

APPENDIX L

MADISON EAST-WEST BRT

Documented Categorical Exclusion Public Parkland and Recreation Areas Technical Report

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Prepared for:
City of Madison



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REVISIONS

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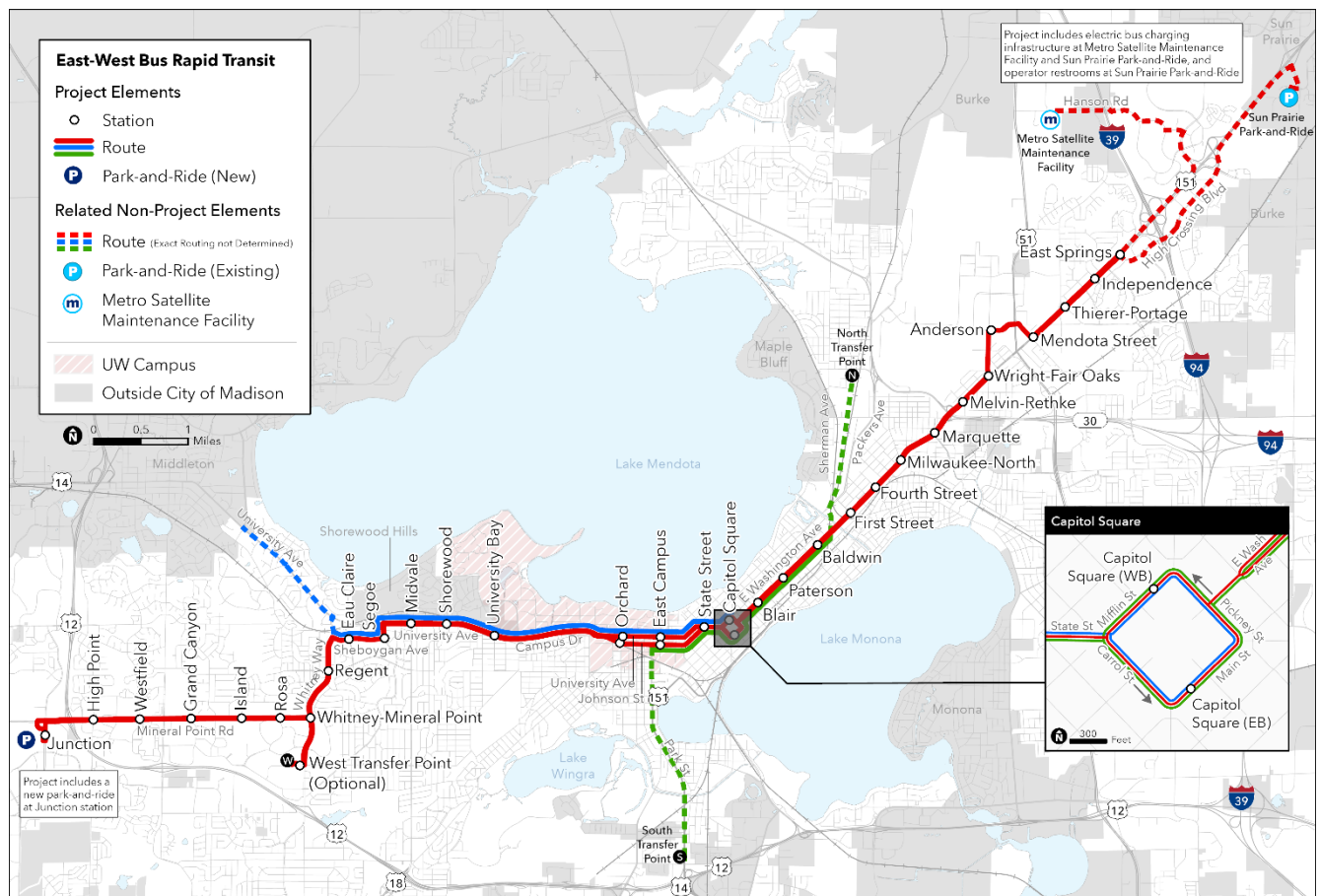
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1. Introduction

The Madison East-West Bus Rapid Transit (BRT) Project (the project) is a proposed 15-mile route serving east-west travel needs in central Madison, Wisconsin. The project extends from East Springs Drive on the east side of Madison to a proposed new park-and-ride at Junction Road on the west side of Madison. Operating primarily via East Washington Avenue, University Avenue, and Mineral Point Road, the BRT line would serve the major regional destinations of the isthmus (downtown Madison), the University of Wisconsin-Madison (UW) campus, Madison Area Technical College, and major employers and several shopping centers located throughout the corridor. The BRT route would operate in a combination of exclusive, semi-exclusive, and mixed traffic lanes. The project also includes electric bus charging infrastructure at the Sun Prairie Park-and-Ride and the Metro Satellite Maintenance Facility where BRT layovers would occur.

This technical report describes the existing and planned public parks, recreational areas, wildlife refuges, and trails within the proposed Madison East-West BRT Project study area and assesses the potential effects of the proposed project on these resources.

Figure 1: Madison East-West BRT Line



2. Regulatory Context and Methodology

Section 4(f) of the U.S. Department of Transportation Act of 1966 is a federal law that protects publicly owned parks, recreation areas, wildlife and/or waterfowl refuges, and publicly or privately owned significant historic sites. Section 4(f) requirements apply to all transportation projects that require funding or other approvals by the U.S. Department of Transportation, including the Federal Transit Administration (FTA). This law, commonly

known as Section 4(f), is now codified in 23 USC § 138¹ and 49 USC § 303² and is implemented by FTA through the regulation in 23 CFR Part 774³. Additional guidance on the implementation of Section 4(f) is provided in the Federal Transit Administration’s *Section 4(f) Standard Operating Procedure*⁴ and the Federal Highway Administration’s *Section 4(f) Policy Paper*.⁵ FTA has formally adopted this guidance, and the following analysis was conducted consistent with this guidance.

Section 4(f) requires consideration of:

- Parks and recreational areas of national, state, or local significance that are both publicly owned and open to the public.
- Publicly owned wildlife and waterfowl refuges of national, state, or local significance that are open to the public to the extent that public access does not interfere with the primary purpose of the refuge.
- Historic sites of national, state, or local significance in public or private ownership, regardless of whether they are open to the public.

The study area for parks, recreational areas, and wildlife and waterfowl refuges includes those properties within, or directly adjacent to, the project’s potential limits of disturbance, as delineated on the 30 percent engineering plan set for the Madison East-West BRT Project, included in Appendix A of the documented categorical exclusion (DCE). Historic sites are addressed separately in Appendix E of the DCE.

2.1. Section 4(f) Use Definitions

As defined in 23 CFR § 774.17⁶, the “use” of a protected Section 4(f) property occurs when any of the following conditions are met.

2.1.1. Direct Use

A direct use of a Section 4(f) property occurs when property is permanently incorporated into a proposed transportation project. This may occur as either partial or full acquisition of a fee simple interest, permanent easement, or temporary easement exceeding regulatory limits (23 CFR § 774.17⁷).

2.1.2. Temporary Occupancy

A temporary occupancy of a Section 4(f) property occurs when Section 4(f) property, in whole or in part, is required for construction-related activities. The property is not permanently incorporated into a transportation facility, but the activity is adverse in terms of the preservation purpose of Section 4(f).

A temporary occupancy does not constitute a “use” of a Section 4(f) resource when the following conditions are met:

- Duration is less than the time needed for construction of the project and there is no change in ownership of the land.
- The nature and magnitude of the changes to the Section 4(f) property are minimal.

1 23 U.S.C. § 138 (2011). Available at <https://www.govinfo.gov/app/details/USCODE-2011-title23/USCODE-2011-title23-chap1-sec138>. Accessed 19 November 2021.

