



STATE AID FOR LOCAL TRANSPORTATION
De MINIMIS PRELIMINARY DETERMINATION REQUEST
For parks, recreation areas, wildlife or waterfowl refuges

Rev. July 2010

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SP 107-020-065

Federal Project No.

Route: Normandale Boulevard

From: West 94th Street

To: Nine Mile Creek/8500 block

Proposed Improvement: Reconstruction of approximately 1 mile of Normandale Boulevard, from W. 94th Street to the 8500 block (approximately Nine Mile Creek), from a four-lane undivided roadway without turn lanes to a four-lane divided facility including a raised center median, protected turn lanes, and access modifications. Pedestrian and bicycle facilities will be improved by the construction of separate 10-foot wide multi-use trails along both sides of the corridor.

Environmental Document anticipated: PM

Project Manager Name: Julie M. Long, PE
 Title: Senior Civil Engineer
 Address: City of Bloomington, Engineering Division
 1700 W. 98th Street, Bloomington, MN 55431
 Phone: 952-563-4865
 Email: jlong@bloomingtonmn.gov

This project will impact the following Section 4(f) property.

1. Description of the Section 4(f) Property.

Name: Nord Myr Marsh

Size (acre): 140.9 acres

Location: Bloomington, MN

Ownership: City of Bloomington

Type of Section 4(f) Property: conservation area

Function of or Available Activities on the Property: passive recreation, wildlife viewing, scenery, possible small watercraft activity along Nine Mile Creek (no on-site boat access)

Description and Location of Existing and Planned Facilities: no physical structures, all wetland/marsh and other vegetation

Access: No direct access. A trail runs along the north and east edges, along Nine Mile Creek Parkway.

Usage: Limited

Relationship to Other Similarly Used Lands in the Vicinity: Normandale Lake Park is located across Normandale Boulevard to the northwest and has parking, canoeing, picnic shelters, and trails. Normandale Lake Park is also part of the larger Hyland-Bush-Anderson Lakes Park Reserve, with over 2,600 acres including



boat rentals, canoeing, picnic shelters, playground, tennis courts, a volleyball court, and bike/hike/ski trails.

Applicable Clauses Affecting Ownership: None

Unusual Characteristics Reducing or Enhancing the Value of the Property: None

LAWCON Section 6(f) (or other Federal Encumbrances) Impacts: Not applicable

2. Impacts to the Section 4(f) Property.

Amount of land impacted: 2.12 acres

Permanent R/W Acquisition/Easements: 1.16 acre (0.58 wetland; 0.54 vegetation)

Temporary Easements: 0.93 acre (wetland)

Functions Affected: None

Facilities Affected: Vegetation, and Wetlands under the jurisdiction of Nine Mile Creek Watershed District and U.S. Army Corps of Engineers (see attached figure)

3. Coordination with Responsible Official with Jurisdiction Over the Section 4(f) Property: See attached letter from City of Bloomington Park and Recreation Department

4. Considerations.

Impact Avoidance: Shifting the roadway and trails to the west would include the same roadway and trail modifications, but would just shift the entire alignment to the west to attempt to avoid park impacts. Complete avoidance was not feasible, as a shift to the west would impact Mount Normandale Lake Park, resulting in another Section 4(f) impact. In addition, an alignment shift to the west would require residential property impacts, including the total taking of up to 7 residential properties, and partial taking of many others. Therefore, this alternative was not considered a viable option.

Another option was considered which centered improvements on the existing roadway and affected land on both sides. Although not to the same degree as a complete western alignment, this alternative would also affect residential properties through multiple partial takes, and also would result in Section 4(f) impacts to two parks instead of one. In consideration of these results, and input from neighborhood residents, the decision was made to avoid residential property impacts and keep the alignment to the east of the existing roadway.

Planning to minimize harm: The City of Bloomington Park and Recreation Department has stated that the project will provide better trail connections and will not result in any adverse effects to the property.

Six out of the eight delineated wetlands along the entire project have been avoided by tightening up construction limits and design modifications. Widths of



through lanes, turning lanes, shoulders, clear zones and side slopes will be minimized to the extent practicable without compromising safety. Retaining walls and fencing are proposed adjacent to the trail on the east side of the project to minimize wetland impacts.

Some temporary impacts are required to construct the retaining wall adjacent to the trail. These impacts will last less than 180 days when this area will be restored back to preconstruction conditions.

Mitigation: Wetland mitigation will be addressed in accordance with applicable requirements of Nine Mile Creek Watershed District and U.S. Army Corps of Engineers. No other mitigation is required.

Enhancement: The proposed trail would connect to the trails within Normandale Lake Park and enhance the local trail system.



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Recommended:

Local Agency Engineer Shelly Pedersen Date 2-25-16

for District State Aid Engineer Elise Battas Date 2/29/2016

for State Aid Engineer Mary Kuhl Date 3/2/2016

Preliminary Approval conditioned on results of public notice & comment period:

FHWA Engineer Quinn Date 3/2/2016



August 5, 2015

Ms. Colleen Brown
Minnesota Department of Transportation
1500 West County Road B2, MS 050
Roseville, MN 55113

Mr. Phil Forst
FHWA
380 Jackson Street, Suite 500
St. Paul, MN 55101

Re: Section 4(f) De Minimis Evaluation for Nord Myr Marsh as part of the Normandale Boulevard (CSAH 34) Reconstruction Project (SP 027-634-009)

Dear Ms. Brown and Mr. Forst:

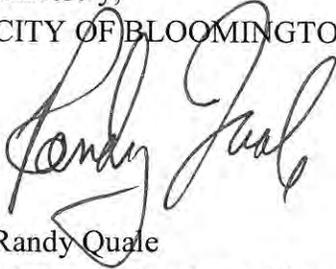
We have reviewed the project description and exhibits for the Normandale Boulevard Reconstruction Project and understand that the project would impact an estimated 1.27 acres of Nord Myr Marsh, part of the City of Bloomington park system. Impacts would be along a narrow strip adjacent to the existing roadway. This impact consists primarily of wetland area, which would be mitigated according to state and federal requirements.

The City of Bloomington Parks and Recreation Division is in full support of the modifications and improvements proposed by City of Bloomington Engineering Division as part of this project. The project will provide better trail connections and will not result in any adverse effects to the existing or planned activities, features, or attributes of this property. Therefore, the City requests that you coordinate as needed to make a de minimis determination for this project regarding this Section 4(f) resource.

The Project Memorandum that is being prepared provides more details regarding the needs of the project, the needs of the park, and the necessary impacts and corresponding minimization and mitigation measures that enhance the park.

As the official with jurisdiction over the City-owned Nord Myr Park, I hereby concur with the recommendation of the City of Bloomington Engineering Division that the use associated with this project, along with the identified avoidance, minimization, and mitigation measures, will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f) of the US Department of Transportation Act of 1966. If you have any questions or would like to discuss this further, please contact me at 952-563-8876 or rquale@BloomingtonMN.gov.

Sincerely,
CITY OF BLOOMINGTON

A handwritten signature in black ink, appearing to read "Randy Quale". The signature is written in a cursive style with a large, stylized initial "R".

Randy Quale
Manager of Parks and Recreation

