

Transportation Committee

Meeting date: March 23, 2020

For the Metropolitan Council meeting of March 25, 2020

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| Subject: | Gold Line Environmental Decision |
| District(s), Member(s): | All |
| Policy/Legal Reference: | Minnesota Rules, part 4410.1700 |
| Staff Prepared/Presented: | Wes Kooistra, General Manager, 612-349-7510 Charles Carlson, Director – BRT Projects, 612-349-7639 Chris Beckwith, Sr. Project Manager, Gold Line BRT, 651-602-1994 Chelsa Johnson, Environmental Lead, Gold Line BRT, 651-602-1997 |
| Division/Department: | Metro Transit / Gold Line BRT Project Office |

Proposed Action

That the Metropolitan Council authorize its Chair to sign the Findings of Fact and Conclusions developed through the Environmental Assessment/Environmental Assessment Worksheet (EA/EAW) that the project does not have the potential for significant environmental effects and that an Environmental Impact Statement is not required.

Background

The EA/EAW analyzed whether there have been significant changes to the proposed action, the affected environment, and the anticipated environmental impacts or the proposed mitigation measures stipulated in Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) Finding of No Significant Impact (FONSI). Under the Minnesota Environmental Policy Act (MEPA), the state Environmental Assessment Worksheet is incorporated into the EA (Appendix F) and was used to evaluate the Project. The analysis documented in the EA/EAW has been used by the Council to reach an informed and appropriate decision whether to issue a Negative Declaration for the revised Project (pursuant to Minnesota Rules, part 4410.1700) or that an environmental impact statement is warranted.

Minnesota Rules, part 4410.1700 requires that an EIS be prepared for projects that have the potential for significant environmental effects. In deciding whether a project has the potential for significant environmental effects, the following four factors described in Minnesota Rules, part 4410.1700 were considered and documented in the Findings of Fact and Conclusion document included in FTA's FONSI (Appendix F):

1. Type, extent, and reversibility of environmental effects.
2. Cumulative potential effects. The project proposer shall consider the following factors: whether the cumulative potential effect is significant; whether the contribution from the project is significant when viewed in connection with other contributions to the cumulative potential effect; the degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect; and the efforts of the proposer to minimize the contributions from the project.
3. The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority. The project proposer may rely only on mitigation measures that are specific and that can be reasonably expected to effectively mitigate the identified environmental impacts of the project.

4. The extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs.

Rationale

The Council finds that an EIS is not necessary for the proposed Project based on the following factors:

- All requirements for environmental review of the Project have been met
- The EA/EAW and the permit development processes to date related to the Project have generated information which is adequate to determine whether the Project has the potential for significant environmental effects.
- Areas where potential environmental effects have been identified will be addressed during the final design of the Project. Mitigation will be provided where impacts are expected to result from project construction, operation, or maintenance. Mitigative measures and commitments provided in Appendix C of FTA's FONSI and Appendix A of FHWA's FONSI will be incorporated into the Project design and have been or will be coordinated with federal, state and local agencies during the permit processes.
- Based on the criteria in Minnesota Rules part 4410.1700, Subpart 17, the Project does not have the potential for significant environmental effects.
- An environmental impact statement is not required for the METRO Gold Line Bus Rapid Transit Project.
- Any findings that might properly be termed conclusions and any conclusions that might properly be called findings are hereby adopted as such.

Thrive Lens Analysis

The GBRT Project supports Thrive outcomes including livability, prosperity, and equity with its investment in high-quality transportation that will make the region more economically competitive by supporting major job creators and increasing workers' access to employment hubs. The METRO Gold Line will distribute transit resources throughout the region, benefitting regional residents and increasing the quality of transit service available.

Funding

There are no funding considerations associated with this action.

Known Support / Opposition

During the comment period for the EA/EAW, the Council received 35 comments. The comments included support and opposition for the Project. Responses are included in the Findings of Fact and Conclusions document.