



Appendix G

Response to Draft EIS Comments

6 Comments Received on Draft EIS – Agencies



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From: [Mike Opatz](#)
To: [Bottineau Transitway/Hennepin](#)
Cc: [Mike Opatz](#); [Brent C Rusco](#)
Subject: City of Maple Grove staff comments on Bottineau Draft EIS:
Date: Wednesday, April 23, 2014 5:07:16 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[Maple Grove Comments Bottineau EIS.docx](#)

Greetings,

Below and attached are City of Maple Grove staff comments on Bottineau Draft EIS. Thank you.

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**City of Maple Grove
Staff Comments on Bottineau Draft EIS
April 22, 2014**

Comment #1

-
See cut image pasted below from Page 3-7. The City of Maple Grove would not alter any of its Maple Grove Transit express routes given the approved Bottineau line alignment/LPA, which does not serve the City of Maple Grove. Furthermore, the Route 787 would not be eliminated. Maple Grove would likely add local feeder service to the Bottineau line as demand and funding allows.

Maple Grove Transit Routes		
Maple Grove Transit 781	<ul style="list-style-type: none"> ■ Rush Hour Service ■ AM: 20 SB ■ PM: 22 NB ■ Midday: 1 SB/1NB 	<ul style="list-style-type: none"> ■ No-Build: no change ■ Other alignments: Route 781 becomes local service that connects to LRT Stations
Maple Grove Transit 782	<ul style="list-style-type: none"> ■ Rush Hour Service ■ AM: 5 SB ■ PM: 5 NB 	<ul style="list-style-type: none"> ■ A-C-D1 and A-C-D2: local route serving Hemlock Lane LRT Station and Maple Grove Transit Station
Maple Grove Transit 785	<ul style="list-style-type: none"> ■ Rush Hour Service ■ AM: 8 SB ■ PM: 7 NB 	<ul style="list-style-type: none"> ■ Add trips
Maple Grove Transit 787	<ul style="list-style-type: none"> ■ Flex Route Service ■ PM: 3 NB 	<ul style="list-style-type: none"> ■ No-Build: no change ■ Other alignments: route eliminated
Maple Grove Transit 788	<ul style="list-style-type: none"> ■ Rush Hour Service ■ AM: 4 NB ■ PM: 5 SB 	<ul style="list-style-type: none"> ■ Add trips on all service, connect to LRT stations where applicable

¹ Midday is between the hours of 9 am and 3 pm.

Comment #2

See cut image below from page 3-8. The City of Maple Grove would reserve the right to conduct further research on the feasibility of the proposed Route 732 and to be the operator of that route if it decides the route should be implemented. The implementation would be contingent on additional funding being provided.

Table 3.1-2. End-to-End Travel Times for Enhanced Bus/TSM and Build Alternatives

Alternative	From	To	Travel Time	
Enhanced Bus/TSM	Route 731 ¹	Oak Grove Parkway	5th St/Marquette Ave	0:48:44
	Route 732 ¹	Maple Grove Transit Station	5th St/Marquette Ave	0:50:50
A-C-D1	Hemlock Lane	5th St/Nicollet Mall Station	0:29:20	
A-C-D2	Hemlock Lane	5th St/Nicollet Mall Station	0:33:19	
B-C-D1 (Preferred Alternative)	Oak Grove Parkway	5th St/Nicollet Mall Station	0:32:47	
B-C-D2	Oak Grove Parkway	5th St/Nicollet Mall Station	0:36:46	

¹ Routes 731 and 732 are new services in the Enhanced Bus/TSM alternative designed to provide reverse commute and intra-corridor access along the Bottineau Transitway between downtown Minneapolis and Brooklyn Park (Route 731) and Maple Grove (Route 732), supplementing the existing express and limited stop service.

Comment #3

See cut image below from page 10-7. The City of Maple Grove reiterates the statements from above related to page 3-7 given the adopted LPA and how it impacts table 10.2.2. The City of Maple Grove would like to further understand the cost figures listed for the various scenarios, especially the LPA.

Table 10.2-2. Operations & Maintenance Cost Summary (in 2013 dollars¹ over No-Build)

Inputs	Enhanced Bus/TSM	A-C-D1	A-C-D2	B-C-D1 (Preferred Alternative)	B-C-D2
Metro Transit Bus	\$14,188,393	\$3,617,476	\$3,617,476	\$2,314,283	\$2,314,283
Met Council (Contracted) Bus	\$876,646	\$1,005,793	\$1,005,793	\$876,646	\$876,646
Maple Grove Transit Bus	\$2,228,636	\$2,949,539	\$2,949,539	\$2,228,636	\$2,228,636
LRT ² - Bottineau Transitway Only	\$0	\$25,201,860	\$26,657,641	\$27,120,249	\$28,254,739
Total	\$17,293,675	\$32,774,668	\$34,230,449	\$32,539,814	\$33,674,304

¹ O&M costs depicted in this section are based on actual 2010 expenses, consumption, and productivity factors and inflated to 2013 dollars using an annual inflation factor of three percent.

² Does not include costs related to Hiawatha LRT operations

Comment #4

On Pages 11-9 and 11-10, the document includes the following:

- *While Alternative A-C-D1 and A-C-D2 would have generally good transportation performance, there is uncertainty as to whether or not existing commuter express riders would choose to move from the current Maple Grove express bus service to LRT service, given the high quality of that current service. If this were the case, not all of the ridership benefits*

The above bulleted statement further reinforces the City of Maple Grove's above comments that we would not alter any of its Maple Grove Transit express routes given the approved Bottineau line alignment/LPA. If the EIS documents includes concern about Maple Grove express bus riders foregoing their bus option over a rail option that is located in their City, it would be feasible to conclude they would even be less likely to give up their bus option for a rail option that is in Brooklyn Park (the LPA option).

From: [Patrick Peters](#)
To: [Bottineau Transitway/Hennepin](#)
Subject: City of Crystal DEIS Comments
Date: Wednesday, May 21, 2014 2:01:48 PM
Attachments: [2014.05.21 DEIS Comment Letter Executed.pdf](#)

Communication #104

A hard copy of the attached letter is going out in today's mail, but I thought you might appreciate having the .pdf as well.

Thanks.

Patrick A. Peters
Community Development Director
City of Crystal
763.531.1130
patrick.peters@crystalmn.gov



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Tel: (763) 531-1000 • Fax: (763) 531-1188 • www.crystalmn.gov

May 21, 2014

Attn: Bottineau Transitway
Hennepin County Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis MN 55415

Re: City of Crystal's Formal Comments on Bottineau Transitway DEIS

Dear Sir or Madam:

In accordance with the parameters of the DEIS process, it is appropriate that the City of Crystal offer comments specific to the potential impacts that the construction and operation of the Bottineau LRT may have on the city and its residents. Following discussion at the May 20 Council Work Session, staff has prepared these comments that itemize the primary issues associated with the Bottineau line's planned route through Crystal and for which satisfactory mitigation measures will need to be identified in the FEIS and planned for implementation during the Project Development phase. The impacts identified in the DEIS that are of particular interest to Crystal are noise, vibration and traffic.

Noise

- With regard to the projected noise impacts along the that portion of the C Alignment in Crystal, the report indicates that there are a significant number of adjacent noise sensitive land uses that are predicted to experience noise impacts from LRT construction and operation, if unmitigated. A total of approximately 246 dwelling units (single-family, 2-family and apartment units) are assumed to have "severe" impacts from noise. While there are some anticipated impacts associated with construction noise, the DEIS does acknowledge the city's noise ordinance restrictions in that regard, and the construction activity is temporary.

The predicted operational noise impacts that are of profound concern to the City are those most directly associated with the sounding of a train horn in advance of at-grade crossings at Corvallis and West Broadway, where the train is operating in excess of 45 miles per hour. Noise from the sounding of a train horn is particularly concerning at or near those two crossings because it poses an increase to the baseline noise within what are predominantly residential neighborhoods.

In addition, the impacts associated with the horn are intensified by the number of train trips through these crossings as shown by the service schedule in the report, which is assumed to be:

- Early morning (4:00–6:00 a.m.): every 20-30 min.
- Peak periods (6:00–9:00 a.m. and 3:00 – 6:30 p.m.): every 7.5 min.
- Midday (9:00 a.m.–3:00 p.m.) and Evening (6:30-10:00 p.m.): every 10 min.
- Late evening (10:00 p.m.– 2:00 a.m.): every 30 min.

In keeping with DEIS preparation protocol, the report identifies a range of noise mitigation measures that may have varying levels of effectiveness in reducing the severity of the predicted impacts. *Table 5.6-8 Proposed Noise Mitigation Measures for Operational Impacts* identifies various potential noise mitigation methods that may be considered, including *the establishment of quiet zones, which the City contends will be the most effective method within the Crystal segment of Alignment C*. The report states that the request for quiet zones for at-grade crossings must be initiated by the respective municipality. However, it also states that “...the municipalities may also be required to provide improvements at grade crossings such as modifications to the streets, raised medians, warning lights, and other devices.” It appears reasonably justified from the City’s perspective that, *while the city will certainly work with responsible agencies on the quiet zone requests, any and all costs associated with quiet zone improvements must be borne by the project and not by the City.*

- With regard to the proposed crossing at West Broadway, the Crystal Comprehensive Plan (relevant excerpt enclosed) contemplates Hennepin County-initiated discussions with regard to removing that part of West Broadway (CSAH 8) south of Douglas from the county road system and subsequently whether the West Broadway s-curve crossing of the BNSF tracks at 48th Avenue North either ought to be reconstructed as is, reconfigured, replaced by a crossing in a different location or eliminated. *The Bottineau project should incorporate this roadway evaluation into the FEIS and Project Development phase to determine the feasibility of eliminating the rail crossing at West Broadway, thereby eliminating one of the two potential crossings in Crystal needing quiet zone treatment.*
- Finally, also regarding *Figure 22: Alignment C Noise Impact Locations*, there are two commercial/industrial properties misidentified as residential (the vacant industrial property at 5216 Hanson Ct and the vacant commercial property at 4940 West Broadway), and one commercial property (4947 West Broadway) that as of May 8, 2014, is no longer a church and will be developed for the City’s a new Public Works facility. *These three properties should no longer be included in the list of properties with potential for severe impacts from noise.*

Vibration

- According to the DEIS, typical GBV levels from common sources range from imperceptible background vibrations of approximately 50 VdB to 100 VdB, the threshold for structural damage. Annoyance is reportedly not significant unless the vibration exceeds 70 VdB. Typical rapid transit GBV is around 70-72 VdB.

Four residential properties (classified as “Category 2” uses) in Crystal have been identified as having potential for impacts from vibration (Figure 39 in the Technical Report) in the range of 72-90 VdB, depending on proximity to the track centerline. There are various mitigation measures identified in the study that can be implemented in the Crystal segment, but the report specifically discusses

“...modification or relocation of crossovers between Corvallis Avenue North and West Broadway Ave....as well as installation of track vibration isolation treatment.”
The Bottineau project should incorporate successful vibration mitigation measures for evaluation in the FEIS and during Project Development.

Traffic

- The only transit station proposed in Crystal will be located within the BNSF railroad right-of-way just south of Bass Lake Road. The current proposal for this station does not contemplate any park and ride or kiss and ride facilities. If this is to be the case, it is reasonable to expect that, without appropriate design considerations that anticipate such activity, some vehicles will drop off and pick up transit riders by stopping on Bass Lake Road and Bottineau Boulevard, thus obstructing traffic flow.

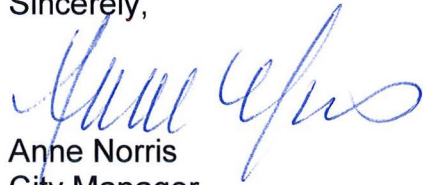
The DEIS points out that station area plans, which would include the park and ride facilities (and presumably kiss and ride facilities, as well) have not been developed but *would include a full traffic analysis of such facilities*. The DEIS states that roadway improvements such as turn lanes or additional intersection controls may be needed to accommodate the additional traffic generated. Similarly, *the station area planning effort for the Bass Lake Road station, the FEIS and Project Development all need to include a detailed analysis that satisfactorily addresses the potential adverse impacts associated with the lack of an off-street drop off or parking area that can support the station without compromising traffic operations.*

- With regard to pedestrian crossings, the DEIS proposes that new or improved sidewalk crossings of the railroad corridor are to be included in the final design of the Bass Lake Road, Corvallis Avenue (replacing existing sidewalk on south side of roadway) and West Broadway Avenue crossings in Crystal. As an example, residents east of West Broadway between Corvallis and 47th Avenue North will need to be assured of safe crossing of the Transitway to access Welcome Park and points west. *The City looks forward to participating in the process to ensure that Crystal residents will have safe pedestrian facilities to access the station and that connect neighborhoods across the rail corridor.*
- The City is concerned that, with the frequency of trains and the regular closing of major crossings such as at Bass Lake Road, there is the potential for adverse impacts to public safety services, such as increased response time, reduced access and increased costs. *The pending traffic analysis must address and mitigate these possible impacts.*
- The City also is concerned that access to Bottineau Boulevard for residents north of the Canadian Pacific (CP) Rail will be compromised by the gated crossing at Bass Lake Road. Frequently the east-west CP Rail traffic blocks Douglas Drive and West Broadway. This forces residents north of the CP Rail to use Bass Lake Road to access Bottineau Boulevard and points south; and with the gates activated for LRT at the Bass Lake Road crossing, it may impose considerable traffic delays and queuing on Bass Lake Road that may take an inordinate amount of time to clear. *The pending traffic analysis must also address and mitigate these possible impacts.*

- Finally, the City expects that the FEIS and Project Development phases will be sensitive to any adverse impacts on the Crystal business community that may be caused by construction of the Transitway and that there will be *plans and programs in place to mitigate any anticipated adverse impacts.*

The City appreciates the opportunity to review and offer its formal comments on the Bottineau Transitway DEIS.

Sincerely,



Anne Norris
City Manager

Enclosure

cc: Patrick Peters, Community Development Director
Tom Mathisen, City Engineer
Mayor and City Council
Crystal Planning Commission

From: [Leone, Renay](#)
To: [Bottineau Transitway/Hennepin](#)
Cc: [Youngquist, Jan \(jan.youngquist@metc.state.mn.us\)](mailto:jan.youngquist@metc.state.mn.us)
Subject: MPRB Comment Letter to Bottineau LRT DEIS
Date: Tuesday, May 27, 2014 11:23:28 AM
Attachments: [MPRB BLRT DEIS Comment Letter.pdf](#)

Please contact me if you have any questions about this letter. I am also sending a hard copy to your mailing address.

Renay Leone
Real Estate Planner
Minneapolis Park & Recreation Board
2117 West River Road North
Minneapolis, MN 55411-2227

612-230-6477 direct
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Minneapolis Park and Recreation Board Bottineau Transitway DEIS Comment Letter

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Transmittal Letter

May 21, 2014



Administrative Offices
2117 West River Road
Minneapolis, MN 55411-2222

Operations Center
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Hennepin County
Housing, Community Works & Transit
ATTN: Bottineau Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Re: Minneapolis Park and Recreation Board Comments on the Bottineau Transitway Draft Environmental Impact Statement

Dear Project Manager:

The Minneapolis Park and Recreation Board (MPRB) welcomes this opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the Bottineau Transitway (LRT) project. Furthermore, the MPRB is obligated to ensure that parks and trails and the interests of current and future park and trail users are not substantially impaired by the project. MPRB prepared the following comment letter for Segment D1 of the Locally Preferred Alignment (LPA) for the project. It contains the MPRB's desired outcomes for the project relative to historical, cultural, visual, recreational, social, environmental, and safety impacts on the park and recreation resources it owns, manages, or maintains.

There are several overarching messages the MPRB wishes to express regarding the Bottineau Transitway:

- MPRB, in general, is supportive of light-rail transit.
- MPRB disagrees with the *de minimus* finding for Section 4(f) in relation to Theodore Wirth Regional Park.
- The DEIS does not provide adequate information for the MPRB to concur or disagree with the Environmentally Preferred Alternative designation that has been applied to the LPA.
- Current park development adjacent to Segment D1 has an open and natural character that includes portions of the Grand Rounds Historic District, Theodore Wirth Regional Park, Theodore Wirth Parkway, Theodore Wirth Parkway Trail (bicycle and pedestrian), Valley View Park and Bassett's Creek Park. Park design in this area focuses on serenity, habitat restoration, minimal development, and passive recreation. To retain the area's character the water table levels and quality, cultural landscape, habitat, and open space must be protected and preserved.
- Several topics of keen interest to the MPRB, including wetland, floodplain and stormwater impacts, as well as noise, vibration, and visual impacts, are noted in the DEIS as requiring further analysis during preliminary engineering. To monitor and protect the parks, trails, and

President
Liz Wielinski

Vice President
Scott Viewland

Commissioners
Brad Baum
John Erwin

Meg Formey
Stefanie Musolf

Jan C. Olson
Anita Tabb

M. Annie Young
Superintendent
Jayne Miller

Secretary to the Board
Patricia Birch



recreation areas of this project that are within its jurisdiction, the MPRB expects to have a central role in the design of Segment D1.

Thank you for this opportunity to comment on the DEIS for the LRT. If you have any questions, please do not hesitate to contact Jennifer Ringold, Director of Strategic Planning, at 612-230-6464 or jringold@minneapolisparcs.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Wielinski", with a long horizontal flourish extending to the right.

Liz Wielinski

President, Minneapolis Park and Recreation Board

Introduction

The Minneapolis Park and Recreation Board (MPRB), a semi-autonomous government agency, was established in 1883 by the Minnesota State Legislature. It owns, operates, or maintains park land within the cities of Minneapolis, Golden Valley, Richfield, Robbinsdale, Saint Louis Park, and Saint Anthony. The MPRB is also one of 10 regional park implementing agencies that works with the Metropolitan Council to acquire and develop parks and trails to protect natural resources and provide outdoor recreation for public enjoyment in the Metropolitan Area.

In 2013, the MPRB celebrated 130 years of providing outstanding park and recreation services to residents and visitors of Minneapolis. In citywide surveys, residents often remark that the Minneapolis park system is essential to their quality of life and to the identity of the city. Founders of the system, such as H. W. S. Cleveland and Theodore Wirth, understood the role parks play in a healthy, livable, and balanced city. They made preserving land for future generations a priority. Their success shaped the character of Minneapolis and continues to improve people's lives.

Segment D1 and Segment D common of the Locally Preferred Alternative (LPA) of the Bottineau Transitway (LRT) and its station areas include, cross, and are adjacent to neighborhood and regional parks and regional trails that are owned or maintained by the MPRB. These include the following:

- Grand Rounds National Scenic Byway
- Theodore Wirth Regional Park
- Theodore Wirth Parkway
- Theodore Wirth Parkway Trail (bicycle and pedestrian)
- Wirth/Memorial Parkway Regional Trail (bicycle and pedestrian)
- Valley View Park
- Basset's Creek Park
- Trunk Highway 55 Trees

With its extensive land holdings and maintenance responsibilities, the MPRB is obligated to identify the historical, cultural, visual, recreational, social, environmental, and safety issues and impacts related to Segment D1 of the LPA and ensure that these parks, trails, and the current and future interests of park and trail users are protected.

Comment Letter Structure

Beginning with the entire corridor, the content of this comment letter is organized by location from north to south, as shown in the Table of Contents.

