



*Gold Line*

BUS RAPID TRANSIT PROJECT ENVIRONMENTAL ASSESSMENT

Environmental Assessment Appendix A Technical Report

# Cultural Resources

September 2019



# CONTENTS

**Acronyms and Abbreviations .....iii**

**6. Cultural Resources ..... 1**

**6.1. Introduction ..... 1**

6.1.1. Overview of Build Alternatives..... 1

6.1.2. Overview of No-Build Alternative..... 1

**6.2. Regulatory Context and Methodology ..... 2**

6.2.1. Regulatory Context .....2

6.2.2. Methodology.....3

6.2.3. Area of Potential Effect .....4

6.2.4. Identification and Evaluation of Historic Properties..... 11

6.2.5. Standards Used to Assess Effects and Resolve Adverse Effects..... 12

**6.3. Section 106 Coordination and Consultation ..... 13**

6.3.1. Agency Coordination and Public Involvement ..... 13

6.3.2. Tribal Consultation ..... 14

**6.4. Affected Environment ..... 15**

6.4.1. Architecture/History Properties ..... 15

6.4.2. Archaeological Properties ..... 16

**6.5. Environmental Consequences ..... 24**

6.5.1. Operating Phase (Long-Term) Impacts.....24

6.5.2. Construction Phase (Short-Term) Impacts.....25

**6.6. Avoidance, Minimization and/or Mitigation Measures ..... 25**

## TABLES

Table 6.3-1: Meetings Related to Section 106 ..... 14

Table 6.4-1: Historic Properties Identified to Date In The Project Area of Potential Effect ..... 17



**FIGURES**

Figure 6.2-1: Alignments A1, A2 and B Architecture/History Area of Potential Effect and Historic properties .....6  
Figure 6.2-2: Alignments C and D3 Architecture/History Area of Potential Effect and Historic Properties .....7  
Figure 6.2-3: Alignments A1, A2 and B Archaeological Areas of Potential Effect .....9  
Figure 6.2-4: Alignments C and D3 Archaeological Areas of Potential Effect..... 10



## **ACRONYMS AND ABBREVIATIONS**

ACHP	Advisory Council on Historic Preservation
APE	Area of Potential Effect
BRT	Bus Rapid Transit
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
Council	Metropolitan Council
EA	Environmental Assessment
FTA	Federal Transit Administration
MEPA	Minnesota Environmental Policy Act
MnDOT	Minnesota Department of Transportation
MnDOT CRU	Minnesota Department of Transportation Cultural Resources Unit
MnSHPO	Minnesota State Historic Preservation Officer
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
PA	Programmatic Agreement
Project	METRO Gold Line Bus Rapid Transit Project
THPO	Tribal Historic Preservation Officer
USACE	U.S. Army Corps of Engineers
USC	U.S. Code



*Page left intentionally blank.*



## 6. CULTURAL RESOURCES

### 6.1. Introduction

The Metropolitan Council (Council) prepared this report in support of the METRO Gold Line Bus Rapid Transit (BRT) Project (Project) Environmental Assessment (EA). It provides results of the analysis of impacts to cultural resources from the Project for the No-Build Alternative, Build Alternative 1 and Build Alternative 2. It also addresses the Hazel Street Option and the Dedicated Guideway Option at Hadley Avenue and 4th Street design options included in both Build Alternatives 1 and 2. The report also describes the regulatory context and methodology the Federal Transit Administration (FTA) and Council used to assess potential Project-related impacts to cultural resources.

#### 6.1.1. Overview of Build Alternatives

The *Alternatives Technical Report* in **Appendix A** of this EA provides descriptions of the two Build Alternatives evaluated within the EA, Build Alternative 1 (A1-BC-D3) and Build Alternative 2 (A2-BC-D3). The FTA and Council based the anticipated long- and short-term impacts from the Build Alternatives on the 15% Concept Plans for the Project (see **Appendix B**).

#### 6.1.2. Overview of No-Build Alternative

The National Environmental Policy Act (NEPA)<sup>1,2</sup> requires that the Project analysis includes the No-Build Alternative to provide a base point from which to evaluate the potential impacts, benefits and costs of the Build Alternatives, as well as a potential outcome of the EA process. The No-Build Alternative represents the existing transportation system as the Council's *2040 Transportation Policy Plan* (2040 TPP)<sup>3</sup> presents it – with only planned and programmed improvements, and without the Project. Therefore, construction and operation of the Project is not included in the No-Build Alternative. Section 2.6.1 of the *Alternatives Technical Report* in **Appendix A** list some of the funded highway and transit projects in the 2040 TPP that are included in the No-Build Alternative.

The No-Build Alternative would not adversely affect any historic properties because the Project would not be built. Other transportation and development projects that would be developed under the No-Build Alternative would have the potential to affect historic properties. However, those projects would be required to comply with

---

<sup>1</sup> *The National Environmental Policy Act of 1969, as amended.* (“The Public Health and Welfare,” Title 42, U.S. Code (USC), Sec. 4321 et seq. (1969)). Available at: <https://www.gpo.gov/fdsys/pkg/USCODE-2011-title42/pdf/USCODE-2011-title42-chap55-sec4321.pdf>. Accessed November 2018.

<sup>2</sup> *Council on Environmental Quality.* “Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act.” 2005 reprint of “Protection of Environment,” Title 40, Code of Federal Regulations (CFR), Parts 1500-1508. Available at: [https://www.energy.gov/sites/prod/files/NEPA-40CFR1500\\_1508.pdf](https://www.energy.gov/sites/prod/files/NEPA-40CFR1500_1508.pdf). Accessed October 2018.

<sup>3</sup> *Metropolitan Council.* 2040 Transportation Policy Plan. Adopted January 2015. Available at: [https://metro council.org/Transportation/Planning-2/Key-Transportation-Planning-Documents/Transportation-Policy-Plan-\(1\)/The-Adopted-2040-TPP-\(1\).aspx](https://metro council.org/Transportation/Planning-2/Key-Transportation-Planning-Documents/Transportation-Policy-Plan-(1)/The-Adopted-2040-TPP-(1).aspx). Accessed November 2018.



applicable related state and federal regulations, which require appropriate avoidance, minimization and mitigation measures for adverse effects on historic properties.

## 6.2. Regulatory Context and Methodology

### 6.2.1. Regulatory Context

The Project is advancing under the FTA's Capital Investment Grant Program as a New Starts project and may receive federal funding under this program; therefore, it is a federal undertaking and must comply with NEPA and the requirements of 36 Code of Federal Regulations [CFR] Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (NHPA) (54 United States Code [USC] Section 306108)<sup>4</sup> and other applicable federal mandates. NEPA requires federal agencies to consider the impacts of their actions on cultural resources<sup>5</sup>, and Section 106 requires agencies to consider the effects<sup>6</sup> of their undertakings on historic properties. For purposes of this section, the term "cultural resources" has the same meaning as "historic properties," which are buildings, structures, districts, objects and sites that the National Register of Historic Places (NRHP) lists or that are eligible for listing in the NRHP.<sup>7</sup>

NEPA established the Council on Environmental Quality (CEQ) to oversee the act's procedural requirements, principally through issuing guidance and interpreting NEPA-based regulations on behalf of federal agencies. CEQ guidance encourages integrating the NEPA environmental review process with other planning and environmental reviews such as the Section 106 consultation process.

Because federal policy and guidance encourage "coordination" and "integration" between NEPA and Section 106, the FTA is using the Section 106 consultation process to fulfill NEPA's requirements for assessing the Project's potential effects to cultural resources including coordination with the public. Public involvement regarding assessment of potential effects following publication of the EA will be coordinated through public communication methods already established by the Council.

---

<sup>4</sup> "Effect of Undertaking on Historic Property", Title 54, USC, Sec. 306108. 2014. Available at: [https://www.ecfr.gov/cgi-bin/text-idx?SID=4908d84d9d15501f57c7d9bbb46147f1&mc=true&node=se36.3.800\\_116&rqn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=4908d84d9d15501f57c7d9bbb46147f1&mc=true&node=se36.3.800_116&rqn=div8). Accessed March 2019.

