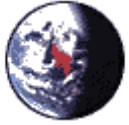


Southwest Transitway DEIS Comments

Comments Received from the General Public

Part 4 of 5



"Thom Miller"

12/31/2012 01:42 PM

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Comment on the SWLRT DEIS

Please see my attached response to the SWLRT DEIS.

Thom Miller

SAFETY IN THE PARK!

RESPONSE TO THE SOUTHWEST LIGHT RAIL TRANSIT PROJECT-- DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS) DECEMBER 30, 2012

EXECUTIVE SUMMARY

Safety in the Park is a St. Louis Park, Minnesota grassroots, non-partisan neighborhood organization. Safety in the Park promotes safety and livability by working with the county, city, and state to create an alternative solution for proposed increases in freight rail traffic on the former Minneapolis Northfield and Southern (MN&S) Railroad tracks. Safety in the Park is politically unaffiliated and does not endorse any candidates for political office. Safety in the Park represents a large community of concerned citizens in St. Louis Park as evidenced by the attached 1,500 plus signatures on our petition. Safety in the Park welcomes the addition of Southwest Light Rail Transit to St. Louis Park and supports its implementation.

The MN&S freight rail relocation portion of the SWLRT-DEIS is not in the best interests of public safety, railroad operating efficiency or conserving public funds.

History of the proposed relocation: In the mid-1990s the Minnesota Department of Transportation (MnDOT) and Hennepin County decided to sever, instead of grade separate, the Milwaukee Road railroad line at Hiawatha Avenue and the repercussions of that decision remain to this day.

Because there is no documentation of analysis or of public input, it can only be assumed that MnDOT and Hennepin County blithely displaced freight traffic from a major piece of railroad infrastructure, the 29th Street corridor and planned to move the freight to the “preferred location” on the MN&S a little-known, little-used former electric interurban line, and gave no thought to the negative impact of this action. Due to contaminated land the move to the MN&S was delayed and the freight trains were instead moved to the Kenilworth Corridor which was owned by the Hennepin County Regional Rail Authority (HCRRA).

Since the move to the to Kenilworth Corridor, the HCRRA has worked tirelessly to remove the freight from the Corridor and establish the freight in MnDOT’s “preferred location,” the MN&S. Each time MnDOT or the HCRRA brings up the wish to move the freight traffic the City of St. Louis Park has answered with a resolution stating that re-routed freight traffic would not be welcomed in the city. The first resolution was passed in 1996 with subsequent resolutions in 2001, 2010 and 2011.

Instead of honoring the resolutions and negotiating a compromise, the HCRRA has repeatedly ignored the St. Louis Park resolutions, maligned and marginalized the residents of the MN&S study area and then moved forward with its plans citing “promises made “ to the residents of the Kenilworth area as the reason for the action. These promises have no foundation in fact; documentation of the specific nature of the promises, who made the promises and to whom they were officially made, and why the alleged promises should be afforded the weight of public policy, does not exist.

On May 16, 2011 MnDOT issued an Environmental Assessment Worksheet (EAW) that spelled out how a re-route of freight traffic from the Bass Lake Spur owned by the Canadian Pacific Railroad (CP) to the MN&S Spur also owned by the CP might take place. The City of St. Louis Park and Safety in the Park appealed the findings of the EAW document. The EAW was later vacated and is no longer a valid document.

On September 2, 2011 the Federal Transportation Administration officially added the MN&S re-route to the SWLRT project.

SWLRT-DEIS : The proposed MN&S re-route is included the SWLRT-DEIS due to the FTA’s September 2, 2011 mandate that the re-route be considered a part of the SWLRT project. For 3A (LPA, relocation) to work the MN&S re-route must occur, making the re-route part of the SWLRT and not a connected action. As part of the SWLRT project the MN&S re-route must be included in the “study area” on a regular and consistent basis but the SWLRT-DEIS fails in this regard and violates the essential purpose of the National Environmental Protection Act (NEPA). The purpose of NEPA is to ensure that environmental factors are weighted equally before an infrastructure project can be undertaken by a federal agency. The omission of the proposed re-route leads to incorrect conclusions about the cost of the SWLRT.

Safety in the Park demands that relocation of freight traffic be analyzed as diligently as the rest of the SWLRT project. Unless the current version of the SWLRT-DEIS is amended significantly, the health, well-being and safety of St. Louis Park residents will be compromised by the proposed relocation of mainline freight rail traffic from the Bass Lake Spur onto the MN&S Spur. More than 1,500 residents have signed a petition insisting on fair treatment by the government agencies proposing the relocation.

Concerns about the inconsistencies in the SWLRT-DEIS can be found in detail in the following summary:

- Lack of reasoning behind the need for the re-route due to the fact that a viable, less costly and safer option exists with co-location of freight traffic and SWLRT in the Kenilworth Corridor (Chapter 1)
- Lack of concern for Interstate Commerce
 - The late notification about the existence of the SWLRT-DEIS to the Surface Transportation Board (STB) Wednesday, November 28, 2012
 - Implementation of SWLRT could cause disruption of rail service to TC&W clients (Chapter 1)
 - The Memo Dated December 10, 2012 from the STB to the FTA received incomplete answers. (Chapter 1)
- Lack of public input and documentation (Chapters 2 and 12)
 - No documentation of analysis for determining MN&S as preferred location for freight after the freight tracks in the 29th Street Corridor were severed
 - No documentation of promises made to the residents of Kenilworth area
 - The MN&S re-route was not part of the scoping and decision making when route 3A (LPA, relocation) was chosen
- Lack of accurate study into the direct impacts of the proposed relocation with respect to
 - Social Impacts (Chapter 3)
 - Environmental Impacts (Chapter 4)
 - Economic Effects (Chapter 5)
 - Transportation Effects (Chapter 6)
 - Section 4(f) Evaluation (Chapter 7) - Specifically the use of 0.81 acres of Cedar Lake Park which is currently being used for freight trains.
- Lack of inclusion of methodology used to determine the cost of the SWLRT project. (Chapter 8) This lack of methodology is particularly glaring in light of the fact that a \$100,000,000 “typo” occurred
- Lack of an analysis of the indirect and cumulative impacts caused by the proposed freight relocation (Chapter 9)
- Lack of analysis of Environmental Justice (Chapter 10)
- Lack of 23 CFR 771.111(f) analysis to determine if the relocation of freight is “feasible or prudent” (Chapter 11)

Action requested: Halt any decision on the freight relocation issue until further study is completed such that the missing information and flawed assumptions can be addressed. This secondary study needs to have a scope agreed upon by the city of St. Louis Park, Safety in the Park, and railroad companies. Furthermore, the secondary study must be conducted by a government agency and engineering firm not previously associated with the proposed re-route.

Once the new study is completed, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed re-route prior to making decisions.

Conclusion of analysis of this SWLRT-DEIS response: Applying the “test” from 23 CFR Sec. 774.17 reveals that the proposed reroute in LRT 3A (LPA) is neither “feasible nor prudent.” Therefore, the use of 0.81 acres of Cedar Lake Park according to the Act of 1966 codified at 49 U.S.C. 303 and 23 U.S.C. 138 will not impede the building of SWLRT.

LRT 3A-1 (Co-location) best meets the Southwest Transitway project’s Purpose and Need Statement as expressed by the goals of improving mobility, providing a cost-effective and efficient travel option, preserving the environment, protecting quality of life, supporting economic development, and developing and maintaining a balanced and economically competitive multimodal freight system. **In light of the facts presented in this SWLRT-DEIS response Safety in the Park recommends that LRT 3A-1 (Co-location) be chosen as the only viable option for SWLRT.**

CHAPTER 1 - PURPOSE AND NEED FOR THE PROPOSED ACTION:

1.0 - The essential purpose of the National Environmental Protection Act (NEPA) is to ensure that environmental factors are weighted equally before an infrastructure project can be undertaken by a federal agency. The SWLRT-DEIS does not fulfill the essential purpose of NEPA. The SWLRT-DEIS is not an objective analysis of the environmental impacts of the proposed freight rail re-route (3A, LPA re-route) and the proposed co-location freight rail alternative (3A -1 LPA co-location). Instead of being objective the SWLRT-DEIS is written as an advocacy for the favored outcome. SWLRT-DEIS employs a variety of methods to mislead the reader and the Federal Transportation Administration into believing that co-location is not a “feasible or prudent” (NEPA [23 CFR 771.111(f)]) alternative, when in fact the exact opposite is true. The methods used include, but are not limited to inconsistent use of vocabulary, highlighting aspects of co-location while glossing over the same aspects of relocation, manipulation of the co-location site to include more area and completely omitting information about the re-route option that would call the feasibility of that option into question.

1.1 - Although Safety in the Park! does not disagree with the need for the Southwest Light Rail Transit (SWLRT) Project, we do disagree with the need for the re-routing of freight trains from what is referred to in the SWLRT - DEIS as the Canadian Pacific(CP) Bass Lake Spur to the Minneapolis, Northfield and Southern (MN&S) Subdivision and the Burlington Northern Santa Fe (BNSF) Wayzata Subdivision. Using the term “Subdivision” in relation to the MN&S is not only incorrect it but it is also misleading. According to officials at the CP the correct classification of the MN&S is a spur line that is part of the Paynesville Subdivision. The use of the term subdivision when describing both the MN&S and the BNSF in St. Louis Park misleads the reader into thinking the MN&S and the BNSF are similar if not equal in layout and usage. This could not be further from the truth. The Bass Lake Spur and the BNSF Wayzata Subdivision were both built to Main Line rail specifications. They both have wide R-O-W, few if any at grade crossings and they are relatively straight and free of grade changes. Conversely, the MN&S was built as an electric interurban and like all interurban has tight R-O-W, multiple aggressive curves and significant grade changes. Furthermore, the addition of the connections between these freight rail lines will increase both curves and grades on the MN&S. The connection between the Bass Lake Spur and the MN&S will have an eight degree curve and a grade of .86%. While the connection between the MN&S and Wayzata Subdivision will have a four degree curve and a 1.2% grade differential. (SWLRT-DEIS Appendices F parts 2 and 3 and SEH http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf) Adding to the misrepresentation of the different rail lines is the name given to the rail property owned by the Hennepin County Regional Rail Authority, locally and recently known as the Kenilworth Corridor. This “corridor” was until it was purchased by Hennepin County a major, mainline rail yard called the Kenwood Yard. This yard held as many as 14 sets of railroad tracks and with the exception of a short section, the land used as a rail yard has not been built upon.

The misrepresentation continues at the bottom of page 1-1 of the SWLRT-DEIS in the second bullet point which states, “The co-location of LRT and TC&W freight rail service on reconstructed freight rail tracks on the CP’s Bass Lake Spur and HCRRA’s Cedar Lake (Kenilworth Corridor)” suggesting that the TC&W tracks in the Kenilworth Corridor had to be “reconstructed” when in fact they had never been removed, and only underwent repairs to put them back into service (1-1). (Safe in the Park - Chapter 1 Appendix – Document 4)

A formal abandonment process never took place (an outline of this history was found in a document,

T:TRE/3aTransitPlanning/Kwalker/SLP_FreightRail/BackgroundforHCRRA_120709.doc, obtained from the HCRRA through the Freedom of Information Act). (Hennepin County Repair announcements August 27, 2012 - Safe in the Park - Chapter 1 Appendix – Document 4).

Further misuse of the term “abandoned” is found in the last paragraph on page 1-3 , “The LRT line would operate in a combination of environments including operations in abandoned freight rail right-of-way (ROW) acquired by HCRRA, at- grade operations in street and trunk highway ROW, and operations in new ROW that would be acquired from public and private entities” (1-3). When the HCRRA purchased the property in question it was in disuse, but it had not formally abandoned, it was not in use. The difference appears subtle, but it is not. Formal abandonment requires a lengthy legal and administrative process to seek approval from the Surface Transportation Board, which only acquiesces when it has been convinced that the tracks are not needed by any customers or the overall rail system.

1.1.1 - Public Involvement and Agency Coordination Compliance:

During the scoping process portions of St. Louis Park were denied a voice. Potential participants in the scoping process were told that the freight rail issue did not belong in the discussions for a preferred alternative for the SWLRT. Consequently, the choice of LPA may have been different had the freight rail question been part of the discussion from the beginning. This issue will be documented and explored further in the Chapter 12 of the SWLRT-DEIS comment.

1.2.1 - Early Planning Efforts

On pages 1-6 and 1-7 a list of documents used in early planning of the SWLRT is presented. However there are several important documents left off of the list. These documents are not favorable to SWLRT and therefore seem to have been ignored.

- 1996--City of St. Louis Park Resolution--96-73 (Safe in the Park - Chapter 1 Appendix – Document 1)
- 1999--St. Louis Park Task Railroad Study
http://www.hennepin.us/files/HennepinUS/Housing%20Community%20Works%20and%20Transit/Regional%20Railroad%20Authority/Authority/Railroad_Study_March_1999.pdf
- 2001 City of St. Louis Park Resolution--01-120 (Safe in the Park - Chapter 1 Appendix – Document 2)
- 2010 City of St. Louis Park Resolution--10-070
http://www.stlouispark.org/webfiles/file/freight_rail.pdf
- Short Elliot Hendrickson Inc. (SEH)--Comparison of the MN&S route and the Kenilworth route--http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf
- 2011 City of St. Louis Park Resolution 11-058
http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf
- Evaluation of Twin Cities and Western Railroad responses(EAW)
http://www.mnsrailstudy.org/key_documents

To understand the opposition to the proposed reroute the documents listed above must be included in an objective evaluation of re-route portion of the SWLRT project. Furthermore; the SEH study and the comments to the EAW need to be considered before a conclusion about the freight question in the SWLRT-DEIS can be made.

1.2.2 Environmental Review and Project Development Process

This DEIS fails to consider the environmental impacts of the proposed reroute portion of the SWLRT project , but instead promotes a course of action that will redistribute property values from lower income neighborhoods in St. Louis Park to higher income neighborhoods in Minneapolis. The result is a net decline not only of property values, but also to overall public safety of Hennepin County. The reason for the effort to promote the re-route option over the co-location option may be based on undocumented promises touched on in the link below:
http://hennepinmn.granicus.com/MediaPlayer.php?view_id=10&clip_id=1459 (F)11-HCRR-0072

On July 20, 2010 a member of St. Louis Park City Staff requested documentation of the analysis that allowed MnDOT to designate the MN&S as the “preferred location” for TC&W freight traffic after the freight tracks were severed while rebuilding Hiawatha Ave. No documentation was ever received by the City of St. Louis Park. (Safe in the Park - Chapter 1 Appendix – Document 3)

1.2 and 1.2.1: Paragraphs discuss the Scoping Process that should comply with MEPA and NEPA rules pertaining to open-to-the-public meetings, comment sessions, and other public comments options with regard to the Alternatives Analysis. The DEIS admits during that time the city of St. Louis Park, residents and businesses were instructed in writing that the freight rail reroute was a separate issue not to be considered with the SWLRT. Therefore the entire time of “public comment” to decide the AAs should be considered null and void because citizens and municipalities were not properly informed of the environmental impacts of the LPA (1-6). During this same time the HCRRA was aware of resolutions made by more than one St. Louis Park City Council opposed the re-routing of freight trains. Had the reroute been considered a connected action during that time, it may have significantly changed support for the LPA by the city of St. Louis Park. Although the process may not have legally violated MEPA and NEPA standards, it did violate the spirit of the law.

1.3.2.1 - Declining Mobility

The SWLRT-DEIS continues its misrepresentation of information in its discussion of declining mobility. At the bottom of page 1-9 and the top of page 1-10 a list of current “employment centers” is given. The second item in a bullet point list is “St. Louis Park’s Excelsior and Grand – 10,000 jobs” (1-9, 1-10). This information is false. According to the City of St. Louis Park web-site demographics of employment (http://www.stlouispark.org/webfiles/file/stats/employment_stats.pdf) there are a total of 10,078 jobs in St. Louis Park. Many of these jobs are not near the proposed SWLRT alignment. The list on the city web site does not assign any number of jobs to the Excelsior and Grand area.

Following the list of “employment centers” (1-10), there is a general discussion about the congestion that could occur should the SWLRT not be built. This information is based on the United States Census conducted in the year 2000. The U.S. Census web site no longer shows census data from the year 2000 (<http://quickfacts.census.gov/qfd/states/27000.html>) making substantive comment on the data in SWLRT-DEIS impossible for the average resident of Hennepin County. Also, based on this old, unavailable information that does not take into account the downturn in the economy in 2008, vague generalizations are made. For example: “Current express bus travel times may increase, despite the current use of shoulder lanes” (1-10).

A simple if/then statement can be used to sum up and sow doubt on the conclusions made. If the information about St. Louis Park is false then what other information in the document is false?

1.3.2.2 - Limited Competitive, Reliable Transit Options for Choice Riders and Transit Dependent Populations including Reverse Commute Riders

Information and generalizations based on the unavailable and outdated 2000 Census are used and therefore all of the DEIS' conclusions are brought into question. When the 2000 Census is not the source of information the exact source and date of the information is often not provided. An example from page 1-10 of the SWLRT- DEIS is a case in point. "A number of major roadways in the study area such as TH 100 and TH 169 are identified by MnDOT as experiencing congestion during peak periods." (1-10) Who at MnDOT made this assertion? When was it made? Was the upcoming rebuild of TH 100 in St. Louis Park taken into account? (<http://www.stlouispark.org/construction-updates/highway-100-reconstruction.html>)

Although the information in section 1.3.2.2 does not discuss the proposed re-route portion of the SWLRT, it does speak to the general misrepresentation of information in the SWLRT.

1.3.2.3 - Need to Develop and Maintain a Balanced and Economically Competitive Multimodal Freight System

It is easy to agree in theory with the need for a vibrant freight rail system in a growing economy. However, the unsubstantiated and false assertions in this section make it impossible to agree that rail connections between the Bass Lake and MN&S spurs and the MN&S spur and the BNSF Wayzata subdivision are necessary for the greater good.

The SWLRT-DEIS states, "The construction of a new connection between the Bass Lake Spur and the MN&S Spur, a new connection between the MN&S Spur and the BNSF Wayzata Subdivision, and the upgrading of track on the MN&S Spur are included as recommended actions in the Minnesota State Rail Plan" (1-12). No citation is provided as to where in the Minnesota State Rail Plan this assertion can be found. Presented on pages 4-11 and 4-12 of the Minnesota State Rail Plan (<http://www.dot.state.mn.us/planning/railplan/finalreport/MNRailPlanFinalReportFeb2010.pdf>) are text and charts describing the upgrades needed to both the BNSF and the CP prior to 2030. There is no mention of the connections mentioned in the SWLRT-DEIS (4-11& 4-12).

It needs to be noted that the new construction discussed in the SWLRT-DEIS is the same plan used in the EAW vacated by MnDOT on December 20, 2011 (SWLRT-DEIS Appendix F parts 2 and 3). This plan was rejected as unworkable by the TC&W railroad in their comments to the EAW. (http://mnsrailstudy.org/yahoo_site_admin/assets/docs/Railroad_Comments.18891450.pdf)

The next three sentences in this section are also misleading. “Providing a direct connection to the north- south MN&S line would improve accessibility to CP’s Humboldt yard. Currently TC&W interchanges with the CP at their St. Paul yard. Although the Humboldt Yard is much closer, the inefficiency of the existing connection is so great that the extra distance to St. Paul is less onerous” (1-11 and 1-12). These sentences imply that most if not all of the TC&W’s business is with the CP. They also mistakenly imply that the TC&W will be happy to get the connection because it will improve the company’s efficiency. However, the comments made by the TC&W in the EAW show just the opposite ([http://www.mnsrailstudy.org/key_documents--TC&W comments](http://www.mnsrailstudy.org/key_documents--TC&W_comments), page 1, last paragraph; also page 3, first bullet point under “Inaccuracies in the EAW...”). The STB Memorandum to Federal Transit Administration, Region V: Questions and Responses for Surface Transportation Board dated December 10, 2012 received incomplete responses about the interconnection needed for the relocation plan to work. The maps given to explain the new interconnects lacked reference to the extreme grade changes that will take place. Figure 1: Relocation Alternative, MN&S Spur does not indicate the need for a mile long ramp to accomplish the .86% grade ([Figure 1: Relocation Alternative, MN&S Spur](#)) needed to connect the Bass Lake Spur to the MN&S Spur. Furthermore, Figure 3: Relocation Alternative, Re-Established Connection does not describe the 1.2% grade needed to reestablish the connection between the MN&S Spur and the Wayzata Subdivision. ([Figure 3: Relocation Alternative, Re-Established Connection - MN&S Spur to Wayzata Sub](#))

Missing completely from the discussion of the TC&W using the MN&S Spur to go to the Humboldt Yards in New Hope is the impact the added freight traffic will have on Northern St. Louis Park, Golden Valley, Crystal and New Hope. In St. Louis Park alone there are two at grade rail crossings on the MN&S north of the BNSF. One of the crossings is Cedar Lake Road, a major east/west roadway through St. Louis Park yet the SWLRT does not document the traffic counts and the impacts of the crossing being closed on a regular basis.