2 49 U.S.C. § 303 (2009). Available at <https://www.govinfo.gov/app/details/USCODE-2009-title49/USCODE-2009-title49-subtitle1-chap3-subchapl-sec303>. Accessed 19 November 2021.

3 23 C.F.R. Part 774. Available at <https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774>. Accessed 19 November 2021.

4 Federal Transit Administration Section 4(f) Evaluations Standard Operating Procedure outlines the requirements for Section 4(f) protection. Available at <https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/SOP%2018.pdf>. Accessed 4 May 2022.

5 Federal Highway Administration, Section 4(f) Policy Paper. Available at <https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.aspx>. Accessed 19 November 2021.

6 23 C.F.R. § 774.17. Available at <https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774>. Accessed 19 November 2021.

7 Ibid.

- There are no anticipated permanent adverse physical impacts, nor is there interference with the protected activities, features, or attributes of the property on either a temporary or permanent basis.
- The land being used will be fully returned to a condition at least as good as that which existed prior to the project.
- There is a documented agreement with the official with jurisdiction over the Section 4(f) resource regarding the above conditions (23 CFR § 774.13(d)⁸).

2.1.3. Constructive Use

A constructive use of a Section 4(f) property occurs when a transportation project does not incorporate land from the resource, but the proximity of the project results in impacts (e.g., noise, vibration, visual impacts, or property access) so severe that the protected activities, features, or attributes that qualify for protection under Section 4(f) are substantially impaired (23 CFR § 774.15⁹).

2.2. Section 4(f) Approvals

2.2.1. De Minimis Impacts

For properties with an anticipated use, the property is evaluated to determine if the use meets the criteria for a *de minimis* impact determination. 23 CFR § 774.17¹⁰ defines a *de minimis* impact as one that would not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f), and the official with jurisdiction concurred in writing with this determination. The *de minimis* provision allows avoidance, minimization, mitigation, and enhancement measures to be considered in the evaluation of effects. Section 4(f) is satisfied if FTA determines that a transportation project would have only a *de minimis* impact on the resources.

2.2.2. Individual Section 4(f) Evaluations

Analyze Avoidance Alternatives

If the impact is not *de minimis*, FTA must consider alternatives that completely avoid the use of a Section 4(f) resource and evaluate if the avoidance alternatives are feasible and prudent as defined in 23 CFR § 774.17¹¹. An alternative is not feasible if it cannot be built as a matter of sound engineering judgement. An alternative is not prudent if:

- It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;
- It results in unacceptable safety or operational problems;
- After reasonable mitigation, it still causes:
 - Severe social, economic, or environmental impacts;
 - Severe disruption to established communities;
 - Severe disproportionate impacts to minority or low-income populations; or
 - Severe impacts to environmental resources protected under other federal statutes;
- It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;
- It causes other unique problems or unusual factors; or
- It involves multiple factors listed above, that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.

⁸ 23 C.F.R. § 774.13(d). Available at [https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774#p-774.13\(d\)](https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774#p-774.13(d)). Accessed 19 November 2021.

⁹ 23 C.F.R. § 774.15. Available at <https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774>. Accessed 19 November 2021.

¹⁰ 23 C.F.R. § 774.17. Available at <https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774>. Accessed 19 November 2021.

¹¹ Ibid.

Consider All Possible Planning to Minimize Harm

If FTA determines that there is no feasible and prudent alternative to avoid the use of a Section 4(f) resource, Section 4(f) requires the consideration and documentation of all possible planning to minimize harm to the Section 4(f) resource. As defined in 23 CFR § 774.17¹², this means that all reasonable measures identified in the Section 4(f) evaluation to minimize harm or mitigate for adverse effects must be included in the project. For parks, recreation areas, and wildlife and waterfowl refuges, measures may include design modifications, replacement of land or facilities of comparable value and function, or monetary compensation to enhance the remaining property or to mitigate the adverse impact in other ways. In evaluating the reasonableness of measures to minimize harm, FTA will consider the purpose of the statute and the views of the official(s) with jurisdiction, whether the cost is a reasonable public expenditure considering the adverse impacts on and benefits to the Section 4(f) resource, and any impacts or benefits to communities or environmental resources outside of the Section 4(f) resource.

Determine the Alternative with Least Overall Harm

If no feasible and prudent avoidance alternatives are identified and all remaining alternatives would result in the use of a Section 4(f) resource, FTA must compare the alternatives to determine which causes the least overall harm considering the preservationist purpose of the statute. As defined in 23 CFR § 774.3¹³, the least overall harm is determined by balancing the following factors:

- The ability to mitigate adverse impacts on each Section 4(f) resource (including any measures that result in benefits to the property).
- The relative severity of the remaining harm, after mitigation, to the protected activities, attributes, or features that qualify each Section 4(f) resource for protection.
- The relative significance of each Section 4(f) resource.
- The views of the official(s) with jurisdiction over each Section 4(f) resource.
- The degree to which each alternative meets the purpose and need for the project.
- After reasonable mitigation, the magnitude of any adverse impacts to resources not protected by Section 4(f).
- Substantial differences in costs among the alternatives.

2.2.3. Programmatic Section 4(f) Evaluations

Programmatic Section 4(f) evaluations are a time-saving procedural option for preparing individual Section 4(f) evaluations for certain minor uses of Section 4(f) property. The FHWA develops programmatic Section 4(f) evaluations based on experience with projects that have a common fact pattern from a Section 4(f) perspective. Through applying a specific set of criteria, based upon common experience that includes project type and degree of use and impact, the evaluation of avoidance alternatives is standardized and simplified. An approved programmatic Section 4(f) evaluation may be relied upon to cover a particular project only if the specific conditions in that programmatic evaluation are met. The development of any programmatic evaluation must be coordinated with the FHWA Office of Project Development and Environmental Review and the FHWA Office of Chief Counsel.

To date, there are five programmatic evaluations that have been approved for use nationwide:

- Section 4(f) statement and determination for independent bikeway or walkway construction projects
- Programmatic Section 4(f) evaluation and approval for FHWA projects that necessitate the use of historic bridges

¹² 23 C.F.R. § 774.17. Available at <https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774>. Accessed 19 November 2021.

¹³ 23 C.F.R. § 774.3. Available at <https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774>. Accessed 19 November 2021.

- Final nationwide Section 4(f) evaluation and approval for federally-aided highway projects with minor involvements with historic sites
- Final nationwide Section 4(f) evaluation and approval for federally-aided highway projects with minor involvements with public parks, recreation lands, wildlife and waterfowl refuges
- Nationwide programmatic Section 4(f) evaluation and approval for transportation projects that have a net benefit to a Section 4(f) property

It is still necessary to coordinate with the official(s) with jurisdiction over the Section 4(f) property involved. A legal sufficiency review of a project-specific application for an approved programmatic Section 4(f) evaluation is not necessary. As such, a primary benefit to using the prescribed step-by-step approach contained in a programmatic evaluation is the reduction of time to process a Section 4(f) approval.

Documentation required to apply a programmatic Section 4(f) evaluation must support that the specific programmatic criteria have been met (See 23 CFR § 774.3(d)(1)¹⁴). As specified in the programmatic evaluations, the requirement to assess whether there is a feasible and prudent avoidance alternative, and all possible planning applies.

3. Identification of Section 4(f) Resources

This section describes the existing and planned parklands within the study area and describes the features, attributes and/or activities that qualify the public parklands for protection under Section 4(f).

The following data sources were used to identify existing and planned parks, recreational areas, and wildlife and waterfowl refuges:

¹⁴ 23 C.F.R. § 774.3. Available at [https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774#p-774.3\(d\)\(1\)](https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774#p-774.3(d)(1)). Accessed 19 November 2021.