<sup>5</sup> "Effects", Title 40, CFR, Sec. 1508.8. 2005. Available at: <https://www.gpo.gov/fdsys/granule/CFR-2011-title40-vol33/CFR-2011-title40-vol33-sec1508-8>. Accessed March 2019.

<sup>6</sup> "Effects", Title 36, CFR, Sec. 800.16(i). 2004. Available at: [https://www.ecfr.gov/cgi-bin/text-idx?SID=4908d84d9d15501f57c7d9bbb46147f1&mc=true&node=se36.3.800\\_116&rqn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=4908d84d9d15501f57c7d9bbb46147f1&mc=true&node=se36.3.800_116&rqn=div8). Accessed March 2019.

<sup>7</sup> "Historic Property", Title 36, CFR, Sec. 800.16(l)(1). 2004. Available at: [https://www.ecfr.gov/cgi-bin/text-idx?SID=4908d84d9d15501f57c7d9bbb46147f1&mc=true&node=se36.3.800\\_116&rqn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=4908d84d9d15501f57c7d9bbb46147f1&mc=true&node=se36.3.800_116&rqn=div8). Accessed March 2019



The analysis completed for the Project also complies with Minnesota laws governing cultural resources including the Minnesota Environmental Policy Act (MEPA),<sup>8</sup> the Minnesota Field Archaeology Act,<sup>9</sup> the Minnesota Historic Sites Act,<sup>10</sup> and the Minnesota Private Cemeteries Act,<sup>11</sup> as applicable.

## 6.2.2. Methodology

This section describes the methodologies the Project used to determine the architecture/history and archaeological Areas of Potential Effect (APEs); the methods for identifying and evaluating historic properties for the NRHP; the methods for assessing Project-related effects on historic properties; and how the Project will resolve, if necessary, adverse effects identified as part of the Section 106 process.

The regulations implementing Section 106 direct that the responsible federal agency shall do the following:

- Initiate the Section 106 process by determining whether the action is an undertaking; notify the State Historic Preservation Office, which in Minnesota is the Minnesota State Historic Preservation Office (MnSHPO), and Indian tribes; identify other consulting parties, including local governments and others with a demonstrated interest in the undertaking or its effects on historic properties; and develop a plan to involve the public<sup>12</sup>
- Identify historic properties that are listed or eligible for listing in the NRHP by determining an APE, conducting a survey to identify historic properties in the APE, and evaluating identified historic properties to determine their eligibility for the NRHP<sup>13</sup>
- Assess the effects of the undertaking on historic properties by applying the criteria of adverse effect and consulting with MnSHPO, Indian tribes, other consulting parties, and the public<sup>14</sup>

---

<sup>8</sup> “Environmental Policy”, *Minnesota Statutes, Chap. 116D, Sec. 116D.01-116D.11*. 2018. Available at: <https://www.revisor.mn.gov/statutes/cite/116D>. Accessed November 2018.

<sup>9</sup> “Historical Societies; Sites; Archives; Archaeology; Folklife”, *Minnesota Statutes, Chap. 138, Sec. 138.31-138.42*. 1996. Available at: [https://law.justia.com/codes/minnesota/2004/138-140/138/138\\_73.html](https://law.justia.com/codes/minnesota/2004/138-140/138/138_73.html). Accessed November 2018.

<sup>10</sup> “Historical Societies; Sites; Archives; Archaeology; Folklife”, *Minnesota Statutes, Chap. 138, Sec. 138.661-138.669*. 1993. Available at: [https://law.justia.com/codes/minnesota/2004/138-140/138/138\\_73.html](https://law.justia.com/codes/minnesota/2004/138-140/138/138_73.html). Accessed November 2018.

<sup>11</sup> “Damages; Illegal Molestation of Human Remains; Burials; Cemeteries; Penalty; Authentication”, *Minnesota Statutes, Chap. 307, Sec. 307.08*. 2013. Available at: <https://www.revisor.mn.gov/statutes/cite/307.08>. Accessed November 2018.

<sup>12</sup> “Initiation of the Section 106 Process”, *Title 36, CFR, Sec. 800.3*. 2004. Available at: [https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800\\_13](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800_13). Accessed March 2019.

<sup>13</sup> “Identification of Historic Properties”, *Title 36, CFR, Sec. 800.4*. 2004. Available at: [https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800\\_14](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800_14). Accessed March 2019.

<sup>14</sup> “Assessment of Adverse Effects”, *Title 36, CFR, Sec. 800.5*. 2004. Available at: [https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800\\_15](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800_15). Accessed March 2019.





- Resolve any adverse effect(s) by continuing consultation with Section 106 consulting parties to explore measures that avoid, minimize, or mitigate the adverse effect(s), and develop a Section 106 Agreement to document agreed-upon measures<sup>15</sup>

FTA designated the Minnesota Department of Transportation (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.<sup>16</sup> The FTA and MnDOT CRU, in consultation with MnSHPO, defined and documented the Project's architecture/history and archaeological APEs, and they are in the process of conducting surveys of the APEs to identify and evaluate historic properties to determine their eligibility for the NRHP.

FTA, the Council, MnDOT CRU, and MnSHPO consulted with other consulting parties to prepare a Section 106 Programmatic Agreement (PA) for the Project. **Appendix C** includes the draft PA and consultation materials related to its development for agency and public review. The draft PA establishes roles and responsibilities for implementation and includes processes for identifying and evaluating properties for the NRHP, assessing effects on historic properties, and resolving any adverse effects. The draft PA also spells out design development and review processes and requirements for protecting historic properties during Project construction. FTA will seek input from the public on the draft PA through the NEPA public comment process. The FTA, Council and MnSHPO will execute the PA after completion of the public comment period on the EA and draft PA, and the executed PA will be included in FTA's environmental decision document for the Project. FTA, with assistance from MnDOT CRU, will then assess effects of the Project on historic properties that are listed in or are eligible for inclusion in the NRHP and implement the remaining terms of the executed PA.

### 6.2.3. Area of Potential Effect

An APE is "the geographical area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of cultural resources, if any such properties exist." The APE is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking."<sup>17</sup> An APE must account for both permanent and temporary direct and indirect effects.

MnDOT CRU, as designated by FTA and in consultation with MnSHPO, defined two APEs for the Project in 2015: one for architecture/history properties and one for archaeological properties. In November 2018, FTA, with assistance from MnDOT CRU and in consultation with MnSHPO, revised the APEs to account for the refined Locally Preferred Alternative alignment and other Project-related changes included in the 15% Concept Plans (see **Appendix B**). The Project APEs, as revised in November 2018, account for both Build Alternative 1 and Build Alternative 2. The *Alternatives Technical Report* in **Appendix A** details the Locally Preferred Alternative refinement process. FTA, with assistance from MnDOT CRU and in consultation with MnSHPO, will review and revise the architecture/history and archaeological APEs as needed to reflect advancements in the Project design per the terms of the executed PA.

---

<sup>15</sup> "Resolution of Adverse Effects", Title 36, CFR, Sec. 800.6. 2004. Available at <https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800.16>. Accessed March 2019.

<sup>16</sup> "Participants in the Section 106 Process", Title 36, CFR, Sec. 800.2. 2004. Available at: <https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800.12>. Accessed March 2019.

<sup>17</sup> "Area of Potential Effect", Title 36, CFR, Sec. 800.16(a). 2004. Available at: <https://www.ecfr.gov/cgi-bin/text-idx?SID=4908d84d9d15501f57c7d9bbb46147f1&mc=true&node=se36.3.800.116&rqn=div8>. Accessed March 2019.