Reading the last sentence in the first full paragraph of page 1-12 and the non sequitur of the next full paragraph continues the misleading information.

“The proposed connection in St. Louis Park allows the TC&W an alternate route at those times when the BNSF route is not available.

Moving commodities along freight rail lines rather than by semi-trailer truck on the roadway system has a significant effect upon the region’s mobility. TC&W reports that an average train load equates to 40 trucks on the roadway system. Maintaining freight rail connections as a viable method for transporting goods to, from, and within the Twin Cities region contributes to the healthy economy of this region. As the roadway network continues to become more and more congested, moving commodities by freight rail will become more competitive” (1-12).

Placement of the above passage in the context of the discussion of the MN&S interconnects implies that without the interconnects the TC&W will have no choice but to use semi-trucks to move their freight. The HCRRA's praise for the economic and environmental virtues of freight railroads is laudable but at odds with HCRRA's continuing long-term policy of pushing freight rail traffic to ever more marginal scraps of infrastructure. Examples of the HCRRA's displacement of freight railroad traffic from their purpose-built and most direct and efficient routes includes the closure of the former Milwaukee Road mainline that was used by the TC&W and ran below grade through south Minneapolis, and the constriction of the BNSF mainline adjacent to Target Field in Minneapolis. In both of these cases freight rail traffic ceded right-of-way to relatively frivolous purposes, a bicycle trail for the Milwaukee Road mainline and a sports stadium and bicycle trail that constricts the BNSF Wayzata subdivision. The wording of the DEIS uses the phantom assumption that the further constriction of the BNSF line at Target Field by the SWLRT is a fait accompli and re-routing the TC&W is the only alternative to trucking, but leaving the TC&W traffic in its current route provides it a straighter, flatter, safer, shorter, less costly and more direct route to its most important destination in St. Paul. There are other alternatives to placement of the SWLRT and the bicycle trail that will not constrict freight rail traffic at Target Field.

Severing the TC&W's current route through the Kenilworth Corridor as proposed by the SWLRT-DEIS would have the opposite effect of "maintaining freight rail connections as a viable method for transporting goods" (1-12).

The multitude of unsubstantiated and false assertions in this section make it impossible to agree that rail connections between the Bass Lake and MN&S spurs and the MN&S spur and the BNSF Wayzata subdivision are necessary for the improvement of the Twin Cities rail network. Therefore the bullet pointed benefits at the end of this section are not benefits under the current engineering plan in the SWLRT-DEIS.

- *Access to the Savage barge terminal would improve.* The SWLRT-DEIS only has one connection from the Bass Lake Spur to the MN&S Spur. That connection curves north. For the access to Savage to improve there would also need to be a connection from the Bass Lake Spur to the MN&S Spur curving south.
- *Access to CP's Humboldt Yard and other locations on the east side of the metropolitan area would be improved.* The Humboldt Yard is on the north side of Minneapolis, not the east side of the metropolitan area. The problem would not be the access itself, but with the lack of efficiency and economic benefit to the TC&W of that access. The TC&W comments on this point in their EAW comments.
http://www.mnsrailstudy.org/key_documents
- *An alternate route that avoids the downtown Minneapolis passenger station would be available to the TC&W.* Again, the route would be available, but would not prove to be of an economic benefit.
- *The quality of the north-south rail line would be upgraded.* Because the overall benefit of the interconnection does not exist, there is no need to upgrade the current track. (1-12)

1.4 - ***Project Goals and Objectives***

The goals and objectives of the SWLRT-DEIS project are not applied equally to all residents in the study area and this is in violation of the essential purpose of NEPA. The 6 goals stated if implemented without alteration will have a detrimental impact on the residents of St. Louis Park. This details of the detrimental impact will be discussed further in this comment to the SWLRT-DEIS.

1. *Improve mobility* - Due to blocked crossings and the closed crossing at 29th Street mobility in the MN&S reroute area will decrease.
2. *Provide a cost-effective, efficient travel option* - The design as stated in the SWLRT - DEIS is not cost effective for the railroads, and there is no discussion of reliable funding for maintenance
3. *Protect the environment* - The environment in the vicinity of the MN&S will deteriorate. The problems include but are not limited to an increase of noise and vibration and diesel fumes from locomotives laboring to climb steep grades will impact air quality and the threat of derailment and crossing accidents impacts the safety of residents.
4. *Preserve the quality of life in the study area and the region* - Quality of life will decrease in the MN&S area.
5. *Support economic development* - Property Values and Small business will be negatively impacted.
6. *Support economically competitive freight rail system* - Should the proposed reroute be built the opposite to this goal will be accomplished. The rail system in St. Louis Park will not be safe, efficient or effective (1-13 & 1-14).

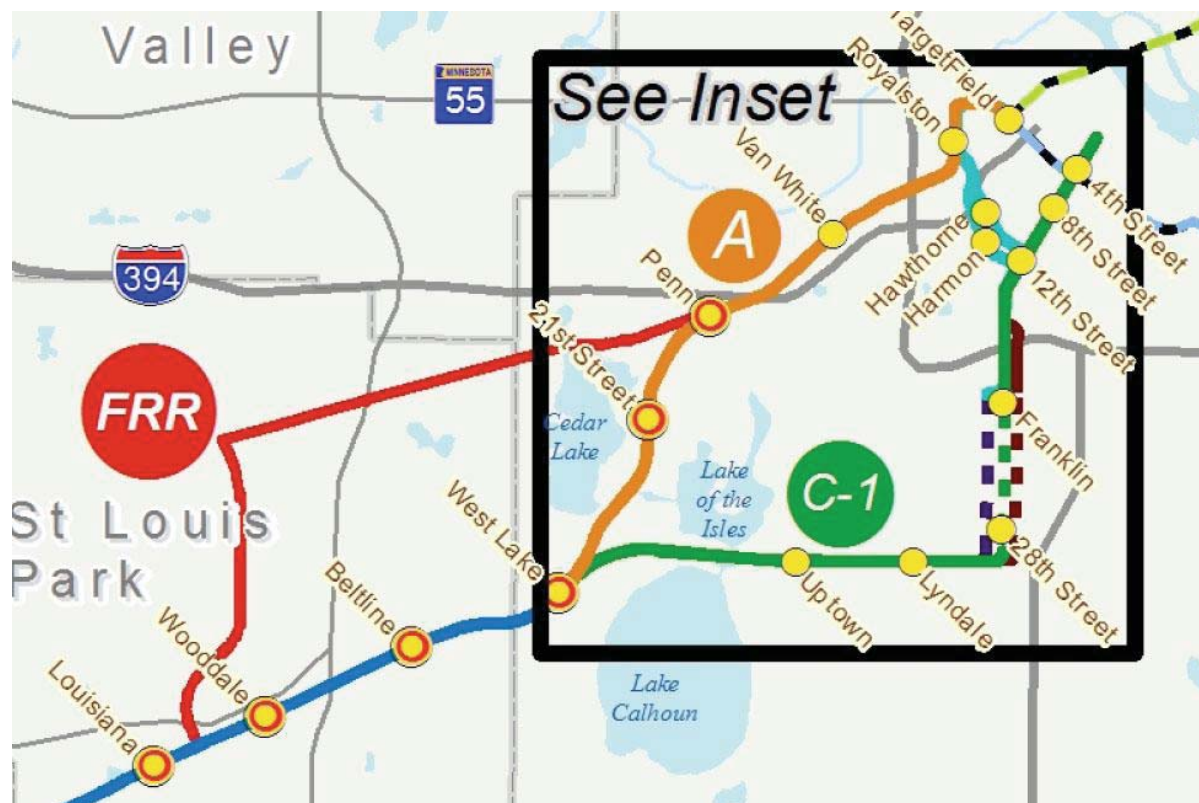
CHAPTER 2 - ALTERNATIVES CONSIDERED

2.1.2 and 2.1.2.1: Paragraphs discuss the Scoping Process that should comply with MEPA and NEPA rules pertaining to open-to-the-public meetings, comment sessions, etc. with regard to the Alternatives Analysis.. However, as the DEIS admits; during that time the City Council of the city of St. Louis Park, the city's residents and businesses were instructed in writing that the freight rail was a separate issue not to be connected with the SWLRT. (The DEIS walks through those events in detail) Therefore this entire time of "public comment" to decide the alternatives should be considered null and void because citizens and municipalities were not properly informed of the environmental impacts of the LPA. That fact should void the entire process for selecting an LPA, an early step in the development of SWLRT, especially when considering that opposition to the re-route by the city of St. Louis Park was not merely implied but the topic of repeated resolutions passed by the city. The city's position was clear. Had the reroute been considered a connected action during that time, it may have significantly changed the question of support for the LPA by the city of St. Louis Park. Furthermore, the process was not consistent with MEPA and NEPA guidelines. Furthermore this influences all of the topics in the DEIS where it is noted that alternatives other than the LPA are not consistent with planned development. This phrase is used repeatedly and refers only to the fact that plans surround the LPA.

2.3.1.3 This is a discussion of the number of trains using the current route. This discussion is not up-to-date. The TCW has added additional trains in the last six months.

2.3.3.1: Discusses the easement rights of St. Louis Park for a portion of land. Though the easement is set aside for railroad development in St. Louis Park, the DEIS is written to appear as though St. Louis Park agreed to the re-route. As stated above, resolutions have repeatedly passed by the city opposing a re-route. In addition the state statute, 383B.81, is quite clear that the easement exists for railroad operations but DOES NOT provide any conditions for St. Louis Park agreeing to railroad operations, only that the land can be used for that purpose.

2.3.3.4 Build Alternative Segments: THERE IS A MAJOR FLAW HERE THAT AFFECTS THE ENTIRE DEIS. This section outlines the segments of the route to be analyzed throughout the DEIS but does so incorrectly. The FRR segment is correctly identified. However, segment "A" includes a long portion of track that will NOT BE AFFECTED by a re-route or co-location. It incorrectly adds all of the people, lands, buildings, institutions, etc. to the Segment "A" when that Section "A" should only include the area between the planned West Lake station and the planned Penn Station; the co-location area. The area from the planned Penn Station to the Target field station is common to both the FRR segment and Segment A. and effects in that area should not be attributed to any segment.



CHAPTER 3 SOCIAL EFFECTS:

1-1.1 discusses the area studied--The study area is wholly incorrect in regard to the Freight Rail Reroute, and the areas chosen for study therefore affect all of the conclusions and render them inaccurate.

The DEIS discusses the area studied to be a ½ mile radius from the LRT track. However, that ½ mile radius is only applied to the LRT portion, not the FRR portion. The text says “the study area has been defined as the area within a one-half mile radius of the proposed Build Alternatives.... and includes the area of the Freight Rail Relocation segment.” The ½ mile area of study does indeed include the FRR area, but does not include a ½ mile radius from the FRR (MN&S tracks) Therefore, much of the area that includes people, schools, institutions, and lands that will be affected by the re-route are not being tallied as an affected area.

An argument can actually be made that not only should the FRR track area of study be a ½ mile radius, but in fact because the weight, vibration, noise, etc. are greater for freight trains than light rail trains, an even broader area should be studied for the FRR.

In section 3.1.2.7, the reported MN&S land use is generalized as follows: the largest proportion of land use along this segment is at over 40% housing; park and undeveloped over 15%; schools about 7%, and industrial/retail/office about 7%. That these figures are generalizations (“over 40%” and “about 7%”) indicates cursory attention to the affected areas. In addition, the land use area along the MN&S is not specified. The DEIS does not report the area being considered. To illustrate my point, it is stated that the co-location area of consideration is within ½ mile of the track, but there is nothing stated about the distance from the track for the reroute.

In section 3.1.2.4, the reported land use along the co-located route is far more specific, indicating careful study: 19.8% housing; 14.1% parks and open space; 10.7% water; and 11.3% industrial.

In spite of the fact that more than 70% of land use along the MN&S directly impacts human activity—but only 45.2% of land use surrounding co-location impacts human activity—the DEIS claims the reroute is the preferred option.

It is unacceptable that the decision to move main-line freight to a spur track be made without careful, serious study. Hennepin County has not seriously considered the negative impacts on community cohesion or safety impacts on residents, school children, and commuters within St. Louis Park. The DEIS fails to accurately or objectively report impacts on rerouted freight traffic.

3.1.8 Summary of Land Use: it's unclear why the 3A-1 is not compatible with existing land use and the 3A is when the freight trains currently run on 3A-1.

On the same summary under the metric: Consistent with adopted regional and local plans, the 3A-1 is listed as Incompatible. This is because the Met Council and others have simply planned for freight rail to go away. (See above argument about the choice of the LPA.

On page 3-15 in the land-use section, the DEIS claims that six separate studies “concluded the best option for freight rail operations was to relocate the TC&W freight rail operations to the MN&S line” (3-15). However, what is missing in chapter three is a list of these “six separate studies.” If the DEIS is referring to studies, then there are serious flaws in each “study,” including the fact that most of them are not true studies at all. The possible studies are listed and outlined in the document below:

Freight Rail Studies

Freight Rail Realignment Study, TDKA—November 2009

- Undertaken for Hennepin County after the locally preferred alternative for SWLRT was chosen. Needed to support SWLRT locally preferred alternative
- No engineering took place

Analysis of co-location of Freight and SWLRT, HDR—August 2009

- Written for Hennepin County to support what is now the locally preferred option.
- No engineering took place

Evaluation of Twin City & Western Railroad (TCWR) routing alternatives, Amphar Consulting—November 2010

- Co-location and re-route are not discussed in this report.

Analysis of Freight Rail/LRT Coexistence, RL Banks—November 29, 2010

- December 3, 2010 – Francis E. Loetterle, lead engineer for RL Banks study issued a letter admitting mistakes made in co-location analysis.
- Study is flawed.

MN&S/Kenilworth Freight Rail Study, SEH—February 2011

- Used best-fit engineering
- Co-location and re-route possible **without** taking properties
- Co-location less costly

MN&S Environmental Assessment Worksheet (EAW), MnDOT—issued May 16, 2011

- Co-location not mentioned in this document
- December 19, 2011—EAW was vacated.
- It is no longer a valid document.

On page 3-22, the HCRRA Staff Report on Freight Rail Relocation (August 2011) is cited as evidence that relocation is the preferred option. Yet, when I click on the link, the web page cannot be found.

In section 3.1.3.1, the DEIS concludes that “re-locating the freight rail activity . . . is identified most frequently by the plans as being the desired alternative for the SW Transitway” (3-26).

Further down, the DEIS includes **Table 3.1-2 Summary of Local and Regional Comprehensive Plans and Studies** (3-20 – 3-26) which identifies three plans that make co-location incompatible, but re-location the desired option.

The three plans are the *Hennepin Transportation Systems Plan* (2011), the *Hennepin County Sustainable Development Strategy 2011*, and the *Minneapolis Parks & Recreation Board Comprehensive Plan* (2007).

The link provided for the *Hennepin County Transportation Systems Plan* (2011) connects to a page that states, “The webpage cannot be found.” Regardless, the fact that the plan was published in 2011—AFTER the Environmental Assessment Worksheet was vacated by MNDOT because the document couldn’t defend its position to reroute freight traffic to the MN&S suggests the reroute plan by Hennepin County is biased and invalid.

The problem of validity is the same for the *Hennepin County Sustainable Development Strategy 2011*. However, this document is problematic for a variety of reasons. The link does not lead to a document that clearly states the co-location is incompatible with LRT, nor does it comment on rerouting freight from the Kenilworth Corridor to the MN&S at all. The following excerpts included below are the only comments in the document that allude to freight traffic:

Midtown Greenway: this six-mile linear corridor across south Minneapolis, opened in phases from 2000 – 2006, exemplifies how a multi-use trail through a low- and middle-income community can create jobs, stabilize property values, foster redevelopment, and encourage non-motorized transportation choices while preserving the opportunity for future transit. The success of this corridor has been enhanced by the Midtown Community Works Partnership, which has provided leadership through its public and business partners and resources for implementation. (9)

Southwest LRT Community Works: This project exemplifies the county’s sustainable development strategy. The proposed 15-mile, 17-station Southwest LRT line, projected to open in 2017, will run from downtown Minneapolis to the region’s southwestern suburbs. The project has advanced through a decade of feasibility studies, an alternatives analysis, and a draft environmental impact statement. A locally preferred alternative for the LRT line was selected in spring 2010. The project is expected to receive federal approval to enter preliminary engineering in spring 2011.

In anticipation of the Southwest LRT project's entry into preliminary engineering, the Hennepin County Board established the Southwest LRT Community Works project to integrate corridor-wide land use, development, housing, and access planning with the LRT line's engineering and design. Southwest LRT Community Works, in collaboration with the Metropolitan Council and its Southwest LRT Project Office, will integrate LRT engineering and land use planning from the outset of the preliminary engineering process. This coordinated work, which also engages the cities and many other stakeholders along the corridor, seeks to maximize economic and community benefits of public transit investments and stimulate private investment within the corridor. [See box for additional information]. (10)

[Box with additional information] ORGANIZATIONAL MODEL

To achieve the objective of integrating LRT engineering with land use and development planning, the county and the Metropolitan Council have jointly developed an innovative organizational model with the following features:

- Multiple organizational linkages between the SW LRT Project and the SW LRT Community Works project, including shared business and community advisory committees, to advise and inform both the SW LRT and the SW LRT Community Works governing bodies.
- A project office housing both the SW LRT project engineering and Community Works staff, including two full time professional staff, an engineer and a planner, charged with actively promoting and managing the dialogue between engineering and land use, both within the project office and throughout the community.
- Community meeting rooms and public space for residents to learn about the LRT project and review plans for associated development. Residents will also be able to submit ideas for consideration, view models of LRT and station area plans, and learn of scheduled public meetings and other community engagement opportunities.

Drawing on Community Works' successful program emphasis on employment development, community connections, natural systems, tax base enhancement, and public and private investment coordination, the county is updating old and adding new programmatic elements. These changes reflect the connections between housing, transportation, employment, environment, health, and energy and their emerging integration in national public policy, finance, and philanthropy. (11)

Place matters: While not highly prescriptive, county plans recognize the importance of transportation choices, enhanced economic competitiveness, and equitable, affordable housing in fostering sustainable communities. (11)

Finally, the *Minneapolis Parks & Recreation Board Comprehensive Plan* (2007) contains one brief excerpt included below that mentions transportation corridors, and again, there is no mention of freight traffic whatsoever:

Work with the City of Minneapolis and other entities to identify and support multi-mode transportation corridors between parks, with preference given to routes that encourage non-motorized linkages between parks. (24)

Section 3.1.3.1, “Land Use and Comprehensive Planning: Conclusions” states the following:

“Based on the analysis of local and regional plans and studies, it has been determined that . . . relocating the freight rail activity from the Kenilworth Corridor to the previously planned and existing CP Rail corridor through St. Louis Park (Figure 2.3-2), is identified most frequently by the plans as being the desired alternative for the Southwest Transitway” (3-26).

