

**Date:** August 27, 2014

**To:** Eli Cooper, Transportation Manager, City of Ann Arbor

**From:** Project Team

**Subject: Ann Arbor Station—Section 4(f) and Section 6(f) Compliance Review**

The purpose of this memorandum is to identify:

- U.S. Department of Transportation Act of 1966 Section 4(f) resources including publicly owned parks, recreation areas (“Section 4(f)”); and
- Land and Water Conservation Fund Act (LAWCON) Section 6(f) resources that may be used by Ann Arbor Station siting alternatives (“Section 6(f)”).

These resources are considered in context with Ann Arbor Station Build Alternative locations, but not use of the resources for those locations. Not included in this inventory are historic properties, which are also considered Section 4(f) resources. A Section 4(f) memorandum will include a complete inventory of Section 4(f) resources, including historic properties, in the vicinity of Build Alternative locations.

The Ann Arbor Station Phase I Alternatives Analysis memorandum documents the screening of Build Alternative locations from eight to three. Each of the remaining alternatives is located along the State of Michigan Department of Transportation (MDOT) railroad (formerly Norfolk Southern) currently used for the Amtrak Wolverine service. The Wolverine corridor extends from Chicago to Pontiac, and generally has an east-west configuration through Ann Arbor. The Build Alternatives are:

- Build Alternative 1: North Main Street. This alternative is located along the tracks east of North Main Street near Lake Shore Drive;
- Build Alternative 2: Depot Street/Existing Amtrak. This alternative would reuse the property currently occupied by the Ann Arbor Amtrak station, along Depot Street near where the Broadway Street Bridge crosses the tracks and Huron River; and
- Build Alternative 3: Fuller Road (West). This location extends along the tracks south of Fuller Road near the East Medical Center Drive overpass.

These Build Alternative locations are shown in Figures 1, 2 and 3.

#### Definitions

As stated on a US Department of Transportation (USDOT) website, Section 4(f),

“established the requirement for consideration of park and recreational lands, wildlife and waterfowl refuges, and historic sites in transportation project development.”<sup>1</sup>

The law has since been codified in 49 U.S.C. 303 and 23 U.S.C. 138.<sup>2</sup>

Section 6(f) of the Land and Water Conservation Fund Act of 1965 refers to resources that were purchased with grants through LAWCON. Use of Section 6(f) resources requires federal coordination:

“Section 6(f) of the Land and Water Conservation Act requires that the conversion of lands or facilities acquired with Land and Water Conservation Act funds be coordinated with the Department of Interior.”<sup>3</sup>

<sup>1</sup> USDOT, Federal Highway Administration website, <http://www.environment.fhwa.dot.gov/4f/4fAtGlance.asp>

<sup>2</sup> Ibid.