Within the location sections, the comments focus on the topics affected by the proposed corridor. They include the following subsections:

- **Location and Description:** This describes the location and why it was selected by the MPRB for DEIS comments.
- **Issues:** The issue and why it is important at the particular location is described. For each issue, the MPRB then provides one or more of the following:
 - **Outcomes:** Critical *outcomes* that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.
 - **Statements:** MPRB's adopted positions on critical issues or processes that must be resolved, reconciled, reevaluated, or otherwise included in near-term design work and decision-making.
 - **Corrections:** Identified errors in the DEIS that must be corrected for the FEIS and subsequent work. These will be found in Appendix A and will be noted by section and page number for easier reference.

1 Corridor Segment D1

1.1 Location and Description

This section includes issues and outcomes that apply to all or most to Segment D1, the portion of the locally preferred alternative where the majority of affected Minneapolis Park and Recreation Board property is located. The sections that follow this focus on issues and outcomes that are specific to certain locations and topics.

1.2 Significance of Theodore Wirth Regional Park and the Grand Rounds

Theodore Wirth Regional Park and the Grand Rounds were conceived and designed in the early days of the Minneapolis Park and Recreation Board. This historically significant park and park system are a unique designed cultural landscape in terms of size and scale, as well as its connection of the various park components to each. Significant contributing features and linked amenities and features include the Minneapolis Chain of Lakes, Minnehaha Regional Park, and of course Theodore Wirth Regional Park. The eastern portion of Theodore Wirth Regional Park, which abuts the proposed D1 alignment, is known for its especially quiet and natural character and is enjoyed by thousands seeking a more passive recreational experience in the middle of a bustling urban community.

Below is the outcome that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 1.2.1 **Outcome:** Theodore Wirth Regional Park and the Grand Rounds must be separated from visual, noise, functional and other impacts which would significantly change or detract from the natural, quiet and scenic character of the park.

1.3 Design Character

The park land the MPRB owns, manages, and maintains adjacent to the corridor is classified as a regional park. A regional park according to the Metropolitan Council's 2030 Regional Parks Policy Plan is "area of natural or ornamental quality for nature-oriented outdoor recreation such as picnicking, boating, fishing, swimming, camping, and trail uses."

The MPRB recognizes that current development and public use of Segment D1 of the corridor within Minneapolis and Golden Valley from Trunk Highway 55 to Golden Valley Road has an open and natural area character that includes portions of the Theodore Wirth Regional Park. Portions of this area are within the Grand Rounds Historic District that is eligible for the National Register of Historic Places. Park design in this area focuses on serenity, habitat restoration, minimal development, and passive recreation. Minimizing impacts to water table levels and quality, cultural landscapes, habitat, and open space will be critical to retaining this area's character. LRT and station area design that is sensitive to these issues is essential to protect the activities, features, and attributes of the park land in this corridor.

Below are the critical outcomes that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 1.3.1 **Outcome:** Theodore Wirth Regional Park and adjoining park land remains a quiet, tranquil, serene, and natural park destination.
- 1.3.2 **Outcome:** Permeable paving materials are incorporated to reduce stormwater impacts to park land when hard surfaces are added by the project.
- 1.3.3 **Outcome:** The portion of Theodore Wirth Regional Park lying adjacent to Segment D1, continues to be used by those who desire a park experience in this natural, quiet setting.

1.4 Issue: Section 4(f) Analysis – Park land

A primary concern for the MPRB is protecting park land and recreational opportunities within and adjacent to the corridor for current and future generations. Chapter 8 of the DEIS contains the Section 4(f) evaluation of the project. It identifies potential permanent use, temporary use, and constructive use of park land for the project.

Overall, the DEIS indicates a *de minimis* Section 4(f) finding for Theodore Wirth Regional Park. For Segment D1 of the LPA it shows that up to one acre of parkland may be needed for permanent use for either the Plymouth Avenue/Theodore Wirth Regional Park station or the Golden Valley Road station, and a temporary easement is expected to be required at the intersection of the corridor and TH 55. But, the DEIS does not determine whether any constructive uses will be needed. The MPRB concludes that sufficient design and research has not been conducted for it to comment on constructive uses at this time.

Permanent and Temporary use: Within an urban setting continuous park land and linear corridors are critical to habitat management and connectivity for park users.

Constructive use: The DEIS articulates (8.1) that “use” of a Section 4(f) resource occurs when, among other things, “There is no permanent incorporation of land, but the proximity of a transportation facility results in impacts so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired (e.g., ‘constructive use’).” Based on this definition, the MPRB anticipates that park land and park users may experience long-term impacts of the LRT due to noise, vibration, visual impacts, and negative wetland, floodplain and stormwater effects. Park lands that are eligible for the National Register of Historic Places are considered especially vulnerable to these impacts. Depending on final design, these impacts may be so severe that they would constitute a *constructive use* of protected properties under Section 4(f) regulations.

Below are the critical statements and outcomes that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 1.4.1 **Statement:** The MPRB does not agree with a *de minimis* section 4(f) finding for Theodore Wirth Regional Park due to lack of information in several areas including, location of proposed wetland and floodplain mitigation, lack of category 1 noise analysis, and lack of analysis of constructive uses for Theodore Wirth Regional Park.
- 1.4.2 **Statement:** As the design progresses, park lands must be evaluated under Section 4(f) to identify all permanent and temporary uses.
- 1.4.3 **Statement:** As the design progresses, park lands must be re-evaluated under Section 4(f) to determine whether there are constructive uses of park land due to long-term noise, vibration and visual impacts, potential impacts to wetlands and floodplains within the park, and potential stormwater impacts.
- 1.4.4 **Statement:** As the design progresses, park lands must be re-evaluated under Section 4(f) to determine whether there are constructive uses of park land due to long-term impacts on the cultural characteristics of the parks, with attention focused on those that are considered eligible for the National Register of Historic Places.
- 1.4.5 **Outcome:** Park land along the corridor is preserved in the same or better condition.
- 1.4.6 **Outcome:** Park property is not used permanently as part of LRT development.

1.1 Issue: Section 4(f) Analysis/Section 106 Consultation – Cultural Resources

The MPRB is concerned about preserving the historic character of the Theodore Wirth Regional Park and Theodore Wirth Parkway in their critical role within the Grand Rounds. The Park is part of the Grand Rounds Historic District that is eligible for the National Register of Historic Places. While the DEIS notes that these issues will be addressed during preliminary engineering, the MPRB is concerned that they receive the most serious attention very early in the process.

The viewshed to and from the Chalet and other features within Theodore Wirth Regional Park are important to the park experience. The MPRB is concerned about the impacts on park land and users of the parks and trails by visual impacts of the LRT. These concerns include the impacts on view sheds within and outside of the parks, especially those that are part of the Grand Rounds Historic District, which is eligible for listing on the National Register of Historic Places.

The cultural and archaeological resources of Theodore Wirth Regional Park and park land adjacent to Segment D1 are critical to the Section 4(f) and the Section 106 review of the LRT project. Due to the current level of design and 106 review, it is difficult to comment on all points of this issue. However, the analysis so far does not acknowledge the cultural landscape aspect of the Grand Rounds. This network of landscapes connected to each other by parks, scenic roadways and natural areas is unique and therefore deserving of particular attention to the whole, rather than simply each part or feature on its own.

Below are the critical statements and outcomes that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 1.1.1 **Statement:** A number of archaeological features within Theodore Wirth Regional Park and adjoining areas were not discussed in the DEIS. Further research is needed to properly document all appropriate structures.
- 1.1.2 **Statement:** The Section 4(f) and Section 106 reviews need to evaluate the impacts to the cultural landscape of Theodore Wirth Regional Park and Bassett's Creek.
- 1.1.3 **Statement:** The impacts to the cultural resources within Theodore Wirth Regional Park are under-represented in the DEIS from a construction and operation perspective. Further research is needed to properly document impacts, especially in terms of noise, impacts on users, and cultural landscapes.
- 1.1.4 **Outcome:** Architectural areas of potential effect include entire park parcels where the intent of the parkland was preservation of a viewshed such as in Valley View/Glenview Terrace Park.
- 1.1.5 **Outcome:** The protection of the entire parkland viewshed shall be considered, from sunset hill (at 26th Av. N.) on Theodore Wirth Parkway through Valley View/Glenview Terrace Park.
- 1.1.6 **Outcome:** Assessment and prevention of impacts to cultural landscape features of the Grand Rounds Historic District will be done holistically, considering the overlapping of assets to avoid or mitigate impacts.
- 1.1.7 **Outcome:** Support and safety structures, as well as final transitway station designs, are harmonious, beautiful, and both historically and context sensitive.
- 1.1.8 **Outcome:** Wetland, floodplain or stormwater mitigation practices applied to the corridor protects the historic cultural landscape of Theodore Wirth Regional Park and Bassett Creek.
- 1.1.9 **Outcome:** The visual impact of the LRT and related infrastructure is minimized for trail and park users and honors the historic character of the Grand Rounds where it crosses or abuts the Grand Rounds.
- 1.1.10 **Outcome:** The train and station area lights have minimal visual impacts on trail and park users.

1.2 Issue: Environmentally Preferred Alternative

The DEIS indicates that the LPA is also the Environmentally Preferred Alternative. The MPRB is concerned that this designation has been articulated before the impacts on parklands it owns and manages can be fully evaluated, especially in relation to wetland and flood plain mitigation, stormwater, and noise.

Below is the critical statement that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 1.2.1 **Statement:** The MPRB concludes that sufficient design and research has not been conducted for it to articulate whether it concurs with the finding that the LPA is also the Environmentally Preferred Alternative.

1.3 Wetland/Floodplain/Stormwater

The DEIS indicates that MPRB property may be needed for flood plain and wetland mitigation, but does not provide details about location or design. The MPRB concludes that sufficient design and research has not been conducted for it to articulate whether any mitigation of floodplain or wetland on MPRB land would be reasonable.

Areas within Theodore Wirth Regional Park adjacent to Segment D1 that contain natural and constructed wetlands and flood plains that filter the water coming from the railroad bed and adjacent properties. Some of this area consists of wet meadow, a particularly high quality and important area for wildlife and for the preservation of water quality. Because the existing wetlands and floodplain areas are helpful in filtering water that runs into Wirth Lake, the MPRB is concerned that additional water on the property could hinder the filtering efforts.

Below are the critical statements and outcomes that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 1.3.1 **Statement:** Wetland and floodplain mitigation locations and design option within Theodore Wirth Regional Park need to be identified and evaluated under Section 4(f) and Section 106.
- 1.3.2 **Outcome:** The project's stormwater design does not increase the volume of runoff or pollutant loads in water bodies owned and/or managed by the MPRB.
- 1.3.3 **Outcome:** Wetland, floodplain or stormwater mitigation practices applied to the corridor protect water table levels and habitat within the park land that are dependent on those water levels.
- 1.3.4 **Outcome:** Wet meadow areas within Theodore Wirth Regional Park are high quality wildlife habitat and provide high quality water filtration benefits.
- 1.3.5 **Outcome:** Any mitigation of wetland on MPRB land shall be type-for-type.
- 1.3.6 **Outcome:** Any mitigation of floodplain on MPRB land shall use BMPs and will not impair existing recreation activities.

1.4 Issue: Noise and Vibration

The MPRB is concerned about LRT noise and vibration impacts on park lands and park and trail users due to the high number of trains that will travel through the corridor daily. An increase from a few freight trains per day to hundreds of LRT trains will dramatically increase the amount of time that park and trail users are exposed to noise and vibration. This could substantially diminish the park and recreation experience for park and trail users.

For noise, the MPRB is particularly concerned that park lands in the corridor are erroneously classified as a Category 2 land use. In FTA's land use categories for Transit Noise Impact Criteria, Category 2 is most commonly associated with residences and building where people sleep. By contrast, Category 1 is for tracts of land where quiet is an essential element in their intended purpose. This category includes lands set aside for serenity and quiet, and such land uses as outdoor amphitheaters and concert pavilions, as well as National Historic Landmarks with significant outdoor use. Category 1 is more closely aligned with the regional park classification that applies to the majority of park land in the area.

Though sound has been measured at the Chalet in Theodore Wirth Regional Park and in one other Theodore Wirth Regional Park location, vibration has not been addressed since vibration is only considered relevant inside buildings near transit project. Nevertheless, we are concerned about the effects of both sound and vibration, during construction and long-term, on our park lands, structures and other features.

The DEIS makes several references to this issue, including the following:

- Table 5.6-4 – This table indicates that receptors placed in Theodore Wirth Regional Park were Category 2 and 3.
- 5.6.4.1 – This section indicates that MPRB concurs that the park is meant for active-use.
- 5.6.5 – Discusses mitigation measures for operational noise, including noise barriers in Corridor Segment D1

Below are the critical statements and outcomes that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 1.4.1 **Statement:** Category 1 is most consistent with the type of park land the MPRB owns or maintains adjacent to or within Segment D1. Noise impacts for these park lands and its users must be re-evaluated under the standards set for Category 1.
- 1.4.2 **Statement:** Theodore Wirth Regional Park has limited areas of active recreation. Section 5.6.4.1 indicates that the MPRB views the entire park as being meant for active-use and that it is not sensitive to noise impacts. The MPRB disagrees with this statement. Theodore Wirth Regional Park should be considered for sensitive noise impacts.
- 1.4.3 **Statement:** The JO Rivers Garden feature in Theodore Wirth Regional Park is an educational as well as recreational amenity visited regularly by school children and especially at risk for detrimental effects from noise and vibration associated with BLRT.
- 1.4.4 **Outcome:** The vibration impacts are minimized for park users.
- 1.4.5 **Outcome:** The noise impacts are minimized for park users and do not exceed the noise standards set for Category 1.
- 1.4.6 **Outcome:** Technology that reduces track noise and vibration are incorporated into transitway design and construction.

1.5 Issue: Trail access, use, and maintenance

The MPRB owns and maintains a trail that runs along the western boundary of the Segment D1 corridor and crosses onto BNSF property. This portion of Theodore Wirth Regional Park that is adjacent to Segment D1 is used daily, year-round by hikers, walkers, skiers and bikers. The MPRB is concerned that the LRT frequency and speed will impact this trail and users by reducing access to the trail from local neighborhoods and park lands, introducing use/user conflicts and safety problems, and making the trail more difficult to maintain year-round. The MPRB is also concerned about ensuring that people from throughout the community can access the park and the Luce Line Regional Trail from this trail, and that the trail remains fully functional.

Below are the critical outcomes that the MPRB has adopted and must be addressed in the FEIS and preliminary

engineering.

- 1.5.1 **Outcome:** Communities on the east side of the LRT safely and easily access the Luce Line Regional Trail at Highway 55.
- 1.5.2 **Outcome:** Communities on the east side of the LRT can access Theodore Wirth Regional Park and the trail that follows the east side of the park along the corridor.
- 1.5.3 **Outcome:** There is adequate access to the Theodore Wirth Regional Park from the east side of the LRT tracks, and access points are a reasonable walking distance apart.
- 1.5.4 **Outcome:** The trail design meets the needs of current and projected users.
- 1.5.5 **Outcome:** Bicycle and walking trail users have a positive, linear park-like experience, including being free of obstructions, having a 2-foot or greater buffer on each side of all trails, and retaining a sense of connection to open space.
- 1.5.6 **Outcome:** All trail connections are maintained or improved.
- 1.5.7 **Outcome:** At all points along the corridor, and especially at the narrowest locations, sufficient space remains for the Luce Line Regional Trail and the trail that runs along the east side of Theodore Wirth Regional Park, trail users, and year-round maintenance vehicles and crews.

1.6 Issue: Construction

Trail users rely on high quality trail facilities year round for recreation and commuting. A detour that requires significant rerouting of trail users or an extended closure of a trail will be a barrier to trail users on the western side of Minneapolis and the metro area.

Construction can result in extensive damage to vegetation and trees through removals and introduction of invasive species. The former results in a diminished quality of the park and recreation experience for trail and park users, the latter results in long-term habitat management issues for MPRB staff. Additionally, construction can result in the altering the ground and surface water levels and quality if Best Management Practices (BMPs) are not implemented.

Below are the critical outcomes that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 1.6.1 **Outcome:** Surface and groundwater quality is protected during construction.
- 1.6.2 **Outcome:** Reasonable and safe alternative routes are provided for trail users when sections are closed during construction.
- 1.6.3 **Outcome:** Any flora that is lost to construction or LRT use is replaced with flora that is in accordance with MPRB plans, with monitoring through a plant survey and replacement for five (5) years after construction is complete.
- 1.6.4 **Outcome:** Soils and slopes are stabilized during construction.
- 1.6.5 **Outcome:** Construction dewatering protects water table levels and habitat within park lands that is dependent on those water levels.
- 1.6.6 **Outcome:** Construction practices prevent introduction of new invasive species to park lands and waters.

1.7 Issue: Connectivity and recreational use

Trail access is necessary for people who are walking, riding, or skiing, or who are making their way to other recreational opportunities within Theodore Wirth Regional Park or adjacent parks such as Bassett's Creek Park, Luce Line Regional Trail, and others.

Below is the critical outcome that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 1.7.1 **Outcome:** Users have access to Theodore Wirth Regional Park, Bassett's Creek Park, Luce Line Regional Trail, and other connecting recreational opportunities.

1.8 Issue: Environmental and Habitat Impacts

Theodore Wirth Regional Park and adjacent park lands provides a wildlife corridor along waterways and a string of parkland areas that allows people living in the area or visiting the park to experience wildlife in a more natural setting than is typically available in this urban setting. The wildlife habitat is beneficial to both the wildlife that lives or migrates through the area, as well as the people who live nearby or visit the park. Within the park there are several critical habitats to protect, including a stand of native oak trees near the proposed Golden Valley Road Station. The MPRB is concerned about protecting these habitats by design, through the construction process, and during operation of an LRT in Segment D1.

Bassett Creek is part of a wildlife corridor that stretches from the Mississippi River upstream to Medicine Lake. Impacts to the area as a wildlife corridor need to be considered, as well.

Below are the critical outcomes that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering

- 1.8.1 **Outcome:** The current wildlife habitat character of Theodore Wirth Regional Park, Bassett Creek Park and Valley View Park is sustained.
- 1.8.2 **Outcome:** Parkland adjacent to alignment is maintained in its natural open space character for enjoyment and exploration by park visitors.
- 1.8.3 **Outcome:** No net loss to potential Blanding's turtle habitat in Bassett Creek and adjacent open water.
- 1.8.4 **Outcome:** Oak trees near the proposed Golden Valley Road station are preserved.

2 Corridor Segment D Common

2.1 Issue: Protection of Bassett's Creek Park

Bassett's Creek Park is a consciously preserved natural landscape which serves as an important refuge, buffer and natural habitat with passive recreation features. Users of the existing trail currently enjoy a quiet area with infrequent freight rail use and impacts. While portions downstream are channelized, Bassett Creek along the corridor maintains higher water quality and minimal detrimental impacts. The MPRB is concerned that Bassett's Creek Park retain its open and natural feel. A large part of this park's character is historic as well as a highly valued native plant and habitat area.

Below are the critical outcomes that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 2.1.1 **Outcome:** Maintain or improve water quality of Bassett Creek.
- 2.1.2 **Outcome:** The natural and quiet character of Bassett's Creek Park is not negatively impacted by LRT.
- 2.1.3 **Outcome:** Visual and noise impacts do not reduce the quiet natural character of Bassett's Creek Park.