There is no mention in the “plans and studies” listed in the Land Use Chart of the four separate resolutions signed by St. Louis Park city councils and two different mayors in the document. These resolutions are outlined below. In addition, the St. Louis Park Mission Statement and Vision St. Louis Park are not included in the chart, but the visions and mission statements of Minneapolis are included. Nowhere in the vision statements of St. Louis Park is there a desire for rerouting freight traffic from the CP to the MN&S line. These St. Louis Park plans make rerouting freight the incompatible option.

City Council Resolutions

St. Louis Park

- 1996 resolution 96-73—Opposes any re-routing of freight trains in St. Louis Park. Signed by Mayor Gail Dorfman (now Hennepin County Commissioner)
- 2001 resolution 01-120—Opposes re-routing of freight in St. Louis Park, but points out that the city is willing to negotiate should the need arise.
- 2010 resolution 10-070—Reinforced the 2001 resolution opposing a freight rail re-route.
- 2010 resolution 10-071—Reinforced the 2001 resolution asking for proof that no other viable option for freight exists
- 11-058—Opposes the re-routing of freight because the engineering study commissioned by the city of St. Louis Park proved there is a viable alternative to the proposed re-route.

Minneapolis – There are no Minneapolis City Council Resolutions opposing freight continuing in the Kenilworth Corridor.

St. Louis Park did **NOT** agree to accept the re-route in exchange for the cleanup of a superfund site. Below is a link to the statute and an explanation of pertinent passages.

MINNESOTA STATUTES 2010 383B.81 ENVIRONMENTAL RESPONSE FUND.

- SUBD 6, which states that an easement is being granted to St. Louis Park for economic development and for rail improvements to replace the 29th St. corridor. This can be interpreted to sound like “it will replace the 29th St. corridor and freight trains will be re-routed” and that is why the city of St. Louis Park made their intentions clear in their resolutions. The resolutions were passed in 2001, 2010 and most recently May 2011.
- Nowhere does it state that this money is conditionally granted upon the land being used for a re-route. It merely states that the priority for the site is enough **right- of -way** for railroad operations to replace the 29th St. corridor
- SUBD 8, states that the city must approve any work done on the site.
- The statute is vague as to what the rail improvements would be. If the intent of the statute were to absolutely re-route freight trains to the MN&S, it would say so in those words.
- The reality: If this statute meant that SLP accepted the re-route, the county would merely move forward and cite this statute:
<https://www.revisor.mn.gov/statutes/?id=383B.81&year=2010&format=pdf>

Missing documents...

There are no known documents which support the assertion that the people of Minneapolis were promised the freight trains would be removed.

In 3.1.5.1 “Effects to Land Use and Socioeconomics—Segment A,” the DEIS states, “in order to achieve adequate ROW for placement of the three facilities [existing freight rail, LRT rail, and a bike trail], up to 57 town homes would be removed in the area north of the West Lake Station on the west side of the corridor and 3 single-family houses would be removed north of Cedar Lark Parkway along Burnham Road” (3-34).

Moving the bike trail is not included as a consideration in this DEIS. Even though the DEIS itself cites an additional cost of \$123 million to reroute freight traffic, there is no cost analysis or even consideration for rerouting a bike trail. In addition, the city of St. Louis Park funded its own study regarding the feasibility of co-location when it became clear Hennepin County was not going to study the matter seriously, and this study found co-location possible without taking the 57 town homes. The three houses mentioned in segment A have never been mentioned before, so this property take is unclear.

The DEIS states that for relocation, “land use is not anticipated to change along the primarily residential areas . . . because improvements are within the existing corridor” (3-34). Failure to mention the increased speed (from 10-25 mph), increased grade (to 0.86%), increased vibrations which have not been studied according to this DEIS, and change in freight (from construction materials to coal and ethanol) constitutes negligence. This DEIS fails to adequately study the very serious impacts on the “primarily residential areas,” not to mention the five schools within ½ mile of the MN&S.

The only mitigation mentioned in section 3.1.7 Mitigation is mitigation for construction. No other mitigation is mentioned. A DEIS of this nature should include mitigation for the community accepting freight rail regardless of its route. A full list of mitigation items has been submitted as a DEIS comment by the City of St. Louis Park

Figure 3-2.1. In this section, neighborhoods are discussed. Again, a very small radius of area is analyzed. The neighborhoods included should be all neighborhoods that where a portion of the neighborhood is within ½ mile of the FRR tracks.

In section 3.2.2.6, “Neighborhoods and Community Cohesion—Segment A,” the DEIS states, “Disruption to the community’s character [with co-location] is the introduction of additional rail facilities, i.e. LRT would be added to existing freight rail operations. With the additional tracks using a wider portion of the HCRRA corridor, the potential to alter historic properties and characteristics of the neighborhood . . . is introduced. The wider corridor with rail operations closer to residences and recreation areas decreases the opportunities for community cohesion” (3-58).

The comment that co-location has “the potential to alter historic properties and characteristics of the neighborhood” fails to recall the historic fact that as many as 14 tracks once occupied that section of the corridor. The historic characteristics of the neighborhood would not be altered at all, but rather, restored—slightly—in the form of one additional resurrected rail line. As described in Minneapolis And The Age of Railways by Don L. Hofsommer (copyright 2005 by Don L. Hofsommer, Published by the University of Minnesota Press) the Minneapolis & St. Louis (M&StL) railroad was operating its line from Minneapolis to Carver, which would have passed through what is now the Kenilworth Corridor, as early as 1871 (pages 36 and 37). At this time in history the MN&S line did not yet exist. The Kenilworth Corridor, then known as Kenwood Yard, continued to be used for mainline freight until the 1980s. The DEIS’ description of the Kenilworth Corridor as “historic,” without consideration of the factual history of the area, further demonstrates bias against co-location rather than serious study.

3.2.2.6 Discussion of neighborhood Cohesions ASSUMES that the 60 townhomes would need taking because of the assumption that the width of the Kenilworth corridor in 1/4 mile section is not wide enough for freight and light rail tracks. In fact, moving the bike trail in that same space would eliminate such a need. “With the co-location alternative, the largest disruption in community cohesion would be the acquisition of 60 housing units” (see Section 3.3).

There is absolutely no discussion of moving the bike trail instead of taking the 60 homes which artificially overstates the costs for co-location. Here is a simple diagram that shows how the bike trail can be re-directed which would cost almost nothing since the entire suggested trail is already a designated bike trail.



In the same section, namely, 3.2.2.6, “Neighborhoods and Community Cohesion—Freight Rail Re-Location Segment,” the DEIS states, “The level of freight rail service through St. Louis Park is not anticipated to change, but would be redistributed to the MN&S Line (Figure 2.3-2). Since the MN&S is an active freight rail corridor and the relocation of the TC&W traffic to the MN&S would add only a small increase in freight rail traffic, significant impacts to community cohesion along the MN&S would not be anticipated” (60).

These statements are flatly incorrect. The relocation of freight will add a significant increase in freight traffic through densely populated residential areas with narrow ROW. Rerouted freight will pass within ½ mile of five schools—within 75 feet of the St. Louis Park Senior High School. In fact, according to the DEIS itself, freight traffic will increase by 788%.

Furthermore, community cohesion will be profoundly, negatively impacted by the increased noise and vibrations due to mile-long coal- and ethanol-carrying trains climbing a grade of .86%, maneuvering through three tight curves in which engineer sightlines are limited to as few as 178 feet. Six at-grade crossings will be blocked simultaneously as the longer rerouted trains travel along the MN&S. The MN&S has never serviced unit trains of coal or ethanol, nor have the trains been longer than 45 cars. Currently, the MN&S services one, 15-20-car train per day, Monday through Friday between 9 a.m. and 6 p.m.—it travels south and returns north once per day. The rerouted traffic will send an additional 258 cars per day, and the trains will effectively travel seven days a week, twenty-four hours per day. These numbers do not include any projected increases in freight traffic.

This DEIS does not seriously consider the detrimental impact on community cohesion for St. Louis Park. It does not include the noise and vibration studies needed for determining real impact as well as necessary mitigation; it does not include traffic counts at the six, at-grade crossings that will experience prolonged blocking due to the rerouted train; it does not include traffic studies that take into account the school bus traffic traveling between the two schools bisected by the MN&S—the St. Louis Park Senior High School and Park Spanish Immersion; it does not take into account the dangerous freight passing within 100 feet and above grade through densely-populated residential areas; and it does not take into account that trains carrying hazardous materials, going around tight corners, accelerating hard to climb the steep grade, or braking hard to travel down the steep grade, will cross on bridges over Highway 7 and Minnetonka Boulevard—two very busy roads—in a compromised position. The rerouted trains would ideally cross on bridges over busy highways/roadways going straight; this is not the case for the MN&S, and there are no derailment studies included in the DEIS that discuss the impacts of this reroute.

3.2.2.6 Quotes “a small increase in freight rail traffic, significant impacts to community cohesion along the MN&S would not be anticipated.” A 788% increase is not small. The average train cars a day traveling the MN&S today is 28. The average daily train cars if the re-route would go forward would be 253 (per S.E.H. Study, April 2011 commissioned by the City of St. Louis Park). It goes on to dismiss other “community cohesion” issues such as:

A. The added freight rail bisects the high school campus, a high school with over 1300 students. This is the primary concern of most St. Louis Park residents. The tracks runs within 35 feet of the high school parking lot and 75 feet of the building itself. The school’s main athletic field is across the tracks from the high school. Children need to cross the tracks very frequently. An entire analysis of this issue along should be in the DEIS. The dangers here are enormous regardless of any planned “whistle quiet” zone. This is particularly dangerous because of the curves of the track and the speed and weight of the trains to be re-routed. The TC&W has publicly stated, and experts agree, that if a child/children are on the tracks for whatever reason, a train WILL NOT BE ABLE TO STOP to avoid a tragedy. With today’s slower, smaller, lighter traffic on that line, trains CAN stop. This is a core issue.

B. The traffic issues of blocking six at-grade auto/ped crossing including school busses entering/exiting the high school and the ripple effect of those issues because our school system “cycles” those buses from school to school.

C. The inherent danger of the longer, faster, heavier freight trains running near hundreds of homes, in some places on elevated tracks.

D. The noise, vibration issues for all residents and schools in the area.

Ironically, the DEIS states that “moving Freight rail service to the MN&S line will benefit the bus transit system by eliminating delays caused by freight rail operations. The removal of freight rail service from the Wooddale Avenue and Beltline Boulevard areas of St. Louis Park and the West Lake Street area of Minneapolis will make these areas more attractive for development/redevelopment, especially for housing” (60).

If moving freight out of an area will benefit that area, then it is certainly reasonable to assume that moving that same freight into another area will cause harm. The DEIS clearly states that “community cohesion along the MN&S would not be anticipated” (60). The document itself contradicts a fundamental issue that it purports to seriously study. This DEIS does not represent a legitimate look at co-location or re-location. It simply documents a wish by county officials to move freight traffic from its historical, logical, and safe location to a different, less-desirable location.

In section 3.2.2.7 titled “Summary of Potential Impacts by Build Alternative,” the following is stated: “LRT 3A-1 (co-location alternative) has the potential for adverse community impacts because of the conflicts that could result from having an excess of activity confined to an area not originally intended for such an intense level of transportation. In this scenario a relatively narrow ROW corridor would be forced to accommodate a freight rail line, LRT, and a multi-use trail creating an even greater barrier to community cohesion in Segment A” (3-61).

Again, the assertion that the co-location area was “not originally intended for such an intense level of transportation” is ludicrous in light of the historical facts. The Kenilworth Corridor (where co-location can occur) was originally an intensively used rail route that contained 9 separate rail lines at its narrowest point, and 15 lines at its juncture with the BNSF. In fact, the bike trail is currently using an old rail bed; this could be used by the LRT line, and safety would not be compromised as a result. Additionally, at-grade crossings would not be blocked simultaneously with co-location, nor would the freight and LRT pass residential housing above-grade, nor would the lines pass five schools within ½ mile, nor would taxpayers needlessly spend an additional \$123 million.

The DEIS also states that “the addition of the Freight Rail Relocation to all of the alternatives above would have a positive impact to adjacent neighborhoods or community cohesion because removal of freight operations along Segment 4 would eliminate a barrier to community linkages” (3-61).

This sentence simply ignores the fact that relocation would profoundly impact community cohesion in St. Louis Park. If the train is rerouted, six at-grade crossings will be blocked simultaneously by unit trains—cutting off emergency vehicle routes; the St. Louis Park Senior High School’s campus will be blocked by these same unit trains for 10-15 minutes at a time; the school’s bus transportation system will be seriously impaired due to the blocked intersection between the high school and Park Spanish Immersion; residents will face the introduction of noise and vibrations never experienced before (and not studied) in St. Louis Park as a result of the intensive grade increase to get the trains from the CP line to the MN&S. There is not one single “positive impact to adjacent neighborhoods” along the MN&S, and the DEIS itself fails to mention how relocation is an “improvement.”

In Table 3.2-2. “Summary of Neighborhood, Community Services, and Community Cohesion Impacts by Build Alternative,” co-location is cited as incompatible because “Some neighborhoods are concerned about keeping freight rail and some neighborhoods about additional freight rail traffic” (3-67). What is missing from this table are the robust concerns that St. Louis Park city officials have expressed over a decade in the form of four different resolutions. In addition, St. Louis Park residents/neighborhoods have been extremely vocal. They have expressed their concerns in the following ways: Over 1500 people signed a petition requesting co-location rather than relocation; hundreds of residents attended and spoke at two separate listening sessions held by the City Council of St. Louis Park which Gail Dorfman, county commissioner, attended. Notably, Ms. Keisha Piehl of 6325 33rd St. West in St. Louis Park spoke directly to the question of community cohesion during the April 2012 listening session (http://www.stlouispark.org/webfiles/file/Comm_Dev/freight_comments.pdf).

St. Louis Park citizens, city council members, and the mayor attached extensive mitigation requests to the EAW before MNDOT vacated the document—much of that EAW is repeated in this DEIS, but the city’s and residents’ requests are not acknowledged; the Project Management Team assembled by Hennepin County included residents that represented each of the neighborhoods of St. Louis Park, and the representatives repeatedly voiced concerns about the engineering plans—those concerns were completely ignored. There are many more ways in which St. Louis Park neighborhoods voiced concerns (i.e. letters to the editor in the *Minneapolis Star Tribune* as well as other local newspapers, letters to city, county, state, and federal representatives, and so on). These concerns have been consistently ignored by Hennepin County officials and continue to be disregarded in this DEIS, but they must be included.

There is a core analytical flaw in section 3.2.2.8. It compares effects between section FRR and section A. However, it is flawed because the effects of segment “A” take into account the area north of Kenilworth corridor even though that area will be affected with or without the FRR. Therefore, this is not a reasonable conclusion. The conclusions should be drawn only from a comparison of the FRR vs. Segment A minus the area north of the point approximately at the planned Penn Station. In addition the parkland affected is overstated in the co-location alternative because in this portion entire parcels are counted while the actual amount of space affected by the freight train is nominal. Because the Cedar Lake Park is so large, it appears there is a potential large impact even though the actual area impacted is quite small.

Table 3.6-3. Visual Effects by Segment listed ZERO visual effects for the FRR because the actual Re-route is not examined, only the effects of the LRT. Even though it is clear that there will be major visual effects by the building of the ramp and the enormous increase of freight traffic in the relocation area.

3.3.3.3 Relocation plans assume purchasing of all of the town homes on the Kenilworth corridor as opposed to moving the bicycle trail. It also arbitrarily assumes the Co-location homes need taking but none of the Relocation home needs taking without any apparent analysis of how that is determined. i.e; # of feet from the tracks, etc.

In section 3.4.5.3 titled “Build Alternatives,” the DEIS states that “No National Register listed or eligible architectural resources have been identified within Segment 3” (3-79) which is the co-location segment. However, further down this page, the DEIS states that because of “the construction of new bridge structures within the historic district[,] the design and footprint of these structures may affect the banks of the historic channel and may affect the district’s overall feeling and setting” (3-79).

The language on this page suggests a direct contradiction. If there are not nationally registered resources in the corridor, why will the “historic channel” be affected? What determines “historic”? The language itself demonstrates bias against co-location and helps to explain the numerous, puzzling exclusions in the DEIS of the negative impacts related to relocation.

To be fair, the DEIS does acknowledge the following regarding relocating freight to the MN&S:

3.4.5.3 Build Alternatives: Freight Rail Relocation Segment

Architectural properties in Segment FRR, which are listed in or eligible for the National Register include two historic districts and two individual properties. See the summary table and map for Segment FRR in the tables in the Section 106 Consultation Package in Appendix H.

Potential long-term effects may occur at the following properties:

- Brownie and Cedar Lakes, including the connecting channel, part of the Grand Rounds historic district (potential effects of new track construction on the features and settings of lakes and channel)

Other potential effects to historic properties in Segment FRR relate to potential noise issues.

Three areas with archaeological potential, comprising 3 acres, were identified in the Supplemental Archaeological Phase 1A along Segment FRR. Any of these that are found eligible could experience impacts from construction. (3-81)

In spite of the acknowledged impacts to historical resources along the MN&S, the DEIS favors rerouting freight rather than co-locating because the “overall feeling and setting” of the Kenilworth Corridor may be impacted (3-79). It is not made clear by the DEIS how one determines “feeling and setting” or how one even defines these attributes. What is missing from this section is commentary on how the “overall feeling and setting” will be negatively impacted along the MN&S.

In Table 3.5-2: “Potential Direct Impacts to Parkland by Segment,” the DEIS states that “no permanent impacts [are] anticipated” for the three parks along the reroute, namely Roxbury, Keystone, and Dakota (3-94). However, further down, the DEIS states that “construction footprints for the Freight Rail Relocation segment have not been developed, so acreage of temporary and long-term impacts have not been developed” (3-96). Any statement regarding impacts do not reflect reality when “construction footprints for the [FRR] segment have not been developed” (3-96). Nothing intelligent can be said about the impacts on these parks when the areas have not been studied.

Not surprisingly, the DEIS reveals that “conceptual engineering indicates that Segment A (co-location) would have a long term impact on approximately 0.88 acre. This includes a long term impact on approximately 0.81 acre in Cedar Lake Park, approximately 0.07 acre in Cedar Lake Parkway and approximately 0.01 acre in Lake of the Isles for widening the corridor to accommodate the freight rail line” (3-95). It is unclear why the corridor needs to be widened to accommodate the freight-rail line when the line already exists in the corridor, but the DEIS does not explain this mystery. In addition, as stated earlier, at its narrowest point, the corridor housed nine separate rail lines. The bike trail that now parallels the freight line is on the freight ROW; it is using an old rail bed. There is no need to widen an already wide corridor.

3.7 Safety:

- A. No derailment study. merely a mention of “no recent derailments”. There was at least one derailment on the MN&S within the last 20 years. And there was one derailment just two years ago of the actual trains that are to be relocated.
- B. Only two schools are listed as being “nearby” the freight rail reroute. Why is the area studied simply “nearby” and not the ½ mile rule that is used in the rest of the DEIS. If that rule was used 6 schools would be listed. Only 2 parks are listed on the FRR using the same methodology. In fact, there are more.
- C. At grade safety evaluation looks at HISTORY only when it recaps that no incidents have happened. However, this is an incorrect statement because the evaluation does not examine the new train traffic that will be realized.
- D. The entire examination of properties list the “dwellings within 50 feet” versus “property within 50 feet”. It is reasonable to assume that homeowners whose backyards and garages are within 50 feet of the tracks will experience a significant safety risk because that property is inhabited.
- E. The schools are listed as merely “entities” versus people. Therefore, an incorrect comparison is done when considering people impacted. The high school alone contains over 1300 students. Other schools contain hundreds of students as well. These numbers should be included in safety hazards.