<sup>3</sup> Ibid, <http://www.fhwa.dot.gov/wadiv/envir/section6f.cfm>

Figure 1: Build Alternative 1—North Main Street

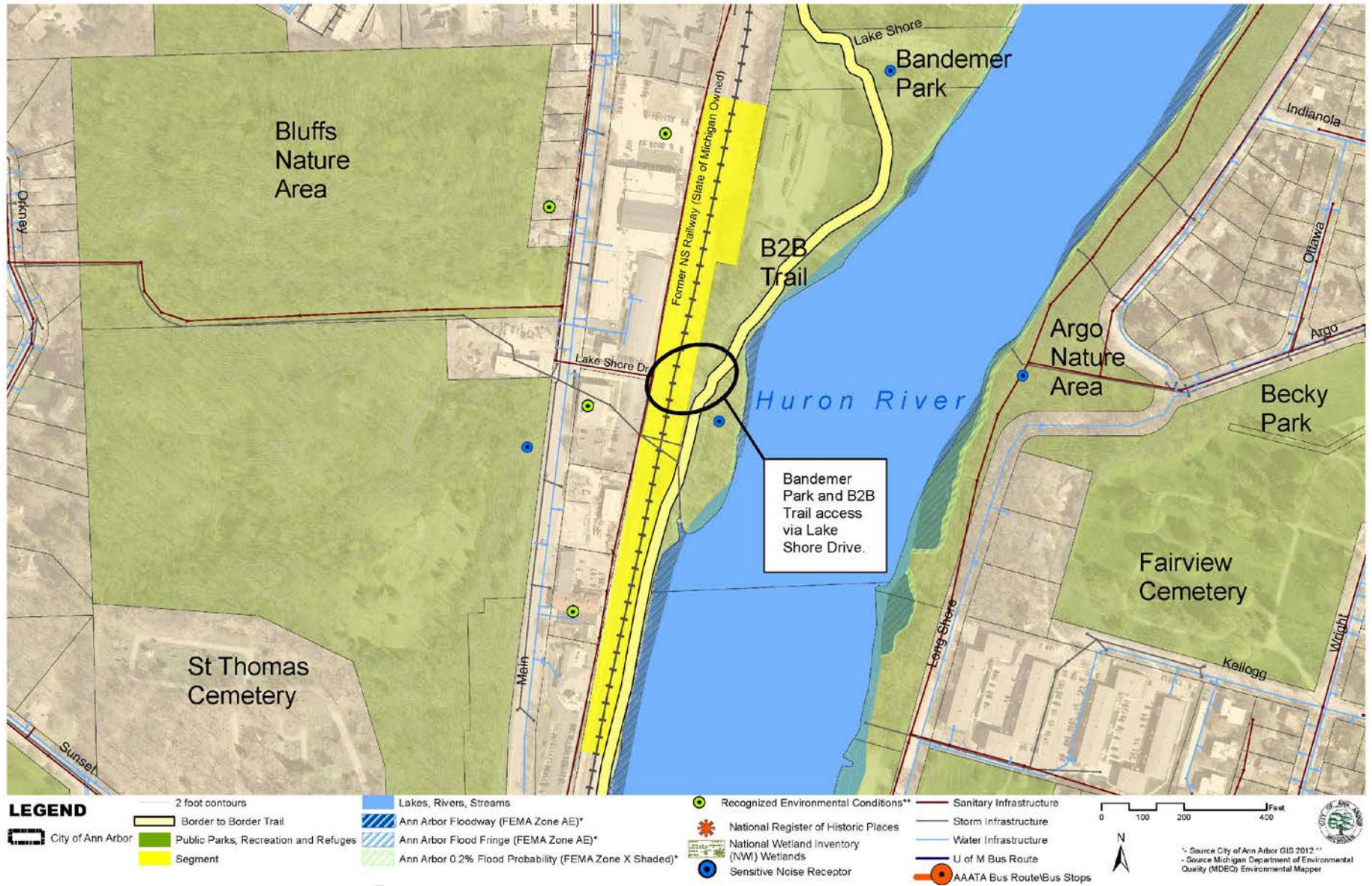




