

8.0 FINAL SECTION 4(f)/6(f) EVALUATION

The Section 4(f) legislation, as established under the U.S. Department of Transportation Act of 1966 (49 USC 303, 23 USC 138), provides protection for publicly owned parks, recreation areas, historic sites, wildlife and/or waterfowl refuges from conversion to other use. The Federal Highway Administration (FHWA) may not approve the use of land from a significant publicly owned park, recreation area, or wildlife and waterfowl refuge, or any significant historic site unless a determination is made that:

- There is no feasible and prudent alternative to the use of the land from the property; and
- The action includes all possible planning to minimize harm to the property resulting from such use (23 CFR 771.135).

Additional protection is provided for outdoor recreation lands under the Section 6(f) legislation (16 USC 4602-8(f) (3)) where Land and Water Conservation (LAWCON) funds were used for the planning, acquisition, or development of the property. These properties may be converted to a transportation use only if the land is replaced with property which is reasonably equivalent in usefulness and is of at least the same fair market value.

The Draft Section 4(f)/6(f) Evaluation, included with the DEIS, was presented in two parts: parklands and historic sites. This Final Section 4(f)/6(f) Evaluation covers only parkland issues, because use of historic properties, specifically the Carpenter residence, has been avoided with the Preferred Alternative as documented in Chapter 9.0 of the FEIS (Section 106 Documentation).

The Final Section 4(f)/6(f) Evaluation represents the culmination of analysis initiated during preparation of the DEIS. This section presents: an overview of the Draft Section 4(f)/6(f) Evaluation; a description of work completed since issuance of the Draft Evaluation to minimize impacts to parklands; and a detailed description of remaining parkland impacted along with measures proposed to minimize potential harm.

8.1 DRAFT SECTION 4(F)/6(F) EVALUATION

The Draft Evaluation identified Section 4(f) and Section 6(f) properties within the corridor study area and analyzed potential impacts to those properties resulting from the project alternatives. The alternatives included a No-Build, Transportation System Management (TSM), and four mainline Build alternatives (see DEIS Chapter 3.3 – Alternatives). A total of 12 parks were considered in the evaluation. Figure 8.1 illustrates these 12 parks along with other parkland in the I-494 corridor.

Based on the analysis presented in the DEIS and comments received on the DEIS, a Preferred Alternative for reconstruction of I-494 was identified in January 1993. In the years between 1993 and 2000, it was necessary for Mn/DOT to reduce the scale of the Preferred

Alternative for fiscal reasons (see Sections 1.2 and 3.3 of this FEIS). In addition, Mn/DOT was involved in ongoing coordination efforts during this timeframe with cooperating agencies, concerned individuals and community groups. These efforts resulted in certain design changes to the Preferred Alternative to limits impacts, while still fulfilling the purpose and need for the project as discussed in Chapter 2.0. Chapter 3.4 of the FEIS presents a detailed description of the current Preferred Alternative and the rationale for design decisions which have now been incorporated into this alternative.

8.2 INTERIM ANALYSIS/PARK IMPACT REDUCTION

Since completion of the Draft Section 4(f)/6(f) Evaluation and selection of a Preferred Alternative design, modifications have occurred, including modifications developed to avoid or minimize, to the extent possible, impacts to parklands in the corridor. As a result of these efforts, reductions in impacts to parks have been achieved.

The following sections describe parks identified as being impacted in the Draft Section 4(f)/6(f) Evaluation that are no longer impacted by the proposed project and can be removed from further Section 4(f)/6(f) consideration.

8.2.1 UNNAMED PARK - MINNETONKA

This park is an unnamed linear parcel of land 31 to 275 meters (100 to 900) feet in width which abuts the west side of I-494 south of I-394 and north of the Burlington Northern Railroad tracks (Figure 8.1). The site, approximately 13 hectares (31 acres) in size, was acquired for the purpose of a public recreational trail through dedication when an adjacent plat was approved.

In the I-494 DEIS, the design included 8 meters (26 feet) of reserved space in the median, shoulders, three through-lanes and auxiliary lanes. The cross-section required highway right-of-way, therefore requiring acquisition of some of the parkland.

The current Preferred Alternative includes only the shoulders and three through-lanes. The narrower cross section is accommodated within the existing right-of-way, resulting in no acquisition of parkland at this location.

8.2.2 CARDINAL HILLS PARK

Cardinal Hills Park lies on the west side of I-494 between TH 62 and TH 5 (Figure 8.1). The analysis conducted for the DEIS assumed a rural cross-section centered on the existing alignment. With this alignment, the widening of I-494 would have resulted in slopes that extended into the park. In order to avoid encroachment in the park, the Preferred Alternative alignment has been moved to the east about 12 meters (40 feet) for the length of the park.