CHAPTER 4--ENVIRONMENTAL EFFECTS:

4.6 Air Quality, pages 66-76

MN&S Freight Rail Report from Appendix H part 1, pages 109-113

The conclusion reached in the air quality section excludes important criteria and flawed assumptions. The proposed action for the Freight Rail Relocation will result in significant increased exposure to a multiple health risk sources and decreased livability for residents.

Flawed Assumption: The DEIS states that 'freight relocation will not be a net increase in train operations but rather a relocation.' This overarching statement fails to consider that the relocation of freight is from a highly industrial land use to a high-density residential area with park and school facilities. Population density maps indicate that the majority of the area along the MN&S Sub is 1000-7500 with pockets of 7500+. In comparison, the area adjacent to the Bass Lake Spur has significantly less population density (Attachment Appendix 4).

Flawed Assumption: The relocation of freight is from the Bass Lake Spur with a straight, relatively flat track and larger ROW. The MN&S ROW is significantly smaller which means that the residents will be in closer contact to the pollution source.

Missing Information: The grade characteristics of the MN&S Spur will cause an increase in the amount of locomotive throttle needed. The necessary connection will introduce gradients that are not currently part of operational activities in St Louis Park: Wayzata Subdivision connection is 1.2% and Bass Lake Spur connection is 0.86%. TCWR commented on this aspect during the MN&S Rail Study EAW: greater grades will result in increased diesel emissions due to the need for more horsepower because of the increased grade (Supporting data A, page 4). There is no assessment for this fact.

Missing Information: The Freight Rail Re-Route design includes a siding track along the Wayzata Subdivision in St Louis Park, Minneapolis. The purpose of this siding to allow for the TCWR to wait for access to the shared trackage along Wayzata Subdivision, from approximately Penn Ave through the Twins Station congestion area. This area is shared with BNSF and Metro Transit NorthStar line. There is no discussion of how this idling of the locomotives will negatively impact air quality. Furthermore, once the the siding is in place it will be possible for not only TC&W trains to use the siding, but also BNSF trains. It is possible that the siding could be in use twenty-four hours a day, seven days a week, three-hundred-sixty-five days a year. There is no discussion about how this very possible increase in idling trains will affect air quality.

Flawed Assumption: page 4-76. It states that the queuing of vehicles when freight blocks an intersection will be similar with or without Freight Rail Reroute and would not impact air quality. This statement fails to consider the following: 1. Wooddale and Beltline Blvd are the roads in St Louis Park that would have freight removed. However, these intersections will still have significant congestion from SWLRT crossing and blockage 2. The re-routing of freight will be to an area that has more at-grade crossings (5 vs 2) and within closer proximity of each other. All five crossing on the MN&S are within 1.2 miles but the crossing on the Bass Lake Spur are approximately one mile apart. Motor vehicles will be idling significantly more while waiting at multiple at-grade crossings 3. The close proximity of the at grade crossing on the MN&S will have an accumulative impact. Trains of 20 or 50 cars will block three intersection simultaneously. Trains of 80 or 100 cars will block all five intersections simultaneously (MN&S Report, Table 5 on page 105).

Inconsistent Statements: Page 4-72. The Freight Rail ReRoute is described as not regionally significant according to MnDot definitions. It is therefore not evaluated or accountable to air quality conformity, including CAAA requirement and Conformity Rules, 40 C.F.R 93. This application of being not significant is contradicted in other areas of the SWLRT DEIS. Including the finding in Chapter 1 of the SWLRT-DEIS that there is a "Need to Develop and Maintain a Balanced and Economically Competitive Multimodal Freight System "(1-10)

Action requested: The EPA has tightened the fine particulate regulations in December 2012. One possible source for soot pollution is diesel emissions which is a possible issue with the freight rail relocation. The locomotives that struggle with the increased grade changes will release an increased amount of diesel fumes. the air quality section should be revised and updated to reflect the tighter regulations.

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions, and inconsistent statements can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed reroute prior to making decisions.

4.7.7 Noise Impacts to the Freight Rail Reroute

Section 4.7.7, pages 99-104

MN&S Freight Rail Report from Appendix H part 1, pages 114-124

It is important to highlight the current existing traffic is during day hours, specifically from 9 a.m. to 4 p.m., on a Monday-Friday basis. With this situation, a resident with a traditional 9-5 job pattern would have very minimal exposure to the current freight. The proposed action will expand the hours of noise impact to 7AM through evening hours. In addition, the unit trains travel during the overnight hours whenever needed for business. Also, the days of service will increase to weekend usage with at least 6 days of service, if not everyday. This is significant because the current impacts to residents are limited to weekday hours with minimal impact on social, family, or neighborhood events.

It is also important to highlight that the information and hard data used to assess impacts SWLRT DEIS is a repurposing of the MN&S Freight Rail Study EAW. The EAW was in appeal process with both the City of St Louis Park and a residential group when the document was 'vacated'. It has been used in the SWLRT DEIS as the hard data, included in the Appendix H as a the MN&S Freight Rail Study. It is reasonable to state that the same issues that were being appealed with methodology, impact assessment, and environmental act violation exist in the SWLRT DEIS.

Comment on Section 4.7.7 regarding the field study, noise analysis

There is disagreement with the methodology used in the Noise Section in the MN&S report in the appendix. This report is the document used as the field work to evaluate the noise impacts for the Freight Rail Reroute in the SWLRT DEIS. The noise analysis is located in the MN&S Report on pages 114-124. The noise assessment is both missing important criteria and has flawed assumptions within the scope of the field work.

Missing Information: There is no noise assessment or field data gathered for the existing noise along the Bass Line Spur. This data is critical for the full understanding of the existing noise level of the TCWR traffic and how this level of noise compares to the noise measurement taken along the MN&S tracks.

Missing Information: The Bass Lake Spur to MN&S Spur connection will be a mile long structure that has a 0.86% grade change. The noise assessment in the MN&S Report does not discuss or evaluate how this new structure will impact noise. TC&W commented to this aspect- specifically stating that there will be increased and significant noise due to accelerating locomotives struggling to make the increased grades (Supporting data A, page 4). In addition, the City of St Louis Park Appeal to the MN&S Freight Rail Study EAW stated that the noise section did not address the noise created by additional locomotives needed to pull trains up the incline (Supporting data B, page 15).

Missing Information: The Bass Lake Spur to MN&S connection is a large and significant bridge structure with a tight curve. The noise assessment in the MN&S Report does not study or consider the impacts to the homes located on southeast corner (east of the MN&S Spur, south of the Bass Lake Spur). The residents will have an introduction of noise from a new source due to the additional locomotive throttle and curve squeal.

Missing Information: The MN&S Report and the noise assessment does not consider the grade needed to connect from the BNSF Wayzata Subdivision to the MN&S Spur. This is the area of the project that is known as the Iron Triangle. It is identified as a 1.2% grade on the MN&S Alignment Profile (Attachment Appendix 4). TC&W identified this missing information in their comment to the MN&S Freight Rail EAW (Supporting data A, page 4).

Missing Information: The MN&S Report does not assess the noise impacts to the residential homes near the Iron Triangle. The use of the Iron Triangle for the connection from the MN&S Spur and the BNSF Wayzata Subdivision includes changing the land use from an inactive to an active rail corridor. The adjacent residential homes are located at 50-100 ft distance from the proposed connection. In addition, this is an introduction of freight noise not current experienced by the community.

Missing Information: The Bass Lake Spur to MN&S Spur connection will include an eight degree curve. The field data in the MN&S Report does not evaluate the potential of this curve to be a noise source. Again, a comment by TC&W states that “the increased curvature creates additional friction, which amplifies the noise emissions including high frequency squealing and echoing” (Supporting data A, page 4). The City of St Louis Park also included the squealing wheel as a noise source in the appeal to the EAW (Supporting data B, page 15).

Missing information: The MN&S Report does not include assessment on the noise source of the stationary crossing signals and bells. It does not assess the noise generated from these stationary sources as either a solo intersection or as multiple intersection events. The characteristics of the MN&S sub includes 5 at grade crossing within close proximity. It is fact that multiple crossings will be blocked simultaneously with the re-routed freight causing all stationary sources of noise to be generated simultaneously. This characteristic will compound noise impact.

Missing Information: FTA Noise and Vibration Manual, Section 2 3.2.2: It is recommended that Lmax be provided in environmental documents to supplement and to help satisfy the full disclosure requirement of NEPA.

- The Lmax was not included in the noise section of the MN&S Report which would satisfy full disclosure.
- FTA Noise and Vibration Manual, Appendix F Computing Maximum Noise Level or Lmax for Single Train Passby (Attachment Appendix 4).
- The net change of Lmax will be significantly increased due to the increase in variables from the existing traffic to the proposed traffic. The variables expected to increase are speed (10 MPH to 25 MPH proposed), Length locos (2 locomotives current vs 4 locomotives for proposal to re-route) and Length cars (average current traffic is 20 cars vs 120 cars in the proposed rerouted traffic). This is a significant and important measurement that could be used to better understand the change in noise impacts.
- MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray, et al cites the lack of information on the Lmax as evidence that the noise study is inadequate. In detail, the appeal states that the use of Ldn is inadequate because it is an average noise level over 24 hours, not reflective of the noise impacts that a resident will actually hear (Supporting data C, page 23).

Flawed assumption: The noise section assumes that the re-routed freight will be able to travel at 25 MPH without consideration of the grade change of both the current MN&S profile and the new constructed interconnect structure.

Flawed assumption, improper analysis: The noise assessment was done with the current MN&S freight which has 2 locomotives and 10-30 cars. The freight traffic that will be rerouted will have trains that have up to 4 locomotives and 120 car length and it is projected to be a 788% increase as compared to the current freight. The noise assessment in the MN&S Report uses the current freight noise without consideration that the train profile will change, the amount of time of exposure to the noise will increase due to more trains per day with expanded hours of operation, and the duration per pass by will increase.

Missing information, improper analysis: Table 11 on the MN&S Report has a list of properties that are expected to have severe noise impacts. The distance to the impacted sites vary from 80 to 355 feet, with 273 out of the 327 total sites within 120 ft. In general, this analysis is improper because the impacts to the LRT sections are discussed as within half mile. The greatest distance discussed for freight is 355ft so the methodology for noise impact is not equally applied. Specifically, it is highly probable that expanding the impact footprint will increase the numbers for both moderate and severe impacts. Therefore, the number of sites with impacts is grossly underestimated.

Flawed assumption: There are currently no trains on the MN&S during night hours. The proposed re-routed freight will include unit trains at night. This is briefly discussed in the noise analysis but it was minimized and not properly described as a significant negative impact. The City of St Louis Park appeal asked that this noise source be considered a severe impact (Supporting data B, page 15).

Flawed assumption: The noise impact section for the FRR section describes that all severe noise impacts are a result of the train whistle at at-grade intersections. It is also a flawed assumption to state that a quiet zone will eliminate all severe noise impacts. Page 4-101. The assertion is not correct because the noise assessment within the MN&S Rail Report is missing data as described above.

Table 4.7-13 MN&S Relocation Noise Impacts: This table describes that there would be moderate noise impacts at 95 sites and severe noise impacts at 75 sites. This data is grossly underestimated. It is not possible to understand or evaluate the impacts because the field work and assessment had missing data and flawed assumptions as described above.

Figure 4.7.2- The figure does not include the noise sites for the Freight Rail Reroute. This is missing information and should be considered as an argument that the project proposer has not studied all sections equally or with due diligence.

Comments on the mitigation proposed for noise impacts

Federal guidelines:

FTA Noise and Vibration Manual 2 Section 3.2.4- Mitigation policy considerations--Before approving a construction grant--FTA must make a finding that ...ii the preservation and enhancement of the environment and the interest of the community in which a project is located were considered and iii no adverse environmental effect is likely to result from the project or no feasible and prudent alternative to the effect exist and all reasonable steps have been take to minimize the effect.

Reasonable steps have not been taken to minimize the effect. The only mitigation for noise is a Quiet Zone but after this mitigation, the level of noise impact is still moderate. Assuming that the assessment is valid and complete.

The noise mitigation section of the manual (section 3.2.5) state that moderate level noise should be further mitigated under certain circumstances/factors. There is a compelling argument for mitigation when a. large number of noise sensitive site affected b. net increase over existing noise levels c. community views. The NEPA compliance process provides the framework for hearing community concerns and then making a good faith effort to address these concerns.

The Freight Rail Relocation is within a high density residential community and within half mile of 5 schools. The MN&S tracks have a narrow Right of Way with many adjacent residential parcels at 50-100 ft. It is within reason to state and request that further mitigation should be part of this SWLRT DEIS due to FTA noise and vibration manual description (section 3.2.5).

A Quiet Zone is described as reasonable mitigation for the noise impacts for the FRR section. A quiet zone evaluation is done with the FRA, MNDot, and Rail companies. The evaluation of the possible improvements needed are based on vehicle traffic traditionally. In fact, the rules on how pedestrians and pedestrian safety should be treated is not clear. It is improper to consider and/or a design a quiet zone in FRR without proper weight on the high pedestrian use of the St Louis Park High School area. In addition, it is critical to note that the traffic analysis within the MN&S Report includes no data on pedestrian or bike traffic for the FRR section. The residents and communities requested this additional count information but were repeatedly ignored during the PMT meeting on the MN&S Study.

The real life situation is that the school is bookended by two blind curves, making it impossible for a rail conductor to view a dangerous situation in time to divert a disaster. The conductor has the right to blow their horn in situation that are considered hazardous, regardless of a quiet zone status. The characteristics of the MN&S have innate conditions with close populations of students, division of a school campus, and blind curves. It should be factored in the noise analysis that the railroad companies will continue to use whistles.

The proposal for a Quiet Zone was also included in the MN&S Freight Rail EAW. Both the Canadian Pacific Railway and TC&W Railroad commented in a negative manner during the comment phase. CP stated "designing and constructing the improvements needed for FRA requirements may be difficult- especially considering the site and geometrics of the corridor." Supporting document d. The comment by TC&W was that they "have safety concerns due to a number of factors: 1. increase in train size, speed, and frequency: 2. proximity to schools, businesses, and residential and 3. an increased number of at grade crossings" (Supporting document A, page 5).

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed reroute prior to making decisions.

Action requested: SWLRT DEIS should include a diagram, discussion, and specifics of the quiet zone designs proposed. This is necessary prior to a decision on the freight issue in order to understand if a Quiet Zone is even feasible or realistic for the FRR.

Action requested: SWLRT DEIS should include a full list of mitigation that could be considered for both moderate and severe noise impacts for the FRR.

Action requested: SWLRT DEIS should include mitigation option if the implementation of a quiet zone is not plausible.

Action requested: The project management for the SWLRT should engage and include the EPA in the discussion of the noise impacts to the FRR. It should act in accordance to the Noise Control Act (1972) Pub.L. 92-574 (sec. 1). "The Congress declares that it is the policy of the United States to promote an environment for all Americans free from noise that jeopardizes their health or welfare." This interaction should include all stakeholders, including the City of St Louis Park, operating rail companies, and impacted residential groups.

Action requested: The project management should include consideration of the legal precedents for noise impacts and inverse condemnation. *Alevizos et al. v. Metropolitan Airport Commission* no 42871 on March 15, 1974 is an example. In this case: Inverse condemnation is described as "direct and substantial invasion of property rights of such a magnitude that the owner of the property is deprived of its practical enjoyment and it would be manifestly unfair to the owner to sustain thereby a definite and measurable loss in market value which the property-owning public in general does not suffer. To justify an award of damages, these invasions of property rights must be repeated, aggravated, must not be of an occasional nature, and there must be a reasonable probability that they will be continued into the future." Although the noise source in this lawsuit was airport based, it is reasonable to use the same guiding principles for the Freight Rail Re-Route section. The FRR, if implemented, is an introduction of a transit method which will have significant impacts to the communities.

source:<http://airportnoiselaw.org/cases/alevizo1.html>

4.8.4 Vibration Impacts to the MN&S Freight Rail Relocation, page 117
MN&S Freight Rail Report from Appendix H part 1, pages 124-130

It is important to highlight the current existing traffic is during day hours, specifically from 9AM to 4PM, on a Monday-Friday basis. With this situation, a resident with a traditional 9-5 job pattern would have very minimal exposure to the current freight. The proposed action will expand the hours of noise impact to 7AM through evening hours. In addition, the unit trains travel during the overnight hours whenever needed for business. Also, the days of service will increase to 7 day per week. This is significant because the current impacts to residents are limited to weekday hours with minimal impact on social, family, or neighborhood events. The neighborhoods were developed around a secondary infrequently used track. The re-routed freight will increase the tracks to a moderate use freight line.

It is also important to highlight that the information and hard data used to assess impacts SWLRT DEIS is a repurposing of the MN&S Freight Rail Study EAW. The EAW was in appeal process with both the City of St Louis Park and a residential group when the document was 'vacated'. It has been used in the SWLRT DEIS as the hard data, included in the Appendix H as a the MN&S Freight Rail Study. It is reasonable to state that the same issues that were being appealed with methodology, impact assessment, and environmental act violation exist in the SWLRT DEIS.

There is disagreement with the methodology used in the Vibration Section in the MN&S report in the appendix. This report is the document used as the field work to evaluate the vibration impacts for the Freight Rail Reroute in the SWLRT DEIS. The assessment is both missing important criteria, improper analysis, and flawed assumptions within the scope of the field work.

Missing Information: There is no vibration assessment or field data gathered for the existing vibration along the Bass Line Spur. This data is critical for the full understanding of the existing vibration level of the TCWR traffic and how this level of noise compares to the vibration measurement taken along the MN&S tracks. TC&W commented on this missing information during the comment phase for the MN&S Rail Study EAW (Supporting document A, page 4).

Missing Information: The Bass Lake Spur to MN&S Spur connection will be a mile long structure that has a 0.86% grade change. The vibration assessment in the MN&S Report does not discuss or evaluate how this new structure will impact vibration.

Missing Information: The Bass Lake Spur to MN&S connection is a large and significant bridge structure with a tight curve. The vibration assessment in the MN&S Report does not study or consider the impacts to the homes located on southeast corner (east of the MN&S Spur, south of the Bass Lake Spur). The residents will have an introduction of vibration from a new source which is missing for the scoping of the field study.

Missing Information: The MN&S Report and the vibration assessment does not consider the grade needed to connect from the BNSF Wayzata Subdivision to the MN&S Spur. This is the area of the project that is known as the Iron Triangle. It is identified as a 1.2% grade on the MN&S Alignment Profile (Attachment Appendix 4).

Improper analysis: The same impact guidelines were not used in the vibration impacts for the LRT and the Freight Relocation. For the MN&S Report, the locomotive events were considered infrequent and the rail car events was considered occasional. Appendix H, page 127. For the vibration impacts on the alternatives, the SWLRT DEIS describes the locomotive events to be infrequent also but the rail car events was described as heavy. Page 4-107, 108. The distance for heavy, frequent impacts are at distances of 150 ft. The DEIS statement and the MN&S Report statement do not support each other, conflicting data presented. In addition, the only impacts discussed was at 40 ft but the proper distance should be 150 ft. This improperly underestimates the number of sites which would have vibration impacts.

Missing information: The MN&S Report does not include any information on the proximity of the MN&S tracks to structures at adjacent parcels. The MN&S Report also does not discuss how the building of the connection in the Iron Triangle will introduce a vibration source to the adjacent residents.

Improper analysis: The field work and vibration measurements were established with two train passages: both with two locomotives, one with 6 cars and the other with 11 cars. The existing freight conditions on the MN&S are described in the MN&S Report as 2 locomotives, 10-30 cars. Based on this, the vibration measurements were taken with either below or at the low end of the current vibration conditions. It is improper to consider these measurement as representative of the existing vibration.

Improper analysis: The vibration impacts to the Freight Rail Relocation was evaluated with the current freight traffic. This is improper because the re-routed freight will be significantly different: increased locomotives from 2 to 4, increased rail cars from 20 to 120, increased of speed from 10 MPH to 25 MPH. The result of this error will be that the vibration impacts will not be accurate. The City of St Louis Park commented on this in the appeal to the MN&S Freight Rail Study EAW: vibration analysis doesn't accurately reflect existing and proposed rail operations because the field work is based on existing short train (Supporting data B, page 16).