Figure 2: Build Alternative 2— Depot Street/Existing Amtrak

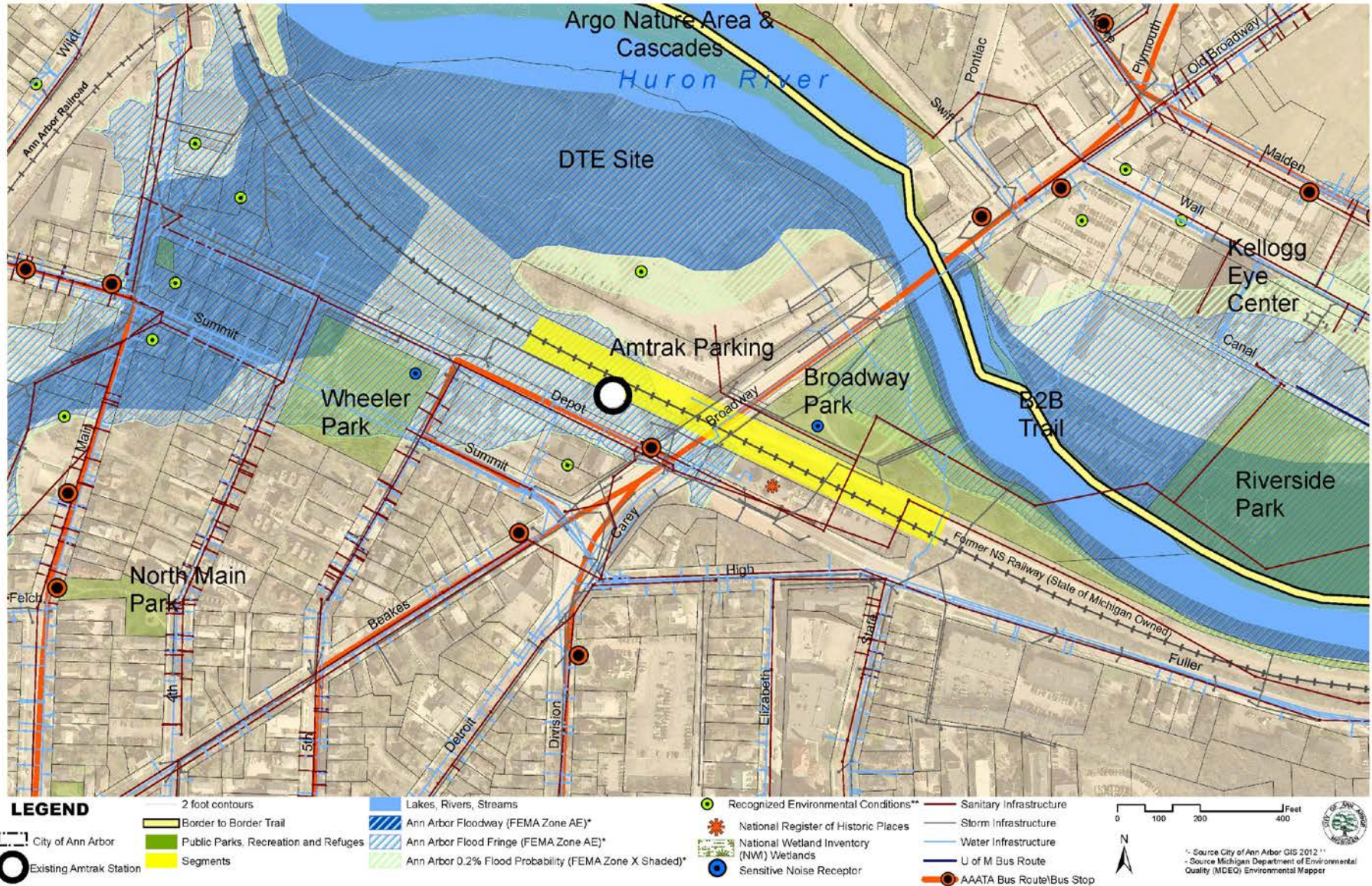
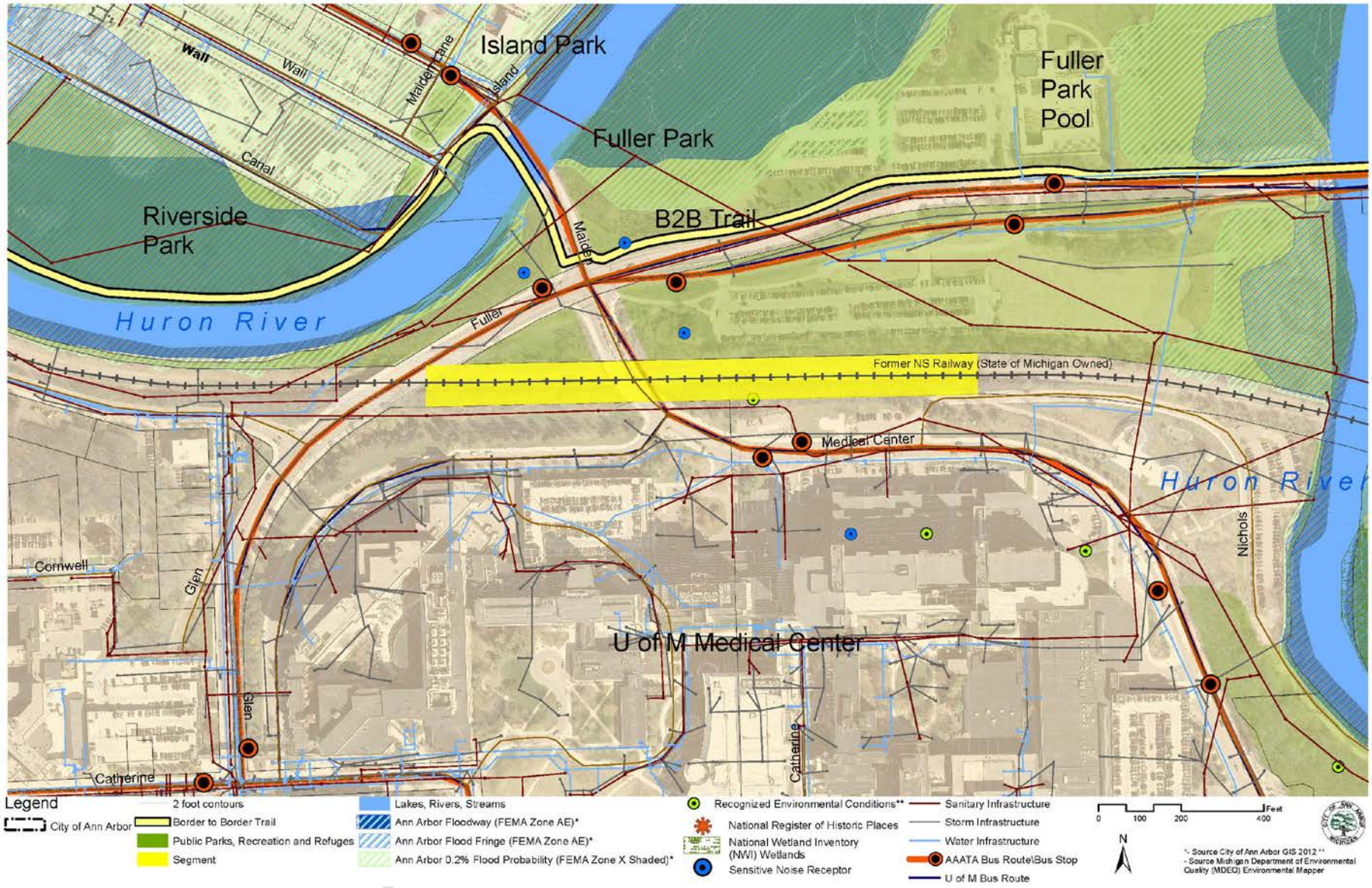