Figure 8.1 11 x 17 2 pages

Figure 8.1 11 x 17 page 2

8.2.3 TOPVIEW PARK

Topview Park is a small neighborhood park adjacent to I-494 near Cardinal Hills Park (Figure 8.1). The DEIS indicated that 0.1 hectare (0.3 acre) of this park would be acquired for the highway widening. Shifting the alignment east to avoid Cardinal Hills Park also resulted in the avoidance of Topview Park.

8.2.4 BRYANT LAKE PARK

Bryant Lake Park, located east of I-494 and south of TH 62 (Figure 8.1), is part of the Hennepin County Regional Park system. The park was not originally included in the Draft Section 4(f)/6(f) since it is not adjacent to I-494 and therefore would not be affected by acquisition of right-of-way for I-494 reconstruction; however, the U.S. Department of Interior (DOI) recommended in its DEIS comment letter that the site be reviewed because of potential adverse noise impacts.

Bryant Lake Park currently has no common boundary with the existing I-494 alignment and will continue to share no common boundary under the Preferred Alternative. The closest portion of the park is approximately 150 to 185 meters (500 to 600 feet) from the existing and proposed I-494 right-of-way limits. At this distance, noise modeling does not provide useful results for analysis. Modeled 2022 daytime noise levels during peak travel periods at area residential receptors much closer to I-494 show levels associated with the Preferred Alternative as one decibel higher than those resulting from the No-Build and one to two decibels higher than modeled as existing. These one- to two-decibel increases would not be perceptible to the human ear.

Change in noise levels at Bryant Lake Park should not be of a scale to substantially impair its use both in comparison to existing conditions and to conditions under the No-Build Alternative. Therefore, there would be no impact—direct or indirect—to Bryant Lake Park resulting from the Preferred Alternative.

8.2.5 ROOSEVELT AND WASHINGTON PARKS

Roosevelt Park is located north of 77th Street and just west of Portland Avenue. Washington Park is also adjacent to the north side of 77th Street, just west of TH 77 (Figure 8.1). Both parks are part of the City of Richfield park system.

During preparation of the I-494 DEIS, improvements to 77th Street in Richfield were considered part of the I-494 project. After publication of the DEIS, the 77th Street project was separated from the I-494 study and undertaken by the City of Richfield. An Environmental Assessment for the 77th Street project, including these two parks, was completed and the road was constructed. As a result, the parks are no longer being analyzed in the I-494 Section 4(f)/6(f) Evaluation.

8.2.6 HYLAND-BUSH-ANDERSON LAKES REGIONAL PARK RESERVE-TIERNEY'S WOODS AREA

The Draft Section 4(f)/6(f) Evaluation presented in the DEIS addressed Tierney's Woods, as well as Highwood Corridor as separate park entities from the Hyland-Bush-Anderson Lakes Regional Park Reserve. Based on comments from the City of Bloomington, the Hyland-Bush-Anderson Lakes Regional Park Reserve is considered a single park containing Tierney's Woods, Highwood Corridor, and many other areas. Therefore, the discussion for the Final Section 4(f)/6(f) Evaluation has been modified to reflect the fact that these parks are managed as one system by Hennepin Parks. Impacts to the Highwood Corridor area of Hyland-Bush-Anderson Lakes Regional Park Reserve are described in Section 8.3.

Although Tierney's Woods is considered part of the Hyland-Bush-Anderson Lakes Park Reserve, there are no anticipated impacts to this area associated with the Preferred Alternative. The DEIS had indicated that 0.3 hectare (0.7 acre) of this property would need to be acquired to accommodate proposed access ramps to Highwood Drive. The TH 169 interchange has since been reconstructed as a three-loop diamond interchange. The Preferred Alternative proposes no changes to this interchange. Therefore, there is no impact to Tierney's Woods for the reconstruction of I-494.

8.3 PARKLANDS IMPACTED BY THE PREFERRED ALTERNATIVE

8.3.1 HYLAND-BUSH-ANDERSON PARK RESERVE

As noted above, the Draft Section 4(f)/6(f) Evaluation presented in the DEIS addressed the Highwood Corridor, as well as Tierney's Woods, as separate park entities from the Hyland-Bush-Anderson Lakes Regional Park Reserve. Based on comments from the City of Bloomington, the Hyland-Bush-Anderson Lakes Regional Park Reserve is considered a single park containing Tierney's Woods, Highwood Corridor, and many other areas. Therefore, the discussion for the Final Section 4(f)/6(f) Evaluation has been modified to reflect the fact that these parks are jointly managed as one system by Hennepin Parks and the City of Bloomington. A detailed description of the Highwood Corridor follows the broader description of the Hyland-Bush-Anderson Lakes Park Reserve in its entirety. As discussed in Section 8.2.6, Tierney's Woods will no longer be impacted by the Preferred Alternative.