Improper analysis: An independent vibration study was done by a Lake Street business owner during the MN&S Freight Rail Study (Attachment Appendix 4). With consideration of the independent study, the vibration information within the SWLRT DEIS and the MN&S Report are improper due to 1. Measurements within the building were 84 VdB. According to the MN&S Rail Study, impacts for category 2 is 72 VdB for frequent events. The impacts specs for frequent events in category 3 is 75 VdB. The conclusion in the independent study is that vibration currently exceeds federal guidelines. 2. the independent measurements were taken within a 24 second time frame. The proposal to re-route traffic is expected to travel past a fixed point for 10 minutes. 3. The independent measurements were taken within a brick construction structure. In

comparison, vibrations have increased impacts within 'soft' construction which is typical of residential house construction. It is reasonable to state that the vibration within an adjacent residential structure would be greater at the same distance. 4. Note: The independent study was conducted on April 13, 2011. The MN&S Study measurements were taken in February 2011 during a year with record snow accumulations. It is possible that the MN&S Report Field study is improper because weather and normal winter ground conditions allowed for an erroneous low measurement. The MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray.... appealed on the independent study and the failure of the project management for the MN&S Report to address inconsistencies between the two field studies (Supporting data C, page 26).

Improper Analysis: The MN&S Report discusses the vibration impacts based on the vibration levels needed for property damage. It fails to discuss the level of vibration considered for human annoyance. The MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray.... appealed on this omission (Supporting data C, page 27).

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed reroute prior to making decisions.

Action requested: the FTA noise and vibration manual points out that vibration control measures developed for rail transit systems are not effective for freight trains. Consideration of this information should be weighted within the discussion of impacts.

Action requested: SWLRT EIS should include a full list of mitigation that could be considered for both moderate and severe vibration impacts for the FRR.

4.9 Hazardous and Contaminated Material page 119-130

Missing information: Table 4.9-1 has sites listed for the Freight Rail Reroute section. Diagram 4.9-3 to 4.9-5 has the FRR located on the diagram but the sites are not diagrammed as expected. It is not possible to evaluate the impacts of hazardous material without knowing where the sites are located. Therefore, it is not possible to comment effectively

Missing information: Page 4-127. There is a brief description of the Golden Auto Site. The comments by Canadian Pacific during the MN&S Freight Rail EAW should be considered: Due to the possibility of disturbing contaminants at the Golden Auto National Lead Site, it is unlikely that CP would be interested in taking responsibility for construction or ownership of the new connection between the Bass Lake Spur and the MN&S. The City Of St Louis Park also documented concerns on this site in their appeal to the EAW: The proposed interconnect structure will be constructed between city maintained wells near the Golden Auto site that may be impacted by construction or vibration (Supporting data B, page 20).

Missing information: Highway 7 and Wooddale Ave Vapor Intrusion site is located on the Freight Rail Reroute section. The SWLRT DEIS does not describe this MPCA, EPA site in the Hazardous Material section or analyze how the introduction of longer, heavier trains with increased vibration will impact the pollution potential.

Improper Analysis: Table 4.9-6 lists Short Term Construction Costs of Hazmat/Contaminated Sites. It is improper for the cost of the FRR to be added to alternative 3C-1, 3C-2. Both of these routes have the LRT traveling in the Midtown Corridor which makes it possible for the freight to remain in the Kenilworth Corridor.

Missing information: The SWLRT DEIS fails to analyze the long term costs. In detail, the long term expense of building the Bass Lake Spur to MN&S Spur connection on contaminated soil or the Golden Auto National Lead site.

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on. Once the new studies are complete and the scope is decided, a computer generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed re-route prior to making decisions.

CHAPTER 5 - ECONOMIC EFFECTS:

5.0 Economic Effects:

On September 2, 2011 the FTA mandated that the proposed freight rail reroute from the Bass Lake Spur to the MN&S Spur must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix – Document 1)

Because of this mandate addition of the proposed re-route must be included in the “study area” in a regular and consistent basis. Unfortunately, the inclusion of the proposed reroute in the analysis of this section is inconsistent. The inconsistency of the inclusion of the proposed re-route leads to inconsistent and incorrect conclusion about the cost of the SWLRT.

5.1 - Economic Conditions

Section 5.1 does not present any analysis, it is just cheerleading. Broad generalizations are made without substantiation. Terms such as “study area, market reaction and earning and output” are used, but the study area is not defined, which market is reacting is unclear and how earnings and output are determined is not explained (5-1).

In the last paragraph of this section the names of the resources used to determine output, earning and employment are given, but no links are supplied for reference. Furthermore, not only does the source used for the analysis of multipliers is the 1997 Benchmark Input-Output Table, not have a link, but it will also be over 20 years old by the time the SWLRT is complete (5-2). It seems irresponsible to base the cost of a multi-billion dollar project on decades old data.

Without links or data tables in the Appendix of the SWLRT-DEIS it is difficult if not impossible for the average resident to make substantive comments about the data tables in this sections. Due to the November 26, 2012 revelation (Correction Letter from HDR and updated table Safe in the Park - Chapter 5 Appendix – Document 2) about “typos” the need for reference materials is all the more important.

5.1.1 - Output, Earnings and Employment Effects from Capital expenditures

Capital cost estimates/constructions values are presented in year of expenditure (YOE) dollars. However, the year actually used for analysis in this document is not shared. Also, the YOE must change since the construction of the SWLRT will cover more than one year. Without hard data and a moving YOE substantive comment is impossible creating an analysis that is opaque and not transparent.

Table 5.1-1 - Summary of Capital Cost (in YOE dollars) by Build Alternative

The re-routing of freight trains from one area to another is not unique to St. Louis Park. Train rerouting has occurred throughout the United States, Canada and Western Europe. Multiple studies about the impacts of such re-routes exist. One item that consistently appears in all the studies (Property Valuation Articles and summary - Safety in the Park - Chapter 5 Appendix – Documents 3-8) is the negative impact of the re-routed freight trains on the community that is forced to accept the trains. Although the negative impacts on small business and the loss of property value in these cases can't be called a capital cost, the negative impacts are costs nonetheless.

Because the table 5.1-1 does not include the loss of property value and loss of small business revenue in the re-route area of LRT 3A (LPA - Re-Route) the true cost of LRT 3A (LPA- Re-Route) route and how it compares to the other LPA routes is not known (5-3).

5.1.1.2 Funding Sources

As with section 5.1 the names of the reference sources are given, but no links or actual data tables are provided. This lack of information puts the average resident who does not have a paid staff to help with their SWLT-DEIS comment at a disadvantage. Despite or perhaps because of the disadvantage, questions about the conclusions arise and are as follows:

- Final demand earnings--Are these earnings adjusted or disappear if a construction company or engineering firm from outside the Minneapolis—St.Paul-Bloomington Metropolitan Statistical Area (MSA) is chosen?
- The state participation dollars are considered “new” dollars, but the MSA is the biggest funding source for the state, so are they truly “new” dollars?
- When the number of jobs and earnings are calculated are the jobs lost to business takes or floundering small businesses in the study area figured into the final numbers?

5.2.1 Land Use

5.2.1.3 - It is unclear from the text of this section if the land use in the re-route area along the MN&S is included in the percentages given. If not, why not?

5.2.2 and 5.2.3 Short Term Effects and Mitigation

Although the titles of Table 5.2-2 and 5.2-3 include the words “Station Area” the text of 5.2.2 and 5.2.3 state that the tables will explain the short term effects and needed mitigation for the entire alignment of each LRT route (5-4 and 5-5). The text in each table also refers to the entire alignment of the LRT routes with the exception of the LRT 3A (LPA-reroute.) Because the MN&S Spur area is part of the LRT 3A (LPA-re-route) alignment it must be included in the analysis of the short term effects and needed mitigation . If the re-route portion of the LRT 3A (LPA-reroute) is not included in the analysis, the conclusion drawn will be incorrect.

The re-route of LRT 3A (LPA-re-route) appear to have been left out of the tables 5.2-2 and 5.2-3. Below are comments about short term effects and mitigation that need to be added to LRT 3A (LPA re-route) so it can be compared equally to the other LRT routes.

Table 5.5-2 - Short Term Effects

- Environmental Metric: Access Circulation - LRT 3A (LPA-reroute) **High**
 - Potential impacts to the CP along the MN&S Spur during construction of the new tracks eight feet east of the current track alignment. During regular track maintenance during the summer of 2012 there were anomalies in rail service.
 - Potential to impact access to homeowners whose properties are adjacent to the MN&S.
- Environmental Metric: Traffic - LRT 3A (LPA reroute) **Medium-High**
 - During construction temporary closures of at-grade crossings. Depending on the crossing that are closed and the duration of the closings there could be impacts to small businesses and access by emergency vehicles to homes.
 - The building of the new rail bridge over TH 7 will cause service interruptions to the CP. The rail companies commented in the EAW about service delays that could be a month or more during MN&S track reconstruction.
http://www.mnsrailstudy.org/key_documents

Table 5.2.3 - Mitigation

- Proposed Mitigation for Short-term Effects - LRT 3A (LPA-re-route) - Besides listed construction mitigation will the CP need a temporary bridge over TH7 or temporary trackage while a new berm is built and new trackage laid?

5.2.4 Long-Term Effects

Although the title of Table 5.2-4 includes the words “Station Area” the text of 5.2.4 states that the table will explain the long effects and needed mitigation for the entire alignment of each LRT route (5-8). The text in the table also refers to the entire alignment of the LRT routes with the exception of the LRT 3A(LPA reroute.) Because the MN&S Spur area is part of the LRT 3A (LPA reroute) alignment it must be included in the analysis of the long-term effects. If the re-route portion of the LRT 3A (LPA-reroute) is not included in the analysis, the conclusion drawn will be incorrect.

Table 5.2-4 - Long Term Effects - Environmental Metrics

- Environmental Metric: Consistency with Land Use Plans
 - LRT 3A (LPA - re-route)
 - Inconsistent with city vision which does not mention as desire for the freight rail to be moved from the Bass Lake Spur to the MN&S Spur
http://www.stlouispark.org/vision-st-louis-park/about-vision-st-louis-park.html?zoom_highlight=vision
 - Multiple St. Louis Park City resolutions that state the re-routing of freight is unacceptable (1996--City of St. Louis Park Resolution - 96-73 (Safety in the Park Chapter 1 Appendix- Document 1) 2001 City of St. Louis Park Resolution - 01-120 (Safety in the Park Chapter 1 Appendix – Document 2) 2010 City of St. Louis Park Resolution - 10-070
http://www.stlouispark.org/webfiles/file/freight_rail.pdf 2011 City of St. Louis Park Resolution 11-058
http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf)
 - LRT 3A-1 (LPA - Co-location)
 - The Minneapolis and Hennepin County Land Use plans do not predate the St. Louis Park City resolutions rejecting the freight rail reroute.
 - SEH Plan safer and less costly than Re-route
(http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf.)
 - Issues with transit-oriented development are surmountable. The Cleveland trains pages 41 to 43 in the common corridors document clearly demonstrates feasibility and safety of running lrt and freight at grade, at high speeds, and without safety fences. Nearly 50 years without incident in this co-location corridor
<http://www.fra.dot.gov/downloads/research/ord0316.pdf>

- Environmental Metric: Displacement Parking/Access Regulations
 - LRT 3A (LPA - re-route)
 - Small Businesses in the re-route area are likely to experience negative impacts caused by blocked intersections, noise and vibration due to re-routed freight trains
 - Schools in the re-route area are likely to experience access issues due to longer more frequent freight trains
 - LRT 3A-1 (LPA - Co-location) - Access issues in the co-location area are similar to the access issues faced at Blake Rd. and on the proposed Bottineau Line. All are surmountable.

- Environmental Metric: Developmental Potential
 - LRT 3A (LPA - re-route) -
 - Potential development for Lake Street small businesses will be negatively impacted
 - Potential for homeowners to take part in St. Louis Park City Plans to upgrade their homes will be impacted by the negative implications of increased freight traffic on property values
(<http://www.stlouispark.org/remodeling-incentives.html>)
 - LRT 3A-1 (LPA - Co-location) - No changes needed to text

5.2.5 Mitigation

The statement in section 5.2.5.3 “All Build Alternatives are anticipated to have some degree of positive effect on development potential for the local community and region. No mitigation is required” (5-22) might be true for the alignment areas near the SWLRT, but it is completely untrue about the alignment portion of LRT 3A (LPA - re-route) that includes the re-route. There are no benefits from the SWLRT that are great enough to override the negative impacts of the re-route.

CHAPTER 6 - TRANSPORTATION EFFECTS:

Section 6.2 Effects on Roadways

Table 6.2-1 lists all of the Build Alternatives which all include the FRR with the exception of 3A-1. All of these alternatives should be re-evaluated to determine whether the re-route is necessary or that extended co-location of light rail and freight rail can continue east of the MNS crossing.

6.2.2 Long-Term Effects

6.2.2.2 Physical Modifications to Existing Roadways

Missing are modifications for the Freight Rail Re-Route at grade crossings. No evaluation for circulation patterns for the proposed closing of 29th street. Evaluation of impacts of the proposed Whistle Quiet Zones at the MNS/Library Lane/Lake Street intersection and Dakota Ave are also missing. This section requires further study.

6.2.2.3 Operational Impacts at Intersections

According to the criteria for selecting crossings for evaluation, the second criteria is *"Intersections where a signal, roundabout, or stop sign controlling the roadway crossing the tracks was located within 600 feet of the LRT crossing."* MNS crossings at Walker Street, Library Lane, and Dakota all fall into this category and require LOS analysis. Additionally it should be noted that the Lake Street crossing lies within 600 feet of State Highway 7. A more thorough evaluation of the roadways in the vicinity of the MN&S tracks is clearly required. Cedar Lake Road???

Missing are factors for growth both for vehicle traffic and freight train traffic with regard to traffic impacts on the Freight Rail Re-route on the MN&S track at-grade crossings.

On page 6-38, in the queuing analysis for the freight rail re-route, the analysis of traffic delays refer to the afternoon school bus crossing at Library lane/Lake St. The delay was stated to be 3-4 minutes and involved queuing of 2 to 6 vehicles. We conducted our own traffic count over the course of three days this fall and made the following observation:

	DEIS Survey	Tue, 12/4/12	Wed, 12/5/12	Thu, 12/6/12
Blockage Time mm:ss)	03:00-04:00	02:01	02:09	02:18
Eastbound Lake St	6	9	6	10
Westbound Lake St	2	11	8	9
Southbound Library Ln	4	3	2	1

A brief interview with the police officer who routinely conducted the traffic stoppage stated that the traffic we observed was typical and that occasionally the eastbound Lake St. traffic backs up past Walker St. Extrapolating our counts using the train blockage times listed in the DEIS for the FRR we calculate queues greater than 120 cars (12.5 minutes worst case scenario) may be possible. The discrepancy noted in these observations warrant further study using accurate measurement tools and growth factors for both the vehicle and freight train traffic.

The evaluation using the school bus scenario explained on page 6-38 also completely misses the opportunity to analyze the effect a 12.5 minute delay would have on the afternoon school bus traffic between PSI and the High School. Delays of this magnitude would severely delay and complicate the scheduled bus movements for the rest of the afternoon. A thorough evaluation of both the morning and afternoon school bus traffic is needed to fully determine the impacts to the schools and community.

On page 6-39 during the analysis of Segment A of 3A-1 Alternative a 20 year growth factor of 1.12 were applied to the vehicle counts. This is not comparable to the method used on the FRR segment.

Section 6.2.4 Mitigation

The DEIS suggest the addition of street signage warning motorists of an approaching train to grade separated crossings. The plural on crossings is interesting because to our knowledge no additional grade separated crossings on the MN&S are proposed so only the current Minnetonka Blvd crossing would apply. The placement of these signs would be problematic in that they would need to be far from the affected sites in some cases and have no direct bearing on the local situation. For example, signs indicating train traffic for westbound Lake St traffic would need to be located at Hwy 100 in order to re-direct them onto Minnetonka Blvd. These signs would also have the unintended consequence of putting drivers unfamiliar with the neighborhood on local streets.

6.3 Effects on Other Transportation Facilities and Services

6.3.1 Existing Facilities

6.3.1.2 Freight Rail Operations

This section has a discussion of the current freight traffic on the four active rail lines in the study area. Due to the longevity of the decision being made regarding freight rail traffic, any evaluation that does not include predicted future growth of freight and /or commuter rail operations on both the MN&S and Kenilworth configurations seems very short sighted.

Section 6.3.1.4 Bicycle and Pedestrian Facilities

The bicycle and pedestrian trails are referred to as “interim-use trails.” Alignments of the LRT and Freight rail tracks in the Kenilworth corridor should be considered with additional co-located configurations and alternate locations of the bicycle and pedestrian trails.

6.3.2 Long-Term Effects

6.3.2.2, Freight Rail Operations

Discussion of the freight rail track bed in the Bass Lake Spur corridor for the co-location alternative fails to recognize that these improvements would be necessary regardless of which alternative is used. Unless a southern interconnect to the MN&S is built and the Skunk Hollow switching wye is removed these tracks will be necessary to facilitate the use of the wye. This would include the bridge over Hwy 100. This cost must be included in the estimates for either the 3A or the 3A-1 alternatives.

CHAPTER 7 - SECTION 4(f) EVALUATION:

7.0 Section 4(f) Evaluation

Chapter 7.0 of the SWLRT DEIS includes an analysis of the potential use of federally protected properties for the various proposed routes of the project. This response specifically relates to Section 4(f) impacts to routes 3-A (LPA) and 3A-1 (co-location); the remaining routes are not included as a part of this comment. The comment is organized by route, using 3A as a basis for comparison. This comment surfaces omissions, inconsistencies, and route alternatives not included in the DEIS, but that must be addressed in further analysis by the design team and included in the subsequent FEIS.

Before analyzing and comparing Section 4(f) impacts to routes 3A and 3A-1, it is important to make clear that the bike and pedestrian trails currently within the HCRRA ROW are not protected via Section 4(f) rules and guidelines as stated in Section 7.4 on page 7-6 of the DEIS: *“ The existing trails adjacent to Segments 1, 4, A and a portion of Segments C (the Cedar Lake LRT Regional Trail, Minnesota River Bluffs LRT Regional Trail, Kenilworth Trail, and Midtown Greenway) were all constructed on HCRAA property under temporary agreements between the HCRRA and the trail permittees. As documented in each trail’s interim use agreement, HCRRA permitted these trails as temporary uses with the stipulation that they may be used until HCRRA develops the corridor for a LRT system or other permitted transportation use. Therefore these trails are not subject to protection as Section 4(f) property “.*

Route 3A

Table 7.4-1 of the DEIS states that 0.00 acres of section 4(f) property is affected in Section A of the proposed route. The DEIS also states that a historic channel between Brownie Lake and Cedar Lakes may be affected by construction of this route. A calculation of the affected area is not included in Table 7.4-1, and it is not mentioned whether this affected area is considered a permanent or temporary use. This is an omission from the DEIS and an inconsistency between analysis and comparison of routes 3A and 3A-1. For contrast, the analysis of Route 3A-1 includes very detailed Section 4(f) area calculations, down to the hundredth of an acre, for bridge and other related construction at both Cedar Lake Parkway and Lake of the Isles. A revised DEIS or FEIS must address this omission and inconsistency by providing a calculation of the area impacted at the historic channel between Brownie Lake and Cedar Lake.

Section 7.4.1.4, page 7-20 of the DEIS explicitly states that land ownership along the segment from downtown Minneapolis to Cedar Lake Park is complicated and may need additional survey or a detailed title search to determine ownership of the underlying land . This is another omission. The U.S. Department of Transportation Federal Highway Administration's Office of Planning, Environment, and Realty Project Development and Environmental Review Section 4(f) Policy Paper dated July 2012, section 3.2, page 7 states:

"In making any finding of use involving Section 4(f) properties, it is necessary to have up to date right-of-way information and clearly defined property boundaries for the Section 4(f) properties. For publicly owned parks, recreation areas, and refuges, the boundary of the Section 4(f) resource is generally determined by the property ownership boundary. Up-to-date right-of-way records are needed to ensure that the ownership boundaries are accurately documented."