- City of Madison GIS data
 - Parks¹⁵
 - Bike Paths¹⁶
 - Right-of-Way Lines¹⁷
 - Tax Parcels¹⁸
- Dane County GIS data
 - Park System¹⁹
 - Bike Paths²⁰
 - Aerial Imagery²¹
- City of Madison 2018-2023 Park and Open Space Plan²²
- City of Madison 2018 Comprehensive Plan (*Imagine Madison*)²³
- City of Madison Odana Area Plan (Draft)²⁴
- Village of Shorewood Hills 2021 Comprehensive Plan (Draft)²⁵
- City of Sun Prairie 2019-2039 Comprehensive Plan²⁶
- City of Sun Prairie 2017-2022 Parks and Open Space Plan²⁷
- Dane County 2018-2023 Parks and Open Space Plan²⁸
- Wisconsin Department of Natural Resources State Parks, Forests, Recreation Areas, and Trails²⁹
- Wisconsin Department of Natural Resources Public Access Lands³⁰
- U.S. Fish and Wildlife Service Find a Refuge³¹

15 City of Madison, Open Data: Parks, 7 September 2017. Available at <https://data-cityofmadison.opendata.arcgis.com/datasets/parks>. Accessed 19 November 2021.

16 City of Madison, Open Data: Bike Paths, 4 August 2021. Available at <https://data-cityofmadison.opendata.arcgis.com/datasets/bike-paths>. Accessed 19 November 2021.

17 City of Madison, Open Data: Right of Way Lines, 7 September 2017. Available at <https://data-cityofmadison.opendata.arcgis.com/datasets/right-of-way-lines>. Accessed 19 November 2021.

18 City of Madison, Open Data: Tax Parcels (Assessor Property Information), 21 September 2020. Available at <https://data-cityofmadison.opendata.arcgis.com/datasets/tax-parcels-assessor-property-information>. Accessed 19 November 2021.

19 Dane County, Discover Dane County: Dane County Park System, 18 November 2021. Available at <https://gis-countyofdane.opendata.arcgis.com/datasets/dane-county-park-system>. Accessed 24 November 2021.

20 Dane County, Discover Dane County: Bike Paths, 6 October 2020. Available at <https://gis-countyofdane.opendata.arcgis.com/datasets/bike-paths>. Accessed 19 November 2021.

21 Dane County, Discover Dane County: Aerial Imagery, 11 March 2021. Available at <https://gis-countyofdane.opendata.arcgis.com/documents/aerial-imagery-2020/explore>. Accessed 19 November 2021.

22 City of Madison, 2018-2023 Park and Open Space Plan. Available at <https://www.cityofmadison.com/parks/documents/2018-2023%20POSP.pdf>. Accessed 19 November 2021.

23 City of Madison, Imagine Madison Comprehensive Plan . Available at cityofmadison.com/dpced/planning/documents/Part%201_Comprehensive%20Plan.pdf. Accessed 19 November 2021.

24 City of Madison, Odana Area Plan. Available at <https://www.cityofmadison.com/dpced/planning/odana-area-plan/3296/>. Accessed 19 November 2021.

25 Village of Shorewood Hills, 2021 Comprehensive Plan Update. Available at <https://www.shorewood-hills.org/complan>. Accessed 19 November 2021.

26 City of Sun Prairie, 2019-2039 Comprehensive Plan. Available at <https://cityofsunprairie.com/1282/Comprehensive-Plan-2019-2039>. Accessed 19 November 2021.

27 City of Sun Prairie, 2017-2022 Parks and Open Space Plan. Available at <https://cityofsunprairie.com/DocumentCenter/View/5366/Sun-Prairie-Park-and-Open-Space-Plan--Adopted-051617?bidId=>. Accessed 19 November 2021.

28 Dane County, 2018-2023 Parks and Open Space Plan. Available at <https://www.danecountyparks.com/documents/PDFs/plans/posp/2018-2023-Dane-County-Parks---Open-Space-Plan-Report.pdf>. Accessed 19 November 2021.

29 Wisconsin Department of Natural Resources, *Find a State Park, Forest, Recreation Area or Trail*. Available at <https://dnr.wisconsin.gov/topic/parks/findapark>. Accessed 19 November 2021.

30 Wisconsin Department of Natural Resources, Public Access Lands Mapping Application. Available at <https://dnr.wisconsin.gov/topic/fl/RealEstate/PALApplication>.

31 U.S. Fish and Wildlife Service, Find a Refuge. Available at <https://www.fws.gov/refuges/?ref=topbar>.

For Section 4(f) to apply to parks, recreation areas, and wildlife and waterfowl refuges, they must meet all the following criteria:

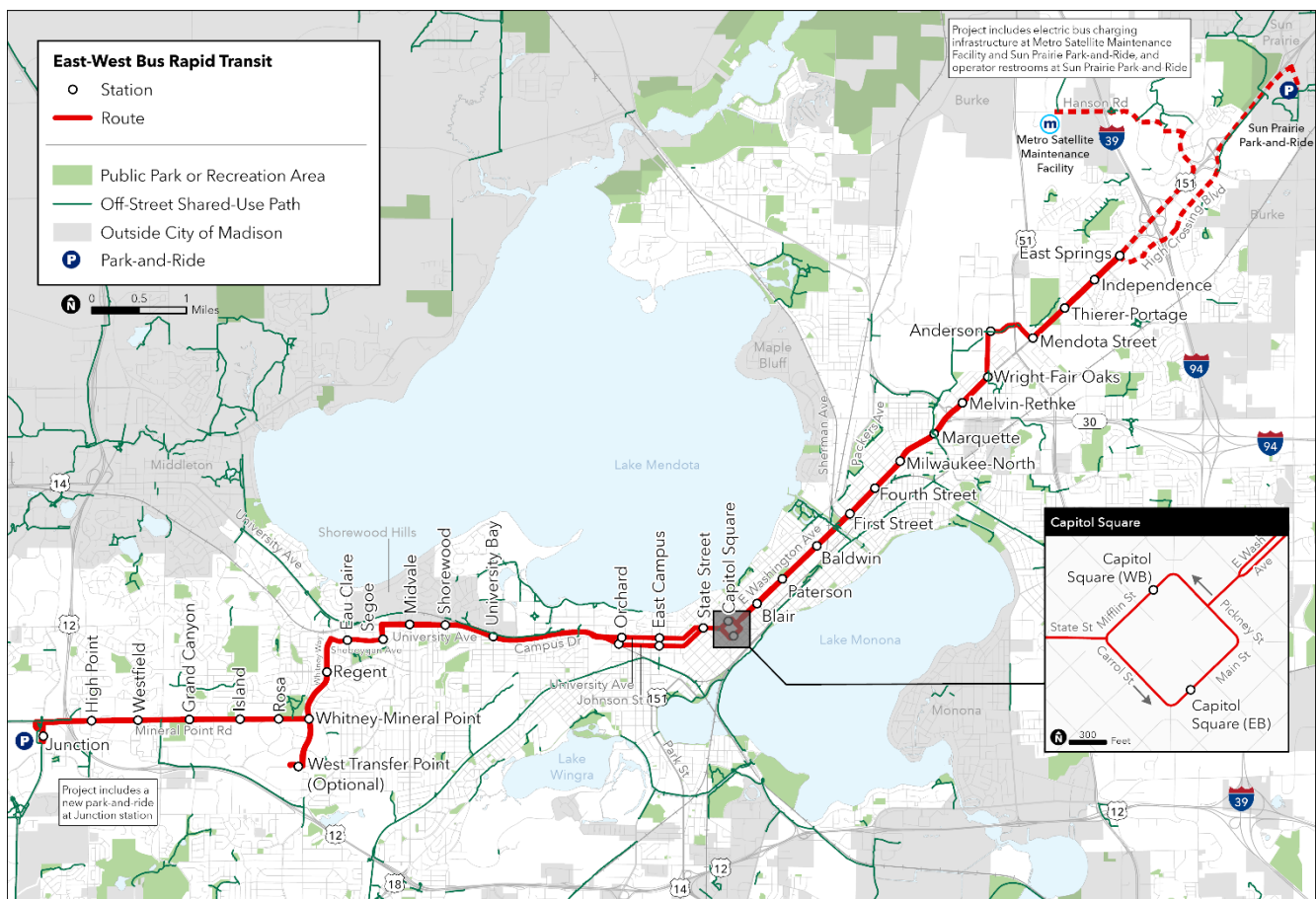
- Publicly owned
- Open to the public
- Designated as a park, recreation area, or refuge
- Considered a significant property

Figure 2 displays existing parks, recreation areas, and off-street shared-use paths relative to the Madison East-West BRT Project.