8.3.1.1 Description of the Section 4(f) Resource

Site Description: Hyland-Bush-Anderson Lakes Regional Park Reserve abuts the south side of I-494 in several locations in the area between Prairie Center Drive and East Bush Lake Road in the cities of Eden Prairie and Bloomington. It includes seven park units, comprising six major bodies of water, wetlands, woodlands, and a variety of recreational facilities. In total, the park covers 1,039 hectares (2,565 acres). The park unit affected by the Preferred Alternative is the Highwood Corridor. The Highwood Corridor is a 44-hectare (108-acre) sub-area of the park reserve. It abuts the south side of I-494 west of East Bush Lake Road for a distance

of 1,798 meters (4,440 feet) (Figure 8.1) and contains mature woods, wetlands, and steep hills. Nine Mile Creek flows through the northern portion of the park. The joint master plan for the Hyland-Bush-Anderson Lakes Regional Park Reserve characterizes the current and future use of the Highwood Corridor portion of the reserve as conservation open space, and bike/hike trail.

Activities and Use: Facilities include a nature interpretative center; numerous picnic areas; pedestrian, bicyclist and cross-country skiing trails; a creative play structure; lake access; downhill skiing; a ski jump; a community building-warming house; and natural areas. The Highwood Corridor includes a trail north of Marth Road. There are no new facilities or improvements planned in this area of the park.

Access: Access to Hyland-Bush-Anderson Lakes Park is via TH 169, West Bush Lake Road, East Bush Lake Road, 84th Street, and Highwood Drive. Access to Highwood Corridor is via East Bush Lake Road and Marth Road.

Ownership: The Hyland-Bush-Anderson Lakes Regional Park Reserve is jointly owned and managed by the City of Bloomington and Hennepin Parks. The Highwood Corridor is owned by the City of Bloomington.

Clauses: LAWCON funding and Regional Park and Open Space funds were both used to acquire property within the Highwood Corridor sub-area of the Hyland-Bush-Anderson Lakes Regional Park Reserve. This is discussed in more detail in Section 8.3.1.5.

Relationship to other Similar Resources: As noted, this corridor is one of seven units of the 1,038-hectare (2,565-acre) Hyland-Bush-Anderson Lakes Regional Park Reserve. The nearest other units of this Reserve are the 430-hectare (1,060-acre) Hyland Lake unit and the 75-hectare (185-acre) Normandale Lake unit. The Hyland Lake unit is directly south of the Highwood Corridor. The Normandale Lake unit is across East Bush Lake Road and to the southeast of the Highwood Corridor. Recreational uses at these two units include hiking, biking, downhill and cross-country skiing, picnicking, and group camping. Linking these two units is a natural open space area detailed in Section 8.3.3.

Unusual Characteristics: The Hyland-Bush-Anderson Lakes Regional Park Reserve is unusual in that it is a very large resource providing a wide array of passive and active recreational opportunities within a developed suburban area of the metropolitan area. The Highwood Corridor unit is unusual as a wooded corridor adjacent to an urban freeway in a fully developed suburb.

8.3.1.2 Impact to the Section 4(f) Resource

The proposed alignment would require acquisition of a linear segment approximately 1.8 hectares (4.4 acres) in size in the northernmost portion of the Highwood Corridor, adjacent to existing I-494 (see shaded area on Figure 8.2). This is a worst-case impact and includes 0.6 hectare (1.6 acres) which may be only temporarily impacted under a construction easement rather than acquired as right-of-way.

An additional linear segment of land along the secondary channel of the North Fork of Nine Mile Creek (see creek extension location on Figure 8.2) may be temporarily impacted by one of the alternatives being considered for floodplain and stream channel impact mitigation (see discussion in Section 6.5.4 and 6.12.3). If this alternative were implemented, it would include excavation of a more defined stream channel for a distance of approximately 152 to 244 meters (500 to 800 feet). This would involve a temporary construction easement for occupancy of approximately 0.7 hectare (1.8 acres) of parkland (assuming a worst-case impact area of 30 meters (100 feet) wide by 244 meters (800 feet) long. If required by construction, this area would be graded and replanted with plant species similar to existing species. The construction easement options are discussed further in Section 8.3.1.5. In addition to the property impact, the pedestrian/bicyclist trail along the northern edge of the park, parallel to Marth Road, would be relocated immediately to the south. The primary uses of open space and trail would be maintained.