2.2 Issue: Destruction of tree canopy and years of forestry research

For many years, MPRB has been the steward of all public trees in the City of Minneapolis and throughout the MPRB park system. Dutch Elm disease has wreaked havoc on many boulevards, medians and along parkways throughout the area. The trees planted since 2000 in the median of Trunk Highway 55, in conjunction with a long term study by natural resource professors and forestry students at the University of Minnesota, are a unique mixture of hybrid elms being evaluated for their long term potential as replacement elm trees in public settings. This study is being evaluated by forestry professionals across the country and its abrupt end will cut short the potential benefits that could have been realized from its long term completion and evaluation.

Below are the critical statements and outcomes that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 2.2.1 **Statement:** The planting of dozens of trees in the median of TH55 in the early 2000s are, in addition to a canopy that emphasizes the green space and character of the drive, are also part of a long term University of Minnesota forestry study, the results of which will be prematurely shortened by the BLRT construction and destruction of the trees. This needs to be reflected in future analysis of the impacts to this corridor.
- 2.2.2 **Outcome:** Replacement trees have similar character and potential for research purposes.

3 Environmental Justice

3.1 Issue: Park and trail access

For residents of neighborhoods to the east of the corridor, the railroad corridor as it exists has operated as a barrier to divide the neighborhoods from Theodore Wirth Regional Park. The LRT project has the potential of accentuating this division. The MPRB is concerned that there will be a separation of EJ communities residing in north Minneapolis neighborhoods to open space and recreation opportunities during construction and operating phases of LPA.

Below is the critical outcome that the MPRB has adopted and must be addressed in the FEIS and preliminary engineering.

- 3.1.1 **Outcome:** Enhance or sustain the ease of access and safe connection for residents in North Minneapolis neighborhoods to recreation opportunities offered within Theodore Wirth Regional Park.

Appendix A Corrections

Appendix A - Corrections and Omissions Minneapolis Park and Recreation Board - Bottineau DEIS Comment Letter				
Chapter	Section	Page No.	Corrections	Omissions
4	4.4	46		Architectural APE should include entire park parcels where the intent of the parkland was preservation of a viewshed as in Valley View/Glenview Terrace Park
4	4.4.3.1	46		Architectural APE research dates not indicated. Contributing features of the Grand Rounds district not indicated.
4	4.4.3.2	46		Archaeological APE research completed in November 2012 should have included the Germania Brewery site approved by SHPO in March 2012 (Two Pines 3-2012)
4	4.4.3.2	47		Visual inspection of archaeological APE on public park land was not addressed. It was not disclosed if the consultant conducted on site pedestrian surveys of park land.
4	4.4	page 51, Figure 4.4-4 and page 55, Figure 4.4-6	Grand Rounds-Theo Wirth section of the historic district boundary is incorrect. Theo Wirth Park NRHP district segment does not extend west of the extension of France Avenue (though there is parkland there it was acquired after the POS)	
4	4.4	page 51, Figure 4.4-4 and page 55, Figure 4.4-6	Grand Rounds-Theo Wirth section of the historic district boundary is incorrect. Theo Wirth Park NRHP district segment includes parcels east of the BN RR corridor both north and south of Plymouth Avenue	
4	4.4	page 51, Figure 4.4-4 and page 55, Figure 4.4-6		The overall park cultural landscape as well as contributing features within the park are not discussed or evaluated

Chapter	Section	Page No.	Corrections	Omissions
4	4.4	page 51, Figure 4.4-4 and page 55, Figure 4.4-6		Bassett Creek Park has also been recommended NRHP eligible (Blondo 2-2014)
4	4.4	page 51, Figure 4.4-4 and page 55, Figure 4.4-6		Archaeological NHR eligible site-Germania Brewery (Two Pines 3-2012) is not shown on the figure or included in the research
4	4.5	68	The waterbody named "Bassett Lake" does not exist. Lagoons in Bassett Creek are a cultural landscape feature created in the 1930s. The Lagoon North of Plymouth Ave station is Lagoon E	
4	4.5	68	2nd PP-Description of Bassett Creek meandering through a golf course is incorrect. The creek meanders through a distinct area of the park which contains a series of important natural areas with varied native plant communities including upland oak forest, wet meadow and riparian floodplain forest and meadow. This are is not part of a "golf course" but is important on its own as a natural habitat area.	

Chapter	Section	Page No.	Corrections	Omissions
4	4.5	69	<p>The description of Segment D Common does not signify the importance of the median elm trees to the character of this segment as a wide, grand city boulevard. While it is not an official parkway, it has parkway characteristics which make it a distinct landscape type, different from a typical highway, (which it is west of Theodore Wirth Regional Park). These remnant and hybrid elm specimens have been used for the past two decades for research on disease resistance. The median also includes some remnant elms which have natural resistance and may be important for future development of disease resistant cultivars. In addition, future expected loss of ash trees on side boulevards due to EAB will make the loss of middle-aged elms in the central median more pronounced. No trees will buffer or beautify this grand city boulevard.</p>	
4	4.5	71	<p>Glenview Terrace/Valley View Park determination of "minimal affect" is incorrect from MPRB's perspective. This parcel was acquired by Theodore Wirth as part of Theo Wirth Parkway primarily to preserve its viewshed. The viewshed begins at Sunset Hill overlook at 26th Ave N and the view terminates at the RR corridor. This viewshed will be highly impacted by temporary and permanent effects of the LRT project. High overhead lines will be visible and high frequency trains will be visible and likely be audible from the high vantage point at Sunset Hill</p>	
4	4.5	72	<p>Theodore Wirth Regional Park (omit Golf course)</p>	

<u>Chapter</u>	<u>Section</u>	<u>Page No.</u>	<u>Corrections</u>	<u>Omissions</u>
4	4.5	72	Theodore Wirth Regional Park is mischaracterized along the project corridor. This part of the park is not the golf course. It is a consciously preserved natural landscape which serves as an important refuge for park visitors, plants, and animals. It is a quiet buffer to the neighborhood and natural habitat with passive recreation features including a well-used trail. Current rail operation is so infrequent that this character has persisted and been planned since the early 1900s.	
4	4.5	72	Theodore Wirth Parkway impacts as per comments on Glenview Terrace/Valley View Park above	
4	4.5	72	Plymouth Avenue Bridge over Bassett Creek, Theo Wirth Park Trail and BNSF RR, the trail impact is omitted and this is a HIGH IMPACT AREA	

From: [Laszewski, Virginia](#)
To: [Bottineau Transitway/Hennepin](#); public.info@metc.state.mn.us
Cc: [Laszewski, Virginia](#)
Subject: Bottineau Transitway DEIS - EPA's DEIS comment letter, dated 05/27/2014
Date: Wednesday, May 28, 2014 10:43:03 AM
Attachments: [EPA-Bottineau-DEIS-Ltr-05-27-2014.pdf](#)

Please see attached pdf file for a copy of EPA's comments on the above referenced DEIS.

Thank you,

Virginia Laszewski
Environmental Scientist
US EPA, Region 5
Office of Enforcement and Compliance Assurance (OECA)
NEPA Implementation Section
77 West Jackson, Mail Code E-19J
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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77 WEST JACKSON BOULEVARD
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MAY 27 2014

REPLY TO THE ATTENTION OF:

E-19J

Marisol R. Simon
Regional Administrator
Federal Transit Administration
200 West Adams Street, Suite 320
Chicago, Illinois 60606

Communication #120

Brent Rusco
Senior Professional Engineer
Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis, Minnesota 55415-1843

Re: Draft Environmental Impact Statement – Bottineau Transitway, Hennepin County,
Minnesota. CEQ # 20140108

Dear Ms. Simon and Mr. Rusco:

The U.S. Environmental Protection Agency (EPA) has reviewed the Federal Transit Administration's (FTA) March 2014, Draft Environmental Impact Statement (DEIS) for the Bottineau Transitway Project. Our comments are provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act.

FTA, the Hennepin County Regional Railroad Authority (HCRRA) and the Metropolitan Council propose to construct and operate a light rail transit (LRT) project to improve transit service in the Bottineau Transitway Corridor in Hennepin County, Minnesota. The proposed Bottineau Transitway Project is a 13-mile corridor of transportation improvements that extends from downtown Minneapolis to the northwest, serving north Minneapolis, Golden Valley, Robbinsdale, Crystal, New Hope, Osseo, Brooklyn Park, and Maple Grove. The purpose of the project is to provide transit service that will satisfy the long-term regional mobility and accessibility needs for businesses and the traveling public. A No-build Alternative, an Enhanced Bus/Transportation System Management Alternative and four light rail transit alignment alternatives are evaluated in the DEIS. The DEIS identifies LRT Alternative B-C-D1 as the Preferred Alternative.

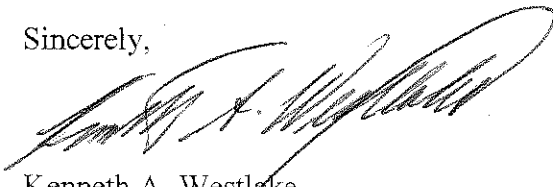
EPA rates the DEIS preferred alternative as "EC-2, Environmental Concerns-Insufficient Information." In order to fully assess environmental impacts, additional analysis regarding the vulnerability of water resources and biological resources should be undertaken. In order to fully protect the environment, additional avoidance, minimization and compensation mitigation measures should be identified in the Final EIS (FEIS). An explanation of our rating system can be found in the enclosure entitled, "Summary of Rating Definitions and Follow-Up Actions." Our detailed comments are enclosed.

In addition, EPA recommends the project proponents consider incorporating green building strategies into the Bottineau Transitway Project. By adopting green building strategies, the project proponents can maximize economic and environmental performance. Green building methods can be integrated into a project's facilities (e.g., transit stations, and operation and maintenance facilities) at any stage, from design and construction, to operation and maintenance.

EPA understands that the FTA environmental review will culminate in a combined FEIS/Record of Decision (ROD). We recommend FTA convene a participating resources agencies meeting to present and discuss FTA's proposed draft written responses to DEIS comments prior to FTA issuing an FEIS/ROD. This will allow the resources agencies an opportunity to react to the proposed responses to the agencies' DEIS comments and for revisions to be made (if appropriate) prior to release of the FEIS/ROD.

Virginia Laszewski, of my staff, is EPA's lead NEPA reviewer for this project. She may be reached by calling 312/886-7501 or by email at laszewski.virginia@epa.gov. EPA requests at least a two-week advance notice prior to our receipt of project materials for review and prior to project meeting/conference calls. We also request one hardcopy and 3 DVDs of the FEIS/ROD, when it is available.

Sincerely,



Kenneth A. Westlake
Chief, NEPA Implementation Section
Office of Enforcement and Compliance Assurance

Enclosures (2): 1) EPA Comments - FTA Bottineau Transitway DEIS, and 2) "Summary of Rating Definitions and Follow-Up Actions."

Cc: Arlene McCarthy, Director, Metropolitan Transportation Services, Metropolitan Council,
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**EPA Comments - Federal Transit Administration (FTA) Draft Environmental Impact
Statement (DEIS) – Bottineau Transitway, Hennepin County, Minnesota
(CEQ # 20140108)**

ALTERNATIVES

DEIS Alternatives: A No-build Alternative, an Enhanced Bus/Transportation System Management (TSM) Alternative and four light rail transit (LRT) alignment alternatives (Alternative A-C-D1, Alternative A-C-D2, Alternative B-C-D1, and Alternative B-C-D2) are evaluated in the DEIS. The DEIS identifies Alternative B-C-D1 as the Preferred Alternative.

DEIS Preferred Alternative (B-C-D1): Alternative B-C-D1 alignment begins in Brooklyn Park just north of TH 610 near the Target North Campus, follows West Broadway Avenue, and crosses Bottineau Boulevard at 73rd Avenue to enter the BNSF railroad corridor. Adjacent to the BNSF freight rail tracks, it continues in the railroad corridor through the cities of Crystal, Robbinsdale, and Golden Valley. At TH 55, the alignment turns to the east and follows TH 55 to Target Field Station in downtown Minneapolis.

Alternative B-C-D1 includes up to 10 new stations. The decision to use either the Golden Valley Road or Plymouth Avenue/Theodore Wirth Regional Park station option is yet to be determined. Three of the stations would include park-and-ride lots: 1) the 93rd Avenue station; 2) the existing 63rd Avenue park-and-ride facility; and 3) the Robbinsdale station. Two options for the location of an Operation and Maintenance Facility (OMF) are identified as: 1) the existing park-and-ride station at 93rd Avenue and 2) the northwest quadrant of the intersection of Winnetka Avenue [County State Aid Highway (CSAH) 103] and 101st Avenue. The location for the OMF is yet to be determined. Alternative B-C-D1 includes four new bridges and modifications to eight existing bridges and modifications to an undisclosed number of culverts.

- In Alignment D1, two station location options are identified, but only one will be built. Regarding the Golden Valley Road station – it is not clear who this station will be serving. A station at this location looks hard to access; there are adjacent wetlands and streams, no adjacent parking, and few nearby residential areas. Conversely, the Plymouth Avenue station appears to be closer to residential areas, potentially with fewer wetland impacts.

Recommendation: EPA recommends the FEIS identify how station location decisions will be made. These decisions should be documented based on how alternatives fulfill project purpose and need and their relative impacts.

- Two options for the location of the proposed Operation and Maintenance Facility (OMF) are identified as: Site 1) the existing park-and-ride station at CR 103 and 93rd Avenue; and Site 2) the northwest quadrant of the intersection of Winnetka Avenue [County State Aid Highway (CSAH) 103] and 101st Avenue. The DEIS indicates that the OMF at CR 103 and 93rd Avenue appears to have fewer potential wetland and habitat impacts.

Recommendation: We recommend the FEIS identify how the OMF location decision will be made. We recommend selection of the alternative at CR 103 and 93rd Avenue because of its apparent fewer impacts.

DEIS Identified “Environmentally Preferred Alternative:” The DEIS identifies Alternative B-C-D1 as both the Preferred Alternative and the Environmentally Preferred Alternative. Section ES-9 of the DEIS says; “*Alternative B-C-D1 meets the purpose and need of the Bottineau Transitway project and is the environmentally preferred alternative because it will cause the least damage to the biological and physical environment and it best protects, preserves, and enhances historic, cultural, and natural resources.*” However, of all the DEIS alternatives, Alternative B-C-D1 has the greatest amount of wetland, floodplain and wildlife habitat impacts, and potential impacts to Blanding’s turtles and their habitat. While Alternative B-C-D1 may best protect, preserve and enhance historic and cultural resources, it does not cause the least damage to the biological and natural resources of the physical environment.

Recommendation: We recommend the FEIS acknowledge that Alternative B-C-D1 does not cause the least damage to the biological and natural resources of the physical environment.

AIR QUALITY

Intersection-level carbon monoxide (CO) modeling was performed for the worst operating intersection under worst-case conditions. The CO modeling results presented in the DEIS show that the Bottineau Transitway Project is not expected to cause CO concentrations exceeding state or federal standards. Based on the qualitative assessment presented the DEIS, the Project is not expected to cause exceedances of the other criteria pollutants.

Mobile Source Air Toxics (MSATs) / Air Toxics: A qualitative mobile source air toxics impacts analysis is presented in the DEIS. While operation of the transit project is anticipated to reduce emissions from private vehicles, the LRT system may add electric generation emissions for trains and diesel-related air toxics during project construction.

Recommendation: Because MSATs can cause adverse health impacts, especially to vulnerable populations such as children, the elderly, and those with existing respiratory health issues, EPA recommends the FEIS identify potential mitigation measures to decrease the exposure of these populations to MSATs emissions during construction and operation of the proposed project. Such measures may include, but should not be limited to, strategies to reduce diesel emissions, such as project construction contracts that require the use of equipment with clean diesel engines and the use of clean diesel fuels, and limits on the length of time equipment is allowed to idle when not in active use (EPA recommends idling not exceed 5 minutes).

Climate Change/Green House Gases GHG/Increased Frequency and Intensity of Precipitation Events: Given the increased frequency and intensity of precipitation events associated with climate change, we recommend the FEIS identify and discuss how such precipitation events might impact the proposed Bottineau Transitway and its associated facilities during construction

and operation.

Recommendation: We recommend that the FEIS identify and discuss any anticipated effects of climate change on the project and possible adaptation measures. For example, discuss any effects that predicted increases in the number and/or intensity of precipitation events associated with climate change may have on sizing bridge spans, culvert openings, and stormwater management measures in order to accommodate such events and ensure project longevity, public health, and safety.

WATER RESOURCES – WETLANDS AND STREAMS

The DEIS discloses that wetlands and several surface waterbodies (streams) are present within the project corridors under consideration. The DEIS discloses that of the four build alternatives, the Preferred Alternative (Alternative B-C-D1) is estimated to have the greatest amount of direct wetland impact (9.4 to 10.2 acres of wetland fill). In addition, EPA noted, at a minimum, the following stream crossings: one stream crossing in Alignment A; one stream crossing in Alignment B and the potential for headwater stream impact at a proposed Operations & Maintenance Facility¹; and at least one stream crossing in Alignment D1.

EPA expects that a Section 404 permit under the Clean Water Act will be required for this project by the U.S. Army Corps of Engineers (USACE) for proposed discharges of dredged or fill materials to Waters of the United States. The 404 approval is contingent upon the project complying with the Section 404(b)(1) guidelines under the Clean Water Act. These guidelines are summarized as follows:

- Least Environmentally Damaging Practicable Alternative (LEDPA)² – There must be no practicable alternative to the proposed discharge (impacts) which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences;
- No Violation of Other Laws – The proposed project must not cause or contribute to violation of state water quality standards or toxic effluent standards, and must not jeopardize the continued existence of federally-listed endangered or threatened species or their critical habitat(s);
- No Significant Degradation – The project must not cause or contribute to significant degradation of Waters of the United States; and
- Minimization and Mitigation of Adverse Impacts – The project must include appropriate and practicable steps to avoid impacts to regulated Waters of the United States. Where impacts are unavoidable, there must be demonstration of how impacts have been minimized. Finally, compensatory mitigation must be provided to offset unavoidable, minimized impacts to the aquatic ecosystem.

EPA's review of aerial photography and area maps for the proposed Preferred Alternative's Alignment D1 corridor indicates that wetlands are present along both sides of the alignment

¹ The proposed OMF Facility/Park and Ride at the northeast corner of CR 103 and 93rd Ave.

² Furthermore, an alternative is considered practicable if "it is available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes." [40 CFR Part 230.3]

along nearly the entire D1 corridor. Impacts to large, contiguous wetlands as well as open water wetlands (within South Halifax Park) that would be required to construct Alignment D1 appear to be sizeable. While wetlands are adjacent to an existing disturbed corridor associated with the Burlington Northern Santa Fe (BNSF) rail line, wetland impacts associated with this alignment will be larger than an alternative using the Alignment D2 corridor. The justification for choosing Alignment D1 instead of Alignment D2 as part of the Preferred Alternative is an important consideration for compliance with the 404(b)(1) guidelines and CWA/Section 404 permitting.

Recommendations: EPA recommends the FEIS include:

- **A specific discussion of how sequencing established by the Clean Water Act Section 404(b)(1) guidelines has been applied. This sequence is: avoidance first, then demonstrated impact minimization, then mitigation for remaining unavoidable, minimized impacts;**
- **A 404(b)(1) analysis; and,**
- **A discussion on proposed mitigation for unavoidable, minimized wetland and stream impacts.**

The DEIS does not include wetland delineations, or wetland and stream quality assessments. Without formal wetland delineations and quality assessments, the wetland and stream impacts information presented in the DEIS for each action alternative is insufficiently detailed.

