

**SECTION 106 MEMORANDUM OF AGREEMENT  
BETWEEN  
THE FEDERAL HIGHWAY ADMINISTRATION  
AND THE  
MINNESOTA STATE HISTORIC PRESERVATION OFFICE  
RELATED TO BRIDGE REPLACEMENT PROJECT S.P. 141-165-15  
IN MINNEAPOLIS, HENNEPIN COUNTY, MINNESOTA**

**WHEREAS**, the Federal Highway Administration (FHWA) is proposing to provide funding to the Minnesota Department of Transportation (Mn/DOT) for the reconstruction of the Chicago Avenue Bridge No. 92349 over the Midtown Greenway (located between 28<sup>th</sup> Street and Lake Street) in Minneapolis, Hennepin County; and

**WHEREAS**, the Chicago Avenue Bridge No. 92349 has been determined to be both individually eligible for listing in the National Register of Historic Places, and is a contributing element in the National Register eligible Chicago Milwaukee and St. Paul Railroad Grade Separation Historic District and will be adversely affected by this project; and

**WHEREAS**, on behalf of FHWA, Mn/DOT Cultural Resource Unit has consulted with the Minnesota State Historic Preservation Office pursuant to 36CFR 800; and

**WHEREAS**, Hennepin County is also proposing a non-federally funded replacement of the eligible Park Avenue Bridge No. 90491, also within the eligible Chicago Milwaukee and St. Paul Railroad Grade Separation Historic District, and has agreed to partially fund a portion of the bridge study stipulated within this MOA; and

**WHEREAS**, Mn/DOT, the City of Minneapolis Public Works, and Hennepin County Public Works have responsibilities under this MOA, and have been invited to be signatories to the MOA; and

**WHEREAS**, the Hennepin County Regional Rail Authority, the Midtown Greenway Coalition and the Minneapolis Heritage Preservation Commission have been invited to concur with the MOA;

**NOW, THEREFORE**, FHWA and the Minnesota SHPO agree that, upon execution of the MOA, the FHWA shall ensure that the following stipulations are implemented in order to take into account the effect of the undertaking on historic properties.

**STIPULATIONS**

The FHWA will ensure that the following measures are carried out:

1. The final design for the replacement structures for the Chicago Avenue and Park Avenue bridges will be reviewed and approved by the Mn/DOT CRU and submitted to MnSHPO for concurrence before construction.

2. The City of Minneapolis Department of Public Works and Hennepin County Public Works will record the Chicago Avenue and Park Avenue bridges to Minnesota Historic Property Record (MHPR) standards. The documentation will be submitted to Mn/DOT CRU for review and approval and submitted to SHPO for concurrence.
3. The City of Minneapolis Department of Public Works and Hennepin County Public Works will complete a planning study for the bridges within the Chicago Milwaukee and St. Paul Railroad Grade Separation Historic District. The document should include an organized analysis of each bridge's condition, potential for rehabilitation and any proposed schedule for removal and replacement. The analysis of bridge condition should include a narrative discussing the original construction method of the bridges as well as repair or rehabilitation limitations peculiar to the bridge type and the most current practices in the repair of this type of bridge and its materials. The study should also contain an analysis of the foreseeable effects of additional bridge removals/change of use to the historic district. That analysis should include a reiteration of the historic characteristics of the district, the significance of the bridges to the district, an analysis of the most coherent sections of the historic corridor, and a studied opinion of how bridge replacement will affect the National Register eligibility of the grade separation district as a whole. The document will be completed in consultation with the Mn/DOT CRU and the Minnesota SHPO and will apply the Secretary of Interior's National Register Criteria for Evaluation and the Secretary of Interior's Standards for the Treatment of Historic Properties. The study will be complete 18 months after finalization of this MOA.
4. Disputes regarding the completion of the terms of this agreement shall be resolved by the signatories. If the signatories cannot agree regarding a dispute, any one of the signatories may request the participation of the Advisory Council on Historic Preservation to assist in the dispute.
5. Any signatory to this MOA may terminate the agreement by providing thirty (30) days written notice to the other parties, provided the parties consult during the period prior to termination to agree on amendments or other actions that would avoid termination.
6. If the terms of this agreement have not been implemented 3 years after signature, this agreement should be null and void. In such an event, FHWA shall notify the parties of this agreement of the expiration, and if appropriate, shall re-initiate review of the undertaking in accordance with 36CFR 800.7(c)(4) and Section 110(l) of NHPA.

Execution of this agreement and implementation of its terms evidence that FHWA has taken into account the effects of the undertaking on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

By: [Signature] Date: 3/4/04  
Name and Title of signer: Project Development Team Leader

MINNESOTA STATE HISTORIC PRESERVATION OFFICE

By: [Signature] Date: 1/12/04  
Name and Title of signer: \_\_\_\_\_

Invited Signatories:

MINNESOTA DEPARTMENT OF TRANSPORTATION

By: [Signature] Date: 2/24/04  
Name and Title of signer: \_\_\_\_\_

CITY OF MINNEAPOLIS DEPARTMENT OF PUBLIC WORKS

By: [Signature] Date: 2-19-04  
Name and Title of signer: \_\_\_\_\_

HENNEPIN COUNTY DEPARTMENT OF PUBLIC WORKS

By: [Signature] Date: 2-11-04  
Name and Title of signer: Asst Co Administrator for Public Works

Concurring Signatories:

HENNEPIN COUNTY REGIONAL RAIL AUTHORITY

By: [Signature] Date: 2-11-04  
Name and Title of signer: Executive Director, HCRRA

MIDTOWN GREENWAY COALITION

By: [Signature] Date: 2/18/04  
Name and Title of signer: TIM SPRINGER, EXECUTIVE DIR.

MINNEAPOLIS HERITAGE PRESERVATION COMMISSION

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Name and Title of signer: \_\_\_\_\_