The study area for parks, recreational areas, and wildlife and waterfowl refuges includes those properties within, or directly adjacent to, the project limits of disturbance, as delineated on the 30 percent engineering plan set for the Madison East-West BRT Project, included in Appendix A.

There are no wildlife or waterfowl refuges located within the study area. Parks, recreation areas, and off-street paths/trails within the study area were reviewed, and nine were identified that met the above criteria; these are listed in Table 1.^{32, 33}

Figure 2: Existing Parks, Recreation Areas, and Off-Street Shared-Use Paths



32 Path/trail facilities within transportation right-of-way and those that are part of the local transportation system and which function primarily for transportation were not considered to be designated recreation areas in accordance with 23 CFR § 774.13(f) (<https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774>) and the Federal Highway Administration’s Section 4(f) Policy Paper (<https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.aspx>). Many of the off-street shared-used paths shown in Figure 2 were not considered to be designated recreation areas.

33 Parks located relatively near the project but not within the study area used in this analysis (i.e., the limits of disturbance, as shown in Appendix A) include Peace (Elizabeth Link) Park at 452 State St. and Northeast Park at 5501 Tancho Dr. Given that they are well outside the study area, neither of these City of Madison parks are included in this report.

Table 1: Section 4(f) Parks and Recreation Areas in the Study Area

Listed from west to east

Name	Location	Type	Activities and Facilities	Official(s) with Jurisdiction
Ice Age Junction Path	Parallel to the Junction Road/ County Road M corridor, near the proposed Junction Road station	Path	Paved, off-street shared-use path	City of Madison Engineering Division; UW-Madison
Mineral Point Greenway/ West Towne Soccer Fields	6705 Mineral Point Rd., south of Mineral Point Road near the proposed Grand Canyon Drive station	Greenway	Stormwater management, soccer fields	City of Madison Engineering Division
Nautilus Point Park	321 Nautilus Dr., just north of Mineral Point Road near the proposed Island Drive station	Mini park	Playground	City of Madison Parks Division
Garner Park and Path	333 S. Rosa Rd., just north of Mineral Point Road near the proposed Rosa Road station	Community park with paths	Basketball court, pickleball court, lacrosse field, soccer field, open field, playground, sledding, snowshoeing, shelter, fireplace, scenic overlook, restrooms; Paved, off-street shared-use path	City of Madison Parks Division
Breese Stevens Field	917 E. Mifflin St., near the proposed Paterson Street station	Sports complex	Soccer field, lighting, bleachers, restrooms	City of Madison Parks Division
Yahara River Parkway and Path	Near E. Washington Ave. and Sparkle Ct., between the proposed Baldwin Street and First Street stations	Open space with paths	Fishing; paved, off-street shared-use path within and connecting to the Yahara River Parkway	City of Madison Parks Division
Burr Jones Park	1820 E. Washington Ave., near the proposed First Street station	Neighborhood park	Basketball courts, open field, fishing	City of Madison Parks Division
Starkweather Creek Bike Path	Bridge over E. Washington Ave. at Marquette Street, near the proposed Marquette Street station	Path	Paved, off-street shared-use path	City of Madison Engineering Division

Name	Location	Type	Activities and Facilities	Official(s) with Jurisdiction
Reindahl (Amund) Park	1818 Portage Rd., near the Thierer Road-Portage Road station	Community park	Basketball court, tennis court, cricket field, soccer field, playground, splash park, community garden, shelter, scenic overlook, restrooms	City of Madison Parks Division

4. Environmental Consequences

This section describes the potential effects of the proposed project on Section 4(f) resources in the study area. Estimates of the direct effects of the proposed project on the applicable existing parks, recreation areas, and trails in the study area were quantified based on the 30 percent engineering plan set for the project, which are included in Appendix A of the documented categorical exclusion (DCE).

Project staff assessed whether any permanent or temporary occupancy of a property would occur and whether the proximity of the proposed project would result in any effects (e.g., access disruption, noise and vibration, and visual or aesthetic) that would substantially impair the features or attributes that qualify the resource for protection under Section 4(f) and therefore constitute as a transportation use. As required by 23 CFR 774, Section 4(f) staff analyzed to determine whether the proposed project would result in “use” of the protected properties, as defined by Section 4(f) of the Department of Transportation Act of 1966 (23 U.S.C. § 138 and 49 U.S.C. § 303).

4.1. Assumptions for Evaluation

The proposed project would be constructed and operated in an urban environment with visual aesthetics typical of urban contexts, which include sidewalks, bus stops, bus shelters, benches, signage, trash and recycling receptacles, utility poles, and bicycle racks. The project would replace and substantially improve existing bus routes and is therefore not anticipated to significantly alter the existing visual context or viewshed enjoyed by public parkland users.

The Madison East-West BRT Project would operate a mix of battery electric and diesel sixty-foot buses. Project staff completed a noise and vibration impact assessment for the project in accordance with guidelines specified in FTA’s *Transit Noise and Vibration Impact Assessment Manual*.³⁴ The results of the noise and vibration assessment indicate there would be no impacts due to the proposed project. For this reason, the public parklands/Section 4(f) evaluation assumes there would be no change in noise effects for Section 4(f) resources as compared to existing conditions or the No Build Alternative.

Traffic control plans have not yet been developed at this preliminary stage of the project. Construction may require temporary traffic control measures. Access to Section 4(f) resources would be maintained for the duration of construction. Should traffic control measures require any temporary or permanent changes in access, the City of Madison will coordinate with FTA to review the proposed change(s) and determine if further coordination with the official with jurisdiction and/or reevaluation of this document would be required.

³⁴ Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*. Available at <https://www.transit.dot.gov/research-innovation/transit-noise-and-vibration-impact-assessment-manual-report-0123>. Accessed 19 November 2021.

4.2. No Build Alternative

If the project is not constructed and operated, Section 4(f) resources would remain unchanged. However, under the No Build Alternative, public parkland users would not benefit from increased access to public parklands.

4.3. Build Alternative

Section 4(f) parks and recreation areas are grouped by official with jurisdiction and discussed in the following sections. Detailed figures are included for resources within the project study area and evaluated for Section 4(f) use (also Table 1).

4.3.1. Official with Jurisdiction: City of Madison Parks Division

Garner Park and Path

Garner Park is a 41.83-acre community park bound on the south by Mineral Point Road. Owned by the City of Madison Parks Division, the park features several activities and facilities (Table 1). Approximately 0.87 miles of paved, shared-use paths are located within the park boundaries. Garner Park and its paths are accessible from South Hill Drive, Rosa Road, and Mineral Point Road.