Figure 3: Build Alternative 3—Fuller Road (West)



Section 6(f) resources differ from Section 4(f) in two fundamental ways. First, Section 6(f) resources have a specified funding source—LAWCON—and require coordination with the Department of the Interior. Secondly, use of Section 6(f) resources requires replacement with facilities of equal value and/or functionality. Using Section 4(f) resources involves the same replacement, but requires additional assessment steps in the National Environmental Policy Act (NEPA) process. Specifically,

“Before an alternative involving the use of a Section 4(f) resource can be selected, avoidance alternatives and minimization measures must be considered.”<sup>4</sup>

Build Alternatives under consideration in the Phase II Alternatives Analysis have several Section 4(f) resources and some Section 6(f) resources nearby. Those resources that are potentially used are listed below. Historic resources are not yet included in the Section 4(f) list because an inventory has not been completed. Historic resources and parklands will be included in a subsequent Section 4(f) evaluation to be included in NEPA documentation. The inventory is subject to revision as conceptual Build Alternative site plans are advanced.

### Section 4(f) Resources (Not Including Historic Properties) by Build Alternative Location

#### *Build Alternative 1: North Main Street*

- Border-to-Border (B2B) Trail recreational and transportation path
  - In the area of this alternative, the B2B trail passes through Bandemer Park. The trail is accessed via Bandemer Park at Lake Shore Drive, a private access road that crosses the tracks at-grade. (Note: B2B Trail improvements in Bandemer Park and throughout the

Section 4(f) and Section 6(f) analysis area were not funded through the Federal Highway Administration (FHWA) Recreational Trails Program (RTP). RTP projects are exempt from Section 4(f).<sup>5</sup>The trail is immediately adjacent to the right-of-way along the southern portion of the segment.

- Bandemer Park
  - Most land side park access, including vehicular access, follows an at-grade track crossing at Lake Shore Drive. Motorized vehicles, non-motorized vehicles, and pedestrians can also enter the park via a bridge over the Huron River at the park’s north end. The B2B Trail also follows the bridge at the park’s north end.
  - Park facilities include a dock and boathouses used by the Ann Arbor Rowing Club, Pioneer and Huron High School rowing teams, and the University of Michigan club rowing team. Other facilities include canoe docks, the B2B Trail, Disc Golf, a dirt bike course, picnic shelter, a fire pit, passive recreation space, and parking.
- Bluffs Nature Area
  - Facilities include unpaved nature trails, forest land, and a small parking lot at North Main Street near Lake Shore Drive.