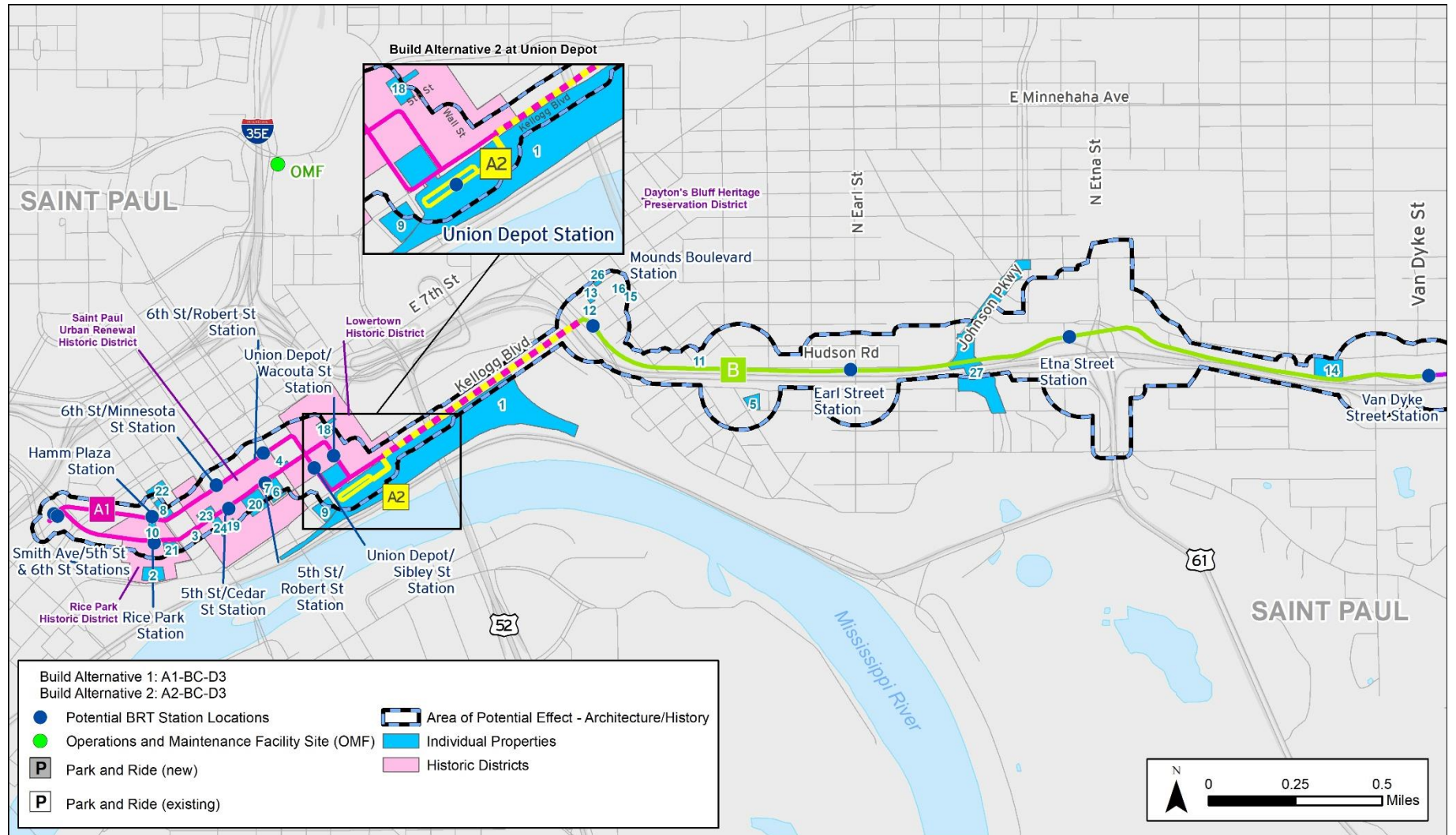
### **6.2.3.1. Architecture/History Area of Potential Effect**

The APE for architecture/history properties accounts for physical, auditory, atmospheric, visual, and change-in-use effects on historic properties. The architecture/history APE includes buffers ranging from 50 feet to 0.25 miles around Project elements to account for the varying nature and potential of different Project elements to effect historic properties.

**Figure 6.2-1** shows the APE for Alignments A1, A2 and B. **Figure 6.2-2** shows the APE for Alignments C and D3. These figures also identify individual historic properties and historic districts within the architecture/history APE (see **Section 6.4.1**).



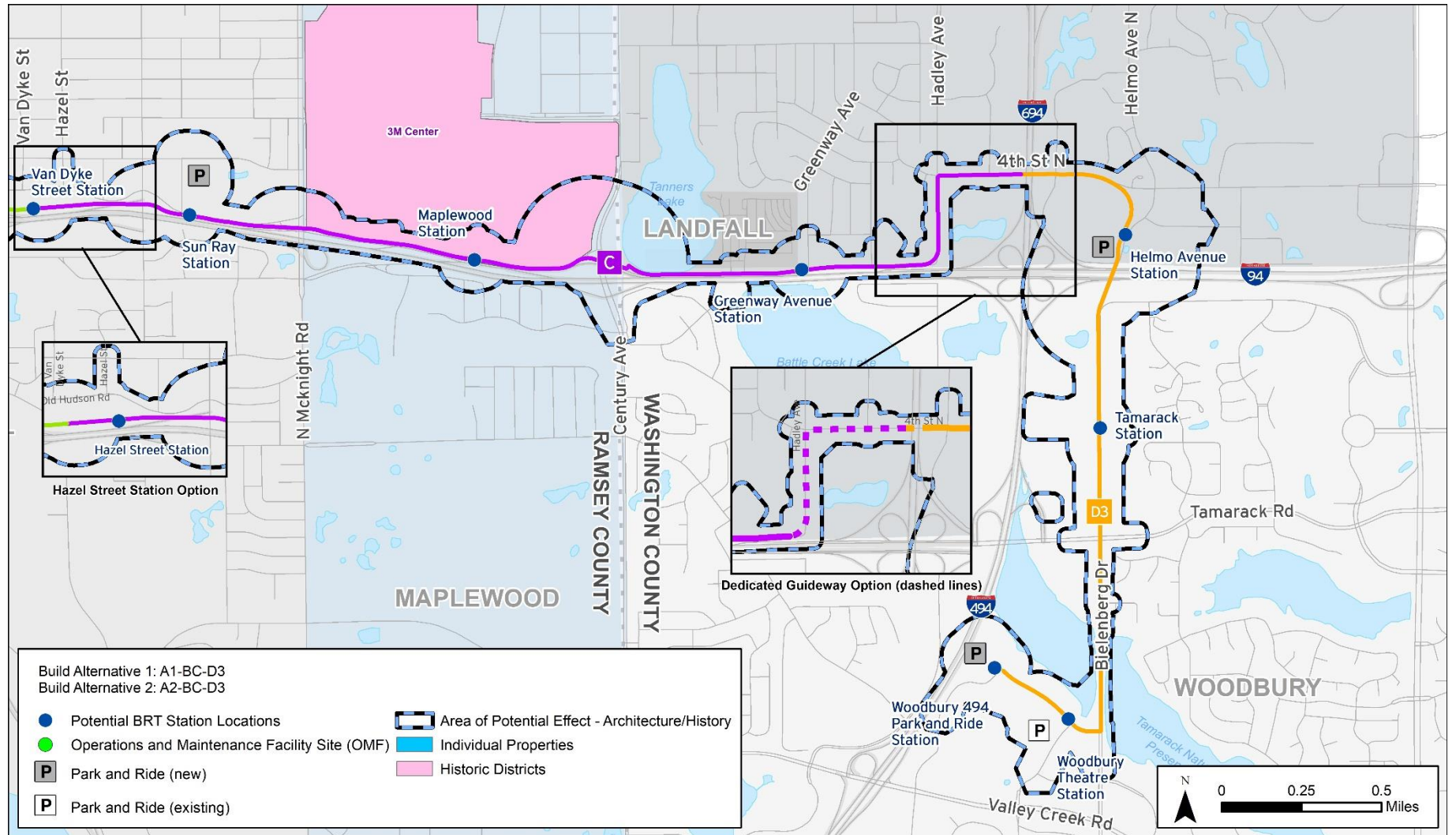
FIGURE 6.2-1: ALIGNMENTS A1, A2 AND B ARCHITECTURE/HISTORY AREA OF POTENTIAL EFFECT AND HISTORIC PROPERTIES



Note: Table 6.4-1 provides information about the individual properties and references the numbers on this figure.