The existing sidewalk on the north side of Mineral Point Road that runs through the park would be reconstructed as a shared-use path as part of the project. This would require a 0.27-acre direct use (permanent incorporation or permanent easement) from the park (Figure 3). The use would include about 10 feet of the existing path that connects Garner Park to Mineral Point Road. Aside from the existing path, the area is sloped, passive green space. An additional 0.31-acre temporary easement would also be needed for construction-related activities. Access to Garner Park and its path network would be maintained for the duration of construction via multiple existing points of entry along Rosa Road and Hill Drive. In consultation with City of Madison Parks Division staff, project staff specifically designed the shared-use path to minimize and mitigate impacts to Garner Park, including having the path wind around existing mature trees and other natural features.

Construction of an expanded shared-use path along Mineral Point Road is included as part of the City of Madison's Odana Area Plan.³⁵ A supplement to the City of Madison's comprehensive plan, the Odana Area Plan was approved by the Common Council on September 21, 2021.

Figure 3: Impacts to Garner Park and Path



³⁵ City of Madison, Odana Area Plan. Available at <https://www.cityofmadison.com/dpced/planning/odana-area-plan/3296/>. Accessed 19 November 2021.

Anticipated Determination: Construction of the project would result in a direct use of Garner Park, but a *de minimis* impact is anticipated.

Project staff met with City of Madison Parks Division staff on October 8, 2021 to review proposed impacts to the Garner Park property and receive input on the preliminary assessment that the project would have a *de minimis* impact on the property. In the meeting, Parks Division staff concurred with the preliminary assessment of *de minimis* impact, while also commenting that reconstruction of the existing sidewalk in this location as a shared-use path would enhance the recreational access to the facility.

The public was provided opportunity to review and comment on the preliminary assessment of *de minimis* impact on Garner Park at four public meetings occurring in September and October 2021. Additionally, comments were sought during an official public comment period spanning September 27, 2021 through November 14, 2021. One public comment was received relevant to potential project impacts on Garner Park and other Section 4(f) resources; this is included in Attachment A. The comment received was supportive of the project.

After considering comments received from the public, the City of Madison Parks Division concurred in writing that the project would not adversely affect the activities, features, or attributes that make Garner Park eligible for Section 4(f) protection. This letter is included in Attachment B.

Nautilus Point Park

Located on the northeast corner of Nautilus Drive and Mineral Point Road, (321 Nautilus Drive) Nautilus Point Park is a mini park owned by the City of Madison Parks Division. The park features a small playground accessible via Nautilus Drive about 200 feet north of Mineral Point Road, though the majority of the 4.83-acre parkland property is passive open space, primarily for stormwater management.

The existing sidewalk on the north side of Mineral Point Road that runs through the park would be reconstructed as a shared-use path as part of the project. Construction-related activities would require an 0.11-acre temporary easement on the property. (Figure 4). The property would not be permanently incorporated into the project. There are no anticipated permanent adverse physical impacts, nor is there interference with the protected activities, features, or attributes of the property on either a temporary or permanent basis. Access to the playground via Nautilus Drive would remain during construction.

Project staff specifically designed the shared-use path to minimize impacts to Nautilus Point Park. Reconstructing the existing sidewalk along Mineral Point Road as a shared-use path is included as part of the City of Madison's Odana Area Plan.³⁶

Anticipated Determination: Construction of the project would result in a temporary occupancy; no permanent Section 4(f) use is anticipated for Nautilus Point Park.

Project staff met with City of Madison Parks Division staff on October 8, 2021 to review proposed impacts to Nautilus Point Park and receive input on the preliminary assessment that construction of the project would result in a temporary occupancy with no Section 4(f) use. In the meeting, Parks Division staff concurred with the preliminary assessment, while also commenting that reconstruction of the existing sidewalk in this location as a shared-use path would enhance the recreational access to the facility. Shown in Attachment B, the City of Madison Parks Division concurred in writing that the impacts to Nautilus Point Park would meet the conditions under which a temporary occupancy does not constitute a Section 4(f) use.

The public was provided opportunity to review and comment on potential project impacts to Nautilus Point Park and other Section 4(f) resources at four public meetings occurring in September and October 2021. Additionally, comments were sought during an official public comment period spanning September 27, 2021 through November 14, 2021. One public comment was received relevant to potential project impacts on Section 4(f) resources; this is included in Attachment A. The comment received was supportive of the project.

³⁶ Ibid.

Figure 4: Impacts to Nautilus Point Park



Breese Stevens Field

Breese Stevens Field is a sports complex owned by the City of Madison Parks Division and managed by a private company. The facility's primary function is as a soccer field, featuring lighting, bleachers, and other amenities. Breese Stevens Field is the home venue for Forward Madison FC, an American professional soccer team, and the Madison Radicals, a professional ultimate frisbee team. The stadium has a capacity of 5,000 and hosts numerous high school and recreational events, concerts, and community events. Constructed in 1926, Breese Stevens Field was designated a City of Madison Landmark on October 16, 1995 and was listed on the National Register of Historic Places in September 2015.

As part of the project, limited curb and gutter, curb ramp, and sidewalk replacements are planned on the northwest corner of East Washington Avenue and Breamly Street, adjacent to Breese Stevens Field (Figure 5). This work would take place within existing transportation right-of-way and would not infringe on the existing perimeter stone wall surrounding Breese Stevens Field. Construction would not affect access to or use of Breese Stevens Field. Operation of the project would not affect Breese Stevens Field, rather, it would improve access to it.

Anticipated Determination: There would be no Section 4(f) use of the Breese Stevens Field.

City of Madison Parks Division staff agreed with this preliminary assessment during the agency coordination meeting that took place on October 8, 2021. City of Madison project staff did not receive any comments from the public related to potential project impacts to Breese Stevens Field during the four public meetings occurring in September and October 2021, nor during the public comment period spanning September 27, 2021 through November 14, 2021. All public comments received during this time are included in Attachment A.

Figure 5: Breese Stevens Field Relative to the Study Area



Yahara River Parkway and Paths

The Yahara River Parkway is open space parallel to the Yahara River, owned and overseen by the City of Madison Parks Division. Paved, shared-use paths run through and make connections to the Yahara River Parkway. Designed by noted landscape architect O. C. Simonds and constructed between 1903 and 1906, the Yahara River Parkway is an example of the Prairie School of landscape architecture. The Yahara River Parkway was designated a City of Madison Landmark on July 10, 1995 and is listed on the National Register of Historic Places.

The Madison East-West BRT project would operate in center-running bus-only lanes on East Washington Avenue over the Yahara River Parkway and shared-use paths (Figure 6). The project would not use any part of the Yahara River Parkway or its shared-use paths for construction or other temporary activities. Construction of the project would not affect access to or uses of the facilities. Operation of the project would not affect the Yahara River Parkway and paths, rather, it would improve access to them.

Anticipated Determination: There would be no Section 4(f) use of the Yahara Parkway and paths.

City of Madison Parks Division staff agreed with this preliminary assessment during the agency coordination meeting that took place on October 8, 2021. City of Madison project staff did not receive any comments from the public related to potential project impacts to the Yahara River Parkway and paths during public meetings or the public comment period. All public comments received during this time are included in Attachment A.

Burr Jones Park

Burr Jones Park is a neighborhood park owned and overseen by the City of Madison Parks Division. The park's western border is the Yahara River, and its southern border is East Washington Avenue (Figure 6).

The project would operate in center-running bus-only lanes on East Washington Avenue, adjacent Burr Jones Park. The project would not use any part of the park for construction or other temporary activities. Construction of the project would not affect access to or uses of the park. Operation of the project would not affect Burr Jones Park, rather, it would improve access to it.

Anticipated Determination: There would be no Section 4(f) use of Burr Jones Park.