Recommendations:

- **The FEIS should include wetland delineations, USACE jurisdictional determinations, and wetland and stream quality assessments. This information should encompass all areas of right-of-way (ROW), adjacent construction access and access road locations, staging areas, station locations, and park-and-ride lots associated with the Preferred Alternative. This information will provide accurate baseline data on existing wetlands and water resources, and accurate quantification of potential impacts.**
- **To help inform decisions regarding the location of the OMF and choice between two station locations in Alignment D1, the FEIS should include potential aquatic resource impacts for all options, based on wetland delineations, and wetland and stream quality assessments.**
- **Potential permanent and temporary wetlands and stream impacts noted on FEIS impact summary tables and impact narratives in the FEIS should be based on the delineations and assessments. The FEIS should address and discuss construction staging and access, and identify how wetlands adjacent to construction areas will be protected from incidental**

fill during construction. Restoration of all temporary wetland impacts should also be discussed.

- The FEIS should discuss stream impacts associated with each alignment, station locations and potential OMF locations. The FEIS should provide impact summary totals for the preferred alignments [i.e., linear footage of impact, stream impact location maps (including new or modified stream crossings or culvert work, with narrative discussion of impacts), and a description of stream impacts].
- The DEIS (Section 5.9 – Water Quality and Stormwater) identifies several streams that would be crossed and that are specifically listed as impaired (i.e., not meeting state water quality standards) on the Minnesota Pollution Control Agency's (MPCA) Clean Water Act Section 303(d) list of impaired waterbodies. Additionally, several receiving waterbodies located downstream of potentially impacted channels are also listed on the 303(d) list.

Recommendation: The FEIS should provide information on the location and number of proposed stream crossings or stream impacts (associated with culvert repair, extension, etc.), whether or not the waterbody is a 303(d)-listed waterbody or upstream of a 303(d)-listed waterbody, and describe how the project could potentially affect each listed waterbody with regard to specific listed impairments.

- The DEIS does not discuss the potential for indirect impacts to wetlands due to shading from construction of transit stations in or adjacent to existing wetlands or offer mitigation of indirect wetland impacts. The DEIS also did not include any discussion on the potential for temporary wetland impacts associated with construction access or staging. Appendix E Conceptual Drawings (e.g., Sheet #76 of 122) show what appear to be temporary access roads built in wetlands along portions of the proposed alignments. If these are in fact proposed temporary access roads or construction access, they were not labeled as such on the drawings.

Recommendations:

- EPA recommends that FTA coordinate with the USACE, U.S. Fish and Wildlife Service (USFWS), EPA and Minnesota Department of Natural Resources (MnDNR) to determine if wetland mitigation for indirect impacts is expected and required. If mitigation for indirect impacts, to include shading, is required, the FEIS should discuss this point.
- The FEIS should discuss acreages of impact from both direct and indirect impacts, as well as proposed mitigation ratios for both direct and indirect wetland impacts.
- The FEIS should discuss temporary wetland impacts, and how those wetland impacts will be restored. Monitoring of restored wetland areas

to ensure full restoration is expected. Conceptual monitoring plans should be included in the FEIS.

- To avoid confusion or misunderstanding of the information depicted on project figures, we also recommend that FEIS project figures/drawings include comprehensive legends.

THREATENED OR ENDANGERED SPECIES

The USFWS has noted multiple species, including endangered and proposed-as-endangered species, as being located in Hennepin County. Additionally, many state-listed, threatened, endangered, and special concerns species are found in Hennepin County, including Blanding's turtles. Email correspondence from USFWS in Appendix D (Andrew Horton, dated February 18, 2012) does not specifically state that USFWS concurs that there will be no impacts to threatened or endangered species. Furthermore, USFWS correspondence does not discuss any potential impacts of the proposed project on the northern long-eared bat, which is proposed as endangered and will likely be listed as endangered in the near future. Last, USFWS correspondence recommended additional eagle nest surveys and further coordination with USFWS as the DEIS was being developed, but the DEIS did not include any additional correspondence from USFWS past 2012.

The only correspondence provided by the MnDNR is an email from Lisa Joyal dated November 2, 2012 2:07pm to Ashley Payne, Kimberly-Horn and Associates, Inc.: "I have reviewed your assessment of the potential for the above project to impact rare features, and concur with your assessment." This email does not identify exactly what assessment MnDNR is concurring with. Page 5-85 of the DEIS states, "*Blanding's turtles may be found in Bassett Creek and adjacent open water wetland areas in Theodore Wirth Regional Park. The project is anticipated to result in some wetland impacts, and therefore there would be some potential impact to turtle habitat anticipated for the Alignment D1 section of this alternative.*"

Recommendation: EPA recommends that FTA continue to coordinate with USFWS and the MnDNR to determine if any of the proposed activities would or could detrimentally affect any Federally- or state-listed species, species proposed for listing, or their critical habitat. The FEIS should include updated correspondence from USFWS and MnDNR confirming whether the proposed project will, or will not, affect any Federally- or state-listed threatened or endangered species, including the northern-long eared bat and the Blanding's turtle.

- Page 5-92 of the DEIS discusses standard guidelines for avoiding impacts to bald eagle nesting sites and future eagle nest surveys to be conducted during final design.

Recommendation: These guidelines and surveys are commitments that should be reiterated and formalized in the FEIS/ROD.

- Page 5-92 of the DEIS states that during the early stages of final design, bridge structures and forested areas within the construction limits would be field-checked in compliance with the

Migratory Bird Treaty Act to determine whether swallows' or other species' nests are present. If active nests are documented, appropriate mitigation measures would be implemented during construction, such as seasonal work windows or nest and tree removal during the non-nesting season. The measures selected for construction mitigation would be made in consultation with the appropriate agencies.

Recommendation: The FEIS should specify the agencies with which consultation will be undertaken, and specify the timeframes during which mitigation measures would be implemented. These surveys and mitigation measures should be commitments in the FEIS/ROD.

- The Fish and Wildlife Coordination Act (FWCA) requires that Federal agencies consult with the state wildlife agencies and USFWS concerning the conservation of wildlife resources where the water of any stream or other water body is proposed to be controlled or modified by a Federal agency or any public or private agency operating under a Federal permit. As this project proposes impacts to several Waters of the United States, consultation with these agencies is warranted.

Recommendation: EPA recommends that FTA continue coordination efforts with USFWS and state wildlife agencies as appropriate to meet the conditions of the Fish and Wildlife Coordination Act. Correspondence to and received from coordinating agencies documenting FWCA coordination should be included in the FEIS/ROD.

FLOODPLAINS

Figure 5.2-6 of the DEIS show several identified potential floodplain mitigation sites; however, these sites may already be existing wetland or surrounded by existing wetland, and nearly all appeared to be covered with a mature forest canopy. EPA does not support the use of forested areas for floodplain mitigation, as mitigation would require site excavation and forest impacts.

Recommendation: We recommend the FEIS provide information on potential floodplain impacts (acres of impact plus acre-feet of impact), and potential floodplain mitigation information (including expected mitigation ratios, updates on status of coordination with permitting entities, and identification of potential mitigation sites that are not currently forested).

STORMWATER

The "Stormwater Technical Report" and DEIS briefly discuss long- and short-term mitigation measures, such as implementation of permanent best management practices (BMPs), to include detention and infiltration facilities to control and treat stormwater runoff caused by an increase in impervious surfaces as a result of project implementation. However, the DEIS does not discuss any sustainable BMPs to control stormwater, including the use of pervious pavement at park and ride areas. The DEIS also does not confirm that stormwater detention basins will be built to avoid any wetland areas.

Recommendations: All stormwater BMPs and detention areas should be built and located outside of natural wetlands and streams. Existing natural wetlands should not be used as primary detention facilities, and any treated stormwater discharged to natural wetlands should not cause a change of existing wetland type and function (i.e., should not change an emergent wetland to an open water wetland, etc.). Sustainable stormwater technologies, including the use of pervious or porous pavement, should be utilized throughout the project.

FORESTED IMPACTS

Trees provide valuable habitat and protect water quality, in part, by stabilizing soils in a watershed. The DEIS does not quantify or discuss impacts to mature trees (in non-wetland areas) associated with the project.

Recommendations: We recommend the FEIS quantify acreage and number of upland trees to be removed by the project. EPA recommends further coordination with USFWS, MnDNR, and local municipalities regarding providing voluntary upland forested mitigation for these losses. The FEIS should include specific information on what forest mitigation is being offered (e.g., a summary of mitigation ratios, a summary of how mitigation will be offered). If applicable, the FEIS should clarify forest mitigation provided for bat habitat impacts versus forest mitigation provided for impacts to upland forest.

ADDITIONAL COMMENTS

Noxious Weeds/Invasive Species: The DEIS identifies that noxious weeds/invasive species may be within or near the DEIS-identified Preferred Alternative ROW. Early recognition and control of new infestations is essential to stopping the spread of infestation and avoiding future widespread use of herbicides, which could correspondingly have more adverse impacts on biodiversity and nearby water quality.

Recommendations: We recommend the FEIS include a vegetative management plan that addresses the identification and control of noxious weed/invasive species in and near the project ROW and associated facilities during project construction and operation. The plan should list the noxious weeds and exotic plants that occur in the resource area. In cases where noxious weeds are a threat, EPA recommends the document detail a strategy for prevention, early detection of invasion, and control procedures for each species.

Sustainability and Greening: By adopting green building strategies, such as energy-efficient lighting, the project proponents can maximize economic and environmental performance (e.g., protection and/or enhancement of surface water and groundwater quality). Green building methods can be integrated into transit stations, park-and-ride lots, and OMF at any stage, from design and construction, to operation and maintenance. For additional information on green building, we recommend you visit our website at www.epa.gov/greenbuilding/.

Recommendation: EPA recommends project proponents consider using green building strategies for the Bottineau Transitway project.

DEIS CORRECTIONS/ADDITIONS

Glossary of Terms (pp. xv to xx): The DEIS uses the following terms and associated acronyms: Locally Preferred Alternative (LPA), Preferred Alternative, Environmentally Preferred Alternative, Least Environmentally Damaging Preferred Alternative (LEDPA), Least Environmentally Damaging Practicable Alternative (LEDPA). However, these terms are not defined in the DEIS Glossary of Terms.

Recommendation: In order to help avoid reader confusion, EPA recommends each of the above referenced terms be defined in the FEIS Glossary of Terms and their associated acronyms included in the Acronyms section of the FEIS.

Acronyms (pages xxi to xxii): The LEDPA acronym (page xxii) is typically associated with U.S. Army Corps of Engineers' Clean Water Act/ Section 404 permitting process where it is understood that LEDPA stands for the "least environmentally damaging **practicable** alternative." However, on page xxi of the DEIS the LEDPA acronym is identified as "the least environmentally damaging **preferred** alternative."

Recommendation: EPA recommends the Acronym section of the FEIS identify the LEDPA acronym to mean "the least environmentally damaging **practicable alternative."**

SUMMARY OF RATING DEFINITIONS AND FOLLOWUP ACTIONS*

ENVIRONMENTAL IMPACT OF THE ACTION

LO—Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC—Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO—Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU—Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

ADEQUACY OF THE IMPACT STATEMENT

Category 1—Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2—Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3—Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

**From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment.*

From: [Brent C Rusco](#)
To: [Joseph Scala](#)
Cc: [Kimberly R Zlimer](#)
Subject: FW: Bottineau Corridor DEIS - Minneapolis Comments
Date: Wednesday, May 28, 2014 10:56:45 AM
Attachments: [DEIS Comments.pdf](#)

Joe,

Please log in these comments.

Brent

From: Pflaum, Donald C. [mailto:Donald.Pflaum@minneapolismn.gov]
Sent: Wednesday, May 28, 2014 9:58 AM
To: Brent C Rusco
Cc: Joseph R Gladke
Subject: Bottineau Corridor DEIS - Minneapolis Comments

Brent,

On Friday May 23, 2014, the Minneapolis City Council approved the staff comments for the Bottineau Corridor Draft Environmental Impact Statement (DEIS).

Council Action: <http://www.ci.minneapolis.mn.us/meetings/council/WCMS1P-125136>

Transportation and Public Works Committee Materials:

<http://www.minneapolismn.gov/meetings/tpw/WCMS1P-124484>

Attached are the approved City of Minneapolis comments. Please accept this e-mail as the formal submittal for the City of Minneapolis.

Thank You.

Donald Pflaum, P.E., PTOE
City of Minneapolis Public Works
309 2nd Avenue South – Room 300
Minneapolis, MN 55401-2268
612-673-2129

Attachment #2 - Bottineau Corridor LRT
Draft Environmental Impact Statement Comments
City of Minneapolis
May 13, 2014

Overall Comments:

- 1) The City of Minneapolis supports the Locally Preferred Alternative (LPA) route.
- 2) The City of Minneapolis supports the purpose and need for this project.

The Purpose and Need section of the DEIS accurately describes the reasons why the Bottineau Transitway is needed, including:

- (a) The need to provide a higher level of transportation service to North Minneapolis, especially for those who do not have a car.
- (b) The need to provide greater connectivity to and between North Minneapolis and the rest of the region. This line will increase and expand the connectivity between residents and employment opportunities.
- (c) The need to accommodate future population growth (to meet the Metropolitan Council's population projections), to increase new jobs and access to existing jobs, and to strengthen neighborhoods.

General Technical Comments:

- 1) Two local north/south streets that currently have median openings on Olson Highway are proposed to be closed, thereby limiting vehicular access to right-in/right-out movement (Russell Avenue North and Elmwood Avenue North). Bicycle and pedestrian crossings must be maintained through the alignment, across LRT tracks and Olson at both intersections.
- 2) Bicycle and pedestrian crossings exist at four additional locations in alignment with streets that do not currently include a vehicle median break (but do have sidewalks) along Olson Highway (Queen Avenue North, Sheridan Avenue North, Newton Avenue North, and Logan Avenue North). Bicycle and pedestrian crossings must be maintained through the alignment, across LRT tracks and Olson at all four intersections.
- 3) Diverted vehicular traffic must be accommodated in a manner that is compatible with the surrounding neighborhood context.
- 4) The City of Minneapolis is opposed to the placement of the Operations and Maintenance Facility for this line within the City of Minneapolis.
- 5) Both stations within the corporate boundaries of Minneapolis (Penn and Van White) must be constructed.
- 6) Construction of both the Golden Valley Road Station and the Plymouth Avenue Station is necessary to adequately serve the corridor travelshed, including a significant portion of North Minneapolis. Though these stations are located outside of Minneapolis corporate boundaries, they are located close enough to ensure improved access to the regional fixed rail system for residents in North Minneapolis, and will improve ridership.
- 7) Conduct additional study to ensure the narrowing of Olson Highway so that the combination of street and LRT line will help to catalyze a denser, more urban development pattern within the corridor; one that will ensure that new development along the line is truly transit-

- oriented, rather than highway-oriented. The existing highway environment needs to be redesigned and modified in order to provide greater balance. Specifically, the roadway needs to be designed in order to accommodate the necessary vehicular traffic while also accommodating and enhancing connectivity between transit, pedestrian, and bicycle networks. The project office will need to work on this critical topic with Hennepin County Community Works and the City of Minneapolis as station area planning progresses.
- 8) Specific ridership (not a range) at individual stations must be determined (both boarding and alighting). Further work is needed to determine pedestrian capacity and needed infrastructure improvements at the Downtown Minneapolis stations given that the Bottineau Corridor will be the fourth LRT line to run along the high-volume 5th Street corridor.
 - 9) Safety and security at station locations and routes to/from stations is critical. It is recommended that measures such as (but not limited to) surveillance cameras and street lighting (per the City of Minneapolis street lighting policy) be installed and that station design allows for visibility at stations.
 - 10) The City of Minneapolis requires that local stormwater policies and ordinances be adhered to. Stormwater management, wetland and flood plain mitigation must consider not only the specific area of impact, but broader impacts on the local area and regional system.
 - 11) The City of Minneapolis does not support park-and-ride facilities within City limits. Vacant lots near the proposed Van White Station are needed for TOD redevelopment, which will help improve density and ridership at that station.
 - 12) Traction power substations and signal bungalows must be appropriately placed and the visual impact mitigated. Traction Power Substations should be appropriate for the community context, should be landscaped, should be fenced for safety, and should be designed with architectural fencing instead of chain link fence.
 - 13) Utilities and street infrastructure disrupted as part of the project must be replaced at the project's expense.
 - 14) Noise and vibration from the LRT operations must be mitigated
 - 15) The City of Minneapolis is opposed to LRT pre-emption at signalized crossings.
 - 16) The City of Minneapolis supports efforts to minimize project impacts on identified historical or cultural resources.
 - 17) The project must minimize tree loss; salvage trees where possible and replace trees per the Minneapolis Park and Recreation Board urban tree policy. Boulevard design should be consistent with the Minneapolis Design Guidelines for Streets and Sidewalks.
 - 18) Public art must be integrated into station design.
 - 19) Pedestrian Level Street Lighting should be evaluated in accordance with the City of Minneapolis Street Lighting Policy. Traffic impacts to the Olson Highway/I-94 bridge need to be mitigated. Any ornamental railings and artwork must be salvaged.
 - 20) Catenary poles along Olson Highway should reflect the same style used along University Avenue (painted tapered tubular design).
 - 21) Embedded track should be constructed along the entire length of Olson Highway.
 - 22) Best practices for mitigating the construction impacts for local businesses should be implemented.
 - 23) Traffic impacts along the corridor need to be mitigated, especially traffic impacts to the Olson Highway/I-94 Bridge, the segment east of I-94 into the Interchange, and the at-grade crossing at 7th Street/10th Street.

The general technical comments above and the detailed technical comments found in this attachment will help mitigate the impacts of the project and will better serve the needs of Minneapolis.

Detailed Technical Comments (By Chapter):

Executive Summary

- No Comments

Chapter 1 –Purpose and Need

- Page 1-10, Section 1.3 – The purpose statement is just about transportation for businesses and people. It should also include reference for serving and creating transit-supportive development opportunities along the line, particularly near station areas. This is inherent in how station areas are designed so should be identified up front as part of the purpose of this project.
- Page 1-25, Table 1.5-1 – The development section of this table should more specifically reference development near station areas, in addition to the more general language here.

Chapter 2 –Alternatives

- The City of Minneapolis concurs that LRT on the D1 alignment is the preferred alternative. For the D1 and D Common portion of the LPA that runs along Olson Memorial Highway (Hwy 55) there are significant impacts to the bike, vehicular, and pedestrian function for the surrounding neighborhoods; there are potential visual impacts; and there is limited development potential. The corridor is currently a barrier between the communities to the north and south of the highway and the addition of the LRT should not further complicate this condition; it should resolve this condition by connecting communities. Decisions about the impacts of the D1 and D Common alignment on Olson Memorial Highway are based on assumptions of traffic operations and do not consider all of the above noted impacts. The future design and function of LRT on Olson Memorial Highway should not be precluded by these traffic assumptions and should be based on a study of the feasibility of, but not limited to, a combination of travel lane reductions, travel lane narrowing, elimination or relocation of frontage roads, and other pedestrian access and safety strategies with the intent of creating developable parcels at station areas and along Olson Memorial Highway. The DEIS, station area planning, and future stages of the project should consider the form, function, and visual impacts of Olson Memorial Highway to mitigate any negative impacts and to create significant development opportunity and pedestrian and bike access and safety. The completed traffic study for Olson Memorial Highway, while acceptable for studying traffic impacts, based on current operating assumptions, does not address the larger issues of development potential, connections between neighborhoods, and the barrier that Olson Memorial Highway creates between neighborhoods and that will be exacerbated by the addition of LRT without appropriate mitigation or planning. Additional study is needed to consider this

issue in relation to station area planning, enhancing TOD opportunities and creating nodes where population and employment density can be increased.