FIGURE 6.2-2: ALIGNMENTS C AND D3 ARCHITECTURE/HISTORY AREA OF POTENTIAL EFFECT AND HISTORIC PROPERTIES





### 6.2.3.2. Archaeological Area of Potential Effect

The APE for archaeology includes the following areas:

- All areas within 25 feet of the perimeter of the limits of disturbance for the Project as identified for completion of the *Supplemental Phase 1 Archaeological Survey*<sup>18</sup>
- Extensions beyond 25 feet in several areas to include the entirety of a parcel or right-of-way

The APE for archaeology does not include the following areas:

- Under Alignment A1, the portion of the alignment that extends through the existing Smith Avenue Transit Center because the transit center is an existing structure where buses may lay over between operations, and the Project does not anticipate ground disturbance at this facility
- Under Alignment A2, the portion of the Union Depot bus loop alignment and corresponding bus stop improvements proposed at the deck of the former elevated rail yard because the Project would end at the bus deck surface and does not anticipate ground disturbance at this facility

**Figure 6.2-3** shows the archaeological APE for Alignments A1, A2 and B, and **Figure 6.2-4** shows the archaeological APE for Alignments C and D3.

---

<sup>18</sup> Two Pines Resource Group LLC, Ramsey and Washington Counties, Minnesota. Supplemental Phase I Archaeological Survey. April 3, 2019.



FIGURE 6.2-3: ALIGNMENTS A1, A2 AND B ARCHAEOLOGICAL AREAS OF POTENTIAL EFFECT

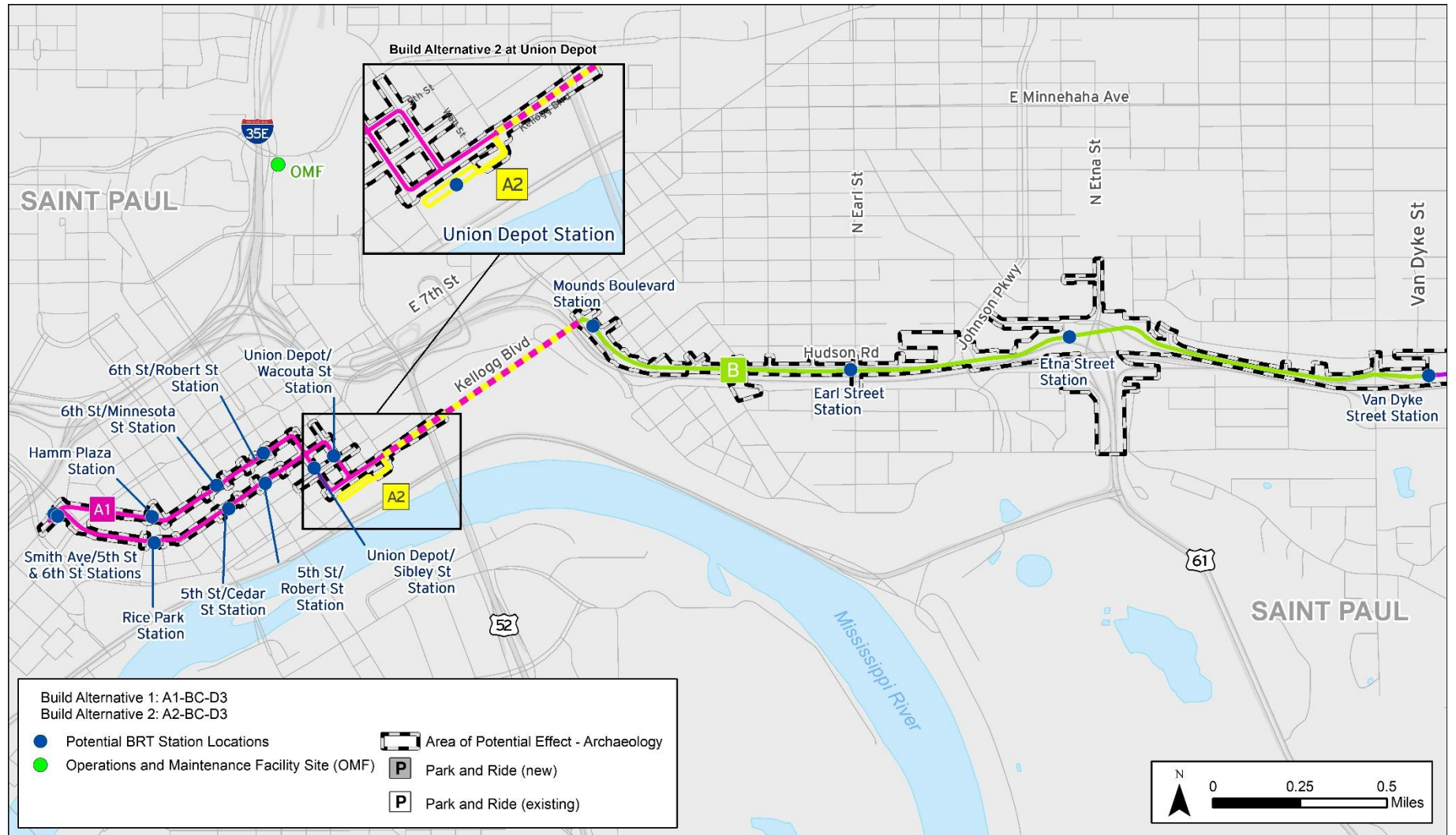
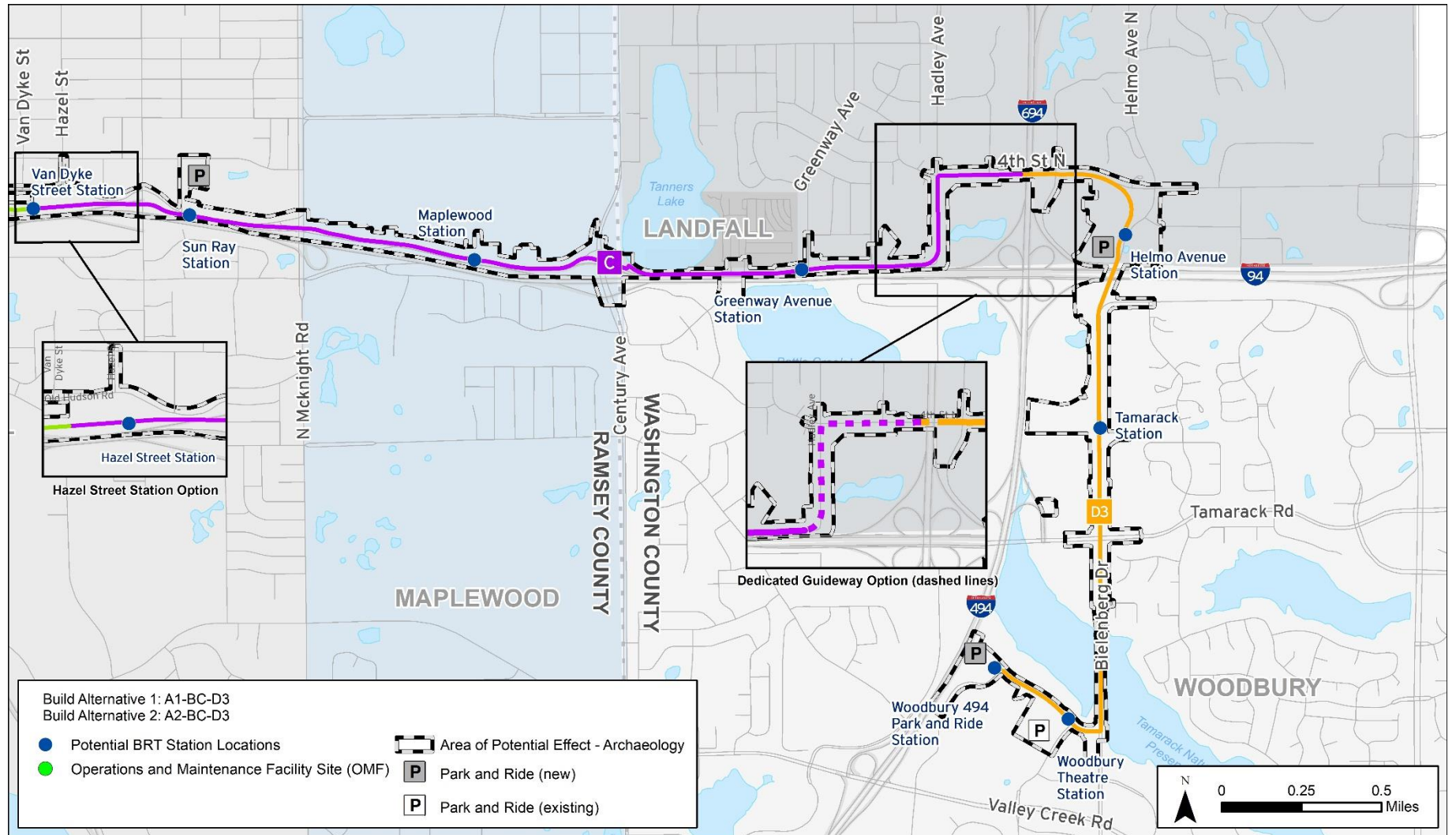