Without up-to-date property records and boundaries, an accurate representation of Section 4(f) property cannot be stated. The admitted complexity of property boundaries and incomplete understanding of these boundaries shall be rectified by including additional survey and title searches in a revised DEIS or the FEIS to provide a more accurate and transparent representation of Section 4(f) property impact for route 3A.

Table 7.4-1 of the DEIS states that 0.227 acres of Section 4(f) property within the Nine Mile Creek area is necessary for construction of route 3A. According to Chapter 7, Section 7.4.1.4, page 7-20 of the DEIS, the 0.227 acres of Section 4(f) area required for construction of route 3A is considered *de minimus*. This is an important figure as it sets precedent for analysis of the other routes considered for the project. These 0.227 acres of area shall be used as a basis for determining the *de minimus* quantity of Section 4(f) property for the remaining routes considered for this project. Taking this basis into consideration, the Section 4(f) property uses at Lake of the Isles of 0.01 acres, and at Cedar Lake Parkway of 0.07 acres (a total of 0.08 acres) for Route 3A-1 thus become immaterial or *de minimus*. Therefore the only material point of contention in discussing Section 4(f) property uses between routes 3A and 3A-1 is the 0.81 acres of Minneapolis Park Board property listed in the DEIS Table 7.4-1.

Route 3A-1

Taking into consideration the points made above regarding *de minimus* quantities of Section 4(f) property, the Section 4(f) uses at Cedar Lake Parkway and Lake of the Isles are negligible; the remaining 0.81 acres of Section 4(f) property use (Minneapolis Park Board property) is the only material quantity of land that should be analyzed for route 3A-1.

Section 7.4.1.5 of the DEIS discusses conceptual engineering as follows:

“Segment A of LRT 3A-1 (co-location alternative), which would co-locate freight rail, light rail and the commuter trail within this segment would necessitate additional expansion of ROW outside of the HCRRA-owned parcels into adjacent parkland. Section 4(f) uses could occur for the Cedar Lake Park, Cedar Lake Parkway and Lake of the Isles portions of the Minneapolis Chain of Lakes Regional Park for reconstruction of existing bridges, construction of new LRT tracks and realignment of the existing freight rail tracks. The conceptual engineering complete to date for the project identifies approximately 0.81 acres of permanent use of Cedar Lake Park for the location of the reconstruction of the freight rail track.”

The DEIS then contradicts the above statement, two sentences later, with this statement:

“Construction limits have not been determined for the co-location segment, but it is likely that additional temporary uses of parkland will occur.”

Without determining construction limits for the co-location segment, it is unclear how the figure 0.81 acres of Section 4(f) parkland use was calculated. The DEIS calls out this 0.81 acres of use, but it does not clearly delineate the boundaries of the park property that must be used. The only representation of the 0.81 acres is shown in a visual aid - Figure 7.4-6, page 7-16. From this graphic, it appears that the Section 4(f) use would occur in Section A of the route between the proposed 21st Street and Penn Avenue Station. The graphic only contains visual representations of where park land use may be required. No detailed engineering drawings containing plan views of construction limits or cross-sections are provided to demonstrate the required use of park land for route 3A-1. This is a critical omission from the DEIS; a revised DEIS or FEIS must clearly show the limits of construction causing the required use of Section 4(f) property within section A of this project. If the delineation of construction limits demonstrates that use of Section 4(f) park property is in fact required for Route 3A-1, alternative permutations of this same route must be given consideration as viable alternatives as outlined in the 1966 FHA Section 4(f) documents. Just because one configuration of route 3A-1 requires park land, does not imply that other configurations of the same route would also require temporary or permanent park land use. Alternative configurations of route 3A-1 that eliminate or minimize Section 4(f) property uses must be included in a revised DEIS or FEIS. From this point forward, this comment will focus on the portion of the project between Burnham Road and the proposed Penn Avenue station, as this is the area that the DEIS states Section 4(f) park land is required for construction of the project.

Again, a thorough representation of property boundaries and ownership along section A of routes 3A and 3A-1 is not included within the DEIS. The DEIS explicitly states this in Section 7.4.1.4, page 7-20 "Land ownership along section A is complicated and may need additional survey information to accurately represent property boundaries, etc..." Appendix 7A shows Hennepin County property boundaries and a representation that the existing freight rail tracks in the Kenilworth Corridor appear to be on Cedar Lake Park property. Appendix 7 C also shows how skewed the Hennepin County property boundaries are depicted in conceptual engineering drawings. Hennepin County produced a memorandum attempting to address the issue. The document is in Appendix H,, Part 1, page 50 of the DEIS. It is titled "Technical Memorandum" by Katie Walker, dated March 23, 2012. This memorandum outlines a problem with Hennepin County parcel data, and very generally dismisses the property boundary issues, additionally stating that the existing freight tracks through the Kenilworth Corridor are on HCRRA property and that survey quality data will be provided during preliminary and final design stages. This is not acceptable. Without accurate survey drawings the Section 4(f) analysis has absolutely no factual survey basis to stand on, rendering the analysis useless and arguably laughable. This is a major omission from the DEIS and project as a whole; accurate definition of property boundaries and ownership is a fundamental and absolutely essential piece of due diligence required for sound planning and design of any land development project.

Taking the above points into consideration and upon further investigation of property boundaries and ownership along Section A of route 3A-1, it is apparent that more property, and subsequently, various permutations of route 3A-1 are available for consideration in eliminating or minimizing Section 4(f) property use. Hennepin County property records show a ROW corridor owned by HCRRA where proposed LRT and trails would be located together. This corridor is generally 50 feet in width. If this corridor is considered as the only property available for construction of LRT, Freight Rail, Pedestrian and Bike trails, it is apparent that there is not enough width to accommodate all of these uses. A blatant and obvious omission from the analysis is the property directly adjacent to the east of this ROW corridors is owned by HCRRA and provides an additional 100 feet to 200+ feet of width to the corridor adjacent to Cedar Lake Park. The DEIS does state on page 7-21 that: "The majority of the land along Segment A through the Kenilworth Corridor by Cedar Lake Parkway belongs to the HCRRA. The additional parcels of property adjacent to the project corridor, owned by HCRRA, and that could be considered for additional configurations of route 3A-1 are recorded in Hennepin County property records and displayed on Hennepin County Property Records website. The parcels that must be included in additional configurations of route 3A-1 include PID 2902904410044, PID 3202924120046, PID 3202924120045, PID 3202924120005, and PID 320292413001. Please see Appendix 7 B for visual representations of these parcels in relation to Cedar Lake Park and the existing HCRRA ROW.

In summary the DEIS calls out 0.81 acres of Section 4(f) property as required for Co-location. This simply is not necessary. As outlined above and shown in appendix 7 of this DEIS comment document there is plenty of width from 21st St to Penn avenue to accommodate lrt, freight, and trails without using any parkland whatsoever. This is a major omission from the DEIS, and a blatant misrepresentation of facts that must be addressed in a revised DEIS or FEIS. With this said, use of Section 4(f) property becomes a non-issue for co-location, and this should be stated as such in the DEIS. Please see appendix 7 D for a discussion of legal aspects of Section 4(f) analysis as it relates to this project. A St. Louis Park resident, Mark Berg, discusses legal ramifications of Section 4(f) analysis on co-location of SWLRT and freight rail. Please consider his written letter as a companion document to this DEIS response. The analysis above combined with the legal aspects discussed by Mr. Berg demonstrate that the DEIS's 4(f) analysis is flawed and a new analysis must be undertaken by the project to rectify omissions, misrepresentation of facts, and ambiguities related to property boundaries, proposed project boundaries and overall section 4(f) property use.

CHAPTER 8 - FINANCIAL ANALYSIS:

8.0 - Financial Analysis

In September of 2011 the FTA mandated that the proposed freight rail reroute from the Bass Lake Spur to the MN&S Spur must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix – Document 1) Because of this mandate addition of the proposed re-route must be included in the “study area” in a regular and consistent basis. Unfortunately, the inclusion of the proposed reroute in the analysis of this section is inconsistent. The inconsistency of the inclusion of the proposed re-route leads to inconsistent and incorrect conclusion about the cost of the SWLRT.

In section 8.1.2 methodology a list of the resources used to determine the cost of the SWLRT project are given. No links or data tables are actually shared in the SWLRT-DEIS (8.1).

Without links or data tables in the Appendix of the SWLRT-DEIS it is difficult if not impossible for the average resident to make substantive comments about the data tables and information in this section. Due to the November 26, 2012 revelation (Correction Letter from HDR and updated table Safe in the Park - Chapter 5 Appendix – Document 2) about “typos” the need for reference materials is all the more important. In fact, the errors in this section coupled with the misrepresentations, inconsistencies, omitted information and other mistakes, bring the validity of the entire SWLRT-DEIS into question.

Are there any other “typos” in the DEIS? Claiming a \$100,000,000 “typo” conveniently narrows (but does not eliminate) the cost disadvantage of the HCRRA’s favored LRT 3A (LPA- Re-route) relative to the less expensive LRT 3A-1(LPA - co-location). How will the additional \$100,000,000 cost of the project be funded? The HCRRA’s “Corrected Table 8.1-1” shows the additional \$100,000,000 in “Professional Services”. (8-2) Presumably the numbers in Table 8.1-1 come from spreadsheets, and where in the supporting spreadsheets did the error occur? Were the underestimated Professional Services costs in civil engineering, or public relations or project accounting? Who entered the wrong number and how is the public to know that the numbers are now correct?

Table 8.1-1 - Cost estimate for build alternatives.

The re-routing of freight trains from one area to another is not unique to St. Louis Park. Train rerouting has occurred throughout the United States, Canada and Western Europe. Multiple studies about the impacts of such re-routes exist. One item that consistently appears in all the studies (Property Valuation Articles and summary - Safety in the Park - Chapter 5 Appendix – Documents 3-8) is the negative impact of the re-routed freight trains on the community that is forced to accept the trains. Although the negative impacts on small business and the loss of property value in these cases can’t be called a capital cost, the negative impacts are costs nonetheless. Furthermore, the slim cost margin between re-route and co-location seems inconsistent with the amount of building needed in each alignment.

Section 8.1.4.1: Federal Section 5309 New Starts. This section states, “The local project partners have assumed that the Southwest Transitway will be funded 50 percent with New Starts funding” (8-3). Justification for this assumption is not provided and a different assumption could just as easily be made that would fundamentally change the cost/benefits outcome of the project.

Section 8.1.4.4: Regional Railroad Authorities. As noted in this section, Regional Railroad Authorities exist “...for the specific purpose of providing for the planning, preservation, and improvement of rail service including passenger rail service and to provide for the preservation of abandoned rail right-of-way for future transportation uses” (8-4). (Contrary to this purpose, re-routing freight trains from the Kenilworth Corridor would sacrifice a relatively straight, flat, direct and efficient railroad route in order to preserve a bike path. If the purpose of “preservation of abandoned rail right-of-way for future transportation uses” had occurred as intended, the land for townhouses at the “pinch point” would never have been sold. HCRRA is not fulfilling the purpose for which it was intended.

8.2 - Operating Funding Strategy

Section 8.2.1: Operating and Maintenance Costs. This section states, “No freight rail operating and maintenance costs will be attributed to the project because HCRRA has no obligation to the freight railroads operating in the study area to reimburse either operating or maintenance costs” (8-5). The TC&W stated publicly during the PMT process that it would cost more for it to operate its trains along the re-route than on their present route through the Kenilworth Corridor and that it needed to have “economic equilibrium” before agreeing to the re-route. As made clear by Section 8.2.1, there is no provision in the DEIS to provide “economic equilibrium” to the TC&W. Leaving a critical stakeholder’s needs unaddressed undermines the credibility of the DEIS. The HCRRA joins the TC&W and the CP in explicitly renouncing responsibility for maintenance of the new MN&S interconnects that would be necessitated by the re-route, leaving this ongoing economic requirement to become an open sore for future county/railroad relations. (http://www.mnsrailstudy.org/key_documents)

Section 8.2.2: Bus O&M Costs. This section states that bus operating and maintenance (O&M) costs vary with the level of service provided, and that, “Fixed costs do not change with the level of service...” while the same paragraph also states. “Therefore, the fixed costs are 20 percent of the total (O&M costs)” (8-5). However, if O&M costs vary with activity levels and fixed costs are 20 percent of total bus O&M costs, the fixed costs are not really fixed and may be understated in the DEIS.

Section 8.2.3: Light Rail Transit Operations and Maintenance Costs. This section states, "Variable costs of LRT are assumed to be 86 percent of the total cost with the fixed cost being 14 percent of the total" (8-5). Left unexplained is what items are included in fixed cost for LRT and why fixed costs for LRT are only 14% of total O&M costs when LRT has a much higher level of fixed assets to maintain (track and overhead power lines) than the bus alternative. If fixed costs for the bus alternative are only 20% of O&M and fixed costs for LRT are 16% of O&M, the ongoing fixed costs of maintaining the larger capital base required for LRT may be understated by the DEIS.

Table 8.2-3 . "system O&M costs for building alternatives" shows the cost for LRT 3A (LPA, re-route) and LRT 3A-1 (LPA, co-location) to have exactly the same operating costs. However, LRT 3A (LPA, re-route) needs to include the costs of maintenance for the two interconnects. According to the responses from the CP in the MN&S EAW (http://www.mnsrailstudy.org/key_documents), they have declined to be responsible to maintain the interconnect (8-7). Therefore, the cost of maintenance must fall on the SWLRT and be represented in the cost table.

Section 8.2.5.1: Fare Revenues. This section states, "Ridership i anticipated to grow along with increasing population and employment" (8-7 & 8-8). Unacknowledged in the DEIS is the growth of telecommuting which might reduce demand for transit in the future, leaving the SWLRT as underused as the Northstar commuter line.

The DEIS states, "In 2011, 26 percent of the total MVST (Motor Vehicle Sales Tax) revenues were dedicated to transit needs in the Twin Cities metropolitan area" (8-8). This percentage could go up or down in the future but without explaining why, the numbers in Table 8.2-4 show the percentage increasing to 26.47% in 2012 and the following years, a higher percentage than 21.7% to 26% range observed since 2009 (8-8). Left unexplained is which part of Minnesota will give up some of its share of MVST revenues to provide more to the metropolitan area.

Section 8.2.5.2: CTIB Operating Funding. As described in this section, the Counties Transit Improvement Board has agreed to provide a percentage of the operating assistance required for the SWLRT and other light rail projects as well as the Northstar commuter line (8-8). If Northstar continues to miss its budget targets how will CTIB continue to subsidize the SWLRT?

Section 8.2.5.5: State General Funding. This section states, "State funding for transit operations has grown over recent biennia" (8-9). The numbers provided show that state funding declined 32.45% in the most recent biennium and funding declined in two of the last four biennia. The DEIS takes an optimistic case for continued state funding.

Section 8.3: Strategy for Potential Funding Shortfalls. It is asserted in this section that, “Short term shortfalls are covered by the operating reserves. In the longer term, Metro Transit relies on the MVST growth and its fare policy.” “The MVST revenues are projected to increase at a rate of 4.6 percent per year in the long run. This forecast is viewed as conservative for financial planning purposes as historical trended MVST receipts for the period of 1973 to 2008 averaged 5.7 percent” (8-9, 8-10). Assuming the above percentages indicate real growth rather than inflation-based growth, the 1973 to 2008 growth was calculated from a recession year to a year at the end of a financial bubble that may have artificially exaggerated growth. Normalized long-term growth in U.S. Gross Domestic Product is generally forecast in the 2% to 3% range, and Minnesota’s gross domestic product is likely to be in the same range, but if MVST receipts increase at a faster 4.6 percent rate over the long term, eventually 100% of Minnesota’s gross domestic product will be collected in MVST, an arithmetically unlikely outcome rendering the DEIS’ long-term operating funding projections questionable.

Another source of operating funding noted in this section is higher fares, which admittedly reduce ridership. The DEIS states, “The state’s commitment to transit in the Metro region may be regarded as an opportunity of financial risk management for operations” (8-10) which might be rephrased, “maybe they will bail us out.” Also mentioned as sources of supplemental operating funding are “non-farebox revenue sources” which raises the question of why these potential sources haven’t been previously developed.

CHAPTER 9 - INDIRECT EFFECTS AND CUMULATIVE IMPACTS:

As stated in the comment for Chapter 1 of this SWLRT-DEIS response the essential purpose of the National Environmental Protection Act (NEPA) is to ensure that environmental factors are weighted equally before an infrastructure project can be undertaken by a federal agency. The extent to which this SWLRT-DEIS does not fulfill the essential purpose of NEPA is particularly evident as the indirect and cumulative impacts of the SWLRT are discussed.

In September of 2011 the FTA mandated that the proposed freight rail reroute from the Bass Lake Spur to the MN&S Spur must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix – Document 1). Because of this mandate addition of the proposed re-route must be included in the “study area” in a regular and consistent basis. Unfortunately, the inclusion of the proposed reroute in the analysis of this section is inconsistent. The inconsistency of the inclusion of the proposed re-route leads to inconsistent and incorrect conclusion about the cost of the SWLRT.

In sections **9.1- 9.2** The methods used and criteria of indirect and cumulative impacts are defined. Section 9.1.12 - states that “ Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time” [40 C.F.R. § 1508.7] (9-1). On the next page of the SWLRT-DEIS section 9.2.2 states “Build Alternative and other actions, including past, present, and future, were identified and added to the direct effects of each alternative (as presented in Chapters 3, 4, 5, 6, and 7 of this Draft EIS) to arrive at the total potential cumulative impact” (9-2). What is left out of these sections is the fact that the re-route area of the SWLRT-DEIS has never been evaluated in respect to 40 C.F.R. § 1508.7 and that in Chapters 3, 4, 5, 6 and 7 of this DEIS the direct impacts of the re-route portion were not evaluated in a good faith effort.

9.2.3 Study Area Definition

Section 9.2.3.1 defines the area “½ mile around the station areas” (9-3) as the area for indirect impact while section 9.2.3.2 defines the cumulative impact area as the area “about one mile on each side of the Build Alternatives’ alignments” (9-3, 9-4). This is true for all of the SWLRT build options except for the MN&S re-route area. Despite being an official part of the SWLRT project, the area “about one mile on each side” of the MN&S re-route area has been left out the evaluation of cumulative impacts. An argument can actually be made that not only should the MN&S re-route track area of study be a one mile radius, but in fact because the weight, vibration, noise, and other factors are greater for freight trains than light rail trains, an even broader area should be studied for the freight re-route area.

It must be pointed out that although segment A is part of the 3A(LPA - Re-route) the area from approximately Penn Station east to Downtown Minneapolis has not been included in the discussion of the re-route. However, that same area is considered part of the co-location discussion of 3A-1(LPA-Co-Location). This is thoroughly discussed in Chapter Two comments of this document.

9.3 - Existing Conditions and Development Trends

There are so many vague assertions in this section that it is difficult if not impossible for the average resident of Hennepin County to substantively comment on this section . It is asserted that the economy of the Southwest metro is vibrant and growing, but in Chapter one of this DEIS document errors were found in regard to the number of jobs near the SWLRT alignment. It stated that the information comes from the October 2008 Market assessment (9-4). However, using the search bar on this DEIS and a close scrutiny of Appendix H, it is impossible to find the 2008 Market assessment or the data about population, household, and employment as it relates to the re-route portion of the 3A (LPA-re-route)

The existing conditions and the impacts regarding the proposed reroute area were NOT covered in Chapters 3,4,5 and 6 of the SWLRT-DEIS. The conclusions drawn in section 9.3 about the proposed reroute area are at best under represented and at worst completely wrong.