- Page 2-13, Table 2.4-1 – The Golden Valley Rd and Plymouth Avenue stations are needed for reasons beyond the initial forecasted ridership such as access to transit, economic opportunities, access to jobs, and access to Theodore Wirth Regional Park from other parts of the region.
- Page 2-14, Operations and Maintenance Facility – The city supports proposed OMF sites in Brooklyn Park.
- Page 2-18, Traction Power Substations (TPSS) – The DEIS states that TPSS locations are anticipated to be within the existing right-of-way. If in fact private property acquisition is needed, there should be early notification of impacted property owners to ensure time for coordination/negotiation. The City of Minneapolis will also want to review in more detail the location of the TPSS sites as they are refined. It should be a priority to place these in unobtrusive locations, such as under overpasses, and to appropriately screen them from view with architectural fencing and landscaping.
- Page 2-18, Trackway – Embedded track should be utilized on the D1 and D Common portions of the project in the Hwy 55 corridor.

Chapter 3 –Transportation Analysis

- General Comment - The construction of LRT should be designed and built in a way to enhance connectivity rather than compounding disconnectivity between places and neighborhoods.
- Page 3.3.5 –More study is needed to look at traffic, pedestrian, and development impacts at Hwy 55 and Penn, Van White, and the 7th St/6th Ave area near Target Field.
- Page 3-4, Affected Environment – Please analyze the transit service area past the southern edge at Highway 55. For example, Route 9 serves the neighborhood immediately to the south, but is not mentioned here.
- Page 3-6, Table 3.1.1 – More information is necessary regarding the elimination of route 19H; Consider adding evaluation of Route 30.
- Page 3-15, Footnote – The CCLRT is a good place to start with the process. However, some concerns were raised by the stakeholders along CCLRT in response to perceived deficiencies and limitations in the outreach. It would be better to state it would be the intent to “build upon” what was done along CCLRT rather than to say it would simply be replicated.
- Page 3-31, Alignment D2 – The restriction of traffic on many cross-streets (cul-de-sacs and right-in/right-out) can have a negative impact on traffic flows in the larger area. Any necessary modifications to the vehicular circulation system must be made in a way that is urban in character, not suburban. Modifications that eliminate vehicular connectivity

should not be de facto interruptions to the pedestrian and bicycle networks that currently exist or potentially might be built in order to enhance the urban grid.

- Page 3-31, Table 3.2-2 – More information will be necessary about the bridge modifications to assess their impacts.
- Page 3-32, Alignment D – The elimination of the pedestrian crossing of TH 55 on the west side of Lyndale is problematic. This crossing connects two residential neighborhoods, and there are few nearby alternatives for those wishing to cross on foot. Removal of a designated crossing may encourage illegal and potentially unsafe crossing in the vicinity. Is there a potential to add a pedestrian actuated signal to ensure it does not interfere with normal signal operations when no pedestrian is present?
- Page 3-36, Alignment D1 – The closure of pedestrian crossings at three consecutive streets crossing Highway 55 (Queen, Russell, and Sheridan) creates a fairly large gap in the pedestrian network. Will there be any barriers to discourage or prevent crossing? Was there any assessment if a significant number of people currently use these crossings?
- Page 3-37, Alignment D2 – As with vehicle traffic, this route alignment greatly curtails pedestrian connectivity in this area. This is indicated later on p. 4-36.
- Page 3-37, Alignment D - The closure of pedestrian crossings at three consecutive streets crossing Highway 55 (Oliver, Newton, Logan, and James) creates gaps in the pedestrian network. Will there be any barriers to discourage or prevent crossing, and what would those likely be? Was there any assessment if a significant number of people currently use these crossings? How will remaining pedestrian crossings be enhanced?
- Page 3-45, 3.5.3 Alignment D2 – Removal of parking may negatively impact businesses and residences in the area that depend on on-street parking due to limited off-street parking. It is unclear from later in the text (3-53) if the project would propose funding the construction of off-street parking to mitigate the loss of on street spaces.
- Page 3.36 – Under Alignment D1, the non-signalized pedestrian crossings of TH 55 at the intersections with Sheridan, Russell, and Queen Avenues would be closed. The nearest pedestrian crossings are at Thomas Avenue to the west and Penn Avenue to the east. It is expected that pedestrian crossings will increase at proximate signalized intersections due to diverted traffic from closed crossings and increased activity at and around station areas. Pedestrian safety enhancements should be made at these crossings, especially at the unsignalized intersection of Thomas Avenue. General strategies to improve pedestrian safety and comfort should include, but are not limited to, a combination of the following: travel lane reduction, travel lane narrowing, curb extensions, pedestrian median waiting areas, durable enhanced crosswalk markings, and landscaping.
- Page 3.37 – Under Alignment D2, pedestrians would be allowed to cross the LRT guideway only at signalized intersections along West Broadway Avenue and along Penn Avenue. Along West Broadway the unmarked pedestrian crossings of 27th Avenue/Thomas Avenue and Sheridan Avenue would be closed. The nearest pedestrian crossings are at 29th Avenue, 26th Avenue, and Penn Avenue. Along Penne Avenue, the

unmarked pedestrian crossings of 21st, 17th, 15th, 14th, 12th, and 8th Avenues would be closed. The nearest pedestrian crossings that would remain open are at West Broadway Avenue, Golden Valley Road, 16th Avenue, Plymouth Avenue, Oak Park Avenue, and TH 55. It is expected that pedestrian crossings will increase at proximate signalized intersections due to diverted traffic from closed crossings and increased activity at and around station areas. Pedestrian safety enhancements should be made at these crossings. General strategies to improve pedestrian safety and comfort should include, but are not limited to, a combination of the following: travel lane reduction, travel lane narrowing, curb extensions, pedestrian median waiting areas, durable enhanced crosswalk markings, and landscaping.

- Page 3.37 – Under Alignment D2, the crossing of West Broadway Avenue at 27th Avenue/Thomas Avenue would be closed. The 2011 Minneapolis Bicycle Master Plan identifies Thomas Avenue as a bicycle boulevard from 42nd Avenue to Oak Park Avenue. This bikeway is planned, but currently unfunded. A closure of 27th Avenue/Thomas Avenue at West Broadway Avenue would create a barrier and disrupt a continuous bicycle boulevard route along Thomas Avenue. The future bikeway would need to be rerouted to cross West Broadway Avenue at 26th or 29th Avenue.
- Page 3.37 – Under Alignment D2, the crossing of Penn Avenue at 8th Avenue would be closed. The 2011 Minneapolis Bicycle Master Plan identifies 8th Avenue as a signed bicycle route from Theodore Wirth Park to Van White Boulevard. This bikeway is planned, but currently unfunded. A closure of 8th Avenue at Penn Avenue would create a barrier and disrupt a continuous bikeway along 8th Avenue. The future bikeway would need to be rerouted to cross Penn Avenue at Oak Park Avenue.
- Page 3.37 – Under Alignment D2, the signalized intersection of Oak Park Avenue at Penn Avenue would remain open. The 2011 Minneapolis Bicycle Master Plan identifies Oak Park Avenue as a bicycle boulevard from Theodore Wirth Park to Irving Avenue. This bikeway is planned, but currently unfunded. Maintaining east-west bicycle access at the intersection of Oak Park Avenue and Penn Avenue would preserve a continuous route for a future bikeway.
- Page 3.37 – Under Alignment D2, bicyclists would share roadway lanes with vehicular traffic on West Broadway and Penn Avenues. There are currently no bicycle facilities on West Broadway and Penn Avenues, so the existing conditions would be maintained. However, future conditions may include a bicycle facility. The 2011 Minneapolis Bicycle Master Plan identifies bike lanes on Penn Avenue between 42nd Avenue and the south I-394 Frontage Road. With the addition of the LRT guideway system along Penn Avenue, it appears that there will not be enough right-of-way to accommodate bike lanes of a minimum standard width. Under Alignment D2, bike lanes on Penn Avenue between West Broadway Avenue and TH 55 would not be feasible. Access Minneapolis, the City of Minneapolis' transportation management plan includes a provision for such cases: If a bikeway identified on the 2011 Minneapolis Bicycle Master Plan cannot be installed on

the target street, a parallel bikeway should be installed that serves the same travel shed. Under Alignment D2, this provision would need to be executed.

- Page 3.37 – Under Alignment D Common Section, the non-signalized pedestrian crossings of TH 55 at the intersections of Oliver, Newton, Logan, and James would be closed. It is expected that pedestrian crossings will increase at proximate signalized intersections due to diverted traffic from closed crossings and increased activity at and around station areas. Pedestrian safety enhancements should be made at these crossings. General strategies to improve pedestrian safety and comfort should include, but are not limited to, a combination of the following: travel lane reduction, travel lane narrowing, curb extensions, pedestrian median waiting areas, durable enhanced crosswalk markings, and landscaping.
- Page 3.37 – The existing marked pedestrian crossing of TH 55 at West Lyndale Avenue would also be closed due to the number of lanes that would need to be crossed, the resulting number of vehicle conflicts, and poor signal operations. It is recommended that two considerations are made with respect to this proposed closure. First, evaluate if the hazards identified can be mitigated through travel lane reeducation, lead pedestrian intervals, protected signal phasing, durable and enhanced crosswalk markings, or other pedestrian safety measures. Second, if the crossing is closed, ensure that pedestrian access is physically restricted to ensure that there is no expectation that this is a safe and legal pedestrian crossing.
- General comments for Section 3.4 Pedestrians and Bicycles. Evaluating the alternatives from the perspective of pedestrian and bicycle impacts, the Locally Preferred Alternative D-D1 has less of a negative impact than Alternative D-D2. Both Alternatives D-D1 and D-D2 significantly impact the urban street grid by closing off local pedestrian and bicycle access at many crossings. The relative severity of impacts is greater for Alternative D-D2 because the urban street grid is more intact along West Broadway Avenue and Penn Avenue than along TH 55. West Broadway Avenue and Penn Avenue currently have narrower street widths, with fewer travel lanes and more pedestrian destinations. TH 55 is currently much wider with a greater number of travel lanes and a limited number of pedestrian destinations. To preserve existing pedestrian environments, it would be better to close crossings along TH 55 where the walkability is quite low, rather than close crossings along West Broadway Avenue and Penn Avenue, where the walkability is relatively higher.

Chapter 4 –Community and Social Analysis

- For the entire chapter, it should be kept in mind that the construction of LRT should be designed and built in a way to enhance connectivity rather than compounding disconnectivity between places and neighborhoods.
- Page 4.3.4.1–Traction Power Station locations are important, and should be strategically sited/mitigated, especially if one is needed in Theodore Wirth Park.

- Page 4-5, Alignment D – the language about Urban Neighborhoods should be amended to read “ Urban Neighborhood is a predominantly residential area with a range of densities that may include other small-scale uses, including neighborhood-serving commercial, and institutional and semi-public uses (for example, schools, community centers, religious institutions, public safety facilities, etc.) scattered throughout. More intensive non-residential uses may be located in neighborhoods closer to Downtown and around Growth Centers.
- Page 4-5 – For the D1 Alignment the DEIS states: “As shown in Exhibit 4-11, the primary land uses are park and low-density residential uses with no plans for changes in the future. Along TH 55, existing and future planned land uses are primarily low-density residential uses.” Language should be added to say that “future land use in the station areas will be evaluated in the station area planning process, which may result in amended land use policy and maps as a part of the adopted station area plans.”
- Page 4.6.4.1- Acquisition impacts are small in Minneapolis using the preferred alternative, but the potential redevelopment opportunities are also small, due to station location and the elevation/disconnection with neighbors to the east.
- Page 4-6 – For the D common alignments, add language to say that “future land use in the station areas will be evaluated in the station area planning process.” (1) At the Van White Station area there are several large vacant properties that are potential development sites and other underutilized sites that could be intensified with development. Station area planning will evaluate and recommend the most appropriate form and type of transit oriented development for these parcels and the surrounding station area, which may result in amended land use policy and maps with the adoption of the station area plans. (2) At the Penn Avenue/Hwy 55 station area, while there are not large vacant parcels and the area is predominantly single-family homes, station area planning will evaluate and recommend the most appropriate form and type of land use for the surrounding station area. At this station area higher density and intensity land uses will depend on a long-term strategy of parcel assemblage and strategies that could include the narrowing and/or elimination of travel lanes on Hwy 55 and frontage roads along Hwy 55, all which should be studied in the station area planning process. Station area planning will evaluate and recommend the most appropriate form and type of transit oriented development for these parcels and the surrounding station area, which may result in amended land use policy and maps with the adoption of the station area plans.
- Page 4-18, Minneapolis – The section describing the Near-North neighborhood references areas in the Sumner-Glenwood neighborhood. The section should be revised.
- Page 4-33, Alignment D2 – The project would have direct and significant impacts to community character and cohesion that would need to be mitigated.
- Page 4-39, Table 4.3-3 – Alignment D2 would result in major impacts in terms of property acquisitions, and would involve the displacement of a large number of residents, some of which are low income. This would need to be mitigated.

- Page 4-61, Table 4.4-1 – Alignment D2 would have an adverse effect on the Homewood historic district, as well as significant visual impacts on area resources.
- Page 4-74 – Impacts from Alignment D1 on Wirth Park should be mitigated with additional planting and screening as needed, since the project will involve thinning out the vegetation in the area. This is suggested later on p. 4-76. However, vegetation should not be allowed to block station areas and their access points in a way that is unsafe and obscures activity.
- Page 4-84, Design Elements – Safety and security should be addressed not only in station area design, but along major pedestrian routes leading to the stations (including those within the 0.25 mile radius called out earlier in this section). These should be visible, well lighted, and regularly monitored. This should be true throughout the corridor, including residential areas, parklands, and rail corridors that otherwise might have little traffic and activity, and therefore may result in travelers being more isolated.

Chapter 5 –Physical and Environmental Analysis

- City Water Utilities - This comment is to address the large water mains that may be affected by the future Bottineau LRT line as indicated by the current layout shown on the Met Council web page (<http://www.metrocouncil.org/Transportation/Projects/Furture-Projects/Bottineau-Transitway/Bottineau-Maps/Bottineau-Transitway-Map-Large.aspx>). There are many smaller water mains that cross under the proposed Bottineau line and the final condition of those mains will need to be addressed eventually. The large water mains of concern are as follows: There is a 36-inch water main in Aldrich Avenue North crossing under Olson Memorial, there is a 24-inch water main in Penn Avenue North crossing under Olson Memorial and there is a 48-inch water main crossing under the existing tracks just north of Golden Valley Road at the western border of the City. These mains need to remain in place and at a minimum will need to be cathodically protected under the tracks and isolated on either side of the future track alignment. Concrete encasement of each of these mains may be necessary and if deemed necessary, the existing pipe to be concrete encased shall be removed and replace with new pipe prior to concrete encasement. This work to alter the existing pipe shall only occur during the time frame between the months of October and April inclusive.
- Page 5-9 – Table 5.1-3, Alignment D - In addition to the sanitary sewer line running located on the south side of TH55/ 6th Ave N, there are several sanitary sewers crossing TH 55/ 6th Ave N
- Page 5-11, Overhead Utilities – More information is needed about the potential need for relocation of overhead utility poles, particularly those requiring relocation outside of transitway right-of-way. Would this require additional land purchases and/or easements, over and above what is already identified? Is there a potential to move some of the power lines underground as part of this project? What are the costs? What models are being used in other metropolitan areas to address and mitigate the conflicts brought about by overhad utilities and urban development? From the engineering drawings, it appears this

will result in high voltage transmission lines right on the edge of the BNSF right-of-way that is adjacent to residential areas. Is there accommodation of a needed easement for this outside the ROW, for both maintenance and to account for the fall distance of the poles?

- Page 5-21, Alignment D1 – More information is needed about potential location of floodplain storage mitigation, and its impacts on the surrounding area, including parkland, the golf course, and any nearby residential areas that might be impacted.
- Page 5-23, Figure 5.2-6 – The locations identified for potential floodplain mitigation appear to be on land currently being used for a trail loop around the perimeter of Wirth Park that connects with the Luce Line Trail and various park amenities; would this require a trail relocation?
- Page 5-24, Wetlands – There are significant wetland impacts outside the city limits. To mitigate the wetlands new wetlands must be created. It should be noted that there is no room for replacement wetlands within the city. Vacant parcels within the city are needed for redevelopment. The construction of this line should not contribute to the pollution of the Basset Creek Valley watershed; it should continue toward – or at least not complicate – the clean up of this watershed.
- Page 5-49, Noise – The project noise levels for D1 and D2 reflect moderate to severe impacts compared with existing ambient noise levels. How will this be mitigated?
- Page 5-61, Table 5.6-9 – Noise barriers are called out as a potential mitigation strategy for D1 noise impacts. More information is needed regarding the type, placement, and size of these walls. This mitigation measure should also be considered in context of other factors, such as blocking views of the park amenity from adjacent residential communities, likelihood of graffiti/tagging on barriers in less populated areas, and public safety issues associated with areas blocked from view by barriers. These issues should be addressed through a robust and inclusive community engagement process to ascertain community preference. Additionally, more information is needed regarding the potential use of sound insulation along D1 and D2 – how would this be implemented? This could be an environmental justice issue.
- Page 5-71, Table 5.7-6 – The D2 option would need proactive outreach early in the design process to KMOJ and medical care facilities regarding noise and vibration issues early in the process to determine if special mitigation needed. While the analysis suggests this is not the case, this could possibly be disputed.
- Page 5-92, 5.8.5 – This section says there will be no impact on the wetland habitat of Blanding's Turtle. However, the floodplain mitigation section says there will be new floodplain storage, likely constructed near to existing wetland areas, required as part of the project, which could impact the wetlands. This should be addressed in more detail. (This is discussed to an extent on p. 8-20)
- Page 5-93 – 5.9.1 States that Physical Infrastructure (storm sewer) associated with stormwater management is discussed in Section 5.1, but Section 5.1. (page 5.8) says the existing storm sewers are discussed in detail in the Stormwater Technical Report

(Appendix F) which does not discuss storm sewer infrastructure in detail. It just discusses stormwater management and mentioned the need to reconfigure storm sewer utilities. The impacts to Old Basset Creek tunnel crossing in particular should be discussed in more detail.

- Page 5-97 – Table 5.9-2 – Line MPCA (Cities) indicates that these requirements are also the Cities'. This is not correct. This is a copy of Table 3 from the stormwater technical report, but it does not say Cities under MPCA. Neither table actually lists the City requirements.
- Page 5-101, Table 5.9-4 – For Alignment D, are the ditches identified for infiltration existing, and do they have adequate size and capacity for what is proposed? Looking at the cross sections provided, ditches do not appear in most of them. For alignments D2 and D, have locations been identified for the proposed pond and infiltration BMPs? This urban environment is fairly constrained, with limited land available for improvements such as these. Maps are shown for locations along Alignments A-C, but not for the others.
- Page 5-110, Alignment D – The analysis does not take this into account directly, but the presence of institutions serving vulnerable populations (e.g. youth and elderly), including a day care, school, library, and low income housing, suggests a priority in finding ways to mitigate air quality impacts. This includes optimizing travel to avoid lengthy queues and idling at intersections. This is also potentially an environmental justice issue, since low income and minority populations are disproportionately impacted. When there are deficiencies in modeling (as noted here), there should be a commitment to following up with adjustments as needed once the project has advanced.