The total 1.8-hectare (4.4-acre) “worst case” acquisition represents 0.2 percent of the entire park reserve and 4 percent of the Highwood Corridor sub-area. The additional 0.7 hectare (1.8 acre) possible temporary occupancy area is less than 0.1 percent of the park reserve and approximately 2 percent of the Highwood Corridor area.

8.3.1.3 Alternatives to the Use of Section 4(f) Property

As noted in Section 8.1, the Draft Section 4(f)/6(f) Evaluation analyzed a No-Build, TSM, as well as the four Build alternatives. Both the No-Build and the TSM alternatives would avoid the Highwood Corridor sub-area of the Hyland-Bush-Anderson Lakes Regional Park Reserve. However, the DEIS found that these alternatives would not adequately address the project needs, since they would not adequately increase corridor capacity to meet growing demands and would not allow the highway design to be upgraded to current standards.

The Preferred Alternative in this section of the project includes one additional general traffic lane in each direction with 7.9 meters (26 feet) reserved in the median for future undetermined use. The Preferred Alternative interchange design at East Bush Lake Road is a modified folded diamond, with the folded diamond located at the southeast quadrant and standard diamond ramps in the northwest and northeast quadrants of the interchange. As described in Section 3.4.3 of this FEIS, three alternate designs have been developed for this interchange. The Preferred Alternative design and the three alternate designs for the interchange all have the same impacts to Section 4(f) properties. The impacts at this interchange are within the range of the four Build alternatives identified in the DEIS.

The assumption in the DEIS was that the proposed roadway improvements would be centered on the existing alignment. An alignment shift to the north would avoid encroachment on the Highwood Corridor sub-area of the Hyland-Bush-Anderson Lakes Park Reserve. The impact of this alternative is shown in Figure 8.3. This northern realignment would also miss Beaverbrook Field (see Section 8.3.2). In order to avoid the two parks, a large number of developed parcels on the north side of the highway would have to be acquired. Most of the properties are either commercial or industrial properties. The estimated market value of the properties that would have to be acquired is \$68 million. The annual tax revenue from these properties is \$3.4 million. City of Bloomington staff have stated that this would not be an acceptable alternative.

Figure 8.2 11 x 17

Figure 8.3 11 x 17

In addition to the right-of-way and fiscal costs of moving the I-494 alignment to the north, there are a number of other associated impacts and costs. There are high voltage transmission lines on the north side of the highway which would have to be relocated if the highway was shifted to the north. The businesses in the area would have to be relocated and the noise levels could increase for residents who live on the north side of 78th Street. Finally, a shift in the alignment to the north would require relocation of Nine Mile Creek or would require routing the creek through a box culvert.

The alternative of not providing access at East Bush Lake Road was also considered. However, an evaluation of the access and circulation in this area concluded that the access to I-494 at East Bush Lake Road is crucial to the proposed upgrading of I-494. Without the interchange at East Bush Lake Road, traffic destined to this area would either have to exit TH 169 about 3.5 kilometers (2.2 miles) to the west, or at TH 100 (Normandale Boulevard), about one kilometer (0.6 mile) to the east. Elimination of this access was unacceptable to adjacent residents, businesses and representatives from the cities of Edina and Bloomington.

Based on the above avoidance alternative considerations and discussions with the City of Bloomington, it was concluded that the relocation costs, lost tax base, and increased noise levels which would result from this alternative were not acceptable, compared to the park impacts (which do not impair the use of the Highwood Corridor area of the park).

8.3.1.4 Measures to Minimize Harm

The following measures will be taken to mitigate the impacts to the Highwood Corridor of the Hyland-Bush-Anderson Lakes Park Reserve associated with the Preferred Alternative:

- Retaining walls and steeper slopes have been incorporated into the design of the new roadway to minimize the amount of parkland that will be acquired.
- Safe pedestrian and vehicular access to the park will be maintained during and after the construction period.
- Approximately 400 meters (1,300 feet) of existing recreational trail between Marth Road and I-494 will be replaced as close as possible to its original location.
- Appropriate landscaping and site restoration plans will be developed in coordination with the City of Bloomington.
- Land acquired for the project will be replaced with appropriate and eligible land, in accordance with Section 6(f) requirements (see Section 8.3.1.5). The City of Bloomington has recommended a list of future parkland acquisitions from which replacement property could be acquired as mitigation for the impact on the Highwood Corridor. These properties are identified in a letter from the City of Bloomington dated March 29, 2001 and provided at the end of this chapter.