9.4 - Reasonably Foreseeable Future Actions

The proposed new intersection at TH 7 and Louisiana in St. Louis Park seems to be missing. The St. Louis Park City Council voted unanimously on December 3, 2012 to move forward with the project.

9.5 Potential for Indirect Effects and/or Cumulative Impacts

Missing from the SWLRT-DEIS is a comprehensive look at the indirect and/or cumulative impacts on the proposed re-route area. Using the Report done for the City of St. Louis Park by Short, Elliot and Hendricson (SEH) http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf

the responses to the MN&S EAW (http://www.mnsrailstudy.org/key_documents) and the Comments to Chapters 3,4, 5 and 6 from this document, a table detailing the indirect and/cumulative impacts is presented. For purposes of evaluating the indirect and cumulative impacts of the proposed re-route area, we define the area for both indirect and cumulative impacts as the area about one mile on either side of the re-route alignment beginning just east of Minnehaha Creek on the west and the point where the new alignment joins the BNSF near Cedar Lake in the east.

Indirect impacts are the things that can only be qualified, while the cumulative impacts are as defined in section 9.1.12: "Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time" [40 C.F.R. § 1508.7] (9-1).

Table 9.5-1. Resources with potential for indirect effects or cumulative impacts

NEPA TOPIC	POSSIBLE INDIRECT IMPACT TO RE-ROUTE AREA	POSSIBLE CUMULATIVE IMPACTS TO RE-ROUTE AREA
Land use and socioeconomics	Yes, Parks will be less attractive as noise and pollution from freight trains increases.	Yes, small businesses in the area will experience difficulty due to traffic conditions
Neighborhoods, community services and community cohesion	Yes, Loss of community pride after FRR is 'forced'. Areas around the MN&S will become blighted as homes suffer from effects of extreme vibration	Yes, Loss of property value will cause higher rate of foreclosure and rental vs ownership rates. Emergency vehicles will have difficulty moving about the re-route area, STEP will be impacted by noise and vibration. Gentrification will become impossible!
Acquisitions and displacements/relocations	Yes, homes will need to be taken to create a safer ROW or if not taken neighborhood blight will occur	Yes, removal of homes or decline in value of homes that are not taken will result in a lower tax base for St. Louis

		Park. Inverse condemnation due to loss of enjoyment from negative impacts.
Visual quality and aesthetics	Yes, garbage stuck in fencing needed to create the supposed whistle free zones will be an eyesore. The interconnect structure will be site for graffiti.	Yes, The interconnect structure needed to accomplish reroute will dwarf everything in the area and change the overall look of the community. Maintenance and upkeep will be neglected because ownership of interconnect is not clear.
Safety and security	Yes, the amount of hazardous material transported will increase with increased track usage. Increase usage will decrease the enjoyment of residential backyards, as this is used as a buffer zone for derailment.	Yes, safety concerns will be a factor in the housing and resale of the residents, leading to increased housing turnover, higher rental percentages. Concerns for students will be a factor in considering school facilities for families as they establish households.
Environmental justice	Yes, Students at St. Louis Park High and Peter Hobart (both schools have significant minority populations) will be impacted.	The FRR will decrease school morale and possibly increase destructive behavior as the community reflects on the significance of forcing the FRR. A 'Rondo' effect.
Air quality	Yes, laboring locomotives will spew diesel fumes, and vehicles on the roadways will spend more time idling while waiting for trains.	Yes. negative impacts to resident health from increase pollution exposure. Property maintenance, upkeep will increase due to the settling of pollution on structures.
Noise	yes, inverse condemnation, loss of property rights as residents can no longer enjoy their backyards. Lack of direct south connection may cause the FRR area to become a defacto switching yard.	Yes, introduction of a direct route will encourage more freight traffic, use of ports and yards will change which allow for more traffic also. Noise level, exposure are not stagnant but should be expected to increase.

Vibration	Yes- increased vibration will impact structure foundations and could increase radon exposure.Lack of direct south connection may cause the FRR area to become a defacto switching yard.	Yes, introduction of a direct route will encourage more freight traffic, use of ports and yards will change which allow for more traffic also. Vibration level, exposure are not stagnant but should be expected to increase.
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Economic effects	Yes, due to lower property values the tax base of St. Louis Park will no longer be raked as one of the 100 best Cities in America	Yes, a lower tax base due to lower property values will raise taxes on the homes a distance from the tracks and will also result in fewer services for residents.
Station Area Development	No, Most of the re-route area is too far from a station to benefit.	No, Community works dollars will be spent on station areas and the re-route area will be left to flounder
Transit effects	Yes, The MTC bus that crosses the MN&S at Lake Street, Library Lane and Dakota Ave. could experience schedule problems due to trains in crossing.	Yes, because of problems with scheduling the busses could be removed from service leaving people who need the bus and make transfers in uptown or downtown in Minneapolis without transportation
Effects on roadways	Yes, side streets will be difficult to traverse because of queues of cars. Since these queues will be at random times people will not be able to effectively plan their day.	Yes, emergency vehicles will have difficulty traversing the area. People will suffer because of delayed response time. Because people will attempt to avoid the roads in the re-route area as much as possible, traffic on Minnetonka Boulevard will become even more congested.

9.6 Long–Term Effect

This section states that no mitigation is “needed, proposed or anticipated” for the MN&S spur. It is difficult to believe that a 788% increase in the number of rail cars moving on the MN&S spur will need no mitigation, yet that is what is proposed in section 9.6. The section even goes on to say that “Because the indirect effects and cumulative impacts (of SWLRT) are considered desirable and beneficial no mitigation is required. “ The benefits of Light rail will in no way ameliorate the negative impacts done by the re-routed freight. Light rail will not straighten tracks to save neighborhoods from derailments, it won’t decrease noise and vibration or fix any other of the negative impacts caused by increased rail traffic.

As pointed out in the comments to Chapters 3, 4, 5 and 6, the negative impacts from moving freight traffic to the re-route area are extensive but these impacts are unaddressed by the SWLRT-DEIS which simply asserts in section 9.6 that no mitigation is needed for the freight rail re-route area. Should freight be re-routed from a former Chicago to Seattle mainline to tracks that were built to accommodate electric interurban trains, the mitigation needs will be extensive. Lists that include, but are not limited to all of the mitigation that will be needed in the MN&S re-route area, from just east of Minnehaha Creek to the junction of the new BNSF siding with the BNSF main line, can be found in the City of St. Louis Park comments and the SEH report. http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf (SEH document); http://www.mnsrailstudy.org/key_documents EAW Comments. These lists are in no way definitive. No matter how much mitigation is done, the MN&S Spur will always be a retro fitted interurban carrying freight trains that belong on tracks built for mainline rail traffic.

9.7 - Greenhouse Gasses

Increased diesel fumes caused by locomotives laboring up the two steep interconnects , idling for long periods of time, perhaps making multiple trips through the neighborhoods will have a cumulative impact. The area around the MN&S re-route area will become intolerable because of the added pollutants. The community further afield will suffer indirectly because of the increase of smog.

CHAPTER 10 - ENVIRONMENTAL JUSTICE:

Improper Analysis: Section 10.3.1: The same methodology was not used in both identifying census blocks for the five alternatives and the Freight Rail Relocation. It is discussed that a half mile buffer was created but there is a footnote 2 on Page 10-2. The footnote clearly states that the area of impact for the Freight Rail Relocation was geographically narrower to ensure the analysis did not miss a minority population. First, it is poor process and suspect when a project doesn't use equal parameters. Second, it is not logical to state that a narrower impact area would help include more information. A narrower area can only leave a segment with lower impact due to less geographical area. And finally, it should also be considered that Hennepin County did not take serious consideration of the Sept 2011 letter by FTA. The letter requested that the Freight Rail and impacts be a part of the SWLRT. It is suspect that the information used in the SWLRT DEIS for the FRR environmental impacts was pulled from the MN&S Report (Located in Appendix H, Part 1). The MN&S Report is essentially the same information as the Minnesota State MN&S Freight Rail EAW which didn't include a half mile impact buffer because the scope of the state project would only consider adjacent properties. The fact that the area of impact is narrower for the FRR correlates the small scope of the original project.

Improper analysis: Table 10.3.1: The percentage of minority population impacts increases with the Co-Location option. Figure 10.3-2 with the LPA 3A indicates that there are pockets of high minority census blocks along the FRR, with the largest section in the Iron Triangle area of the FRR project. Co-Location would both eliminate these areas and is geographically smaller. Action requested to have the analysis of this percentage increase with co-location explained further.

Improper Analysis: There is a core analytical flaw in figures 10.3 when it describes the FRR and the Co-location area. It is flawed because the effects of segment "A" take into account the area north of Kenilworth corridor even though that area will be affected with or without the FRR. Therefore, this is an improper comparison. The figures should be divided as a.) FRR from the Interconnect structure to the BNSF siding. b.) Co-location section from West Lake to Penn Station area. c.) common area which is north and east of Penn Station to Target Field. Including the common area can only unfairly overestimate the impacts to the co-location segment.

Improper Analysis: It is important to highlight that the FRR segments have areas with high minority population. In comparison, the co-location area in Kennilworth Corridor have none. If the Re-Route section is chosen, the project will have a disproportionate negative impacts to minority in the freight decision- which is concern for the EPA and the principles of environmental justice and fair treatment. It is improper for the conclusion that the re-route is the environmentally preferred alternative for the freight. Maps of the FRR area vs co-location with minority populations (Attachment Appendix 10).

Missing from the environmental impacts for minority and low-income groups is an analysis of the demographics of the St Louis Park schools within half mile: Peter Hobart Elem., St Louis Park Senior High, and Park Spanish Immersion.

'A minority population means any readily identifiable group or groups of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed or transient persons such as migrant workers or Native Americans who will be similarly affected by a proposed DOT program, policy or activity.' FTA C 4703.1. The population of a school can be accurately described as a geographically dispersed people that gather for the purpose of education. In addition, the school board and each school administration has the liability of protecting and policing students while on campus, similar to the responsibilities of a local government.

School	Population	Percent Minority	High Minority Population Fit ¹	Percent Free and Reduced Meals
St Louis Park School District	4472	38.9%	yes	31.2%
Senior High	1381	38.4%	yes	32.9%
Peter Hobart Elementary	549	43.5%	yes	37.2 %
Park Spanish Immersion	513	26.5%	no	14%

¹ The percentage used to determine high minority population kit was 28.3%, Section 10.3.1.1

Source: slpschools.org- Fall 2012 Enrollment Comparison and Demographic information.
(<http://www.rschooldtoday.com/se3bin/clientgenie.cgi?butName=Fall%202012%20Enrollment%20Comparison%20and%20Demographic%20Information&cld=0&permission=3&username=>)

Missing Information: The percentage of free or reduced meals is significant for the St Louis Park School District, Senior High, and Peter Hobart. it is difficult to determine from the free/reduced meals if there is an impact to low income population because the criteria is not a match. However, this is information that the project should investigate further to prevent improper high impacts.

Improper Analysis: The LPA discusses that the adverse effects on environmental justice populations. The different segments and criteria (construction, transit service and accessibility, air quality, multimodal environment) reach a conclusion that there is no disproportionate high or adverse effects anticipated. This conclusion is improper because the populations of minorities in the community of the FRR segment, school populations minorities, and possible low income students at the schools are not considered. In addition, it is stated the LRT will provide benefits to the environmental population. The Freight Rail Re-Route section of the LPA will have no benefits to the impacted populations, only negative impacts. Therefore, no offset of negative impacts by the LRT benefit. The conclusion of the Environmental Justice for the LPA is incorrect and improper.

Action requested: Halt any decision on the freight issue until further study is completed such that the missing information, flawed assumptions can be answered. This secondary study needs to have a scope which the city, residents, and railroad company can agree on.

Action requested: Change the scope of the impact areas for the FRR and co-location segments to exclude the area that is north and east of the Penn Station.

Action requested: More weight should be given to the minority areas of the Freight Rail Re-Route because the impacts will be negative with no positive LRT offset.

Action requested: Include the minority and possibly low income populations of the impacted schools in the analysis.

CHAPTER 11 - EVALUATION OF ALTERNATIVES:

On November 29, 2011 Hennepin County Commissioner Gail Dorfman stated, “How do we explain co-location being added without people thinking that co-location is on the table in a serious way, promises were made going a long way back”

http://hennepinmn.granicus.com/MediaPlayer.php?view_id=10&clip_id=1459

Consequently, the comparison done on the proposed reroute of freight from the Bass Lake Spur to the MN&S Spur then from the MN&S to the BNSF Wayzata Subdivision and the co-location of the same freight trains was not done to ensure that the essential purpose of NEPA was fulfilled.

The purpose of this comment and our evaluation of each chapter is to show that the conclusion of the SWLRT-DEIS prepared by the HCRRRA concerning the co-location or re-routing for freight trains is incorrect. We submit that based on our evaluation the conclusion that the re-route is preferable co-location should be re-evaluated.

- The inconsistencies and inaccurate information in Chapter 1 bring into doubt the need for the proposed reroute. The claims that the interconnects are part of the MnDOT State Freight Rail plan are unsubstantiated.
- The lack of public process discussed in Chapter 2 should bring into question the choice of Build Alternative 3A even being considered as an option much less chosen as the LPA
- The evaluations on impacts and indirect and cumulative impacts caused by the proposed reroute discussed in Chapters 3,4,5 , 6 and 9 do not fulfill the the purpose of each chapter.
- Chapters 7 and 10 of the SWLRT-DEIS fail to address the Federally mandated questions.
- The financial chapter 8 not only is suspect because of the “typo” found on November 26, 2012 but also because it does not discuss the ongoing maintenance cost associated with the building of two large pieces of infrastructure.
- The last Chapter 12, as with Chapter 2 spells out the lack of public process and the contempt with which the residents of St. Louis Park have been treated.

The following Table 11.1-1 is based on the table of the same number in the SWLRT-DEIS (11-2 to 11- 7). The information in this chart has been compiled to evaluate and compare the proposed reroute to co-location. The SWLRT-DEIS presents comparison tables for several aspects of the SWLRT but fails to provide a comparison table showing the attributes of the re-route and co-location. Using the table comparison format featured for other purposes in the SWLRT-DEIS, a reroute/co-location comparison table is presented below. Please note that only publicly available information is included in the table below, and that publicly available information does not include specifics of the SWLRT Light Rail alignment. All public documents used in this table are referenced in this SWLRT-DEIS Comment.

Table 11.1-1 Re-route Option/Co-Location Option

Goal and Evaluation Measure	Re-Route Option	Co-location Option
Traffic impacts - queue lengths (in vehicles) at freight rail at-grade crossings	Numbers for the re-route options looked at only one day in time.	Numbers looked at projected growth of area and traffic that impact on queue lengths.
Air Quality impacts	Higher emissions due to laboring diesel freight locomotives.	No change from emissions from diesel freight locomotives
Noise	Extreme increase not only because of increase in the number of trains, but also due to freight locomotive noise caused by steep grades of interconnects. Brake and wheel noise will also increase. Quiet Zone will not stop noise from trains	Noise from Freight trains will remain the same. The only increases in freight will cause by normal market factors.
Vibration	Extreme increase due to a 788% increase in rail cars	No, number of freight trains will remain consistent with current number
Hazardous Regulated materials	High - Potential to encounter more hazardous and regulated materials sites along the MN&S Spur and the BNSF Wayzata Subdivision as well as with the construction of the interconnect at the contaminated Golden site.	
Construction Impacts	High - The building of two interconnects and moving tracks eight feet east above grade in close proximity to homes and businesses will be disruptive	Information in the DEIS is vague on the subject

Community Cohesion	Extreme impact	Impact caused by freight trains will not change, therefore, no impact
Property Acquisitions	At the very least the homes east of the MN&S between West Lake St. and Minnetonka Blvd. must be removed for safety reasons	Townhomes taken in the “pinch point” If they are removed a r-o-w wide enough for LRT, bicycles and freight will occur
Environmental Justice	St. Louis Park High School and Peter Hobart School both within ½ mile of the MN&S tracks have minority populations large enough to be considered a protected group	Impacts to minority groups caused by freight trains will not change. Freight trains already exist in the area.
Land use consistent with comprehensive plan	Yes	Yes, links in Chapter 3 are not conclusive.
Compatible with planned development	Yes	Yes, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
Economic Effects	No, beneficial effects to the local economy	Yes, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
Development Effects	No, beneficial effects to development	Yes, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
Safe, efficient, and effective movement of freight throughout the region, state and nation	No, the proposed re-route is not safe, efficient or effective	Yes
Continuous flow of freight throughout the study area	Yes	Yes

Table 11.2-1 - Evaluation of Alternatives

	Re-route Option	Co-location Option
Improved Mobility	does not support goal - re-route area will be congested	supports goal - co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT/ mobility issues are compatible
Provide a cost-effective, efficient travel option	supports goal	supports goal
Protect the environment	does not support goal - improper use of infrastructure is dangerous	supports goal, the co-location area was an active main line Freight rail yard for 110 years and then an active rail line. It has never been legally abandoned
preserve and protect the quality of the life in the study area and the region	does not support goal, improper use of infrastructure is dangerous	Supports goal, the co-location area was an active main line Freight rail yard for 110 year and then an active rail line. It has never been legally abandoned. Nothing about the freight changes
Supports economic development	Does not support goal, small businesses in the re-route area will be negatively impacted by the increased number or freight trains.	Supports goal, co-location occurs west of Louisiana Blvd. and on much of the Bottineau line, therefore LRT and development are compatible
supports economically competitive freight rail system	Does not support goal, re-route is unsafe, inefficient and ineffective	Supports goal
Overall performance	Supports goal, LRT will be able to proceed as hoped	Supports goal, LRT will be able to proceed as hoped

11.2.43 and 11.2.5 - LRT 3A (LPA- re-route) Compared to LRT 3-1 (LPA-Co-location)

In a September 2, 2011 letter the FTA informed the HCRRA that since the proposed freight rail reroute is a connected action to the SWLRT, it must be added to the SWLRT-DEIS (Letter from Marisol Simon, FTA to Susan Haigh, Met Council Safe in the Park - Chapter 5 Appendix – Document 1)

This letter also instructed the HCRRA to add co-location to the SWLRT- DEIS study. Since NEPA was written to ensure that environmental factors are weighted equally, it should be assumed that all factors concerning the re-route as part of SWLRT and co-location as part of SWLRT would be given the same scrutiny. In fact, statute 23 CFR Sec. 774.17 under NEPA, which contains a "test" for determining whether an alternative is "feasible and prudent," should have been applied equally to both the proposed reroute and co-location options. The lack of effort to do a true "feasible and prudent" analysis of the freight rail reroute as part of the SWLRT--DEIS is staggering.

Had the "test" from 23 CFR Sec. 774.17 been applied equally to the re-route portion of LRT 3A and the co-location portion of LRT 3A-1 the following would easily have been determined:

LRT 3A / LRT 3A-1 - "Test" 23 CFR Sec. 774.17

"Test" Category	LRT 3A - Re-route	LRT 3A-1 - Co-location
(i) It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;	Yes	No
(ii) It results in unacceptable safety or operational problems;	Yes, Safety issues include, but are not limited to, aggressive curves, excessive grade changes, multiple at grade crossing that are blocked simultaneously, narrow right of way. Operational issues include but are not limited to, locomotives pulling 100+ car trains up steep grades, more miles to St. Paul destination.	No, Safety issues caused by co-location of freight and LRT are surmountable. They are similar to problems at Blake Road on the SWLRT and most of the proposed Bottineau LRT line.

