

EXECUTIVE SUMMARY

The design of the MN&S re-route proposed in the Southwest Light Rail Transitway (SLRT) Draft Environmental Impact Statement (DEIS) would impose significant negative impacts on Twin Cities & Western Railroad Company (TC&W) to the detriment of the communities it serves in south central Minnesota and eastern South Dakota. It would also create significant public safety risks, as well as intense noise and vibration that would adversely affect residents of St. Louis Park.

TC&W supports the SLRT project so long as it is implemented in a way that preserves our ability to provide our customers with safe and efficient service at the same costs they now pay. Whether that means co-locating TC&W operations in the Kenilworth Corridor along with passenger rail or creating a re-route onto and off of the MN&S rail line, the costs for TC&W to safely and efficiently transport freight to and from St. Paul must be no greater than they are today.

As explained in detail in this response, the re-route design in the DEIS is defective:

- It contravenes accepted railroad engineering standards for curves and grades;
- It creates risks of derailments and crossing accidents, severe safety risks for pedestrians, motorists, residents of St. Louis Park, and railroad workers;
- It generates intense train noise and vibration where now there is little or none;
- It imposes increased operating costs on TC&W due to limits on train speed and the need for additional crew time, fuel, and equipment;
- It requires unusually large expenses for frequent rail and tie replacement and resurfacing;
- It eliminates side tracks used by TC&W for its daily operations of car staging, sorting, switching, and storage and the design does not contain any plan to replace that track space;
- It assumes erroneously that TC&W will not continue to use the Skunk Hollow Wye to serve customers in Savage;
- It entails a track “outage” which would impermissibly interfere with TC&W’s federal common carrier obligations.

TC&W has raised these issues several times, as has CP.

In September 2011, the Federal Transit Administration (FTA) approved the SLRT project entering preliminary engineering. The FTA letter required the Met Council to address certain issues, including:

- In consultation with the federal railroad administration (FRA), determine the design requirements for adequate safety features for street-grade crossings between the Southwest LRT line and existing freight rail tracks.
- Analyze the impacts of relocating the Twin Cities & Western freight line, which currently operates on a segment of the planned SLRT route, in the project's Environmental Impact Statement (EIS). Because the freight relocation is necessary for MC to be able to implement the Southwest LRT project as planned, the cost and scope of the freight line relocation must be included in the Southwest LRT project scope and budget, regardless of the funding sources that may be identified to pay for the work.
- Analyze the reconfiguration of the Canadian Pacific Railroad's freight tracks where they will be elevated over the Southwest LRT line and include the analysis in the Southwest LRT project's EIS and cost and scope. The planned flyover, as currently designed by MC, shows sharp curvature, steep grades, and insufficient clearances.

In a February 2012 meeting, Met Council staff said that the FTA letter had cleaned the slate of past discussions of freight rail options and that the Met Council was directed to study both co-existence of freight and light rail in the Kenilworth Corridor and a re-route of freight rail traffic onto the MN&S.

Despite the passage of sixteen months, the DEIS does not satisfy the FTA's directions. No changes have been made in the design. The DEIS contains the same deficient design first proposed over two years ago.

The consideration of the co-location alternative in the DEIS is perfunctory and incomplete, as there has been no explanation of a substantial reason for rejecting co-location and no meaningful analysis of the costs.

In the absence of a re-route design that is safe and in accord with accepted railroad engineering standards, and which does not harm TC&W's operations and

competitiveness, TC&W cannot support the required discontinuance proceeding before the United States Surface Transportation Board, which would be necessary to terminate TC&W's trackage rights over the Kenilworth Corridor.

TC&W's full response to the DEIS, which includes letters of support from a range of interested parties, is available online at www.tcwr.net/ResponsetoDEIS. Questions can be directed to TC&W president Mark Wegner at 320-864-7204.