8.3.1.5 Clauses/Section 6(f)-LAWCON Considerations

Reviews of both Minnesota Department of Natural Resources (DNR) and City of Bloomington records were conducted to determine whether LAWCON funds were dispersed for acquisition of or development in any portion of the Highwood Corridor sub-area of the Hyland-Bush-Anderson Lakes Regional Park Reserve. These reviews concluded that several parcels have been acquired through LAWCON funding as shown in Figure 8.1. As stipulated in Section 6(f) guidelines, property reasonably equivalent in usefulness and of at least the same fair market value must be identified as replacement land for these parcels.

Regional Park and Open Space funds were also used in acquiring some property within the Highwood Corridor sub-area. The Metropolitan Council of the Twin Cities, which allocates these funds, requires filing a restrictive deed covenant on any parcel purchased with regional funding. These covenants ensure that the land is used only for recreation open space purposes and cannot be broken or amended unless approved by the Metropolitan Council. The Minnesota Department of Transportation will be required to request a release of the covenant. Based on Metropolitan Council Policy 15 (*Recreation Open Space Development Guide/Policy Plan*, 1991, amended 1996), “(l)ands in a Regional Park, Park Reserve, Trail or Special Recreation Feature will only be converted to other uses if approved by the Metropolitan Council through an equally valuable land exchange.”

Policy 15 also states that “(t)he only restrictive covenant amendments approved by the Council in which no land was exchanged were for small strips of land needed for public highway improvements” and that “(i)n addition, the improved highways improved access to the adjacent Regional Recreation Open Space unit.” In the case of the Highwood Corridor, because the effected land is also subject to Section 6(f) provisions, the requirement for replacement land will be met.

As described in Section 8.3.1.2, it is likely that portions of the affected Highwood Corridor parkland near East Bush Lake Road would only be impacted temporarily under a construction easement, the surface area restored to its preconstruction condition within a reasonable period of time, and the present and future recreational use of the property will not be impaired. Department of Natural Resources (DNR) staff have indicated that if no permanent easement is required and the above conditions met, this temporary use of the parkland would be excluded from Section 6(f) requirements. The areas that may be temporarily impacted under a construction easement include 0.6 hectare (1.6 acres) immediately south of I-494 that would involve placement of fill and stream channel relocation, plus a possible 0.7 hectares (1.8 acres) of land that may be impacted by stream channel improvements.

8.3.1.6 Coordination

The City of Bloomington was consulted throughout this evaluation. Initial consultation provided details on property ownership and potential LAWCON parcels. Additional discussions focused on efforts to minimize impacts on the park area. The DNR was also consulted to confirm the use of LAWCON funds within the Highwood Corridor sub-area of the Hyland-Bush-Anderson Lakes Regional Park Reserve.

The City of Bloomington has provided a list of potential Section 4(f)/6(f) replacement properties that could be acquired as mitigation for this impact. These are identified in a letter dated March 29, 2001, included at the end of this chapter. Mn/DOT will continue to work with City staff to identify acceptable replacement properties and arrangements for acquisition.

The conversion, including the replacement land proposed and appraisals, is subject to review and approval by the DNR. The DNR would, in turn, submit the conversion to the National Park Service for approval.

8.3.1.7 Conclusion

Based upon the above considerations, there is no feasible and prudent alternative to the use of land from the Highwood Corridor portion of the Hyland-Bush-Anderson Reserve and the proposed action includes all possible planning to minimize harm to the property resulting from such use.

8.3.2 BEAVERBROOK FIELD

8.3.2.1 Description of the Section 4(f) Resource

Site Description: Beaverbrook Field is located in the City of Bloomington just east of East Bush Lake Road immediately south of Green Valley Drive (Figure 8.1).

Activities and Use: This 3.0-hectare (7.4-acre) park has two softball fields with backstops, outfield fences, bleachers, and two parking areas. It is used by organized teams and informal groups throughout the summer. There are no planned additional facilities.

Access: Access to the Beaverbrook Field is provided from Green Valley Drive (south I-494 frontage road) which connects East Bush Lake Road to the west and Normandale to the east.

Ownership: The park is owned and operated by the City of Bloomington.

Clauses: There are no applicable clauses affecting the property to be acquired. Section 8.3.2.5 details this finding.

Relationship to Other Similar Resources: The closest ball fields would be at Reynolds Playground, approximately 1.6 kilometers (one mile) to the southeast.

Unusual Characteristics: There are no unusual characteristics to the property.

8.3.2.2 Impact to the Section 4(f) Resource

The land which would be required to accommodate reconstruction of the East Bush Lake Road interchange, Green Valley Drive, and storm water ponding, essentially eliminates the athletic playfields and their respective parking lots. Therefore, the entire 3.0-hectare (7.4-acre) parcel would be acquired for the proposed project.

