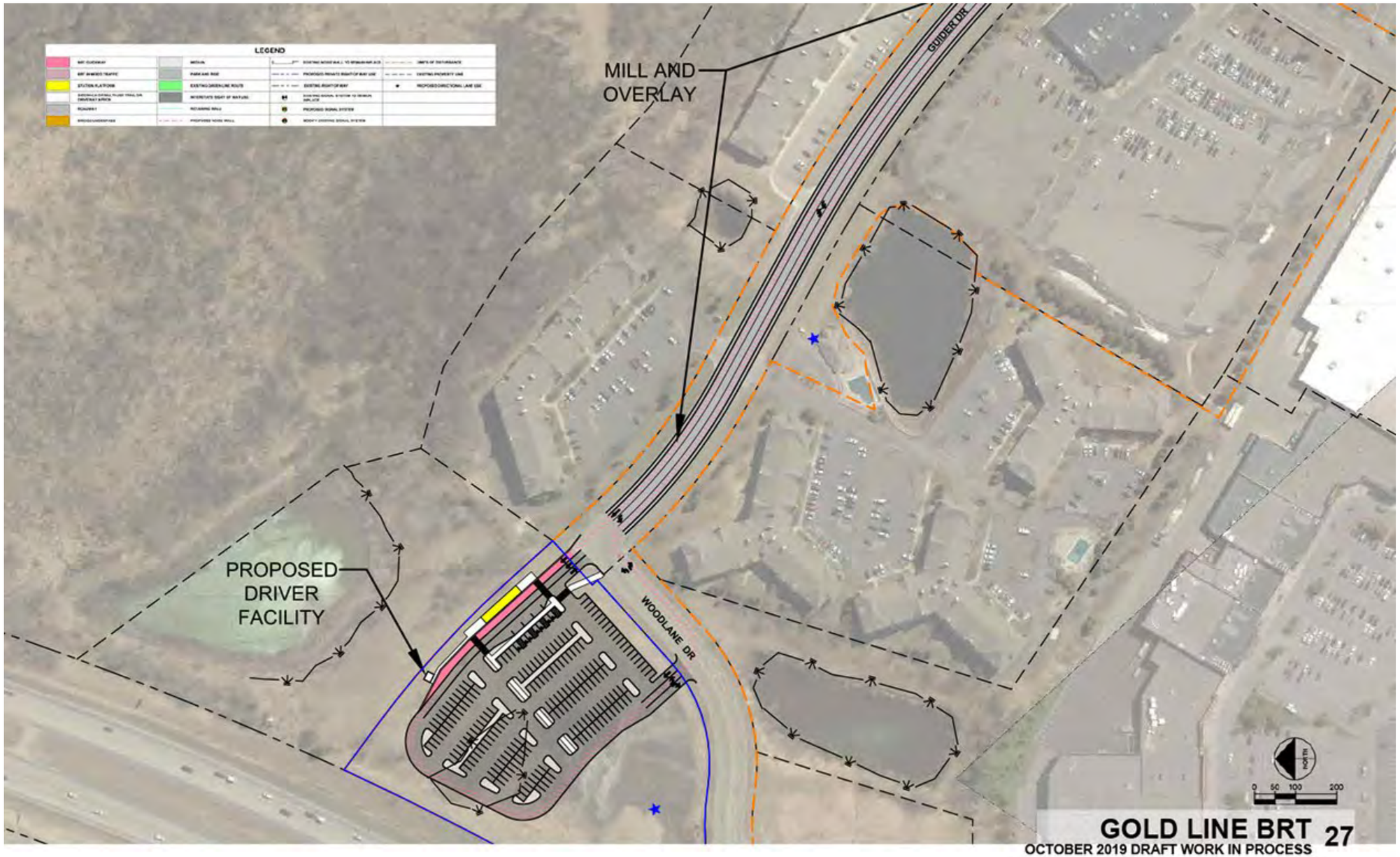


GOLD LINE BRT 23
OCTOBER 2019 DRAFT WORK IN PROCESS


TAMARACK
ROAD
STATION
BIELENBERG DR
℄ BRT GUIDEWAY
LEGEND
NORTH
0 50 100 200
GOLD LINE BRT 24
OCTOBER 2019 DRAFT WORK IN PROCESS


TEAL RD
TEAL BAY
NATURE PATH
BIELENBERG DR
TAMARACK RD
LEGEND
0 50 100 200
GOLD LINE BRT 25
OCTOBER 2019 DRAFT WORK IN PROCESS


NATURE CT
BIELENBERG DR
WOODBURY
THEATRE
STATION
LEGEND
NORTH
0 50 100 200
GOLD LINE BRT 26
OCTOBER 2019 DRAFT WORK IN PROCESS
GUIDEWAY


LEGEND
MILL AND
OVERLAY
GUIDER DR
PROPOSED
DRIVER
FACILITY
WOODLANE DR
NORTH
0 50 100 200
GOLD LINE BRT 27
OCTOBER 2019 DRAFT WORK IN PROCESS