City of Madison Parks Division staff agreed with this preliminary assessment during the agency coordination meeting that took place on October 8, 2021. City of Madison project staff did not receive any comments from the public related to potential project impacts to Burr Jones Park during public meetings or the public comment period. All public comments received during this time are included in Attachment A.

Figure 6: Yahara Parkway, Yahara River Bike Path, and Burr Jones Park Relative to the Study Area



Reindahl (Amund) Park

Reindahl Park is a 90-acre community park owned and overseen by the City of Madison Parks Division, featuring athletic fields, tennis courts, a splash park, and a community garden. The park is bound on the east by Portage Road and Parkside Drive, and intersected by East Washington Avenue, resulting in parkland on either side (Figure 7).

The Madison East-West BRT Project would operate along East Washington Avenue, in mixed traffic lanes west of Portage Road/Thierer Road and in side running bus-only lanes east of Portage Road/Thierer Road. Buses would stop at the Thierer Road-Portage Road station platforms; the westbound station platform, the closer of the two platforms to Reindahl Park, would be approximately 200 feet away from the park's eastern boundary. Construction and operation would not affect access to or use of Reindahl Park. The project would not use any part of the park for construction or other temporary activities. Construction of the project would not affect access to or uses of the park. Operation of the project would not affect Reindahl Park, rather, it would improve access to it.

Anticipated Determination: There would be no Section 4(f) use of Reindahl (Amund) Park.

City of Madison Parks Division staff agreed with this preliminary assessment during the agency coordination meeting that took place on October 8, 2021. City of Madison project staff did not receive any comments from the public related to potential project impacts to Reindahl (Amund) Park during public meetings or the public comment period. All public comments received during this time are included in Attachment A.

Figure 7: Reindahl (Amund) Park Relative to the Study Area



4.3.2. Official with Jurisdiction: City of Madison Engineering Division

Mineral Point Greenway/West Towne Soccer Fields

The Mineral Point Greenway is public land located south of Mineral Point Road between Gammon Place and Grand Canyon Drive (Figure 8). The land is used primarily for stormwater management, but also serves as soccer fields when dry. This area is sometimes referred to as the West Town Soccer Fields.

This location is not an officially designated park. Rather, it is recognized as a greenway by the City of Madison. The City of Madison defines greenways as public land managed and administered by the City of Madison Engineering Division for detention ponds and drainage corridors.³⁷ Sometimes greenways are considered part of a park, but can also be completely separate from Madison Parks, as in the case of the Mineral Point Greenway. In this report, Mineral Point Greenway is being reviewed as a Section 4(f) resource given its recreation use and that it is open to the public.

The project would operate near the Mineral Point Greenway in center-running bus-only lanes on Mineral Point Road, with buses serving the Grand Canyon Drive station just east of the intersection of the same name. The project would not use any part of the Mineral Point Greenway for construction or other temporary activities. Construction of the project would not impact access to or uses of the property, including the soccer fields. Operation of the project would not impact the Mineral Point Greenway, rather, it would improve access to it.

Anticipated Determination: There would be no Section 4(f) use of the Mineral Point Greenway.

City of Madison Engineering Division staff agreed with this preliminary assessment during the October 28, 2021 agency coordination meeting. City of Madison Parks Division staff also agreed with this assessment during their agency coordination meeting on October 8, 2021. While not representing the official with jurisdiction, Parks Division staff are more familiar with the recreational uses of the Mineral Point Greenway than their Engineering Division counterparts.

City of Madison project staff did not receive any comments from the public related to potential project impacts to the Mineral Point Greenway during public meetings or the public comment period. All public comments received during this time are included in Attachment A.

³⁷ City of Madison, 2018-2023 Park and Open Space Plan, pages 57 and 61. Available at <https://www.cityofmadison.com/parks/documents/2018-2023%20POSP.pdf>. Accessed 19 November 2021.

Figure 8: Mineral Point Greenway/West Towne Soccer Fields Relative to the Study Area



Starkweather Creek Bike Path

The Starkweather Creek Bike Path is a series of paved, off-street shared-use path segments largely following Starkweather Creek. One segment of the path runs over East Washington Avenue on a bicycle-and-pedestrian-only bridge.

The project would operate in center-running bus-only lanes on East Washington Avenue underneath the Starkweather Creek Bike Path. The project would construct Marquette Street station and curb ramps just south of the bicycle-and-pedestrian-only bridge (Figure 9). The project would not use any part of the Starkweather Creek Bike Path for construction or other temporary activities. The path is accessible from the north and south sides of East Washington Avenue, and from nearby Darbo Drive and Hoard Street. Construction of the project would not impact access to or uses of the path. Operation of the project would not impact the Starkweather Creek Bike Path, rather, it would improve access to it.

Anticipated Determination: There would be no Section 4(f) use of the Starkweather Creek Bike Path.

City of Madison Engineering Division staff agreed with this preliminary assessment during the October 28, 2021 agency coordination meeting. City of Madison project staff did not receive any comments from the public related to potential project impacts to the Starkweather Creek Bike Path during public meetings or the public comment period. All public comments received during this time are included in Attachment A.

Figure 9: Starkweather Creek Bike Path Relative to the Study Area



4.3.3. Officials with Jurisdiction: City of Madison Engineering Division and UW

Ice Age Junction Path

The Ice Age Junction Path is a paved shared-use (bicycle and pedestrian) path used for recreation and transportation. The path extends from the area just north of Mineral Point Road near the westbound on-ramp to Highway 12/14 in Madison south to the City of Verona. The Ice Age Junction Path connects to the separate Ice Age National Scenic Trail – a scenic hiking trail that winds across Wisconsin, including through Dane County. Jurisdiction over the Ice Age Junction Path differs depending on the location, with the Cities of Madison and Verona, and Dane County each having jurisdiction at various points along the path.

About 500 linear feet of the approximately 7-mile Ice Age Junction Path intersect the Madison East-West BRT Project study area. The City of Madison Engineering Division has jurisdiction over this segment of the Ice Age Junction Path. Further, a smaller section of the path that is within the project study area and would be impacted by the project is on land owned by UW; thus, UW is named here as a second official with jurisdiction.

Shown in Figure 10, the Ice Age Junction Path intersects the study area near the westbound on-ramp to Highway 12/14, north of Mineral Point Road. This portion of the path is within existing transportation right-of-way. Therefore, this portion of the path is subject to exemption to the requirement for Section 4(f) approval in

accordance with 23 CFR § 774.13(f)(3)³⁸ and the Federal Highway Administration's *Section 4(f) Policy Paper*³⁹. Reconstructing the existing sidewalk on the north side of Mineral Point Road as a shared-use path would extend to this point of the Ice Age Junction Path but would not incorporate land permanently or temporarily from the Ice Age Junction Path. Access to the Ice Age Junction Path would remain from the west and from the north and east via Tree Lane.

As the Ice Age Junction Path continues south toward the proposed Junction Road station (west terminal), it exits the transportation right-of-way and resumes on property owned by UW within the project study area, adjacent the planned park-and-ride (Figure 10). A temporary easement and temporary partial closure may be required on a section of the Ice Age Junction Path adjacent to the proposed park-and-ride at Junction Road station to construct a new connection from the path to the park-and-ride.

Shown in Figure 10, the 0.08-acre (3,525 square-foot) temporary easement overlapping approximately 200 linear feet of the Ice Age Junction Path encompasses the area where the new connection from the path to the park-and-ride could be constructed. The actual temporary easement and temporary closure would be limited to the small area selected for the new connection, which has not yet been finalized.