Chapter 6 –Indirect Effects and Cumulative Impacts

- Page 6-6, Table 6.3-1 – While the text states that the actions listed here are in no way dependent on the completion of the Bottineau transitway, it is possible that some additional development may occur in the Downtown/North Loop station areas of Alignment D at least in part related to improved transit connectivity through this and other projects (although some of it will occur regardless).
- Additional development is intended and expected along the Olson Highway portion of the project. For the D common alignments, future land use in the station areas will be evaluated in the station area planning process. (1) At the Van White Station area there are several large vacant properties that are potential development sites and other underutilized sites that could be intensified with development. Station area planning will evaluate and recommend the most appropriate form and type of transit oriented development for these parcels and the surrounding station area, which may result in amended land use policy and maps with the adoption of the station area plans. (2) At the Penn Avenue/Hwy 55 station area, while there are not large vacant parcels and the area is predominantly single-family homes, station area planning will evaluate and recommend the most appropriate form and type of land use for the surrounding station area. At this

station area higher density and intensity land uses will depend on a long-term strategy of parcel assemblage and strategies that could include the narrowing and/or elimination of travel lanes on Hwy 55 and frontage roads along Hwy 55, all which should be studied in the station area planning process. Station area planning will evaluate and recommend the most appropriate form and type of transit oriented development for these parcels and the surrounding station area, which may result in amended land use policy and maps with the adoption of the station area plans.

- Page 6-9, 6.4.1 – This section states that bicycle and pedestrian activity is likely to increase as a result of this project. However, the project proposes closing a number of currently active pedestrian crossings. How are these two things being reconciled? Will the project support pedestrian connectivity in other ways? Construction of LRT should be designed and built in a way to enhance connectivity rather than compounding disconnectivity between places and neighborhoods. Any necessary modifications to the vehicular circulation system must be made in a way that is urban in character, not suburban. Modifications that eliminate vehicular connectivity should not be de facto interruptions to the pedestrian and bicycle networks that currently exist or potentially might be built in order to enhance the urban grid.
- Page 6-13, 6.4.10 – The potential to negatively impact lower income populations due to increased property values is called out as an indirect and cumulative impact. No mitigation is identified. However, regional planning for affordable housing specifically prioritizes supporting funding affordable units near transit stations. While this wouldn't be undertaken as part of the Bottineau transitway project itself, it could be considered a form of mitigation. This was a major discussion topic along the CCLRT alignment, and has resulted in significant investment in new affordable housing there.

Chapter 7 –Environmental Justice

- Page 7-3, Table 7.3-1 – If available, it would also be interesting to be able to contrast the minority percentages with other transitway corridors in the region, to allow for more ready comparison of the strategies being used in each area. While the methodology focuses on equal treatment of all populations in the study area, it should be noted that Bottineau has a higher overall concentration of low income and minority populations, and environmental justice should take into account not just approaches within the Bottineau corridor but along other comparable corridors as well.
- Page 7-21, 7.4.3 – The list of ways that input from the meetings impacted the project and DEIS to date is a good start. It would be helpful to understand if there were any major concerns raised by the community about the project, and how those were addressed.
- Page 7-23, Safety and Security – This should consider ways to create safe routes to the transit station in addition to the conditions at the stations.
- Page 7-25, Pedestrian and bicycle facilities – the Hwy 55 corridor will have impacts on bike and pedestrian facilities that need to be mitigated.

- Page 7-27, Visual/Aesthetics – If the noise barriers are constructed as mitigation, this will have some visual impacts on the community (including potentially blocking views of the park); it doesn't appear that this is taken into consideration here; while they are not fully defined, it appears that they will be near to low income communities.
- Page 7-33, 7.5.3.1 – As the project advances, it will be important to ensure that overall service levels on connecting bus routes remain at current levels or better. There could be an unintended negative impact on local riders if local bus service is replaced in any way by light rail, resulting in longer headways and station locations that are farther apart. This does not appear to be the plan, but there will no doubt be a route study at some point to look at potential changes to nearby routes.
- Page 7-34, 7.5.3.3 – Will there be an effort to hire DBE/WBE firms and employees during the construction phase? Local employment in the project would be a significant benefit.
- Wetlands in Golden Valley are part of the Basset Creek Valley Watershed (BCV) and these flow into the corporate boundaries of the the City of Minneapolis. This line should not contribute to the pollution of the BCV watershed; it should continue toward – or at least not complicate – the clean up of this watershed.

Chapter 8 –Draft Section (4f) Evaluation

- The City of Minneapolis recognizes that the Minneapolis Park and Recreation Board is the local park authority responsible for determining parkland impacts.
- Page 8-19, 8.4.1.2 – The 4(f) evaluation notes that the project will only take a small amount of land in Wirth Park. However, earlier in the document it makes it clear that it will be removing over 10 acres of wetland with the proposed alternative – while the plan for stormwater is to accommodate it largely within existing ditches. Is this all within railroad right-of-way? And is there an assurance that any potential drainage impacts to the larger area will be taken into account, including those outside the project's construction limits?

Chapter 9 –Consultation and Coordination

- Page 9-1, 9.1.1 – Goals should clearly call out the intention to proactively involve underrepresented groups, including low income populations and communities of color. It appears this was done, but it is not stated up front this was a goal.

Chapter 10 –Financial Considerations

- Page 10-2, Table 10.1-1 – Does the right-of-way cost estimate for D2 take into account cost of relocation assistance for residents from the homes that would be removed? And does the construction cost of D1 take into account the construction of noise barriers and other noise mitigation features, and the cost of wetlands bank purchases?
- Page 10-3, Construction Costs – Is there a map or graphic to show the limits of construction to demonstrate where improvements included in the cost estimates will be

made? This is needed to determine what projects will be identified as mitigation/betterments outside the scope of the main project and therefore needing additional funding to be completed.

Chapter 11 –Evaluation of Alternatives

- Page 11-11, Alternative B-C-D1 – The significant wetlands impact is identified as differentiator, but needs to be better qualified as it is a negative for this alternative (i.e. doesn't directly support its status as a preferred alternative).
- Wetlands in Golden Valley are part of the Basset Creek Valley Watershed (BCV) and these flow into the corporate boundaries of the the City of Minneapolis. This line should not contribute to the pollution of the BCV watershed; it should continue toward – or at least not complicate – the clean up of this watershed.

Appendices

- Appendix E; Alignment D – The City of Minneapolis is working on a possible art installation, the John Biggers Seed Project, on Bridge 27785 over I-94. City staff has been consulting Hennepin County and MnDOT. Consultation and coordination between the applicable agencies regarding the proposed LRT project and this art installation should continue.



MILLE LACS BAND OF OJIBWE

Executive Branch of Tribal Government

April 22, 2014

Hennepin County, Housing Community Works and Transit

Attn: Bottineau Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Re: Section 106 NHPA Tribal Review and Compliance: Hennepin County, Housing Community Works and Transit: a 13 mile corridor of transportation improvements that extends from downtown Minneapolis to the northwest, serving North Minneapolis, Golden Valley, Robbinsdale, Crystal, New Hope, Osseo, Brooklyn Park, and Maple Grove, MN.

DNR/THPO 14-0411-03: Regarding Draft Environmental Impact Statement describing the transportation and environmental impacts associated with the construction and operation of a light rail transit project to improve transit service in the Bottineau Transitway Project.

To Whom It May Concern:

Thank you for the opportunity to comment on the above reference project. It has been reviewed pursuant to the responsibilities given to the Tribal Historic Preservation Officer (THPO) by the National Historic Preservation Act of 1966, as amended in 1992 and the Procedures of the Advisory Council on Historic Preservation (38CFR800).

I have reviewed the documentation; after careful consideration of our records, I have determined that the Mille Lacs Band of Ojibwe (DNR/E) does not have any known recorded sites of religious or cultural importance in these areas

Should any human remains or suspected human remains be encountered, all work shall cease and the following personnel should be notified immediately in this order: County Sheriff's Office and the office of the State Archaeologist. If any human remains or culturally affiliated objects are inadvertently discovered this will prompt the process to which the Band will become informed.

Please note: The above determination does not 'exempt' future projects from Section 106 NHPA review. In the event any other tribe notifying us of concerns for a specific project, we may reenter into the consultation process.

You may contact my staff at (320) 532-7450 if you have questions regarding our review of this project. Please refer to the MLB-THPO Number as stated above in all correspondence with this project.

Respectfully Submitted,

Susan Klapel, Commissioner
Department of Natural Resources

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Bassett Creek Watershed Management Commission

MAY 22 2014

May 20, 2014

Mr. Brent Rusco
 Hennepin County, Housing Community Works and Transit
 Attention: Bottineau Transitway
 701 Fourth Avenue South, Suite 400
 Minneapolis, MN 55415

**Re: Bottineau Transitway – Draft Environmental Impact Statement
 BCWMC #2014-07**

Dear Mr. Rusco:

Thank you for providing the Bassett Creek Watershed Management Commission (BCWMC) with the opportunity to review and to provide comments on the Bottineau Transitway Draft Environmental Impact Statement (EIS). On behalf of the BCWMC, we reviewed the Draft EIS and offer the following comments on the areas potentially impacted by the project that are within the BCWMC jurisdiction.

General/Background

As shown in Figure 5.9-1, portions of three of the proposed alignment alternatives are located in the jurisdiction of the BCWMC:

- Nearly all of Alignment D1 (part of the preferred alternative), from about Russell Ave. N. in Minneapolis to the intersection of Alignment D1 and Alignment C at 34th Ave. N, near the Robbinsdale/Crystal border. As noted in the Draft EIS, stormwater runoff from the existing railway corridor along this route discharges directly into surrounding ditches and is conveyed to adjacent waterbodies, including Bassett Creek, Grimes Pond, North Rice Pond and South Rice Pond (which eventually drain to Bassett Creek).
- Portions of Alignment D2, from about 17th Ave. N. and Penn Ave. N. to West Broadway and Xerxes Ave. N. in Minneapolis (Robbinsdale/Minneapolis border), and along 34th Ave. N. from just west of France Ave. N. to the intersection with Alignment C. Stormwater runoff from this portion of the route will also discharge directly to Bassett Creek, via storm sewer systems.
- A small portion of Alignment C (part of the preferred alternative), from 34th Ave. N. to 36th Ave. N.

Floodplain Issues

Alignment D1 follows the Burlington-Northern Santa Fe (BNSF) railroad corridor. A portion of this route in Golden Valley (and Wirth Park in particular) is located along the Main Stem of Bassett Creek and South Rice Pond. In Robbinsdale, the route is located along Grimes Pond, North Rice Pond and South Rice Pond. The BCWMC's 100-year floodplain elevation for Bassett Creek along Alignment D1 ranges from elevation

826.0 ft. (NGVD29) at the upstream end of TH 55 to 832.0 ft. (NGVD29) at the downstream side of Bassett Creek Drive. In addition, the BCWMC's 100-year floodplain elevation for Grimes Pond/North Rice Pond is 838.0 ft (NGVD29) and for South Rice Pond is 831.5 ft (NGVD29).

The preferred alternative (Alternative B-C-D1) will result in 18,700 cubic yards of total floodplain impacts. Of this, 11,000 cubic yards will be within the Bassett Creek floodplain, along Alignment D1.

As discussed in previous correspondence, the BCWMC will not allow filling within the BCWMC-established floodplain without mitigation. Proposals to fill within the floodplain must obtain BCWMC approval and provide compensating storage (1:1 basis) and/or channel modifications so that the flood level is not increased at any point along the creek due to fill. Figure 5.2-6 in the Draft EIS identifies two areas within Theodore Wirth Regional Park as potential sites to provide compensating floodplain storage. As noted in Section 5.2.5 of the Draft EIS, the design of the compensatory storage sites would need to be coordinated with the Minneapolis Park and Recreation Board, appropriate city/cities, and the approving agencies (including the BCWMC). We encourage the Metropolitan Council to contact BCWMC as early in the design process as possible to discuss these storage sites.

In addition to reviewing proposals for floodplain fill, the BCWMC must review and approve crossings of the Bassett Creek trunk system, including changes to existing crossings. The Draft EIS notes (Section 5.3.4.1) that Alignment D1 will cross a backwater channel of Bassett Creek, just north of TH 55.

Floodplain management policies are listed in Section 5.2.2.2 of the BCWMC's 2004 Watershed Management Plan. Please also see the BCWMC's submittal and design requirements for projects ("Requirements for Improvements and Development Proposals," 2008). These documents can be found on the BCWMC website: www.bassettcreekwmo.org.

Runoff and Rate Control

The BCWMC regulates stormwater runoff discharges and volumes to minimize flood problems, flood damages, and future costs of stormwater management systems along the Bassett Creek trunk system. The selected alternative for the Bottineau Transitway project will increase impervious surface 31% within the overall project area. Within the Bassett Creek watershed (Alignment D1), the project will increase the amount of impervious surface by 15 acres, a 40% increase within the Alignment D1 project area (from Technical Report Stormwater in the Draft EIS). The increased impervious surface will be in close proximity to the creek itself and will result in increased runoff rates if not controlled. Best management practices must be implemented to ensure flood profiles are not increased along Bassett Creek.

Water Quality

The BCWMC and its member cities have committed significant resources to the improvement of the quality of stormwater runoff reaching the Mississippi River, by reducing nonpoint source pollution carried as stormwater runoff. The BCWMC strongly encourages the Metropolitan Council to implement best management practices to treat transitway runoff to ensure that the project does not increase pollutant-loading to adjacent water bodies. The BCWMC's water quality policies are listed in Section 4.2 of the Watershed Management Plan.

The BCWMC expects the Bottineau Transitway project design to include stormwater treatment and erosion control measures that will reduce the amount of phosphorus and sediment carried by stormwater

runoff to Bassett Creek. The BCWMC also expects the Metropolitan Council to consider measures to minimize the amount of increased impervious surfaces resulting from the project.

Additional pollutants of concern to the BCWMC include chloride from road salting, fuel, oils, metals and construction runoff which could enter storm drains and downstream water resources. Adequate permanent and temporary construction BMPs must be implemented as part of the project.

The Draft EIS proposes the construction of infiltration basins in ditches adjacent to the transitway to provide some water quality treatment before runoff is discharged to Bassett Creek. All proposed water quality treatment facilities will be reviewed for conformance to the design requirements outlined in the "Requirements for Improvements and Development Proposals," (2008). These documents can be found on the BCWMC website: www.bassettcreekwmo.org. The BCWMC is in the process of updating its Watershed Management Plan, which could include significant new standards for stormwater management. We expect approval of the BCWMC Plan sometime in fall 2015, which means the new standards will likely be in place before engineering design begins on the transitway project.

Maintenance

Maintenance of stormwater management (water quality and flood control) features is critical to ensure proper operation. The Draft EIS does not appear to include the maintenance measures the Metropolitan Council proposes to undertake to ensure the effectiveness of stormwater management features. The final EIS should describe the maintenance measures and it should also identify the parties responsible for inspections, the parties responsible for maintenance, and the inspection and maintenance schedules. The BCWMC is concerned that if these operation and maintenance responsibilities are not clearly laid out, the responsibility will fall on the member cities or BCWMC to perform the duties.

Erosion Control

A BCWMC goal is to prevent erosion and sedimentation to the greatest extent possible to protect the BCWMC's water resources from increased sediment loading and associated water quality problems. Temporary and permanent best management practices must be implemented to control construction and post-development erosion and runoff from the site. The BCWMC is particularly concerned about erosion and sediment control during construction because of the proximity of Alignment D1 to numerous water resources, Alignment D1 is immediately adjacent to Grimes Pond and South Rice Pond, and adjacent to or very near Bassett Creek and its adjacent wetlands. Extra care will need to be taken during construction to avoid sediment and other pollutants from entering these water resources. The EIS should acknowledge the extra difficulty in preventing erosion and sedimentation along the portions of the route with numerous water resources in close proximity, such as Alignment D1.

In addition to the NPDES Construction Stormwater Permit from the MPCA (as noted in Section 5.9.5 of the Draft EIS), the BCWMC reviews projects for erosion and sediment control. The BCWMC's erosion and sediment control plan requirements are outlined in "Requirements for Improvements and Development Proposals" (2008). The BCWMC's erosion and sediment control policies are also listed in Section 6.2 of the BCWMC Watershed Management Plan. These documents can be found on the BCWMC website: www.bassettcreekwmo.org.

Wetland Management

The BCWMC wetland goal is to achieve no net loss of wetlands in the Bassett Creek watershed in conformance to the Minnesota Wetland Conservation Act (WCA) and associated rules (Minnesota rules 8420). The portion of the preferred alternative (B-C-D1) and Alternative B-C-D2 in BCWMC is in Minneapolis, Golden Valley and Robbinsdale. Minneapolis and Golden Valley are the local governmental units (LGUs) responsible for administering the WCA in their cities; BCWMC is the LGU for administering WCA in Robbinsdale. Table 5.3-4 in the Draft EIS shows the total wetland disturbance or fill for Alignment D1 (part of preferred alternative) to be 6.1 acres. All of this wetland disturbance or fill along Alignment D1 is within BCWMC. At least two acres appears to be in Robbinsdale. For the portion of Alignment C within BCWMC, there appears to be 0.4 acres of wetland disturbance or fill; this is located in Robbinsdale. Alignment D2 includes 0.7 acres of wetland disturbance or fill, all of which is in BCWMC and in Robbinsdale. BCWMC will be responsible for administering WCA for the Robbinsdale portions of the alignments. Wetland management policies are listed in Section 8.0 of the BCWMC Watershed Management Plan. The BCWMC's submittal and design requirements for projects are included in "Requirements for Improvements and Development Proposals" (2008). These documents can be found on the BCWMC website: www.bassettcreekwmo.org.

BCWMC Capital Improvement Project

In late 2014, the City of Minneapolis (through the Minneapolis Park and Recreation Board) will be constructing a BCWMC capital improvement project to stabilize a reach of Bassett Creek between Golden Valley Road and Irving Avenue North at an estimated cost of \$856,000. The portion of the creek stabilization project between Golden Valley Road and Highway 55 is adjacent to or very near Alignment D1. The creek stabilization project will be completed before the Bottineau Transitway project construction would begin. However, the planning, design and construction of the Bottineau Transitway project needs to ensure the integrity of the BCWMC's creek stabilization project. We will provide you with the as-built plans for the creek stabilization project.

The BCWMC appreciates the opportunity to provide these comments and looks forward to working with the Metropolitan Council to ensure the project can be constructed and operated while protecting the health of the BCWMC's water resources. Please feel free to contact the BCWMC Engineer, Karen Chandler at 952-832-2813 (or kchandler@barr.com), or the Commission Administrator, Laura Jester, at 952-270-1990 (or laura.jester@keystonewaters.com), if you have questions or would like further information.

Sincerely,



Jim de Lambert. Chair
Bassett Creek Watershed Management Commission

c: BCWMC Commissioners and Alternate Commissioners
BCWMC Technical Advisory Committee

From: [Brent C. Rusco](#)
To: [Joseph Scala](#)
Cc: [Kimberly R. Zlimen](#)
Subject: FW: Bottineau Transitway DEIS Comments
Date: Thursday, May 29, 2014 1:13:18 PM
Attachments: [DEIS Comments 05-28-2014.pdf](#)

Joe,

I believe the FAA comments came in today's mail.