FIGURE 6.2-4: ALIGNMENTS C AND D3 ARCHAEOLOGICAL AREAS OF POTENTIAL EFFECT





## 6.2.4. Identification and Evaluation of Historic Properties

Section 106 requires federal agencies to consider the effects of their undertakings on historic properties that are listed in or are eligible for inclusion in the NRHP, which is the nation's official list of historic places worthy of preservation. Section 106 gives equal consideration to listed and determined eligible properties. A historic property can be eligible for the NRHP individually, as part of a historic district, or both. To qualify for inclusion in the NRHP, a property must possess significance under at least one of the following four criteria:<sup>19</sup>

- **Criterion A:** Association with events that have made significant contributions to broad patterns of history
- **Criterion B:** Association with the lives of persons significant in our past
- **Criterion C:** Embodiment of distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values; or represent a significant and distinguishable entity whose components may lack individual distinction
- **Criterion D:** Has yielded, or may be likely to yield, information important in prehistory or history<sup>20</sup>

In general, a historic property must be 50 years of age or older to be considered for the NRHP; however, properties less than 50 years of age may be considered for listing if they possess exceptional significance. In addition to possessing significance, to be eligible for the NRHP a property must also retain sufficient historic integrity: "Integrity is the ability of a property to convey its significance."<sup>21</sup>

To identify historic properties within the Project's architecture/history and archaeological APEs, MnDOT CRU, as designated by FTA and in consultation with MnSHPO, is conducting architecture/history surveys and archaeological surveys of the Project's APEs. These surveys are documenting previously identified or evaluated properties and are also documenting any previously unidentified properties within the APEs that will be 50 years of age or older at the time of Project construction.

Several architecture/history surveys and two archaeological surveys were completed since 2013 to identify historic properties that are listed in or are eligible for inclusion in the NRHP.<sup>22</sup> The following reports document these surveys:

- *Literature Review of Previous National Register of Historic Places and Local Heritage Preservation District Surveys and Evaluations of Dayton's Bluff*<sup>23</sup>
- *Johnson Parkway Integrity Assessment*<sup>24</sup>

---

<sup>19</sup> "Determination of Eligibility for Inclusion in the National Register of Historic Places", Title 36, CFR, Part 63. 1981. Available at: <https://www.govinfo.gov/app/details/CFR-2012-title36-vol1/CFR-2012-title36-vol1-part63>. Accessed November 2018.

<sup>20</sup> "Criteria for Evaluation", Title 36, CFR, Sec. 60.4. 1997. Available at: <https://www.govinfo.gov/app/details/CFR-2018-title36-vol1/CFR-2018-title36-vol1-sec60-4>. Accessed November 2018.

<sup>21</sup> U.S Department of the Interior, National Park Service, Cultural Resources. *National Register Bulletin. How to Apply the National Register Criteria for Evaluation*. 1997. <https://www.nps.gov/nr/publications/bulletins/nrb15/>. Accessed March 2019.

<sup>22</sup> *Architecture/history surveys completed to publication of the EA have focused on identifying and evaluating properties constructed in or before 1969.*

<sup>23</sup> *Minnesota Department of Transportation. Saint Paul, Ramsey County, Minnesota. Literature Review of Previous National Register of Historic Place and Local Heritage Preservation District Surveys and Evaluations of Dayton's Bluff. August 2016.*

<sup>24</sup> *Mead & Hunt, Saint Paul, Minnesota. Johnson Parkway Integrity Assessment. June 2017.*





- *Revised Phase I and II Architecture/History Investigation for the Gateway Corridor*<sup>25</sup>
- *Phase II Architecture/History Evaluation: 3M Center (RA-MWC-0010)*<sup>26</sup>
- *Dayton's Bluff Heritage Preservation District Phase II National Register Historic District Evaluation*<sup>27</sup>
- *Phase II Architecture/History Evaluation: Bell-Weber House (RA-SPC-2481, 5204)*<sup>28</sup>
- *Phase II Architecture/History Evaluation: Tandy Row (RA-SPC-2619, 5232)*<sup>29</sup>
- *Phase II Architecture/History Evaluation: Texas Company Service Station (RA-SPC-2284)*<sup>30</sup>
- *Revised Phase 1A Archaeological Assessment for the Gateway Corridor Project*<sup>31</sup>
- *Supplemental Phase 1 Archaeological Survey*<sup>32</sup>

The results of these survey are described in **Table 6.4-1**. After the FTA, Council and MnSHPO execute the Section 106 PA, additional surveys will be conducted to identify historic properties in areas added to the Project's architecture/history and archaeological APEs to determine if they are eligible for inclusion in the NRHP.

### 6.2.5. Standards Used to Assess Effects and Resolve Adverse Effects

Title 36, Code of Federal Regulations (CFR), Sec. 800.5(a)(1) establishes the following criteria for assessing effects of federal undertakings on historic properties that are listed in or are eligible for listing in the NRHP: "An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative."

---

<sup>25</sup> Kimley Horn, Ramsey and Washington Counties, Minnesota. Revised Phase I and II Architecture/History Investigation for the Gateway Corridor. March 2017; errata February 2018.

<sup>26</sup> 106 Group and Minnesota Department of Transportation Cultural Resources Unit. Minnesota Multiple Property Inventory Form. 3M Center. March 13, 2018.

<sup>27</sup> Zellie, Carole S. Landscape Research LLC, Saint Paul, Minnesota. Dayton's Bluff Heritage Preservation District Phase II National Register Historic District Evaluation Final Report. 2017.

<sup>28</sup> Zellie, Carole S. Landscape Research LLC and HNTB Corporation, Ramsey County, Minnesota. Phase II Architecture/History Evaluation Bell-Weber House. June 20, 2018. Report RA-SPC-2481, 5204.

<sup>29</sup> Zellie, Carole S. Landscape Research LLC and HNTB Corporation, Ramsey County, Minnesota. Phase II Architecture/History Evaluation Tandy Row. June 20, 2018. Report RA-SPC-2619, 5232.

<sup>30</sup> Zellie, Carole S. Landscape Research LLC and HNTB Corporation, Ramsey County, Minnesota. Phase II Architecture/History Evaluation Texas Company Service Station, 847 Hudson Road, Saint Paul. July 20, 2018. Report RA-SPC-2284.

<sup>31</sup> Kimley Horn, Ramsey and Washington Counties, Minnesota. Revised Phase IA Archaeological Assessment for the Gateway Corridor Project. March 2017.

<sup>32</sup> Two Pines Resource Group LLC, Ramsey and Washington Counties, Minnesota. Supplemental Phase I Archaeological Survey. April 3, 2019.