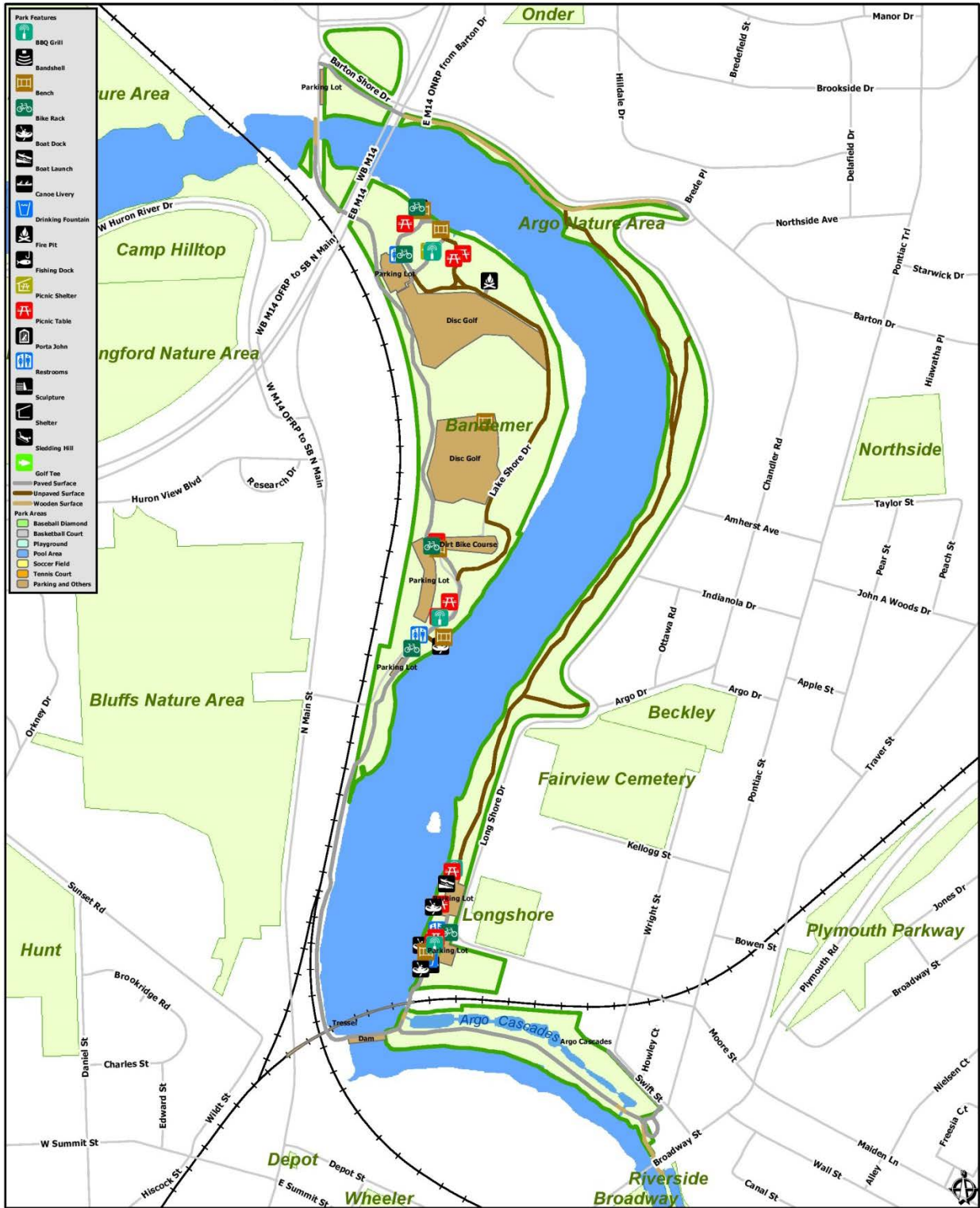
Bandemer Park and the Bluffs Nature Area are shown in Figures 4 and 5, respectively.

<sup>4</sup> Ibid, <http://www.environment.fhwa.dot.gov/section4f/avoidance.aspx>

<sup>5</sup> Per the City of Ann Arbor Parks and Recreation Department, the B2B Trail in Bandemer Park was funded through the Transportation Enhancement Program in 1993 and 1996. More information about the RTP is available on the FHWA website at [http://www.fhwa.dot.gov/environment/recreational\\_trails/](http://www.fhwa.dot.gov/environment/recreational_trails/)



