



## Resolution 2024-86

### **RESOLUTION APPROVING TEMPORARY OCCUPANCY UNDER SECTION 4(F) OF THE TRANSPORTATION ACT OF 1966 FOR THE METRO TRANSIT F LINE BUS RAPID TRANSIT PROJECT ADJACENT TO AND WITHIN SAINT ANTHONY PARKWAY AND COLUMBIA GOLF COURSE**

Whereas, The Minneapolis Park and Recreation Board (MPRB) was created by the Minnesota Legislature in April 1883 and has the authority to manage and operate park facilities;

Whereas, MPRB operates and has jurisdiction over Saint Anthony Parkway Regional Trail and Columbia Golf Course in Northeast Minneapolis (The Parks);

Whereas, Metro Transit is preparing plans a new bus rapid transit (BRT) line along Central Avenue, known as the F Line (The Project);

Whereas, The Project is adjacent to the Parks and will result in temporary construction impacts on parkland;

Whereas, The Parks are considered protected park resources under Section 4(f) of the Transportation Act of 1966;

Whereas, MPRB was determined to be the Agency with Jurisdiction over the 4(f) parkland that will be potentially impacted by this project;

Whereas, A nationwide programmatic determination called a temporary occupancy can be utilized in lieu of a full 4(f) impact review under certain conditions;

Whereas, A temporary occupancy is only valid when the Agency with Jurisdiction over the Section 4(f) property has given approval in writing that the project is acceptable and consistent with the designated use of the property and that all possible planning to minimize harm has been accomplished;

Whereas, MPRB staff have consulted with Metro Transit project staff about the project as a Technical Advisory Committee member, have reviewed these temporary impacts, and believe the new BRT line will benefit park users and have minimal impact on existing parkland;

Whereas, Upon approval of temporary occupancy, MPRB staff will continue to work with Metro Transit staff and consultants through the detailed design phase of the project, and will require that construction on parkland take place under a construction permit issued by the Planning Division; and



Whereas, This resolution is supported by Parks for All, the MPRB Comprehensive Plan 2021-2036, under Goal 4: "Work from our strengths and determine our role in partnerships;"

RESOLVED, That the Board of Commissioners approves Temporary Occupancy under Section 4(f) of the Transportation Act of 1966 for the Metro Transit F Line Bus Rapid Transit project adjacent to and within Saint Anthony Parkway and Columbia Golf Course; and

RESOLVED, That the President and Secretary of the Board are authorized to take all necessary administrative actions to implement this resolution.



TO: Planning Committee

FROM: Michael Schroeder, Assistant Superintendent, Planning

DATE: 24 April 2024

SUBJECT: RESOLUTION APPROVING TEMPORARY OCCUPANCY UNDER SECTION 4(F) OF THE TRANSPORTATION ACT OF 1966 FOR THE METRO TRANSIT F LINE BUS RAPID TRANSIT PROJECT ADJACENT TO AND WITHIN SAINT ANTHONY PARKWAY AND COLUMBIA GOLF COURSE

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## **BACKGROUND**

This resolution considers agreement with a temporary occupancy determination (*Attachment A*) under Section 4(f) of the Transportation Act of 1966 for the Metro Transit F Line Bus Rapid Transit project. The project will temporarily occupy a portion of Columbia Park golf course and Saint Anthony Parkway Regional Trail during the construction of two southbound platforms at the intersections of Central Avenue and 35th Avenue and of Central Avenue and Saint Anthony Parkway, as depicted in the attached project location maps.

The F Line Bus Rapid Transit Project (the Project) is proposed to operate along a 13-mile corridor from the Northtown Transit Center in Blaine to downtown Minneapolis, primarily via University Avenue, 53rd Avenue, Central Avenue, and Nicollet Mall. Buses will travel using existing lanes, making limited stops at 32 stations located about 0.4 miles apart.

Because this project proposes the use of Federal Transit Administration (FTA) funds, it is subject to compliance with the provisions of Section 4(f) of the USDOT Act of 1966 (23 USC 138 and 49 USC 303), which protects publicly owned parks, recreational areas, wildlife/waterfowl refuges, and historic sites. The project will not involve any direct or permanent use of Columbia Park or Saint Anthony Parkway.