Construction of the proposed park-and-ride facility at Junction Road station may require temporary traffic control measures on a small portion of Ice Age Junction Path. The path would not be permanently incorporated into the project. There are no anticipated permanent adverse physical impacts, nor is there interference with the protected activities, features, or attributes of the property on either a temporary or permanent basis. Access to the path would remain open during construction.

Anticipated Determination: Construction of the project would result in a temporary occupancy; no permanent Section 4(f) use is anticipated for the Ice Age Junction Path.

Project staff met with City of Madison Engineering Division staff on October 28, 2021 to review proposed impacts to the Ice Age Junction Path and receive input on the preliminary assessment that construction of the project would result in a temporary occupancy with no Section 4(f) use. Engineering Division staff in the meeting concurred with the preliminary assessment. Engineering Division staff noted the importance of effective communication with path users during project construction, and City of Madison project staff committed to doing so. Shown in Attachment B, the City of Madison Engineering Division concurred in writing that the impacts to the Ice Age Junction Path would meet the conditions under which a temporary occupancy does not constitute a Section 4(f) use.

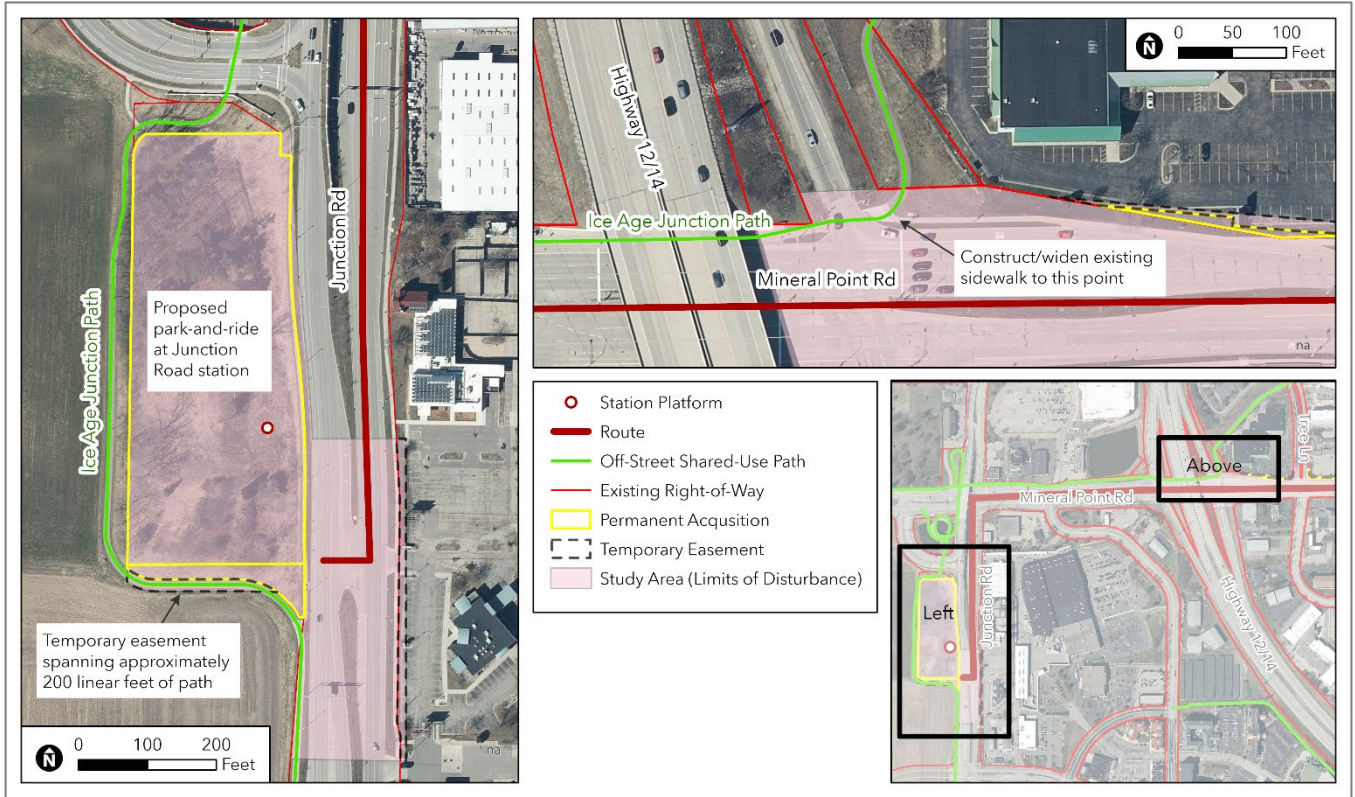
Additionally, project staff shared this information with UW staff, who concurred with the preliminary assessment that construction of the project would result in a temporary occupancy with no Section 4(f) use of the Ice Age Junction Path. A concurrence letter from UW is included in Attachment B.

The public was provided opportunity to review and comment on potential project impacts to Ice Age Junction Path and other Section 4(f) resources at four public meetings occurring in September and October 2021. Additionally, comments were sought during an official public comment period spanning September 27, 2021 through November 14, 2021. One public comment was received relevant to potential project impacts on Section 4(f) resources; this is included in Attachment A. The comment received was supportive of the project.

38 23 C.F.R. § 774.13(f)(3). Available at [https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774#p-774.13\(f\)\(3\)](https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774#p-774.13(f)(3)). Accessed 19 November 2021.

39 Federal Highway Administration, Section 4(f) Policy Paper. Available at <https://www.environment.fhwa.dot.gov/legislation/section4f/4fpolicy.aspx>. Accessed 19 November 2021.

Figure 10: Ice Age Junction Path Relative to the Study Area



5. Summary of Findings

Nine publicly-owned parks and recreational resources were identified within the study area, and no publicly-owned wildlife and waterfowl refuges were identified within the study area. In conclusion, based on the considerations described in this technical report, agency coordination with the officials with jurisdiction, and outcomes of public involvement, it is anticipated that the proposed project:

- Would not adversely affect existing or planned public parklands within the Madison East-West BRT Project study area
- Would not adversely affect the features, attributes, or activities that qualify the properties for protection under Section 4(f), as defined by 23 CFR § 774⁴⁰
- Would not result in a use greater than *de minimis* of Section 4(f) properties within the study area
- Would result in the following impacts to each of the parks and recreational resources:
 - Direct use (*de minimis*)
 - Garner Park and Path
 - Temporary occupancy with no use
 - Ice Age Junction Path
 - Nautilus Point Park
 - No use
 - Mineral Point Greenway/West Towne Soccer Fields
 - Breese Stevens Field
 - Yahara Parkway and Path
 - Burr Jones Field
 - Starkweather Creek Bike Path
 - Reindahl (Amund) Park

40 23 C.F.R. Part 774. Available at <https://www.ecfr.gov/current/title-23/chapter-I/subchapter-H/part-774>. Accessed 19 November 2021.

Attachment A: Public Comments Received Relative to Section 4(f) Resources

The public was provided opportunity to review and comment on Section 4(f) preliminary assessments at four public meetings occurring in September and October 2021. Additionally, comments were sought during an official public comment period spanning September 27, 2021, through November 14, 2021. The sole comment received during this time that was relevant to resources protected under Section 4(f) is listed below.

Table 2: Public Comments Received Relative to Section 4(f) Resources in the Study Area

Name	Date	Comment
Harald Kliems	10/8/2021	I fully support the construction of BRT as described and do not have any concerns.