Brent

From: Gina.Mitchell@faa.gov [mailto:Gina.Mitchell@faa.gov]
Sent: Wednesday, May 28, 2014 2:14 PM
To: Brent C Rusco
Cc: Maya.Sarna@dot.gov; Bridget.Rief@mspmac.org; Barry.Cooper@faa.gov; Jesse.Carriger@faa.gov; Andy.PEEK@faa.gov; Gordon.Nelson@faa.gov; Jeanne.Witzig@kimley-horn.com
Subject: Bottineau Transitway DEIS Comments

Attached please find FAA's comments on the DEIS for the Bottineau Transitway Project. A hard copy will be sent to you in the mail. If you have any questions, please feel welcome to contact me.
Thanks.

Gina M. Mitchell, AICP
Community Planner

Federal Aviation Administration
Minneapolis Airports District Office
6020 28th Avenue South, Room 102
Minneapolis, MN 55450
T (612) 253-4641
F (612) 253-4611



U.S. Department
of Transportation
**Federal Aviation
Administration**

May 28, 2014

Mr. Brent Rusco, Senior Professional Engineer
Hennepin County Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415-1843

Mr. Brent Rusco:

As a Cooperating Agency for the Bottineau Transitway Project, thank you for the opportunity to comment on the Draft EIS dated March 2014.

FAA Minneapolis Airports District Office (ADO) is continuing to seek FAA Regional and Headquarters concurrence on the conclusions of the February 10, 2014 Crystal Airport Runway Protection Zone Alternatives Analysis (RPZ AA). Upon completion of the RPZ AA, we will forward our comments for incorporation into the Final EIS. When the Final EIS is available, the FAA ADO will want to ensure the proposed transportation project is consistent with the findings of the RPZ AA.

If you have any questions or would like to discuss this information further, please feel welcome to contact Gina Mitchell, Community Planner, at (612) 253-4641 or gina.mitchell@faa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andy Peek".

Andy Peek, P.E., Assistant Manager
Minneapolis Airports District Office

cc Maya Sarna, FTA (by email)
Bridget Rief, Metropolitan Airports Commission (by email)
Barry Cooper, Regional Administrator, FAA Great Lakes Region (by email & mail)
Jesse Carriger, Acting Planning & Programming Manager, FAA Great Lakes
Airports Division (by email)

From: [Darby, Valincia](#)
To: [Bottineau Transitway/Hennepin](#)
Cc: [Brent C Rusco](#)
Subject: Bottineau Transitway Light Rail Project, MN
Date: Thursday, May 29, 2014 12:45:33 PM
Attachments: [er 14-235.pdf](#)

Communication #143

Dear Ms. Simon,

The Department of the Interior's comments on the subject project are attached. If there are questions please contact this office at (215) 597-5378.

Best Regards,

Valincia Darby

--

Valincia Darby
Regional Environmental Protection Assistant
Department of the Interior, OEPC
200 Chestnut Street, Rm. 244
Philadelphia, PA 19106
Phone: (215) 597-5378 Fax: (215) 597-9845
Valincia_Darby@ios.doi.gov



IN REPLY REFER TO:

United States Department of the Interior

OFFICE OF THE SECRETARY Communication #143
Office of Environmental Policy and Compliance
Custom House, Room 244
200 Chestnut Street
Philadelphia, Pennsylvania 19106-2904



May 29, 2014

9043.1
ER 14/0235

Ms. Marisol Simon
Regional Administrator
Federal Transit Administration
200 West Adams Street, Suite 320
Chicago, Illinois 60606

Dear Ms. Simon:

As requested, the Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (EIS), Federal Transit Administration (FTA), Hennepin County Regional Railroad Authority (HCRRA), for the Bottineau Transitway Light Rail Project, Hennepin County, Minnesota. The Department offers the following comments and recommendations for your consideration.

Biological Environment Comments

The Northern long-eared bat (*Myotis septentrionalis*) (NLEB) was proposed for federal listing under the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) on October 2, 2013. At this time, no critical habitat has been proposed for the NLEB. Although species proposed for listing are not afforded protection under the ESA, when a species is listed, the prohibitions against jeopardizing its continued existence and unauthorized “take” are effective immediately, **regardless of an action’s stage of completion**. The state of Minnesota is considered to be within the known range of the NLEB. During the summer, NLEBs typically roost singly or in colonies in a wide variety of forested habitats, in cavities or crevices or underneath loose bark of both live trees and snags (>3 inches dbh) and forage for insects in upland and lowland woodlots and tree lined corridors. We recommend adding the NLEB to Section 5.8.3, Endangered Species and addressing potential project impacts to the species.

Based on the information provided in this EIS, Alternative D-1 will likely result in the loss of some summer roosting and foraging habitat. We recommend quantifying available summer roost habitat that will be removed as a result of this project and assessing those impacts to the species. In order to avoid take of the species once listed, we recommend that all tree clearing associated with this project be conducted outside the summer maternity roost season for the NLEB. The summer maternity season in Minnesota is from April 1 through September 30. If tree clearing

cannot be accomplished outside of this time period, surveys should be conducted to determine presence/absence of the species and consultation should be initiated with the United States Fish and Wildlife Service's Twin Cities Field Office.

Section 4(f) Evaluation Comments

The FTA, along with the HCRRA and the Metropolitan Council, has proposed the construction and operation of the Bottineau Transitway, a light rail transit (LRT) system that would provide for transit improvements in the Twin Cities extending approximately 13 miles from downtown Minneapolis to the northwest suburbs. The draft section 4(f) evaluation identified several properties in the project study area eligible to be considered under Section 4(f) of the Department of Transportation Act of 1966 (48 U.S.C. 1653(f)).

Similar to the comments we had for the proposed Southwest Transitway in Hennepin County, the analysis of impacts to eligible 4(f) properties is not entirely straightforward, and it seems much of the decision making has been put off waiting for further analysis and consultation.

Alternatives are anticipated to result in direct impacts to recreational facilities including the Rush Creek Regional Trail, Theodore Wirth Regional Park, and the Minneapolis Public Schools Athletic Field. Alternatives are anticipated to have direct impacts to two historic properties, the Homewood Historic District and the Grand Rounds Historic District (Theodore Wirth segment). Based upon the existence of an alternative that would avoid direct use of the Minneapolis Public Schools Athletic Field and the Homewood Historic District, the FTA believes that it can avoid a 4(f) use of these properties. Based on measures to minimize harm, the FTA proposes a *de minimis* finding under section 4(f) for the direct impacts to the Rush Creek Regional Trail and the Grand Rounds Historic District (Theodore Wirth segment). Finally, the FTA has determined that its preferred alternative will result in a direct use of the Theodore Wirth Regional Park.

The Section 4(f) Evaluation appears rather preliminary in that additional design will be needed to determine the full extent of some impacts to or avoidance of resources, and impacts to the two historic properties will need concurrence from the Minnesota State Historic Preservation Office (SHPO) on a "no adverse effect" determination under section 106 of the National Historic Preservation Act.

Therefore, the Department would concur with the FTA that there were no feasible or prudent avoidance alternatives to the preferred alternative presented which results in impacts to Theodore Wirth Regional Park.

Impact mitigation for all other 4(f) properties is dependent upon additional design information, as well as consultation with the SHPO and other consulting parties. Therefore, the Department cannot concur that all possible planning needed to minimize harm to 4(f) resources has been employed.

The Department will withhold its final concurrence that there are no feasible or prudent avoidance alternatives and that all possible planning needed to minimize harm to the 4(f) resources have been employed until more information is included in the final evaluation.

The Department has a continuing interest in working with the FTA to ensure impacts to resources of concern to the Department are adequately addressed. For continued consultation

and coordination with the issues concerning historic resources identified as section 4(f) resources, please contact Regional Environmental Coordinator Nick Chevance (Midwest Regional Office, National Park Service, 601 Riverfront Drive, Omaha, Nebraska 68102; telephone 402-661-1844; email *nick_chevance@nps.gov*). For issues concerning federally proposed or listed species, please contact Lisa Mandell, Deputy Field Supervisor, Twin Cities Field Office (4101 American Blvd East, Bloomington, Minnesota 55425; telephone 612-725-3548, extension 2201; email *lisa_mandell@fws.gov*).

We appreciate the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Chevance", written in a cursive style.

Regional Environmental Officer
Office of Environmental Policy and Compliance

cc: Brent Rusco
Senior Professional Engineer
Hennepin County
Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

From: [Brent C Rusco](#)
To: [Joseph Scala](#)
Cc: [Kimberly R Zlmen](#)
Subject: FW: DEIS13-001A Bottineau Transitway DRAFT EIS
Date: Thursday, May 29, 2014 3:58:32 PM
Attachments: [DEIS13-001B Bottineau Transitway-052914.pdf](#)

From: Corbett, Michael J (DOT) [mailto:Michael.J.Corbett@state.mn.us]

Sent: Thursday, May 29, 2014 3:48 PM

To: Brent C Rusco; Shekur, Hailu (DOT); Kelly, Brian (DOT); Craig, E.Buck (DOT); Nelson, Douglas (DOT); Fischer, Jose (DOT); Erickson, Chad (DOT); Lackey, Clare (DOT); Wilson, Ryan (DOT); Mitteco, Gina (DOT); Bursaw, Pat (DOT); Czech, Paul (DOT); Bly, Lynne (DOT); Jensen, Carl P (DOT); Walding, Shawn (DOT); Christianson, Dave (DOT); Wasko, Peter (DOT); Sorenson, Deb (DOT); Kannankutty, Ramankutty (DOT); Rauchle, Ron (DOT); Griffith, John (DOT); Jacobson, Nancy (DOT); russell.owen@metc.state.mn.us

Cc: Sherman, Tod (DOT); McCartney, Molly (DOT)

Subject: RE: DEIS13-001A Bottineau Transitway DRAFT EIS

Hello Mr. Brent Rusco,

Attached is a letter containing MnDOT's comments on the Bottineau Transitway Draft Environmental Impact Statement. If you have any questions concerning this letter, please let me know.

Michael Corbett, PE

MnDOT Metro Division – Planning

1500 W County Road B-2

Roseville, MN 55113

651-234-7793

Michael.J.Corbett@state.mn.us



Minnesota Department of Transportation
Metropolitan District
Waters Edge Building
1500 County Road B2 West
Roseville, MN 55113

Communication #151

May 29, 2014

Mr. Brent Rusco, Project Manager
Hennepin County
Housing, Community Works and Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

SUBJECT: Bottineau Transitway Draft EIS
MnDOT Review # DEIS13-001B
Hennepin County

Dear Mr. Rusco:

Thank you for the opportunity to review the Bottineau Transitway Draft Environmental Impact Statement (DEIS). MnDOT recognizes the significant role that the Bottineau Transitway has in the planned Twin Cities regional transitway system. Please note that MnDOT's review of this DEIS does not constitute approval of a regional traffic analysis and is not a specific approval for access or new roadway improvements. MnDOT's staff has reviewed the document and offers the following comments:

Planning

Partnering with MnDOT is essential during project development, engineering, and construction to help ensure timely and appropriate identification of and resolution to any impacts to MnDOT facilities. As the project progresses, work with MnDOT to ensure that all impacts to State Highway infrastructure (e.g. along TH 55 in Minneapolis, and crossings over TH 100, TH 610, and I-94) are reviewed and approved through the layout approval process, consistent with policy and criteria outlined in the MnDOT Road Design Manual.

MnDOT has expectations that detailed design considerations along the Bottineau corridor where State Highways are impacted will be compatible and coordinated with MnDOT's multimodal objectives. These objectives include extensive collaboration with local partners and residents to achieve an improved transportation corridor that promotes and invites all non-motorized traffic to move along and across the corridor in a safe and convenient manner.

As design work develops, continue to partner and work with MnDOT Metro District staff and functional groups to resolve project development technical issues identified by MnDOT and other key stakeholders.

Design

It is anticipated that all trunk highway impacts will be reviewed and approved through the layout approval process and proposed alterations will use the policy and criteria presented in the MnDOT Road Design Manual. Additional information on MnDOT's Geometric Design and Layout Development process can be found at:

<http://www.dot.state.mn.us/design/geometric/index.html>

Water Resources

It appears that drainage permits will be required where the corridor crosses and parallels state roads within MnDOT's right of way. MnDOT expects these determinations will be made when the final design plan is submitted.

Right-of-Way/Permits

Any use of or work within or affecting MnDOT right-of-way requires a permit. It is anticipated that more specific impacts to MnDOT right-of-way will be identified during the FEIS and Project Development (Preliminary Engineering) phases.

Thank you for the opportunity to review the Bottineau Transitway Draft Environmental Impact Statement.

Sincerely,



Michael J. Corbett, PE

Senior Planner – MnDOT Metro Office of Planning, Program Management and Transit

Copy sent via E-Mail:

Brian Kelly, Water Resources
Hailu Shekur, Water Resources
Buck Craig, Permits
Doug Nelson, Right of Way
Tony Fischer, Freeway Liaison
Chad Erickson, West Area Traffic
Tiffany Kautz, Right-of-way
Nancy Jacobson, Design
Ryan Wilson, Transit
Gina Mitteco, Planning
Pat Bursaw, Planning
Paul Czech, Planning
Lynne Bly, Planning
Shawn Combs Walding, Planning
Carl Jensen, Metro State Aid
Dave Christianson, Freight
Peter Wasko, Noise
Deb Sorenson, Aeronautics
John Griffith, Area Manager
Ramankutty Kannankutty, Area Engineer
Ron Rauchle, Area Engineer
Clare Lackey, Traffic
Russell Owen, Metropolitan Council

From: [Tegdesch, Elizabeth \(MPCA\)](#)
To: [Bottineau Transitway/Hennepin](#)
Cc: [Kain, Kevin \(MPCA\)](#); [Affeldt, Craig \(MPCA\)](#); [Hastings, Tyler \(MPCA\)](#); [Smith, Amanda \(MPCA\)](#); [Brist, Jim \(MPCA\)](#)
Subject: MPCA Comment Letter - Bottineau Transitway
Date: Thursday, May 29, 2014 8:22:50 AM
Attachments: [Bottineau Transitway DEIS.pdf](#)

Attached are the Minnesota Pollution Control Agency's comments on the Bottineau Transitway Draft Environmental Impact Statement. A paper copy will follow by U.S. mail.

Please acknowledge receipt of this comment letter to Kevin Kain at kevin.kain@state.mn.us

Thank you.

[Elizabeth Tegdesch](#)
[Environmental Review and EQB Support](#)
[Minnesota Pollution Control Agency](#)
[520 Lafayette Road N](#)
[St. Paul, MN 55155 / 651-757-2100](#)
elizabeth.tegdesch@state.mn.us



Minnesota Pollution Control Agency

520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300

800-657-3864 | 651-282-5332 TTY | www.pca.state.mn.us | Equal Opportunity Employer

Communication #152

May 29, 2014

Hennepin County, Housing Community works and Transit
Attention: Bottineau Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

Re: Bottineau Transitway Draft Environmental Impact Statement

To Whom it May Concern:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement Draft (EIS) for the Bottineau Transitway project (Project) located in the city of Minneapolis, Minnesota. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA staff has the following comments for your consideration.

1. Please be aware that Shingle Creek and Bassett Creek are listed on the MPCA Inventory of Impaired Waters located on the MPCA website at <http://www.pca.state.mn.us/water/tmdl/tmdl-303dlist.html>. We recommend you utilize the MPCA Special Waters and Impaired Waters Search mapping tool to identify special or impaired waters located near proposed projects. The mapping tool is located on the MPCA website at: <http://pca-gis02.pca.state.mn.us/CSW/index.html>. Shingle Creek and Bassett Creek are listed as impaired for turbidity and fecal coliform. The impairment will dictate additional increased stormwater treatment during construction and require additional increased permanent treatment post construction. These requirements will be included in the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater (CSW) permit. The project proposer should determine that compliance with these increased stormwater water quality treatments can be achieved on the Project site or elsewhere. Information regarding the MPCA's Construction Stormwater Program can be found on the MPCA's website at <http://www.pca.state.mn.us/water/stormwater/stormwater-c.html>. Questions regarding Construction Stormwater Permit requirements should be directed to Roberta Getman at 507-206-2629.
2. The permanent treatment requirements are old – the 2013 CSW permit now requires one inch from the new impervious over one acre added to be retained on site. Table 5.9-2 needs to be updated, and their proposed ponds will need to be reevaluated to meet the new requirement (no specifics are given, but they need to comply with the new requirements).

- a. In Section 5.9.5, the statement “Due to the linear nature of the project, BMPs that are compatible with linear corridors would be used to the extent possible without the need to purchase additional right-of-way” would not comply with the 2013 CSW permit. The requirement is to meet the one inch water quality volume unless infeasible. Part of the specific requirements for linear projects: For work on linear projects with lack of right-of-way where the Permittee(s) cannot obtain an easement or other permission for property needed to install treatment systems capable of treating the entire water quality volume on site, the Permittee(s) must maximize the water quality volume that can be treated prior to discharge to surface waters. Treatment can be provided through other methods or combination of methods such as grassed swales, filtration systems, smaller ponds, or grit chambers, prior to discharge to surface waters. A reasonable attempt must be made to obtain right-of-way during the project planning process. Documentation of these attempts must be in the Stormwater Pollution Prevention Plan (SWPPP) per Part III.A.5.m. in the section addressing infeasibility.
3. Traffic
The Project is designed to provide less congested access and improve traffic flow, so increased air pollution due to increased congestion should not be a problem. The Draft EIS briefly addresses concerns of traffic during construction. Disruption to traffic operations, including lane closures, short-term intersection and roadway closures, as well as detour will occur during construction of the Project and would cause localized increases in congestion. Therefore, traffic control measures should be developed during subsequent stages of the project to address these construction phased-impacts. Traffic flow and access to adjacent development must be maintained throughout the construction period. Construction related impacts must also be minimized within the neighborhoods adjacent to the project area. Amanda Smith (Amanda.smith@state.mn.us) would like to see a copy of the construction phasing plan when it is developed.
4. Carbon Monoxide (CO) Hot-Spot Analysis
The effects of this Project on air quality were conducted through analysis of predicted impacts on CO concentrations. Analysis was conducted on five intersections in the study area, one representing the worst-case condition along each alignment under consideration. Based on these results, concentrations of CO in the study area would not exceed state one hour or eight hour standards. Therefore, the construction of the Project is not expected to cause any exceedance of the state CO standards. Based on the qualitative assessment presented in the Draft EIS, the Project would not cause exceedances of other criteria pollutants.
5. Mobile Source Air Toxics (MSAT)
The Draft EIS has provided a detailed qualitative analysis of MSATs. Since the traffic volumes for this project are below the threshold of 140,000 vehicles per day, a quantitative MSAT analysis is not required. Based on the qualitative assessment provided in the Draft EIS, it is not anticipated that this Project will cause a significant increase in MSAT emissions.

6. Noise

The Draft EIS includes a detailed noise analysis. However, the noise analysis was conducted using Leq, rather than L10 and L50, which are the applicable state noise standards. The Project must comply with state noise standards and the final noise mitigation plan must address these state standards.

We appreciate the opportunity to review this Project. Please provide your specific responses to our comments. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this Draft EIS, please contact me at 651-757-2482.