8.3.2.3 Alternatives to the Use of Section 4(f) Property

As noted in Section 8.1, the Draft Section 4(f)/6(f) Evaluation analyzed a No-Build, TSM, as well as the four Build alternatives. Both the No-Build and the TSM alternatives would avoid the Beaverbrook Field. However, the DEIS found that these alternatives would not adequately address the project needs, since they would not adequately increase corridor capacity to meet growing demands and would not allow the highway design to be upgraded to current standards.

The assumption in the DEIS was that improvements to I-494 would be centered on the existing alignment. Any of the alternatives evaluated in the DEIS would severely impact the use of this park and essentially eliminate the athletic playfields and parking lots. The Beaverbrook playfields are already relatively small for their intended use. The land adjacent to the park is generally wetland and expansion of the park in this area is not feasible since it would require filling of the wetlands. The only alternative to avoid the impact to Beaverbrook Field is an alignment shift to the north as discussed for the Highwood Corridor Area (Figure 8.3). As noted in Section 8.3.1.3, this alternative requires acquisition of properties that have an estimated market value of approximately \$68 million and annual tax revenue of approximately \$3.4 million. City of Bloomington staff have stated that this level of impact would not be acceptable.

In addition to the right-of-way and tax revenue impacts of this alternative, there are a number of other impacts and costs. High voltage transmission lines on the north side of the highway which would have to be relocated if the highway was shifted north. The businesses in the area act as a buffer and if they were relocated, the noise levels could increase for residents who live on the north side of 78th Street. Finally, a shift in the alignment to the north would require relocation of Nine Mile Creek or would require routing the creek through a box culvert.

An alternative eliminating access at East Bush Lake Road was also considered. However, an evaluation of access and traffic circulation in this area concluded that the access to I-494 at East Bush Lake Road is crucial for local access. Without the interchange at East Bush Lake Road, traffic destined to this area would either have to exit at TH 169, approximately 3.5 kilometers (2.2 miles) west, or at TH 100 (Normandale Boulevard), about one kilometer (0.6 mile) to the east. Elimination of this access was unacceptable to adjacent residents, businesses, and representatives from the City of Edina and the City of Bloomington.

Several interchange alternatives were considered at East Bush Lake Road in the DEIS. A single-point diamond interchange was determined to be the most desirable design among the alternatives because it maximizes traffic operations and minimizes right-of-way impacts. After completion of the DEIS, it was concluded that the railroad immediately west of East Bush Lake Road would remain. Since the single point diamond interchange is not compatible with the close proximity of this railroad, a different interchange concept has been selected. Section 3.4.3 describes the FEIS concepts developed for the I-494/East Bush Lake Road interchange. As noted in Section 8.3.1.3, all four concepts would result in the same impacts to Section 4(f) property. The Preferred Alternative proposes folded diamond ramps in the southeast quadrant, and standard diamond ramps in the northwest and northeast quadrants similar to

sub-alternate 2 of the DEIS. This alternative does not avoid acquisition of Beaverbrook Field, due to the impact of the interchange ramp and the need to relocate Green Valley Drive to the south and to provide storm water ponding for this portion of the project area.

Based on the above avoidance alternative considerations and discussions with the City of Bloomington, it was concluded that the relocation costs, lost tax base along with increased noise levels and potential loss of access for area businesses and residents that would result from this alternative were not acceptable, compared to the potential park impacts.

8.3.2.4 Measures to Minimize Harm

The impact acquires the entire Beaverbrook Field site, including athletic playfields and their respective parking lots. The impact will be mitigated via monetary compensation, with monies used to make improvements to existing parks in the City of Bloomington. Support for this mitigation is documented in a letter from the City of Bloomington dated March 29, 2001, and provided at the end of this chapter.

8.3.2.5 Clauses/Section 6(f)-LAWCON Considerations

There was a condition on the platting of the Beaverbrook property that if it were sold, the dedicated parkland would revert back to the original owner. The Bloomington City Attorney has interpreted this condition as not applying to acquisition of the property by condemnation. Therefore, this clause will not apply to the conversion of this land to right-of-way and pond use.

No LAWCON funds have been dispersed for development in, or improvements to Beaverbrook Field. Therefore, Section 6(f) requirements do not apply to this resource.

8.3.2.6 Coordination

The City of Bloomington was consulted throughout the evaluation of Beaverbrook Field and provided recommendations regarding mitigation for impacts.

8.3.2.7 Conclusion

Based upon the above considerations, there is no feasible and prudent alternative to the use of land from Beaverbrook Field and the proposed action includes all possible planning to minimize harm to the property resulting from such use.

