



## PLANNING DIVISION STAFF REPORT

December 13, 2021

PREPARED FOR THE LANDMARKS COMMISSION

**Project:** Madison Bus Rapid Transit  
**Regarding:** CLG Consulting Party Comments for FTA Undertaking  
**Legistar File:** [67237](#)  
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### Background

As a Certified Local Government, the City of Madison's Landmarks Commission and Historic Preservation Program are included as consulting parties for any Federal undertakings which may have potential effects on historic properties. Most of these inquiries staff handles administratively. However, the proposal for the Bus Rapid Transit system in Madison, which has a nexus with the Federal Transit Administration, and the resulting new stations to service this route has the potential to have impacts to several National Register listed or eligible properties. As such, staff has referred the formal comments to the Landmarks Commission for their input prior to submitting comments on the proposed undertaking.

The Landmarks Commission reviewed the initial survey of historic resources within the Area of Potential Effects, the two proposed station designs, and the placements/configurations of the proposed placement locations at it September 20, 2021, meeting. The project team has completed its draft assessment of effects with a finding of **No Adverse Effect**.

### 36CFR800

The chapter of the Code of Federal Regulations commonly referred to as Section 106 of the National Historic Preservation Act requires assessments of a Federal undertaking to first determine if there are any historic properties within the Area of Potential Effect (APE). The submittal materials include a document that specifies the APE for this undertaking and identifies the historic resources that the project team believes could have impacts. The consultant completed assessments of properties within 100 feet of a proposed new station.

The second step is to determine if the proposed undertaking will have an Adverse Effect on those properties. Per 36CFR800.5(a)(1):

*"Criteria of adverse effect. An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative."*

### Updates

Largely the proposal remains the same. Two station locations were modified, one was shifted out of the University Hill Farms NR district and the one in front of the Chazen Museum of Art was split into two reduced stations that flank the E Campus Mall in order to accommodate future outdoor sculptures onsite.

### Conclusion

The station designs will read as a product of their time and not create a false sense of history. The stations are largely glass, which provides visibility through them, allowing them not to obscure significant viewsheds, nor will their placement alter historically significant street designs. Many of the station locations are replacing existing bus shelters and the new structures are located where we expect to find this type of transportation

infrastructure. Staff agrees with the finding of No Adverse Effect on the historic properties within the Area of Potential Effects.

The Landmarks Commission needs to determine if

- The proposal would meet the criteria for an Adverse Effect
- The commission needs additional information to make a determination
- There are methods to mitigate the visual impacts to historic resources

Staff will submit the Landmarks Commission's comments to the FTA designee.