Figure 4: Bandemer Park and Surrounding Parkland



City of Ann Arbor  
Community Services GIS  
May 6, 2013

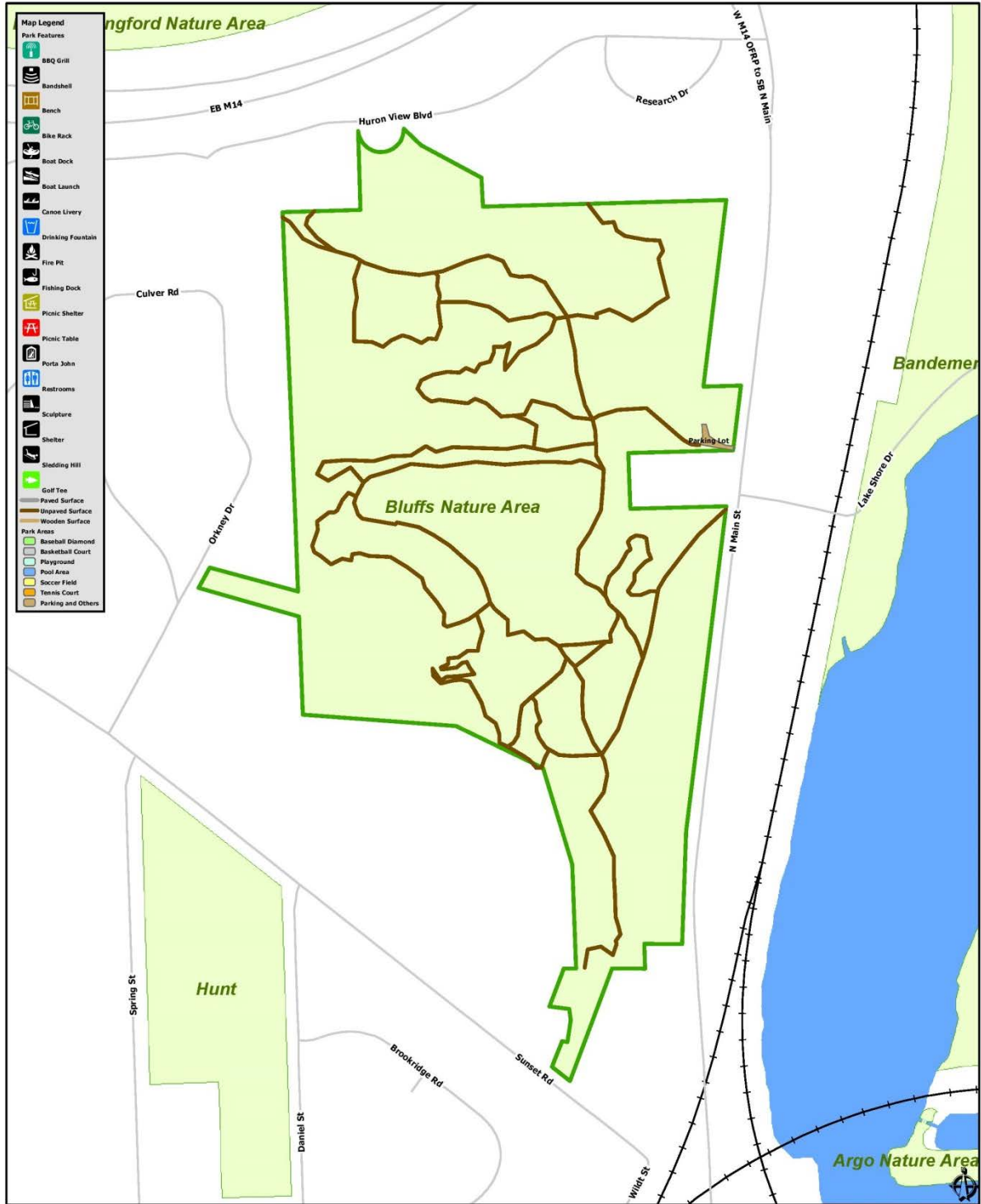
0 300 600 1,200  
Feet



City of Ann Arbor Map Disclaimer  
No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.  
This map complies with National Map Accuracy Standards for mapping at 1 inch = 100 Feet. The City of Ann Arbor and its mapping contractors assume no legal representation for the content and/or inappropriate use of information represented on this map.

Source: <http://www.a2gov.org/departments/parks-recreation/parks-places/Pages/default.aspx>

Figure 5: Bluffs Nature Area



City of Ann Arbor  
Community Services GIS  
May 2, 2013

0 125 250 500  
Feet



City of Ann Arbor Map Disclaimer  
No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.  
This map complies with National Map Accuracy Standards for mapping at 1 inch = 100 Feet.  
The City of Ann Arbor and its mapping contractors assume no legal representation for the content and/or inappropriate use of information represented on this map.

Source: <http://www.a2gov.org/departments/parks-recreation/parks-places/Pages/default.aspx>

*Build Alternative 2: Depot Street/Existing Amtrak.*

- Argo Nature Area & Cascades
  - These uses may occur should modifications to the Broadway Street Bridge be required. The B2B Trail passes under the Broadway Street Bridge on a wooden pier structure. This pier path connects the Argo Cascades with Riverside Park. The path, nature area, Argo Cascades, and Riverside Park are accessed from the Broadway Street Bridge west sidewalk via an attached stairway. The stairway is squeezed between the bridge and what appears to be a 1920's-era decorative brick hydroelectric powerhouse.<sup>6</sup> An electrical substation is located on the north side of the building.
- B2B Trail (passing under Broadway Street Bridge as previously described)
- Broadway Park
  - The right-of-way is immediately south of the park.
  - Both Broadway Street Bridge sidewalks provide paved pathway and riverfront access. The west sidewalk connects via a stairway parallel to the bridge. The east sidewalk widens into a shared-use path within the park. A river edge boardwalk passes beneath the bridge. The park contains passive recreation space, riverfront, and some riparian forest
- Riverside Park
  - These uses may occur if modifications to the Broadway Street Bridge are required. The Broadway Street Bridge passes above a boardwalk pier section of the B2B Trail at its connection to Riverside Park, on the north shore of the river. The park area immediately east of the bridge

contains a pond or hydroelectric release channel surrounded by park land.

- Wheeler Park (should modifications to Depot Street be required)
  - Wheeler Park is located on the block between North 4th and 5th Avenues and Depot Street. This small park, less than 2 acres in size, contains a dense concentration of facilities. These include “a playground, restroom building with water fountain, a walking/running track, basketball court, plaza with benches, picnic shelter with picnic tables and grills, an open field area, and an asphalt walk connection to all of the activities. There is parking available on the street.”<sup>7</sup>

Broadway Park and Wheeler Park are shown in Figures 6 and 7, respectively. Riverside Park is shown in Figure 9 on page 14.