An adverse effect can occur if a project diminishes any aspect of a historic property's integrity. FTA, with assistance from MnDOT CRU, will assess effects of the Project on historic properties, per the terms of the executed Section 106 PA. If FTA finds, and MnSHPO agrees, that the Project would adversely affect a historic property, FTA, with assistance from MnDOT CRU, will consult with MnSHPO, other consulting parties, and the public in accordance with the terms of the PA to resolve the adverse effect. Resolution measures may include avoidance, minimization and/or mitigation.

## 6.3. Section 106 Coordination and Consultation

FTA initiated Section 106 consultation with MnSHPO in November 2013. Concurrently, FTA designated MnDOT CRU to assist with completing the initial steps of the Section 106 process for the Project. Since that time, FTA has regularly consulted with MnSHPO, Indian tribes, and other consulting parties to consider the potential effects of the Project on historic properties that are listed in, or are eligible for inclusion in, the NRHP. In accordance with Title 36, CFR, Sec. 800.8, FTA coordinated Section 106 consultation effort with the NEPA process.

### 6.3.1. Agency Coordination and Public Involvement

Section 106 consulting parties include:

- MnSHPO
- United States Army Corps of Engineers (USACE)
- Ramsey County
- Washington County
- City of Landfall Village
- City of Maplewood
- City of Oakdale
- City of Saint Paul
- City of Woodbury
- Maplewood Heritage Preservation Commission
- Saint Paul Heritage Preservation Commission

In July 2018, the USACE designated FTA as the lead federal agency for the Project to fulfill their responsibilities under Section 106.

In November 2018, FTA invited the Advisory Council on Historic Preservation (ACHP) to participate in the development of the Section 106 PA for the Project, and the ACHP has chosen not to participate. At the request of MnSHPO, the ACHP provided technical assistance during the preparation of the draft PA for the Project. See **Section 6.3.2** for information about the Project's Section 106-related tribal consultation.

FTA, with assistance from MnDOT CRU, consulted with MnSHPO to define two APEs for the Project (see **Section 6.2.3**) and conduct surveys of the APEs, which is ongoing, to identify historic properties that are listed in, or are eligible for inclusion in the NRHP. FTA also consulted with the consulting parties identified above to develop the draft PA for the Project, identify potential effects of the Project on historic properties, and gain input on how to potentially design the Project to minimize effects on historic properties and consider and avoid adverse effects.



Under the terms of the executed PA, FTA will continue to consult with consulting parties to identify historic properties, assess effects of the Project on historic properties, and resolve any adverse effects, if any.

**Table 6.3-1** includes a list of meetings related to agency coordination and public involvement efforts.

**TABLE 6.3-1: MEETINGS RELATED TO SECTION 106**

Date	Meeting Type	Purpose
July 9, 2018	Section 106 consulting parties	Project and Section 106 process overviews, review of historic properties
Sept. 11, 2018	Section 106 consulting parties	Discuss potential effects on historic properties (Maplewood to Lowertown area in downtown Saint Paul)
Sept. 25, 2018	Section 106 consulting parties	Discuss potential effects on historic properties (remaining properties in downtown Saint Paul)
Jan. 7, 2019	Property specific design and potential effects input	Collect input about Project infrastructure design alternatives within and around the 3M Center Historic District area and potential effects to the district
Jan. 15, 2019	Section 106 consulting parties	Collect input to guide PA development
Feb. 12, 2019	Property specific design and potential effects input	Collect input about Project infrastructure design alternatives within and around the 3M Center Historic District area and potential effects to the district
Mar. 12, 2019	Property specific design and potential effects input	Review preliminary supplemental integrity assessment of 3M Center Historic District
June 17, 2019	Section 106 consulting parties	Review draft PA

To comply with Section 106 requirements, FTA submitted the architecture/history and archaeological APEs and the results of historic properties surveys completed for the Project, including NRHP eligibility determinations, to MnSHPO for concurrence, copying other Section 106 consulting parties for their review and comment. FTA provided outlines and drafts of the Section 106 PA to MnSHPO and other consulting parties for review and comment. The FTA will continue additional consultation with MnSHPO and Section 106 consulting parties, per the terms of the executed PA. **Appendix C** includes Section 106 consultation documentation for the Project.

### 6.3.2. Tribal Consultation

In May 2018, the FTA sent consultation letters to federally recognized Indian tribes and Tribal Historic Preservation Officers (THPOs) that may have an interest in areas in which the Project would be built. The letters requested that tribes identify historic, cultural, archaeological or other concerns they have relative to the Project.

The FTA sent letters to the following tribes:

- Bois Forte Band 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
- White Earth Band of Minnesota Chippewa
- Prairie Island Indian Community
- Red Lake Band of Chippewa Indians
- Lower Sioux Indian Community
- Shakopee Mdewakanton Sioux Community of Minnesota
- Upper Sioux Community
- Turtle Mountain Band of Chippewa Indians
- Santee Sioux Nation
- Fort Peck Assiniboine and Sioux Tribes
- Northern Cheyenne Tribe
- Sisseton-Wahpeton Oyate

The Northern Cheyenne THPO responded that the Project would have no effect on properties of significance to the tribe. The Upper Sioux Community THPO also participated in the July 9, 2018 consultation meeting.

In November 2018, FTA invited the same tribes to participate in the development of the Section 106 PA for the Project. None of the tribes responded to this request. **Appendix C** includes copies of Section 106 correspondence with tribes.

To date, the FTA has not identified cultural resources significant to tribes within the Project's APEs. If such resources are identified in the future, consultation would proceed in accordance with Section 106 requirements and per the terms of the executed PA. Consultation and outreach will continue throughout the Section 106 process.

## 6.4. Affected Environment

To date, the FTA and MnDOT CRU have identified a total of 29 properties within the Project's architecture/history and archaeological APEs. All are architecture/history properties. No NRHP-listed or -eligible archaeological properties have been identified within the Project's archaeological APE.

### 6.4.1. Architecture/History Properties

The 29 architecture/history properties identified to date within the Project's architecture/history 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.<sup>33</sup> Per the terms of the executed PA, the Project will continue to conduct surveys to identify architecture/history properties in areas added to the architecture/history APE, as well as in previously surveyed

---

<sup>33</sup> 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.



areas to identify properties that will be 50 years or age or older at the initiation of Project construction, that may be effected by the Project.

**Table 6.4-1** provides information about the architecture/history properties identified to date within the Project's architecture/history APE, referencing the properties' numbered locations on **Figure 6.2-1** and **Figure 6.2-2**.

## **6.4.2. Archaeological Properties**

To date, the Project has not identified new or previously recorded or reported archaeological sites within the Project's archaeological APE. Per the terms of the executed PA, the Project will continue to survey areas added to the archaeological APE to identify potential archaeological sites that the Project may affect.



**TABLE 6.4-1: HISTORIC PROPERTIES IDENTIFIED TO DATE IN THE PROJECT AREA OF POTENTIAL EFFECT**

Historic Name	Number on Figure 6.2-1/ Figure 6.2-2	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment</li> <li>• Nearest Station(s)</li> </ul>	NRHP Status	Eligibility Criteria and Area(s) of Significance
New Palace Theater/ St. Francis Hotel	22	1-33 7th Place W. and 435-437 North Wabasha St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Hamm Plaza Station</li> </ul>	Eligible	<ul style="list-style-type: none"> <li>• Criterion: A</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Commerce</li> <li>▸ Entertainment/ Recreation</li> </ul> </li> </ul>
Hamm Building	8	408 Saint Peter St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Hamm Plaza Station</li> </ul>	Listed	<ul style="list-style-type: none"> <li>• Criterion: C</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> </ul> </li> </ul>
Saint Paul Public Library/James J. Hill Reference Library	2	80-90 4th St. W., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Rice Park Station</li> </ul>	Listed; contributing to Rice Park Historic District	<ul style="list-style-type: none"> <li>• Criteria: A and C</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> <li>▸ Education</li> </ul> </li> </ul>
U.S. Post Office, Courthouse, and Customs House (Landmark Center)	10	109 W. 5th St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Rice Park Station</li> <li>• Hamm Plaza Station</li> </ul>	Listed; contributing to Rice Park Historic District	<ul style="list-style-type: none"> <li>• Criterion: C</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> </ul> </li> </ul>