Construction activities would temporarily occupy approximately 1,250 square feet west of the Central Avenue and 35th Avenue southbound platform and approximately 1,125 square feet west of the Central Avenue and Saint Anthony Parkway southbound platform. The Columbia Park property will be used to provide access for removing existing bus stops, sidewalks, and pedestrian ramps and reconstructing new sidewalks and pedestrian ramps. No other features or attributes of the park will be impacted. Community members will be able to access and use all facilities within the park. Adequate parkway and sidewalk/trail detours during construction will be coordinated with MPRB to maintain access for sidewalk and trail users.



As per the Federal Register Rules and Regulations 23 CFR 774.13(d), use of parkland for limited construction activities may be considered a temporary occupancy of Section 4(f) lands. A temporary occupancy may not constitute Section 4(f) use when all of the conditions listed below are satisfied. The conditions are outlined in the attached letter (*Attachment A*).

- The duration of the occupancy will be temporary in nature (i.e., less than the time needed for construction of the project).
- There will be no change in ownership of the land.
- The scope of work to be performed will be minor (i.e., both the nature and magnitude of the changes to the Section 4(f) property are minimal).
- There are no anticipated permanent adverse physical impacts.
- There will be no interference with the activities or purpose of the resource (either temporary or permanent).
- The land being used will be fully restored to a condition that is at least as good as the condition that existed prior to the project.

MPRB had the opportunity to provide input on F Line planning process through the Technical Advisory Committee and as a partner agency in the public comment period. On November 9, 2022, MPRB provided comment on the F Line project. The Columbia Park Master Plan calls for public art along the sidewalk adjacent to the station area and MPRB was interested in pursuing public art opportunities in the area or on the station if the opportunity arose. Public art is not part of the F Line project, but Metro Transit is open to continued discussions to make space available for MPRB to install public art in the vicinity of F Line stations. MPRB noted the new stormwater best management practices (BMPs) in the Columbia Golf Course and Park that should be considered in the design and construction process. Metro Transit is aware of the new stormwater BMPs, and they will be considered in the F Line design and construction processes.

A bike trail on the south side of Saint Anthony Parkway crosses Central Avenue near the proposed platform and MPRB requested more information about potential turning conflicts or traffic congestion as a result of in-lane bus stopping, with special attention to the fact that cyclists will be using the crossing. An evaluation of traffic conditions at this location does not indicate that introducing an in-lane bus stop as part of the F Line would result in substantial changes to vehicle congestion at this location. F Line riders will pay fares before boarding and will be able to enter or exit the bus from any door, reducing the amount of time that vehicles would need to stop behind a bus. To minimize the likelihood of vehicles blocking the trail crossing while a bus is at the platform, F Line design will consider the location of the platform and, as feasible, accommodate space for queuing vehicles to the south of the trail crossing. MPRB commented that tree preservation is of the utmost importance to the health of the urban tree canopy and park system. Metro Transit shares MPRB's interest in preserving trees where possible and will work to avoid and mitigate any impacts of tree removal along the F Line corridor.



As the official having jurisdiction over the Section 4(f) properties, MPRB is being asked by Metro Transit for concurrence that the temporary construction activities/temporary occupancy associated with the project meet the conditions for temporary occupancy exceptions in accordance with Federal Register Rules and Regulations 23 CFR 774.13(d), and the project will not result in Section 4(f) use.

## **RECOMMENDATION**

Staff recommends that the Board of Commissioners approve Temporary Occupancy under Section 4(f) of the Transportation Act of 1966 for the Metro Transit F Line Bus Rapid Transit project adjacent to and within Saint Anthony Parkway and Columbia Golf Course

This action is supported by the following goals and strategies in Parks for All, the MPRB Comprehensive Plan 2021-2036.

**Goal:**

04. Work from our strengths and determine our role in partnerships

**Strategy:**

4.8: Create system-wide connections to and through parks for pedestrians, cyclists, and transit riders based on master plans and in collaboration with agency partners.

**Attachments:**

1. Attachment A: F Line Temporary Occupancy Determination Letter

*Jbr 4.24.2024.*