---

<sup>6</sup> This structure will be considered for inclusion in an inventory of historic resources and parklands as part of a Section 4(f) evaluation for NEPA documentation.

---

<sup>7</sup> From the City of Ann Arbor Parks and Recreation website at <http://www.a2gov.org/government/communityservices/Parks-Recreation/parks-places/Pages/Wheeler.aspx>



Figure 6: Broadway Park



City of Ann Arbor  
Community Services GIS  
September 30, 2011

0 50 100 200 Feet



City of Ann Arbor Map Disclaimer

No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.

This map complies with National Map Accuracy Standards for mapping at 1 Inch = 100 Feet. The City of Ann Arbor and its mapping contractors assume no legal representation for the content and/or inappropriate use of information represented on this map.

Source: <http://www.a2gov.org/departments/parks-recreation/parks-places/Pages/default.aspx>

Figure 7: Wheeler Park



City of Ann Arbor  
Community Services GIS  
September 30, 2011

0 50 100 200 Feet



City of Ann Arbor Map Disclaimer

No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.

This map complies with National Map Accuracy Standards for mapping at 1 Inch = 100 Feet. The City of Ann Arbor and its mapping contractors assume no legal representation for the content and/or inappropriate use of information represented on this map.

Source: <http://www.a2gov.org/departments/parks-recreation/parks-places/Pages/default.aspx>