Attachment B: Letters from Officials with Jurisdiction



Madison Parks Division

210 Martin Luther King, Jr. Blvd., Room 104
Madison, WI 53703
608-266-4711 • cityofmadison.com/parks



January 13, 2022

Elizabeth Breiseth
FTA Region 5
200 West Adams Street
Suite 320
Chicago, IL 60606

RE: Madison East-West Bus Rapid Transit Project: Recommended *Temporary Occupancy* Section 4(f) Determination

Dear Elizabeth Breiseth:

The Madison East-West Bus Rapid Transit (BRT) Project (the project) is a proposed 15-mile route serving east-west travel needs in central Madison, Wisconsin. The project will connect the east and west sides of Madison, running through the isthmus, downtown, and the University of Wisconsin (UW) campus. The project is adjacent to six Section 4(f) resources owned by the City of Madison Parks Division:

- Nautilus Point Park, located near the proposed Island Drive station, is a mini park with a playground and stormwater management ponds. It is adjacent to the BRT route on Mineral Point Road. A temporary occupancy with no 4(f) use is anticipated to allow for conversion of the existing sidewalk on the north side of Mineral Point Road to a shared-use path. The project will improve access to Nautilus Point Park and will not negatively affect its use.
- Garner Park, located near the proposed Rosa Road and Whitney Way stations, is a community park with open space, athletic fields, courts, and a shelter. It is adjacent to the BRT route on Mineral Point Road. A direct 4(f) use with de minimis impact is anticipated to allow for conversion of the existing sidewalk on the north side of Mineral Point Road to a shared-use path. The project will improve access to Garner Park and will not negatively affect its use.
- Breese Stevens Field is adjacent to the BRT route on East Washington Avenue. No use of this Section 4(f) property is anticipated.
- The Yahara River Shared-Use Path and Burr Jones Park are both adjacent to the BRT route on East Washington Avenue. No use of these Section 4(f) properties is anticipated.
- Reindahl Park is adjacent to the BRT route on East Washington Avenue. No use of this Section 4(f) property is anticipated.

I recommend that the Federal Transit Administration determine that the impacts to Nautilus Point Park be a temporary occupancy with no 4(f) use because:

- The duration of the temporary occupancy is limited;
- There will be no change in ownership of the path;
- The nature and magnitude of the change to the path is minimal;
- The BRT project will not adversely affect the activities, features and attributes that qualify the property for protection under Section 4(f); and
- The portion of the path that will be used will be full returned to a condition at least as good as that which existed prior to the project.

I recommend that the Federal Transit Administration determine that the impacts to Garner Park be a *de minimis* use of Section 4(f) property because:

- The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, do not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f);
- The public has been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource; and
- The Parks Division, as the official(s) with jurisdiction over the property, are informed of U.S. DOT's intent to make the *de minimis* impact determination and are hereto providing written concurrence that the project will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f).

Please contact me with any questions at (608) 266-4711 or eknepp@cityofmadison.com

Sincerely,



Eric Knepp
Parks Superintendent
City of Madison



Department of Public Works
Engineering Division
Robert F. Phillips, P.E., City Engineer
City-County Building, Room 115
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703
Phone: (608) 266-4751
Fax: (608) 264-9275
engineering@cityofmadison.com
www.cityofmadison.com/engineering

Deputy City Engineer
Gregory T. Fries, P.E.

Deputy Division Manager
Kathleen M. Cryan

Principal Engineer 2
John S. Fahrney, P.E.
Christopher J. Petykowski, P.E.
Janet Schmidt, P.E.

Principal Engineer 1
Christina M. Bachmann, P.E.
Mark D. Moder, P.E.
James M. Wolfe, P.E.

Facilities & Sustainability
Bryan Cooper, Principal Architect

Land Information & Official Map Manager
Eric T. Pederson, P.S.

Financial Manager
Steven B. Danner-Rivers

November 17, 2021

Elizabeth Breiseth
FTA Region 5
200 West Adams Street
Suite 320
Chicago, IL 60606

RE: Madison East-West Bus Rapid Transit Project: Recommended *Temporary Occupancy* Section 4(f) Determination

Dear Elizabeth Breiseth:

The Madison East-West Bus Rapid Transit (BRT) Project (the project) is a proposed 15-mile route serving east-west travel needs in central Madison, Wisconsin. The project will connect the east and west sides of Madison, running through the isthmus, downtown, and the University of Wisconsin (UW) campus.

The project is adjacent to four Section 4(f) resources owned by the City of Madison Engineering Division:

- The Mineral Point Greenway, located near the proposed Grand Canyon station, is a stormwater management property with soccer fields. It is adjacent to the BRT route on Mineral Point Road. No use of this Section 4(f) property is anticipated.
- The Yahara River Shared-Use Path and Starkweather Creek Shared-Use Path are both adjacent to the BRT route on East Washington Avenue. No use of these Section 4(f) properties is anticipated.
- Implementation of the project will require a temporary occupancy of approximately 0.2 miles of the seven-mile Ice Age Junction Path to accommodate construction of a connection between the path and the proposed Junction Road station park and ride. The project will improve access to the Ice Age Junction Path and will not negatively affect its use.

I recommend that the Federal Transit Administration determine that the impacts to the Ice Age Junction Path be a temporary occupancy with no 4(f) use because:

- The duration of the temporary occupancy is limited and signage will be used to appropriately detour path users;
- There will be no change in ownership of the path;
- The nature and magnitude of the change to the path is minimal;

- The BRT project will not adversely affect the activities, features and attributes that qualify the property for protection under Section 4(f); and
- The portion of the path that will be used will be full returned to a condition at least as good as that which existed prior to the project.

Please contact Jim Wolfe, with my staff, with any questions at 608-266-4099 or jwolfe@cityofmadison.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert F. Phillips". The signature is fluid and cursive, with the first name "Robert" and last name "Phillips" clearly legible.

Robert F. Phillips, P.E.
City Engineering

CC by email:
Tom Lynch, City of Madison DOT
Mike Cechvala, City of Madison DOT
Justin Stuehrenberg, Metro Transit
Graham Carey, Metro Transit
Adele Hall, SRF Consulting Group, ahall@srfconsulting.com



**Facilities Planning
& Management**
UNIVERSITY OF WISCONSIN-MADISON

January 13, 2022

Elizabeth Breiseth
FTA Region 5
200 West Adams Street, Suite 320
Chicago, IL 60606

RE: Madison East-West Bus Rapid Transit Project
Ice Age Junction Path: Recommended *Temporary Occupancy* Section 4(f) Determination

Dear Ms. Breiseth,

The City of Madison's East-West Bus Rapid Transit (BRT) Project is a proposed 15-mile route serving east-west travel needs in central Madison, Wisconsin. The project will connect the east and west sides of Madison, running through the isthmus, downtown, and the University of Wisconsin-Madison (UW) campus.

The proposed Junction Road Park and Ride, which forms the western terminus of the project, is adjacent to the Ice Age Junction Path, owned by the City of Madison. The path is a Section 4(f) resource situated on land owned by the University of Wisconsin Board of Regents. To improve pedestrian, bicycle and transit connectivity, the City of Madison wishes to connect the park and ride facility to the path. To accomplish this, the City of Madison is anticipating the need for a temporary easement, of up to 0.2 miles in length, where the path runs next to the proposed park-and-ride. A temporary occupancy with no 4(f) use is anticipated to allow for the construction of the access points to path.

I recommend that the Federal Transit Administration determine that the impacts to the Ice Age Junction Path be a temporary occupancy with no 4(f) use because:

- The duration of the temporary occupancy is limited.
- There will be no change in ownership of the path.
- The nature and magnitude of the change to the path is minimal.
- The BRT project will not adversely affect the activities, features and attributes that qualify the property for protection under Section 4(f).
- The portion of the path that will be used will be fully returned to a condition at least as good as that which existed prior to the project.

Please contact me with any questions at (608) 263-3023 or via email at gary.brown@wisc.edu

Sincerely,

Gary A. Brown, PLA, FASLA
Director, Campus Planning & Landscape Architecture