8.3.3 UNNAMED OPEN SPACE CORRIDOR-BLOOMINGTON

This park/open space was not discussed in the Draft Section 4(f)/6(f) Evaluation because no reconstruction-related impacts were anticipated based on the level of design development in the DEIS. More recent design concept development of the Preferred Alternative identified the potential for impacts to this resource. These impacts were presented in a Supplemental Draft Section 4(f) Evaluation dated December 29, 2000.

8.3.3.1 Description of the 4(f) Resource

Site Description: This corridor of open space follows Nine Mile Creek between Normandale Lake and East Bush Lake Road in Bloomington. (See Figure 8.2 for location.) It is approximately 3.8 hectares (9.3 acres) in size.

Activities and Use: The corridor is primarily wetland maintained as natural open space. There are no facilities, trails or parking on the property, and no improvements are planned.

Access: Access to the site is from East Bush Lake Road.

Ownership: The open space is owned by the City of Bloomington.

Clauses: There are no applicable clauses affecting the ownership of the property to be acquired. It was not planned, developed or improved with LAWCON or Metropolitan Council funds.

Relationship to Other Similar Resources: The corridor provides a natural open space connection between two units of the 1,039-hectare (2,565-acre) Hyland-Bush-Anderson Lakes Regional Park Reserve. It links the 44-hectare (108-acre) Highwood Corridor to the northwest with the 75-hectare (185-acre) Normandale Lake area to the southeast.

Unusual Characteristics: There are no unusual natural or cultural characteristics to this property. It provides a visual and natural open space break in an area developed with office and residential uses.

8.3.3.2 Impact to the 4(f) Resource

Additional design concept development of the Preferred Alternative, specifically the East Bush Lake Road interchange and frontage road reconstruction, identified the potential for impacts to this resource. The design of the interchange includes a realignment of Green Valley Drive east of East Bush Lake Road. The realignment of Green Valley Drive east of East Bush Lake Road requires acquisition of approximately 2.4 hectares (6.0 acres) of right-of-way at the location of the Unnamed Open Space.

8.3.3.3 Alternatives to the Use of Section 4(f) Property

As noted in Section 8.1, the Draft Section 4(f)/6(f) Evaluation analyzed a No-Build, TSM, as well as the four Build alternatives. Both the No-Build and the TSM alternatives would avoid the Unnamed Open Space Corridor. However, the DEIS found that these alternatives would not adequately address the project needs, since they would not adequately increase corridor capacity to meet growing demands and would not allow the highway design to be upgraded to today's standards.

Avoidance of impacts to the Unnamed Open Space could be achieved by a major alignment shift to the north of any of the mainline Build Alternatives or by selection of an interchange sub-alternative which does not require acquisition of the resource. These options are described in turn below.

The assumption in the DEIS was that improvements to I-494 would be centered on the existing alignment. An alignment shift to the north would avoid encroachment on the Unnamed Open Space, as well as on the Highwood Corridor sub-area of the Hyland-Bush-Anderson Lakes Regional Park Reserve and the Beaverbrook Field as described in Section 8.3.1.3 and 8.3.2.3. As noted in Sections 8.3.1.3 and 8.3.2.3, this alternative requires acquisition of properties that have an estimated market value of approximately \$68 million and annual tax revenue of approximately \$3.4 million. City of Bloomington staff have stated that this would not be an acceptable alternative. The shifted alignment would also require acquisition of the Braemar Business Center including approximately 1.0 hectare (2.6 acres) of privately owned open space.

In addition to the right-of-way and fiscal costs of moving the I-494 alignment to the north, there are a number of other associated impacts and costs. There are high voltage transmission lines on the north side of the highway that would have to be relocated if the highway was shifted north. The businesses in the area would have to be relocated and the noise levels could increase for residents who live on the north side of 78th Street. Finally, a shift in the alignment to the north would require relocation of Nine Mile Creek or would require routing the creek through a box culvert.

The alternative of not providing access at East Bush Lake Road was also considered. However, an evaluation of the access and circulation in this area concluded that the access to I-494 at East Bush Lake Road is crucial to the proposed upgrading of I-494. Without the interchange at East Bush Lake Road, traffic destined to this area would either have to exit at TH 169 about 3.5 kilometers (2.2 miles) to the west, or at TH 100 (Normandale Boulevard), about one kilometer (.6 miles) to the east. Elimination of this access was unacceptable to adjacent residents, businesses and representatives from the cities of Edina and Bloomington.