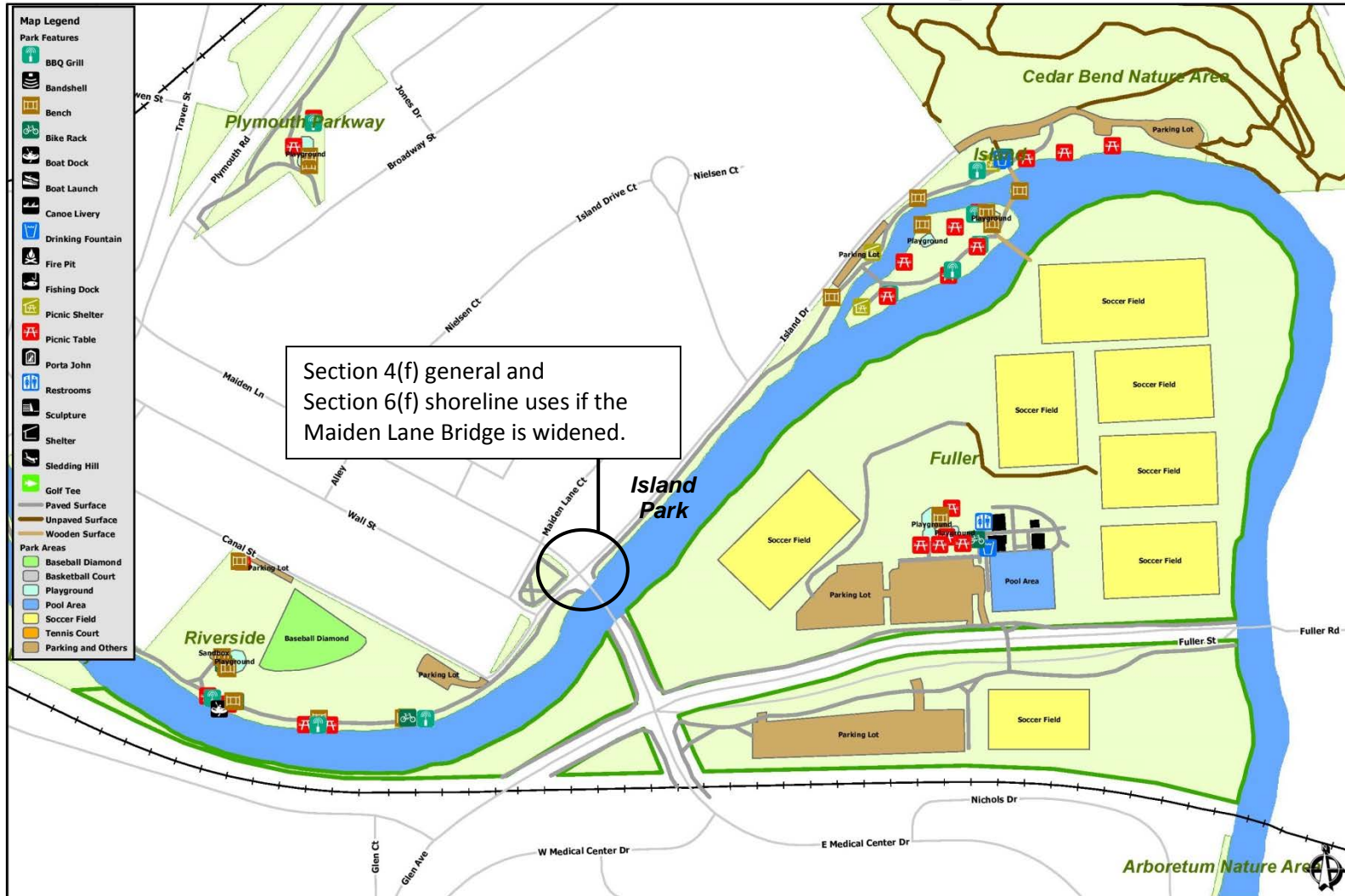


*Build Alternative 3: Fuller Road (West)*

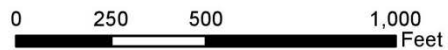
- B2B Trail
  - The trail here follows a shared-use path along the northern edge of Fuller Road, within Fuller Park. The trail continues west by crossing the Maiden Lane Bridge and extending through Riverside Park.
- Fuller Park
  - The north side of the tracks and both sides of Fuller Road are immediately adjacent to Fuller Park. At the western end of the segment the park is riparian forest. The central segment area of the park contains a large commuter/recreation parking lot, a soccer field, small wooded sections, and lawn areas around a shared-use path. The eastern edge of the park area abuts the river and contains wetlands and riparian forest. The parking area offers weekend parking for the 50 meter outdoor pool and waterslide, multiple soccer fields, and recreation areas north of Fuller Road.
  - Paths on both sides of Fuller Road have grassy strips between them and the road. For this reason, the bus stops along this stretch of Fuller Road are located at grassy areas rather than sidewalks. These stops may require modifications should the area emerge as a multi-modal station.
- Island Park (should modifications to Maiden Lane be required)
  - This part of Island Park contains riparian forest and a shoreline recreation trail (not the B2B Trail).
- Riverside Park (should modifications to Maiden Lane be required)
  - This part of Riverside Park contains the B2B Trail and riparian forest.

Fuller Park, Island Park, and Riverside Park are shown in Figure 8

Figure 8: Fuller Park, Island Park, Riverside Park, and Surrounding Parklands



City of Ann Arbor  
Community Services GIS  
October 4, 2012



City of Ann Arbor Map Disclaimer

No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.

This map complies with National Map Accuracy Standards for mapping at 1 Inch = 100 Feet. The City of Ann Arbor and its mapping contractors assume no legal representation for the content and/or inappropriate use of information represented on this map.

Source: <http://www.a2gov.org/departments/parks-recreation/parks-places/Pages/default.aspx>



**Section 6(f) Resources by Build Alternative Location**

Build Alternative 2 (Depot Street/Existing Amtrak) and Build Alternative 3 (Fuller Road—West) have the unlikely potential to use Section 6(f) resources. Any Section 6(f) uses would occur in Riverside Park. The City of Ann Arbor Parks and Recreation Open Space Plan 2011-2015 indicates that Riverside Park received LAWCON improvements in the late 1970s. The plan describes “Shoreline stabilization and restoration, play area, pathway,” and “park furniture.”<sup>8</sup> Riverside Park is displayed in Figure 9.

According to the City’s Parks and Recreation Department, LAWCON monies were used for improvements to land already owned by the City of Ann Arbor. Those improvements, other than shoreline stabilization and restoration, have since been superseded by more recent improvements not using LAWCON monies. The shoreline extends from the Broadway Street Bridge to Maiden Lane (see Figure 9). Potential Section 6(f) uses are described below.

*Build Alternative 2: Depot Street/Existing Amtrak*

- Riverside Park (should modifications to the north end of the Broadway Street Bridge be required)
  - A widened bridge would overhang or extend into shoreline improvements made using LAWCON funding.

*Build Alternative 3: Fuller Road (West)*

- Riverside Park (should modifications to Maiden Lane be required)
  - A widened bridge would overhang or extend into shoreline improvements.

---

<sup>8</sup> City of Ann Arbor Parks and Recreation Open Space “PROS” Plan 2011-2015, adopted March 7, 2011, page 53. Available at [http://www.a2gov.org/departments/Parks-Recreation/administrative/Documents/PROS\\_Plan\\_Final\\_2011\\_2015.pdf](http://www.a2gov.org/departments/Parks-Recreation/administrative/Documents/PROS_Plan_Final_2011_2015.pdf)

Figure 9: Riverside Park



City of Ann Arbor  
Community Services GIS  
September 30, 2011

0 150 300 600 Feet



City of Ann Arbor Map Disclaimer

No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purpose, without prior written permission from the City of Ann Arbor.

This map complies with National Map Accuracy Standards for mapping at 1 inch = 100 Feet. The City of Ann Arbor and its mapping contractors assume no legal representation for the content and/or inappropriate use of information represented on this map.

Source: <http://www.a2gov.org/departments/parks-recreation/parks-places/Pages/default.aspx>