Historic Name	Number on Figure 6.2-1/ Figure 6.2-2	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment</li> <li>• Nearest Station(s)</li> </ul>	NRHP Status	Eligibility Criteria and Area(s) of Significance
Saint Paul Hotel	21	350 Market St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Rice Park Station</li> </ul>	Eligible; contributing to Rice Park Historic District	<ul style="list-style-type: none"> <li>• Criteria: A and C (Individual)</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> <li>▸ Commerce</li> </ul> </li> </ul>
Rice Park Historic District	N/A – see district outline	Area roughly bounded by Kellogg Boulevard West, Market, Washington and Saint Peter streets, and 4th, 5th and 6th streets west, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Rice Park Station</li> <li>• Hamm Plaza Station</li> </ul>	Eligible	<ul style="list-style-type: none"> <li>• Criterion: A</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Not clearly stated in documentation other than that the district had “a significant role in the history of Saint Paul through contributions on area of social, cultural, political, and economic development.”</li> </ul> </li> </ul>
Germania Bank	3	6 5th St. W., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Cedar Street Station</li> </ul>	Listed	<ul style="list-style-type: none"> <li>• Criterion: C</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> </ul> </li> </ul>
Saint Paul Athletic Club	19	340 Cedar St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Minnesota Street Station</li> </ul>	Eligible	<ul style="list-style-type: none"> <li>• Criteria: A and C (Individual)</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> <li>▸ Social History</li> </ul> </li> </ul>



Historic Name	Number on Figure 6.2-1/ Figure 6.2-2	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment</li> <li>• Nearest Station(s)</li> </ul>	NRHP Status	Eligibility Criteria and Area(s) of Significance
First Farmers and Merchants Bank/First National Bank	20	332 Minnesota St. and 339 Robert St. N., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Minnesota Street Station</li> </ul>	Eligible	<ul style="list-style-type: none"> <li>• Criterion: A (Individual)</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>▸ Commerce</li> </ul> </li> </ul>
Osborn Building	23	390 Wabasha St. N., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Hamm Plaza Station</li> </ul>	Eligible; contributing to Urban Renewal Historic District	<ul style="list-style-type: none"> <li>• Criterion: C (Individual)</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> </ul> </li> </ul>
Mutual Life Insurance Company Building	24	345 Cedar St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Cedar Street Station</li> </ul>	Listed; contributing to Urban Renewal Historic District	<ul style="list-style-type: none"> <li>• Criteria: A and C (Individual)</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> <li>▸ Commerce</li> </ul> </li> </ul>
Saint Paul Urban Renewal Historic District	N/A – see district outline	Area roughly bounded by Kellogg Boulevard and Jackson, 6th and Wabasha streets, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Nearest stations:                             <ul style="list-style-type: none"> <li>▸ 6th Street/Robert Street (adjacent to Historic District)</li> <li>▸ 6th Street/Minnesota Street (adjacent to Historic District)</li> <li>▸ 5th Street/Cedar Street (within Historic District)</li> <li>▸ 5th Street/Robert Street stations (adjacent to Historic District)</li> </ul> </li> </ul>	Eligible	<ul style="list-style-type: none"> <li>• Criterion: A</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Community Planning and Development</li> <li>▸ Social History</li> </ul> </li> </ul>





Historic Name	Number on Figure 6.2-1/ Figure 6.2-2	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment</li> <li>• Nearest Station(s)</li> </ul>	NRHP Status	Eligibility Criteria and Area(s) of Significance
Manhattan Building	7	360 Robert St. N., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Robert Street Station</li> </ul>	Listed	<ul style="list-style-type: none"> <li>• Criteria: A, B and C</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>› Architecture</li> <li>› Commerce</li> </ul> </li> </ul>
Pioneer Press and Endicott Buildings	6	332 Robert St. N. and 142 5th St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Robert Street Station</li> </ul>	Listed	<ul style="list-style-type: none"> <li>• Criteria: A and C</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>› Architecture</li> <li>› Commerce</li> <li>› Communications (Pioneer only)</li> </ul> </li> </ul>
Merchants National Bank Building	4	366–368 Jackson St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• 5th Street/Robert Street Station</li> </ul>	Listed	<ul style="list-style-type: none"> <li>• Criteria: A and C</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>› Architecture</li> <li>› Commerce</li> <li>› Politics/Government</li> </ul> </li> </ul>
U.S. Post Office and Custom House	9	180 Kellogg Blvd. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Union Depot and</li> <li>• Build Alternative 2</li> <li>• Alignment A2</li> <li>• Union Depot</li> </ul>	Listed	<ul style="list-style-type: none"> <li>• Criterion: A</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>› Politics/Government</li> </ul> </li> </ul>



Historic Name	Number on Figure 6.2-1/ Figure 6.2-2	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment</li> <li>• Nearest Station(s)</li> </ul>	NRHP Status	Eligibility Criteria and Area(s) of Significance
Saint Paul Union Depot	1	214 4th St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Union Depot/Wacouta Street and Union Depot/Sibley Street stations</li> </ul> and <ul style="list-style-type: none"> <li>• Build Alternative 2</li> <li>• Alignment A2</li> <li>• Union Depot</li> </ul>	Listed	<ul style="list-style-type: none"> <li>• Criteria: A and C (Individual)</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> <li>▸ Engineering</li> <li>▸ Transportation</li> </ul> </li> </ul>
Finch, VanSlyck and McConville Dry Goods	18	366 Wacouta St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Union Depot/Wacouta Street Station</li> </ul>	Listed; contributing to Lowertown Historic District	<ul style="list-style-type: none"> <li>• Criteria: A and C (Individual)</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Commerce</li> <li>▸ Engineering</li> </ul> </li> </ul>
Lowertown Historic District	N/A – see district outline	Area roughly bounded by Shepard Road, Kellogg Boulevard and 7th, Sibley and Broadway streets, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternative 1</li> <li>• Alignment A1</li> <li>• Union Depot/Wacouta Street and Union Depot/Sibley Street stations</li> </ul> and <ul style="list-style-type: none"> <li>• Build Alternative 2</li> <li>• Alignment A2</li> </ul>	Listed	<ul style="list-style-type: none"> <li>• Criteria: A and C</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture, Commerce</li> <li>▸ Community Planning and Development</li> <li>▸ Industry</li> </ul> </li> </ul>



Historic Name	Number on Figure 6.2-1/ Figure 6.2-2	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment</li> <li>• Nearest Station(s)</li> </ul>	NRHP Status	Eligibility Criteria and Area(s) of Significance
Tandy Row	13	668-674 4th St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible	<ul style="list-style-type: none"> <li>• Criterion: C</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> </ul> </li> </ul>
Peter Bott House and Garage	26	326 Maria Ave., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible <sup>a</sup>	<ul style="list-style-type: none"> <li>• Criterion: C</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> </ul> </li> </ul>
Frederick Reinecker House #2	16	700 3rd St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible <sup>a</sup>	<ul style="list-style-type: none"> <li>• Criterion: C</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> </ul> </li> </ul>
Frederick Reinecker House #1	15	702 3rd St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible <sup>a</sup>	<ul style="list-style-type: none"> <li>• Criterion: C</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> </ul> </li> </ul>
Bell-Weber House	12	661 3rd St. E., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible	<ul style="list-style-type: none"> <li>• Criterion: C</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> </ul> </li> </ul>
Texas Company Service Station	11	847 Hudson Road, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Mounds Boulevard Station</li> </ul>	Eligible	<ul style="list-style-type: none"> <li>• Criteria: A and C</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> <li>▸ Commerce</li> <li>▸ Transportation</li> </ul> </li> </ul>
Giesen-Hauser House/Peter & Mary Giesen House	5	827 Mound St., Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> </ul>	Listed	<ul style="list-style-type: none"> <li>• Criteria: A and C</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> <li>▸ Commerce</li> </ul> </li> </ul>