Sincerely,



Kevin Kain
Planner Principal
Environmental Review Unit
Resource Management and Assistance Division

KK:bt

cc: Craig Affeldt, MPCA
Tayler Hastings, MPCA
Amanda Smith, MPCA
Jim Brist, MPCA

From: [Jonathan Vlaming](#)
To: [Bottineau Transitway/Hennepin](#)
Cc: [jan_youngquist \(jan.youngquist@metc.state.mn.us\)](#); [Kelly Grissman](#); [Ann Rexine](#)
Subject: Bottineau DEIS Comments 5 28 2014 Three Rivers Park District
Date: Thursday, May 29, 2014 7:40:28 AM
Attachments: [Bottineau DEIS Comments 5 28 2014 Three Rivers Park District.pdf](#)

Three Rivers Park District is submitting written comments on the Bottineau Transitway DEIS. Please call if you have questions. Thank you.



Jonathan Vlaming
Associate Superintendent -
Planning, Design & Technology
Three Rivers Park District
3000 Xenium Ln N
Plymouth, MN 55441
Wk: 763-694-7632
Cell: 612-490-5220



5/28/2014

Three Rivers
Park District
Board of
Commissioners

Hennepin County Housing, Community Works & Transit
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415
Attn: Bottineau Transitway

Penny Steele
District 1

**RE: Three Rivers Comments on Bottineau DEIS - 8.0 Draft section 4(f)
Evaluation**

Jennifer DeJournett
District 2

Three Rivers Park District staff have reviewed the final Draft Environmental Impact Statement (DEIS) for the Bottineau Transitway. Thank you for incorporating previous staff comments into the revisions leading up to the final DEIS. The final DEIS is comprehensive, well written and logical in its conclusions. With one exception, Three Rivers staff have no concerns with the DEIS.

Daniel Freeman,
Vice Chair
District 3

**Issue: Proposed *de minimis* impact determination of the OMF facility on
the Rush Creek Regional Trail (page 8-18)**

John Gunyou,
Chair
District 4

The DEIS indicates that the FTA is proposing a *de minimis* determination for Rush Creek Regional Trail for construction of the OMF located in an east/west alignment north of 101st Avenue. The *de minimis* classification proposal is new information for Three Rivers and the DEIS is incorrect in stating that Three Rivers "provided input regarding potential *de minimis* use of park property". The *de minimis* proposal requires additional discussion and collaboration between Three Rivers and the Bottineau Transitway project team as the project advances.

John Gibbs
District 5

Larry Blackstad
Appointed
At Large

The Rush Creek Regional Trail corridor is one of a handful of metro regional trail corridors that were acquired prior to development of the surrounding area, and involved a significant investment in land acquisition to provide a natural-resources rich greenway buffer between the trail and future development. Over 250 acres were secured for this trail greenway. The trail meanders through a greenway composed of woodlands, prairie and wetlands, and provides a rare experiential trail setting offering solitude and escape from the sights and sounds of neighboring developments that have risen from the farm fields once adjacent to the trail greenway. Over 372,000 annual visitors now enjoy this trail greenway and the respite from modern life it offers. The success of this trail greenway reflects solid long-range planning and investments starting nearly 30 years ago.

Steve Antolak
Appointed
At Large

Cris Gears
Superintendent

Encroachment into the trail greenway by the OMF site threatens to disrupt the experiential setting offered by the trail greenway. The trail greenway offers two trails – a paved trail for bicyclists, in-line skaters and others who prefer a smooth surface, and an unpaved trail – originally designed for horses when the area was rural - and now used by runners and walkers looking for an even more natural setting. The paved trail comes within 400 feet of the OMF site, and the unpaved trail is directly adjacent to the OMF site.

The DEIS states:

"*De minimis* impact is defined in 23 CFR 774.17 as follows:

"For parks, recreation areas, and wildlife and waterfowl refuges, a *de minimis* impact is one that would not adversely affect the activities, features, or attributes qualifying the property for protection under Section 4(f)."

The DEIS does not provide enough information (OMF scale, noise impacts, visual impacts, air quality impacts, hours of operation, secondary impacts such as traffic to/from the site, etc.) to accurately determine if the OMF impact on the regional trail greenway corridor is *de minimis*. Consequently, at this time Three Rivers staff can not recommend to the Three Rivers Board of Commissioners that the direct use of the trail greenway corridor for the OMF site warrants *de minimis* status.

The DEIS does recognize that *de minimis* resolution of 4(f) property impacts requires agreement by the agency with jurisdiction over that property. Three Rivers will work with the Bottineau Transitway design team to assess the potential impacts of the OMF site on the regional trail and its visitors, and will work collaboratively to find creative solutions that meet the needs of Three Rivers, trail users, and the Bottineau Transitway project.

Thank you for your consideration of this concern. I look forward to working with the Bottineau team as the project advances.

Respectfully,

Sincerely,



Jonathan Vlaming
Associate Superintendent of Planning, Design and Technology
Three Rivers Park District
jvlaming@threeriversparkdistrict.org
C: 612-490-5220
W: 763-694-7632

C: Jan Youngquist, Metropolitan Council

May 20, 2014

MAY 30 2014



Communication #181

The Honorable Peter McLaughlin
Chair, Hennepin County Regional Railroad Authority
A-2400 Government Center
300 South 6th Street
Minneapolis, MN 55487

7800 Golden Valley Road
Golden Valley, MN 55427

Mr. Chair;

The City of Golden Valley would like to take this opportunity to review and provide comments to the Bottineau Transitway Draft Environmental Impact Statement (EIS) Document. The City supports alternate transportation modes and appreciates Hennepin County's commitment to building a robust transit corridor in the northwest metro area. While the Bottineau Transitway would be an important component in providing mass transportation to the region, the City continues to have concerns surrounding the impacts of the line that is proposed to cross through northeast Golden Valley along the Burlington Northern Santa Fe (BNSF) railroad corridor.

The City has received feedback from several of its commissions, as well as residents. Most of the comments pertain to concerns over the potential impacts that the Bottineau Transitway would have to natural areas in the city, as well as potential impacts to surrounding properties. The City also has concerns relating to the infrastructure within the vicinity of the proposed stations serving the line—primarily the roadway system and the need for improved multi-modal facilities to serve the stations.

Based upon review of the Draft EIS, the City feels that greater effort and attention must be given to the following areas—not listed in any particular order or with indication of priority—during the upcoming Project Development phase of work:

- The likely impacts on the aesthetic and recreational aspects of Mary Hills Nature Area with an eye on both preserving and enhancing the park for future users.
- Projected traffic impacts (during and after construction) and impacts to infrastructure on Golden Valley Road, Wirth Parkway, and surrounding local streets near each station location, and how those impacts might be addressed. Consideration should be given to a design of Golden Valley Road that incorporates multiple modes of transportation, including transit, bicycles, pedestrians, and the proposed Bassett Creek Regional Trail.
- Highlight the differing impacts that a given station location or locations would imply for the immediately surrounding areas, including the effects of noise, lights, vibration, litter, pollution, and auto and bus traffic. The design of a given station should strive to

safeguard the personal safety of transit users as they arrive at, depart from, or wait at the platform.

- Mitigation measures should attempt to address the impacts as experienced by the residents of Golden Valley and not just the tangible aspects of the physical environment.
 - The mitigation of visual impacts as experienced from parks and residential areas, including the impacts from lights and lighting along the Bottineau Transitway and around potential station locations.
 - The mitigation of noise impacts for properties where noise barriers were not specifically identified in the Draft EIS. In general, the study of noise levels was inadequate and more locations must be examined.
 - The location of mitigation efforts for flood plain impacts along the corridor, especially in areas that may impact parks and nature areas.
 - Issues of accountability if the mitigation measures fail in the future and ownership and the responsibility for maintenance of infrastructure such as pipes and culverts should be examined.
- Beyond the quantitative measurement of noise and vibration, the City is interested in a qualitative analysis of the impacts the Bottineau Transitway project might generate—especially within Mary Hills Nature Area and Theodore Wirth Park.
- Parking options and passenger drop-off access at the proposed Golden Valley Road station. Consideration should be given to the construction of a park and ride facility at or near the Golden Valley Road station location.
- A more complete accounting of the impacts to Golden Valley residents, neighborhoods, streets, and the entire transportation system during the lengthy construction period.
- Many areas of Golden Valley have substandard soils which are unsuitable for construction without proper correction or engineering. A good portion of the Transitway corridor through Golden Valley is located within floodplain, lowland, or wetland areas. In addition, there are areas in Golden Valley that were found to be filled with construction debris in the past. The presence of contaminated material is likely. A careful and detailed analysis of the soils, including possible contamination, must be included as part of the project. Mitigation measures consistent with all applicable laws must be included in the project if contaminated material is discovered.
- Pedestrian movement throughout Mary Hills Nature Area by users on both sides of the existing rail line constitute an important community connection. The City requests a study of a safe pedestrian-only grade crossing.

In its previous communications with the County regarding the Bottineau line, the City has raised a number of concerns. While some issues have been addressed in the work completed as part of the Draft EIS, the City believes that continued attention must be paid to the following:

Natural Resources

The proposed alignment for the Bottineau Transitway (known as the Locally Preferred Alternative, or LPA) is to be located within and adjacent to Theodore Wirth Regional Park, as well as the Mary Hills Nature Area and Glenview Terrace Park. These areas are invaluable and unique natural and recreational amenities to the City as well as the northwestern Twin Cities region. The Comprehensive Plan for the City establishes clear goals that provide protection of these natural areas. The City shall be involved in all decisions that impact the parks.

Any impacts to the floodway or floodplain must be mitigated in accordance with the laws and policies of the regulating agencies. The City recognizes that mitigation within the existing railroad corridor will be challenging; it encourages the County to work closely with the City of Golden Valley, the Bassett Creek Watershed Management Commission (BCWMC), the Minneapolis Park and Recreation Board, and other BCWMC member cities to identify potential flood storage areas outside of the railroad rights-of-way, if necessary.

Wetland impacts will need to be mitigated in accordance with the laws and policies of the regulating agencies. The City of Golden Valley is the local government unit responsible for administration of the Wetland Conservation Act. If necessary, the County should identify potential mitigation solutions outside the railroad right-of-way that are satisfactory to the local partners.

The Transitway project will need permits or approvals from all agencies regulating stormwater, including but not limited to the City, BCWMC, and Minnesota Pollution Control Agency. At a minimum, best management practices addressing erosion and sediment control will need to be implemented during construction. It is possible that rate control and stormwater treatment that reduces pollutants and runoff will be required, especially with the development of a transit station, park and ride facility, or other impervious surfaces.

The natural areas located within the LPA Alignment are home to vast array of wildlife. Care must be taken to avoid impacts to the habitat and travel ways of all wildlife, including endangered, threatened, or special concern species. The City requests more specific information about the location of fencing along the LPA Alignment, as well as what type of fencing would be used. The movement and safety of wildlife through the natural areas may be impeded by certain types of fencing and the City would like to explore options for waivers from the requirement. In addition, new wildlife surveys may be warranted given the age of the surveys used in the Draft EIS.

As the proposed project has the potential to impact areas within large parks and natural areas, and areas adjacent to Bassett Creek, the corridor has been studied for the presence of historic and cultural resources. Both the bridge over Basset Creek in

Theodore Wirth Park (Bridge No. L9327) and the Grand Rounds Historic District have been identified as architectural resources that are eligible for listing in the National Register of Historic Places. The City shall be involved in all decisions that impact these two resources.

Station Location

The Draft EIS has identified two potential station locations in the City of Golden Valley along the LPA and suggests that only one will be chosen for construction. Both of the station locations—at Golden Valley Road near Wirth Parkway and on Plymouth Avenue near Wirth Parkway—would potentially require the acquisition of property owned by the Minneapolis Park and Recreation Board.

Prior Draft EIS information indicates that the Golden Valley Road station would serve mostly Golden Valley residents and businesses and the Plymouth Avenue station would serve mostly Minneapolis residents, businesses, and Wirth Park facilities. Golden Valley businesses in the immediate area include regional destinations (Courage Kenney Rehabilitation Institute, Minneapolis Clinic of Neurology, Regency Hospital of Minneapolis, Wirth Park) and local destinations (Church of St. Margaret Mary, Unity Christ Church, The Family Partnership). Additional businesses that would likely use the Golden Valley Road station via additional transit connections include Honeywell and General Mills, among others.

While a station located at Plymouth Avenue would likely have less effect on Golden Valley neighborhoods and community resources, the Golden Valley Road station would provide more direct access for Golden Valley residents and businesses. In addition, the Golden Valley Road location is on an existing bus line with potential feeder bus connections and has planned regional trail connections. As Metro Transit buses would not be allowed to use Theodore Wirth Parkway, a Plymouth Avenue station location would limit potential Golden Valley ridership. The City believes overall transit ridership numbers would be maximized with a Golden Valley Road station location.

As part of Project Development, the City will require more detailed information about how buses would be incorporated into the station areas, including the amount and frequency of feeder buses serving the stations, and information about how bus drop-off and pick-up would function at the stations. The City is also interested in the expected revisions to the bus system as routes are reconfigured to serve the stations and the potential impacts these changes would generate in Golden Valley.

As proposed, parking options at either station location are limited or non-existent. The City needs more detailed information about how parking would function at the station locations. The number of parking spaces at each location and whether or not parking ramps are being considered for the sites must be determined. The City believes

providing adequate parking at the stations is a necessity to avoid undesirable impacts on the surrounding streets and properties.

The Draft EIS does not include plans for a park and ride facility at either station location and land use and zoning controls that are currently in place at the proposed station location sites do not allow parking that is not associated with park uses. To allow for parking to be constructed, changes to land use and zoning controls would need to be made by the City Council. The City requests that funding be made available to allow for planning studies, which include consideration for parking options. Surrounding landowners have expressed concerns about their existing parking conditions so the integration of public and private parking improvements could be an opportunity for further study.

The ridership levels and trip generation from the proposed station or a future park and ride facility may result in the need to modify, enhance, or expand the nearby transportation system, which includes roads, trails and sidewalk facilities—specifically, Golden Valley Road as well as its intersection with Theodore Wirth Parkway. It is expected that the Bottineau Transitway Project would partner with the appropriate road authority to address and mitigate any traffic concerns.

Sidewalks currently serve both station locations. The existing sidewalk and trail system will require upgrades and/or expansion to meet accessibility design requirements and the needs of the community. It is expected that this would be accomplished as part of the site access evaluation and implementation. The City of Golden Valley owns and maintains concrete sidewalks on both sides of Golden Valley Road at the intersection with the proposed Transitway, though gaps in the sidewalk system exist on the north side of Golden Valley Road to the west. In addition, Three Rivers Park District has identified the Golden Valley Road corridor for the proposed Bassett Creek Regional Trail which would connect French Regional Park and the Medicine Lake Regional Trail to Wirth Regional Park and the trails along the Grand Rounds National Scenic Byway. This network of trails and sidewalks would also require year-round maintenance—especially for accessibility purposes—for LRT to succeed in this multi-modal transportation area. Funding for this maintenance should be discussed as part of Project Development.

The City owns and maintains an asphalt trail near the BNSF Railway in the Mary Hills Nature Area. This trail provides an important north-south connection from Golden Valley Road north into Robbinsdale via Sochacki Park. It is anticipated that a new Transitway may impact this trail and the City must be actively involved with any reconstruction or realignment of this trail. In addition, the City urges that the potential construction of a station at the Golden Valley Road location be done in a way that provides a trail connection between existing trails in Theodore Wirth Park and the Mary Hills Nature Area.

The costs to reconstruct Golden Valley Road and the existing multi-modal facilities discussed above, in addition to any facilities deemed necessary to fully meet the anticipated needs, must be considered in the evaluation of the potential station location. The Final EIS should identify and pursue opportunities for a Hennepin County Community Works project related to the possible reconstruction of Hennepin County State Aid Highway (CSAH) 66. The project could work in conjunction with the proposed Bassett Creek Regional Trail, which is identified to be partially located within the CSAH 66 corridor.

Property Impacts

The potential noise and vibration impacts from the Bottineau Transitway are a significant concern. While current and possible future freight rail traffic also create noise, it is different from consistent noise associated with a regional transit system. These effects should be studied in greater detail. The City needs more information about the presence of potential sound walls and other barriers that may cause visual obstructions to surrounding properties.

Ways to incorporate natural buffers such as trees and other vegetative cover as well as natural boulder retaining walls should be considered.

With high frequency transit service, the potential Transitway and transit station will have a visual impact on surrounding properties. Most notably will be the addition of lights and lighting that does not exist with the current freight rail. The effects of lighting must be studied and the screening of adjacent neighborhoods and park areas must be considered as part of this project.

The Final EIS should further assess the impacts to properties along the corridor and look for ways for the County and the Metropolitan Council to address any negative impacts, including pursuing funding opportunities for improvements to homes that are negatively impacted or possible acquisition of homes adjacent to the corridor for the purposes of mitigation.

Additional research should be done in the area of station and corridor noise mitigation. The City requests the study of the option to produce a quiet zone throughout the corridor, including the station stops between 36th Avenue North in Robbinsdale and Olson Memorial Highway in Golden Valley. This would include incorporating safe station train operation practices in order to eliminate the use of train bells or whistles while operating along the corridor and approaches into and departures from stations.

Community Resources

The proposed Transitway and transit stations would likely require an increase in community resources such as police, fire, public works maintenance, and traffic

management. Since the proposed transit system is managed by the Metropolitan Council, it is anticipated that Metro Transit Police will be the primary law enforcement agency at the station.

The City of Golden Valley owns watermain, sanitary sewer, and storm sewer facilities in the area of the proposed route. Some of these facilities parallel or cross under the existing BNSF Railway. The City requires more information about how these facilities might be impacted by the Transitway. Record drawings and other information are available in the City's engineering office to assist in the planning and design of the project. The City shall be consulted on all design and construction considerations and field decisions involving City-owned utilities.

The City of Minneapolis owns a 48-inch watermain which passes under the BNSF Railway north of Golden Valley Road and Metropolitan Council Environmental Services owns a large sanitary sewer interceptor which parallels the BNSF railway in Wirth Park. The City shall be consulted along with the custodial agency on all design and construction considerations and field decisions involving these utilities.

It has been estimated that as many as fifteen Xcel Energy transmission line towers may need to be relocated as a result of the proposed Transitway. The City's Right-of-Way Management Ordinance currently requires that any proposed reconstruction, relocation, or replacement of overhead utility lines over 300 feet be buried underground. This code requirement may apply to this situation.

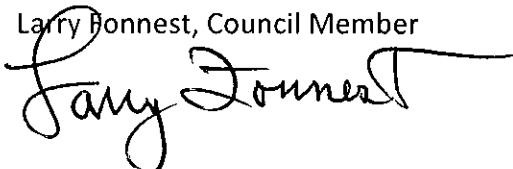
The City of Golden Valley respectfully requests that these concerns be addressed in a sufficient manner, and that they become part of public record associated with the Bottineau Transitway Draft Environmental Impact Statement. As previously stated, the City recognizes the regional significance of transit in the northwest metro area, but remains concerned over the impacts the Bottineau Transitway project would have on Golden Valley. Thank you for continuing to work with the City to address these concerns. Golden Valley believes these comments will result in a more complete and better realized Final Environmental Impact Statement.

Respectfully,


Shepard Harris, Mayor


Joanie Clausen, Council Member

Larry Bonnest, Council Member




Steve Schmidgall, Council Member


Andy Snopce, Council Member