The DEIS analyzed three alternatives for the East Bush Lake Road interchange, including a single-point diamond interchange; folded diamond interchange in the southeast quadrant with regular diamond ramps in the northeast and northwest quadrants; and folded diamond interchange to the East. The single-point diamond interchange would avoid impacts to the property. At the time the DEIS was prepared, the single-point diamond interchange was determined the most desirable design because it maximizes traffic operations and minimizes right-of-way impacts in comparison with the other two alternatives.

After completion of the DEIS, it was concluded that the railroad immediately west of East Bush Lake Road would remain. Since the single-point diamond interchange design would not be compatible with the close proximity of this railroad, a different interchange concept has been selected. Section 3.4.3 describes the FEIS concepts developed for the I-494/East Bush Lake Road interchange. As noted in Section 8.3.1.3, all four concepts would result in the same impacts to Section 4(f) property. The current Preferred Alternative proposes folded diamond ramps in the southeast quadrant, and standard diamond ramps in the northwest and northeast quadrants similar to sub-alternate 2 of the DEIS. This interchange configuration requires relocation of the existing frontage road, Green Valley Drive, to the south. The proposed intersection of relocated Green Valley Drive with East Bush Lake Road impacts the Unnamed Open Space Section 4(f) resource. This intersection can not be moved further north to avoid the Section 4(f) resource because it would be too close to the interchange, resulting in safety and

operational problems on East Bush Lake Road. (Note: The single-point interchange design alternative also considered in the DEIS would likely have resulted in a similar need to relocate Green Valley Drive and a similar impact on the Unnamed Open Space.)

The other folded diamond interchange option identified in the DEIS and in Section 3.4.3 of this FEIS would have similar impacts on the Unnamed Open Space and constraints on avoidance as described above for the preferred interchange configuration.

Consideration was also given to terminating Green Valley Drive at a point just east of the Unnamed Open Space, thereby eliminating the intersection of Green Valley Drive with East Bush Lake Road. In this scenario, traffic to/from the businesses and residences along Green Valley Road would have to come and go via Norman Center Drive, West 84th Street and Normandale Boulevard. This would increase circuitry for travelers to/from the west on I-494 and for those traveling north or south on East Bush Lake Road. In addition, terminating Green Valley Road in a cul-de-sac would not be consistent with the City of Bloomington's concept of this roadway as part of the parallel arterial route adjacent to I-494. The transportation component of the City of Bloomington's year 2000 comprehensive plan includes Green Valley Drive as a four-lane arterial road connecting Normandale Boulevard (and the remainder of the City's east-west parallel arterial route to the east) to East Bush Lake Road. The projected (2010) average daily traffic volume for Green Valley Drive is approximately 15,000 vehicles. If this traffic could not travel on Green Valley Drive as a through street, it would likely utilize Norman Center Drive and 84th Street. Recent traffic analysis of 84th Street intersections for the new Norman Pointe office development that was recently approved for construction by year 2004 at 84th Street and Normandale Boulevard indicate that the intersections at 84th Street/East Bush Lake Road and 84th Street/Normandale Boulevard will be at or near capacity by year 2005 (operating at level of service F and D, respectively, during the afternoon peak hour) assuming current design for those intersections. If the Green Valley Drive traffic were diverted to these intersections, capacity problems would be even greater than currently projected. Based on the above considerations related to traffic operations and the City's parallel arterial route concept, the City finds the alternative of terminating Green Valley Drive prior to East Bush Lake Road (as a means of avoiding impacts to the Unnamed Open Space) an unacceptable alternative.

Based on the above alignment alternative considerations, it was concluded that there are unique problems involved with alternatives to avoid impacts to this open space.

8.3.3.4 Measures to Minimize Harm

- Impacts will be minimized to the extent possible by increasing side slopes in the design of the new roadway.
- Appropriate landscaping plans will be developed in coordination with the City of Bloomington.
- The impact will be mitigated via monetary compensation with monies used to make improvements to existing parks in the City of Bloomington. Support for this mitigation is documented in a letter from the City of Bloomington dated March 29, 2001 and provided at the end of this chapter.

8.3.3.5 Clauses/Section 6(f)-LAWCON Considerations

There are no applicable clauses affecting the ownership of the property to be acquired. It was not planned, developed or improved with LAWCON or Metropolitan Council funds.

8.3.3.6 Coordination

The City of Bloomington was consulted throughout the evaluation process, including review of alternatives for realigning Green Valley Drive to minimize impacts to the open space property.

8.3.3.7 Conclusion

Based upon the above considerations, there is no feasible and prudent alternative to the use of land from this portion of the city-owned open space at the Unnamed Open Space Corridor-Bloomington, and the proposed action includes all possible planning to minimize harm to the property resulting from such use.