Historic Name	Number on Figure 6.2-1/ Figure 6.2-2	Address	<ul style="list-style-type: none"> <li>• Build Alternative(s)</li> <li>• Project Alignment</li> <li>• Nearest Station(s)</li> </ul>	NRHP Status	Eligibility Criteria and Area(s) of Significance
Johnson Parkway	27	Johnson Parkway, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Earl Street Station</li> </ul>	Eligible <sup>b</sup>	<ul style="list-style-type: none"> <li>• Criteria: A and C</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Community Planning and Development</li> <li>▸ Entertainment/Recreation</li> <li>▸ Landscape Architecture</li> </ul> </li> </ul>
Grace Lutheran Church	14	1730 Old Hudson Road, Saint Paul	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment B</li> <li>• Van Dyke Street or Hazel Street Station</li> </ul>	Eligible	<ul style="list-style-type: none"> <li>• Criterion: A</li> <li>• Area of Significance:                             <ul style="list-style-type: none"> <li>▸ Architecture</li> </ul> </li> </ul>
3M Center	N/A – see district outline	2301 McKnight Road, Maplewood	<ul style="list-style-type: none"> <li>• Build Alternatives 1 and 2</li> <li>• Alignment C</li> <li>• Maplewood Station</li> </ul>	Eligible	<ul style="list-style-type: none"> <li>• Criterion: A</li> <li>• Areas of Significance:                             <ul style="list-style-type: none"> <li>▸ Commerce</li> <li>▸ Innovation</li> </ul> </li> </ul>

<sup>a</sup> In accordance with the “level of effort” provisions of 36 CFR Sec. 800.4(b)(1), which require agencies to take into account as part of their efforts to identify historic properties the “the magnitude and nature of the undertaking and the degree of Federal involvement, the nature and extent of potential effects on historic properties, and the likely nature and location of historic properties within the area of potential effects”, FTA determined, and MnSHPO concurred, that a Phase II evaluation of this property was not required, but that for the purpose of consultation under Section 106 for the Project, FTA will treat this property as eligible for inclusion in the NRHP under the Criterion and Area identified in the “Eligibility and Area of Significance” column.

<sup>b</sup> On Feb. 22, 2018, FTA found that Johnson Parkway possessed significance under the NRHP Criteria and Areas identified in the “Eligibility and Area of Significance” column, but that it no longer retained sufficient historic integrity to convey its significance under either Criterion A or C. In a response dated April 3, 2018, MnSHPO stated it did not concur with FTA’s determination, noting that although some segments of the parkway have been altered, the overall integrity of the entire parkway is still sufficiently high enough that the property is considered eligible for listing in the NRHP under both Criterion A in the areas of Entertainment/Recreation and Community Planning and Development as well as Criterion C in the area of Design. Therefore, for the purpose of consultation under Section 106 for the Project, FTA will treat this property as eligible for inclusion in the NRHP under the Criteria and Areas identified in the “Eligibility and Area of Significance” column.



## 6.5. Environmental Consequences

### 6.5.1. Operating Phase (Long-Term) Impacts

Long-term and short-term direct and indirect effects on historic properties from the Build Alternatives will be evaluated per the terms of the executed PA during the Project Development and Engineering phases. Direct effects include those that physically alter, damage, or destroy all or part of the historic property, as well as ownership changes. Indirect effects include changes in a property's use or physical features within the property's setting that contribute to its historic significance; the introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features; or neglect of the property that causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe.<sup>34</sup>

Direct effects generally occur at the same time and place as the proposed action, while indirect effects might occur at the same time as the proposed action or later in time and might be farther removed in distance from the proposed action but are still reasonably foreseeable.<sup>35</sup>

Long-term effects are those that would continue to occur after construction is complete, while short-term effects are those that are associated with the proposed action's construction activities and would be temporary in duration.

#### 6.5.1.1. Build Alternative 1 (A1-BC-D3)

Of the architecture/history properties identified to date within the Project's architecture/history APE, all 29 are within areas that would be affected by Build Alternative 1. FTA, with assistance from MnDOT CRU, will consult with MnSHPO and other Section 106 consulting parties per the terms of the Project's executed PA and Title 36, CFR, Part 800 to assess effects of the Project on these historic properties. 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.

Before FTA assesses effects of the Project on historic properties, the Council will make efforts to design Project elements within and close to historic properties in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties*<sup>36,37</sup> to minimize potential effects to these properties to the extent feasible while still meeting the Project's purpose and need.

---

<sup>34</sup> "Assessment of Adverse Effects", Title 36, CFR, Sec. 800.5, 2004. Available at: [https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800\\_15](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800_15). Accessed March 2019.

<sup>35</sup> "Effects", Title 36, CFR, Sec.800.16(i). 2004. Available at: [https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800\\_116](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=0729a2beb9368a20c60d354433ceb95e&mc=true&n=pt36.3.800&r=PART&ty=HTML#se36.3.800_116). Accessed March 2019.

<sup>36</sup> *Technical Preservation Services, National Park Service. The Secretary of the Interior's Standards for the Treatment of Historic Properties. U.S. Department of the Interior. 2017. Available at: https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf*. Accessed December 2018.

<sup>37</sup> "The Secretary of the Interior's Standards for the Treatment of Historic Properties", Title 36, CFR, Part 68. 1995. Available at: <https://www.ecfr.gov/cgi-bin/text-idx?SID=dbf88891a6be7286c183e538ded6846a&mc=true&node=pt36.1.68&rgn=div5>. Accessed March 2019.



The FTA and MnDOT CRU have not identified any historic properties in the Project's architecture/history and archaeological APEs that the Hazel Street Station Option or Dedicated Guideway Option at Hadley Avenue and 4<sup>th</sup> Street would affect. As the executed PA is implemented, if these options would affect an identified historic property, FTA will consult with MnSHPO and other Section 106 consulting parties per the terms of the executed PA to consider the effects and if there is an adverse effect, to consider avoidance, minimization and/or mitigation measures to resolve adverse effect(s).

#### 6.5.1.2. Build Alternative 2 (A2-BC-D3)

Of the architecture/history properties identified to date within the Project's architecture/history APE, 12 properties are within areas that would be affected by Build Alternative 2. Because Alignment A2 would end at the Union Depot bus deck, this alignment would not affect historic properties west of this terminus. Build Alternative 2 would produce the same long-term potential effects on historic properties as Build Alternative 1 within Alignments B, C and D3.

FTA, with assistance from MnDOT CRU, will consult with MnSHPO and other Section 106 consulting parties per the terms of the Project's executed PA and Title 36, CFR, Part 800 to assess effects of the Project on historic properties. 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.

Before FTA assesses effects of the Project on historic properties, the Council will make efforts to design Project elements within and close to historic properties in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties* to minimize potential effects to these properties to the extent feasible while still meeting the Project's purpose and need.

### 6.5.2. Construction Phase (Short-Term) Impacts

#### 6.5.2.1. Build Alternative 1 (A1-BC-D3)

FTA, with assistance from MnDOT CRU, will consult with MnSHPO and other Section 106 consulting parties per the terms of the executed PA and Title 36, CFR, Part 800, to assess effects of the Project on historic properties. 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 PA to consider avoidance, minimization and/or mitigation measures to resolve the adverse effect.

#### 6.5.2.2. Build Alternative 2 (A2-BC-D3)

FTA, with assistance from MnDOT CRU, will consult with MnSHPO and other Section 106 consulting parties per the terms of the executed PA and Title 36, CFR, Part 800, to assess effects of the Project on historic properties. 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 PA to consider avoidance, minimization and/or mitigation measures to resolve the adverse effect.

## 6.6. Avoidance, Minimization and/or Mitigation Measures

The FTA, Council, MnDOT CRU, and MnSHPO prepared a draft PA that outlines the measures they will take to complete the Section 106 process including identifying historic properties that the Project could affect, assessing the effects of the Project on those properties, and resolving adverse effects, if any. The Council will implement per the terms of the executed PA avoidance, minimization and/or mitigation measures identified through the Section



106 process. Such measures may include a protection plan for historic properties that the Council prepares to specify requirements for contractors that would minimize the effects of construction activities and avoid adverse effects on historic properties and design portions of the Project located within and close to historic properties in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.