(iii) After reasonable mitigation, it still causes:	The City of St. Louis Park estimates a minimum of \$50 million needed for mitigation yet the reroute still causes:	Cost of mitigation for co-location has not been estimated, but since the issues are not unusual it is logical to think mitigation will take care of issues
(A) Severe social, economic, or environmental impacts;	Yes, Mitigation will not straighten tracks, lessen grade changes or move crossings or lessen the increase in heavy rail cars.	No, Impacts to communities will all be caused by LRT because mainline freight has been established in the area for over 100 year.
(B) Severe disruption to established communities;	Yes, The increase of 788% in the number of rail cars on the MN&S is excessive. The noise from the locomotives on the interconnects will be greater than any noise currently cause by freight trains, (a whistle-free zone will not solve noise issues) and the length of vehicle queues at grade crossing will be disabling	No, The number of rail cars in the area will not change. Any disruption will be cause by the addition of LRT.
(C) Severe disproportionate impacts to minority or low income populations;	Yes, Minority populations at two of the 6 area schools will be impacted.	No
(D) Severe impacts to environmental resources protected under other Federal statutes;	Yes, there is potential for additional water resource impacts along the MN&S Spur and the BNSF Wayzata Subdivision.	No, freight rail in this area will not change and therefore, any impact on the environment will be caused by LRT
(iv) It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;	Yes, the building of the interconnects and new track needed will be very disruptive in the short term. Long term costs of the project also may be excessive since the railroads have not agreed to maintain the interconnects. Also, the cost to the CP during construction and the TC&W following	Yes, during construction of SWLRT there could be some additional costs however, once implemented co-location will be no different for freight traffic than what occurs today.

	implementation or the interconnect could be extensive	
(v) It causes other unique problems or unusual factors;	Yes, there is potential to encounter more hazardous and regulated materials sites along the MN&S Spur and the BNSF Wayzata Subdivision. There is also potential to encounter hazardous materials from the construction of the interconnect over the contaminated golden site.	No. The freight will not be any different than the freight today.
(vi) It involves multiple factors in paragraphs (3)(i) through (3)(v) of this definition, that while individually minor, cumulatively cause unique problems or impacts of extraordinary magnitude.	Yes, the cumulative impacts of the problems faced by the rerouting of the TC&W freight are unprecedented in their magnitude.	No. Although there will be some minor issues cause by the introduction of the SWLRT to the area, the problems are all not unusual to LRT and are surmountable.

Applying the “test” from 23 CFR Sec. 774.17 reveals that the proposed reroute in LRT 3A (LPA) is neither “feasible or prudent.” Therefore, the use of 0.81 acres of Cedar Lake Park according to the Act of 1966 codified at 49 U.S.C. 303 and 23 U.S.C. 138 will not impede the building of SWLRT.

LRT 3A-1 (Co-location) best meets the Southwest Transitway project’s Purpose and Need Statement as expressed by the goals of improving mobility, providing a cost-effective and efficient travel option, preserving the environment, protecting quality of life, supporting economic development, and developing and maintaining a balanced and economically competitive multimodal freight system. **In light of the facts presented in this SWLRT-DEIS response it is recommended that LRT 3A-1 (Co-location) be chosen as the only viable option for SWLRT.**

11.4 - Next Steps

Should, despite overwhelming evidence that LRT 3A-1 (LPA - co-location) is the option that best fits the needs of the SWLRT, LRT 3A (LPA - reroute) be chosen as the route for the SWLRT the next steps by Safety in the Park will include but not be limited to the following:

- A request for an independent investigation of “typos” in the SWLRT-DEIS and the time it took to find and correct the “errors”
- A request for an independent investigation as to the reason for the STB from being notified of the publication of the the SWLRT-DEIS and the time it took to find and correct the over-site.
- An appeal of the SWLRT-FEIS
- An effort to convince the City of St. Louis Park that municipal consent should be denied based on resolution that make it clear the City of St. Louis Park opposes the rerouting of freight trains from the CP’s Bass Lake Spur to the CP’s MN&S Spur if a viable option exists. (St. Louis Park City Resolutions, 1996--City of St. Louis Park Resolution - 96-73 [Appendix 1]; 2001 City of St. Louis Park Resolution - 01-120 [Appendix 1]; 2010 City of St. Louis Park Resolution - 10-070 http://www.stlouispark.org/webfiles/file/freight_rail.pdf; 2011 City of St. Louis Park Resolution 11-058 http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf).
- An effort will be made to convince the State of Minnesota not to fund SWLRT until further study is completed such that the missing information and flawed assumptions can be addressed. This secondary study needs to have a scope agreed upon by the city of St. Louis Park, Safety in the Park, and railroad companies. Furthermore, the secondary study must be conducted by a government agency and engineering firm not previously associated with the proposed re-route. Once the new study is completed, a computer-generated simulation representing all of the new findings should be produced. This simulation will help residents and elected officials who are not engineers understand the impacts of the proposed re-route prior to making decisions.

Document list for chapter 11

- 1996 - City of St. Louis Park Resolution - 96-73 (Appendix 1)
- 1999 - St. Louis Park Task Railroad Study
http://www.hennepin.us/files/HennepinUS/Housing%20Community%20Works%20and%20Transit/Regional%20Railroad%20Authority/Authority/Railroad_Study_March_1999.pdf
-
- 2001 City of St. Louis Park Resolution - 01-120 (Appendix 1)
- 2010 City of St. Louis Park Resolution - 10-070
http://www.stlouispark.org/webfiles/file/freight_rail.pdf
- Short Elliot Hendrickson Inc. (SEH) - Comparison of the MN&S route and the Kenilworth route - http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf
- 2011 City of St. Louis Park Resolution 11-058
http://www.stlouispark.org/webfiles/file/community-dev/5-31-11_resolution_relating_to_freight_activity_in_slp.pdf
- Evaluation of Twin Cities and Western Railroad responses(EAW)
http://www.mnsrailstudy.org/key_documents

MnDot Finding of Facts and Conclusions

c. City of St Louis Park appeal

d. MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray, et al

e. Office of Hennepin County letter, dated Dec. 19, 2011

f. MnDot Dot Resolution, dated Dec. 20, 2011

CHAPTER 12 - PUBLIC AGENCY COORDINATION AND COMMENTS:

12.1.1

The statement is made that “the public and agency involvement process has been open and inclusive to provide the opportunity for interested parties to be involved in planning. Stakeholders had an opportunity to review and comment on the analysis and results at major milestones reached during the course of the study. The program was conducted in a manner consistent with National Environmental Policy Act (NEPA) and Section 106 regulations.” This statement is completely false considering the public concerned about the freight rail re-route issue.

NEPA 1500.2(d) states that the leading agency must “encourage and facilitate public involvement in decisions which affect the quality of the human environment.” This regulation was clearly ignored in regards to the potential freight rail re-route issue. Hennepin County did not “encourage and facilitate” public involvement concerning this issue. Hennepin County did not allow the “opportunity to review and comment on the analysis and results at major milestones reached” In fact, Hennepin County refused attempts for public comments and concerns regarding the freight rail issue at all of the outreach meetings prior to September 2, 2011. This included major milestone including the selection of the LPA. Because of the deliberate exclusion of the freight issue, the LPA selection process must be reopened and reexamined allowing public input to become part of the process.

12.1.1.2

CAC Process - After the proposed re-route was added to the SWLRT project Safety in the Park was added to the Community Advisory Committee of the SWLRT. The CAC group had a reputation of being well run, open minded and inclusive. Our wish was to explain that our opposition to the re-route is not (as has been heralded by the county) to be anti-LRT. We wanted it known that our concern is simply that our county and state governments are misusing a piece of infrastructure and in doing so creating an unlivable, unsafe environment for a significant segment of the population.

Instead of listening to our concerns, the leadership of the CAC committee took the highly unusual step of changing the CAC Charter that had just been accepted by the committee. The original charter allowed for alternate members to take part in meetings as long as the leadership was notified in advance of the alternates attendance. (Appendix 12.1.1.2) The new charter rescinded the rights of alternates. Making it impossible for residents to be adequately represented.

The Community Engagement Steering committee is a local coalition of community groups formed around the Corridors of Opportunity within the Minneapolis- St Paul metro area. This body has met with the staff of the SWLRT, in regards to the principles and strategies of the CAC meeting.

The following is a list of recommendations that were adopted in Spring 2012.

Based on lessons learned from community engagement on the Central Corridor, SWLRT, Gateway Corridor, and Bottineau, the Community Engagement Steering Committee makes these recommendations on the formation, structure, and process for Community Advisory Committees (CAC):

- a) CACs will be formed early in the transitway corridor planning process at the start of the scoping phase.
- b) The purpose of CACs will include being a resource and check point for community engagement throughout the transitway corridor and the adjacent communities. They will review and approve a corridor project community engagement plan.
- c) CACs will identify the community issues and assign problem solving teams that include community members and project staff.
- d) Community Advisory Committees will be a community driven body facilitated and provided staff support by corridor project staff.
- e) CAC membership will be selected by communities they represent along transitway corridors.
- f) CAC and Business Advisory Committees will meet together on a quarterly basis.
- g) The Community Engagement Steering committee will support transitway corridor project staff with connections to underrepresented groups along the transitway corridors such as contacts to:
 - Faith communities
 - Cultural communities
 - Place based groups
 - Communities of color
 - Small and Ethnic businesses
 - Community Engagement Steering Committee members
 - Disability community
 - New immigrant communities
 - Low-income communities
 - Students at high schools, community colleges
- h) The orientation for the CAC will include environmental justice, equitable development, and cultural awareness training in their orientation that includes a combined map identifying where the underrepresented communities (low income, communities of color, new immigrants, and disabled) live.
- i) CACs will have the ability to set their own agenda, pass motions, and make recommendations to the corridor policy advisory committee and the corridor management committee through their voting representative.

- j) CACs will elect a chairperson from their membership who represents a grassroots community along the transitway corridor
- k) A community representative will be elected to serve by the CAC on the transitway corridor policy advisory committee as a voting member.
- l) Construction Communication Committees should be set up at least one month in advance of construction, with representatives appointed by grassroots community groups.

The SWLRT CAC has not been conducted in good faith on some of the recommendations that were adopted. It should be considered that the recommendations were agreed upon but not acted upon or implemented in process.

1. The SWLRT CAC was expanded in April 2012. The BAC was formed also in August 2012. To date, the CAC and the BAC has not met, nor is it in the agenda for the near future. part f.
2. The CAC does not have representations for the minority group along the Freight Rail Re-route or students from the St Louis Park High School. There has been no active recruitment for these group by the SWLRT Staff. part g.
3. The CAC members have not been able to set the agenda, pass motions, or make recommendations to the policy advisory committee. If there is a voting representative, the members of the CAC are not aware of this ability, who is the voting member, or how this vote is conducted. part i.
4. There has been no election to establish a chairperson. part j.
5. There has been no election to establish a representative the Management Committee. part k
6. Community issues were identified in a “dot-mocracy” survey, however details of the survey were denied the CAC committee and no subcommittees have been established. part c
7. The CAC has not been included as a resource and check point for community engagement throughout the transitway corridor and the adjacent communities. They have not reviewed or approved a corridor project community engagement plan. part b

12.1.1.4

Table 12.1-1 lists meetings of Neighborhood, community and business groups where Southwest Transitway information was presented. The discussion of the freight issue was not allowed at any of these meetings.

12.1.1.5

Since the DEIS was launched, three additions of the Southwest Newsline were published and distributed. The freight issue was deliberately excluded from all three publications.

12.1.1.6

Table 12.1-2 lists community events where staff attended southwest materials were distributed. The opportunity to learn about the freight issue or discuss the freight issue was deliberately excluded from every one of these community events.

12.1.1.8

Information about the freight issue was deliberately excluded from the southwesttransitway.org website prior to Sept, 2011.

12.1.2

None of the articles on SW LRT listed in Table 12.1-4 included the freight issue. Table 12.1-5 lists media outlets contacted to run stories about the SW LRT project. None of the media outlets were contacted by project staff and asked to run a story about the freight issue.

12.1.3

Twenty-five public meetings and open houses were held at locations within the Southwest Transitway project corridor to provide information to affected and interested communities and parties. The primary purpose of these meetings was to inform of the public about the study's process and to give all interested parties an opportunity to provide input, comments, and suggestions regarding the study process and results. The opportunity to provide input, comments and suggestions regarding the freight issue was deliberately excluded from each and every one of these 25 meetings.

12.1.3.1

The scoping process is designed to inform the public, interest groups, affected tribes, and government agencies of the Draft EIS and to present the following items for comment:

1. Purpose and need for the project;
2. Alternatives to be studied; and
3. Potential social, economic, environmental, and transportation impacts to be evaluated.

The freight issue is the most controversial issue of the SW LRT project. The freight issue has the greatest potential social, economic and environments negative impacts yet it was not included during the vast majority of the SW LRT scoping process. The freight issue was deliberately excluded after multiple requests to include it in the scoping process. A specific and formal request from the City of St. Louis Park was made on October 14, 2008 to include the freight issue under the scope of the SWLRT DEIS. (Appendix 12.1.3.1a) The St. Louis Park Public Board of Education made a similar request on November 3, 2008. (See Appendix 12.1.1.3.1b) The NEPA Implementation Office of Enforcement and Compliance Assurance wrote a letter dated November 6, 2008 that stated the “impacts and contributions to the existing transportation network including freight/industrial, automotive, pedestrian, and bicycle modes should be fully presented in the DEIS”.(Appendix 12.1.3.1c) Despite all of these requests, the freight issue was denied inclusion in the DEIS scope prior to Sept 2, 2011. The reason for this exclusion is unknown and not published in the DEIS.

12.1.3.2

The discussion of the freight issue was deliberately excluded from all three of the open houses held on May 18, 2010, May 19, 2010 and May 20, 2010.

12.1.5

The only opportunity the public was given by Hennepin County to discuss the freight rail re-route was at the PMT meetings discussed in section 12.1.5. However, any discussion of possible alternatives to the re-route (co-location) or the freight re-route’s connection with SWLRT was strictly forbidden at these PMT meetings. In addition, the vast majority of PMT members and St. Louis Park community were not satisfied with the PMT process. The last PMT meeting included a public open house where over 100 St. Louis Park citizens attended and expressed their outrage regarding the PMT process. The comments made at the open house need to be part of the DEIS since the freight issue was excluded from all other opportunities for public input. The open house can be viewed at <http://vimeo.com/17945966>

In addition, Sue Sanger and Paul Omodt (St. Louis Park Council Members) wrote a letter to Hennepin County Commissioner Gail Dorfman and described the PMT as an “illegitimate and indefensible process” The complete letter can be found in the appendix. (Appendix 12.1.5a) Another letter was written by Ron Latz (State Senator), Steve Simon (State Representative) and Ryan Winker (State Representative) to Hennepin County Commissioner Mike Opat. (Appendix 12.1.5b) The letter was written because of the multitude of complaints made about the PMT process from their constituents. The letter asked that the residents of St. Louis Park receive fair treatment as Hennepin County makes a decision about a the possible re-route. They asked that fair studies and a transparent process. Despite these letters, Hennepin County did not change the way they treated St. Louis Park residents.

The following are comments made by PMT members to provide an overview of the severe shortcomings of the PMT process.

Kathryn Kottke (Bronx Park): “The ‘process’ was very frustrating because the questions I asked were not answered. In addition, during the open session residents were allowed to ask questions, but they were openly ignored; at some points, Jeanne Witzig, who facilitated the meetings, would simply respond, ‘Next?’ after residents had asked a question. Any discussions about SW LRT or possible alternatives to the reroute were not not allowed.

“Perhaps most frustrating was that we were asked to list our mitigation requests, but when the engineers had completed their work, they not only ignored every single mitigation request we had made, but they added mitigation we openly rejected such as a quiet zone by the high school and the closure of the 29th street at-grade crossing. Instead of making the reroute safer, Kimley-Horn planned for welded rails that would enable trains to run faster through a very narrow corridor.”

Karen Hroma (Birchwood Neighborhood): “The PMT meetings were held only so Hennepin County can check a box and claim that they gathered “public input”. The experience was frustrating and insulting. Several questions of mine went unanswered. None of the Birchwood residents’ mitigation requests were given consideration. In fact, quite the opposite happened. Although the Birchwood residents very specifically asked that the 29th Street intersection remain open, the PMT concluded that the 29th Street be closed and that is was considered “mitigation”. When the PMT wanted to discuss possible alternatives to the re-route we were told that this was not the appropriate time or venue to discuss.”

Jake Spano (Brooklawns Neighborhood Representative) and current St. Louis Park Council Member): “I do not support increasing freight rail traffic through St. Louis Park or the rerouting of freight rail traffic North through the city until it has been proven that there is no other viable route. To do this, we need objective, honest assessments and an acceptance of mitigation requests by the people of the St. Louis Park. What was presented during the Project Management Team (PMT) process was lacking in all three of these areas.”

Claudia Johnston (City of St. Louis Park Planning Commission): "PMT meetings were conducted to get input from cities, residents and businesses impacted by the SWLR and rerouting freight. The document that was produced from those meetings – the EAW – completely ignored the input of those stakeholders. Therefore the conclusion is that Hennepin County never had any serious intention of working with those stakeholders and used that process to complete one of their required goals which was to conduct public meetings. Hennepin County has continued to withhold information from public authorities like the Met Council, Regional Rail Authority and the FTA by producing documents like the EAW and the DEIS that contain false information."

Kandi Arries (Lenox Neighborhood): "I participated in the PMT as a concerned resident of Lenox neighborhood. The PMT was 'pitched' as a chance to problem solve and discuss issues openly. It became apparent though that the PMT was a poster child for government decisions that are made at the top, regardless of the input of the residents and the people impacted. Residents asked questions during the open forum but no answers were given. PMT members gave input to the consultant staff but responses were rare, if at all. Major changes were implemented by the county and the engineer- the lose of the southern connection and change of the cedar lake bike trail to a bridge. These changes were just implemented without the input of the members. The PMT was the forcing of the county wishes regardless of the resident concerns. Shameful."

Jeremy Anderson (Lenox Neighborhood): "I participated in the PMT meetings as a representative--along with Kandi Arries--of the Lenox neighborhood. Together, we solicited many pages of comments and suggestions for remediation, and submitted that information to the County. Everything we submitted was summarily ignored. At every turn, the County pretended that the changes THEY wanted were the ones which we had submitted, and that we had never submitted any suggestions. When questions were asked, the answer given by the representatives of the county was: 'this meeting is not to address that question.' -- it didn't matter WHAT the question was. My time was wasted, every citizen who attended had their time wasted, and the County wasted a significant amount of money on a consultant who did nothing other than look confused or defer to a representative of the county. I have never experienced anything so frustrating in my years of dealing with government at all levels. I have learned from this process that Hennepin County does what Hennepin County wishes, regardless of what the citizens say. I would expect government like this in a Monarchy, an Oligarchy, or some sort of despotic Dictatorship. Behavior such as this from a supposedly representative government is absurd, shameful, and should not in any way be encouraged. The irregularities around the EAW and DEIS are so massive, so coordinated and so mind-boggling as to suggest fraud and graft on a quite noticeable scale. The County has continually dodged funding questions, and whenever a number is suggested which looked unfavorable to the freight reroute, that number has magically been declared a typo at a later date. It is my suspicion that if the proposal were shown to violate several of Newton's Laws, that Hennepin County would declare that Newton had been incorrect in his fundamental discovery."

Lois Zander (Sorenson Neighborhood): “As a member of the PMT and representative of the Sorensen Neighborhood, I was able to see first hand how the public process was manipulated to make it look as though our neighborhood concerns were actually going to be considered in making a determination about the re-route. Prior to the meetings, PMT representatives were asked to get input from their neighborhoods regarding mitigation, should the reroute go through St Louis Park. In good faith, a neighborhood meeting was called and a list of concerns and possible mitigations was put together. This process put me in the position of getting our hopes up that our position would be heard, just to be dashed when exactly zero mitigations were revealed in the final document. I then needed to go back to my neighbors with this unhappy news and an explanation as to why I bothered them in the first place.

“During PMT meetings, faulty results were given as proof we needed no mitigation for vibration, noise and safety. For example: an "expert" took a reading next to the current small train as it passed along the MN&S. He had beautiful charts and graphs all proving the noise was below any level of concern and therefore did not need to be mitigated. This certainly does not represent the noise of the mile long 2 or 3 engine train which will be passing through our neighborhood and by our schools. The same ploy was used to prove to that vibration would not be a concern to our homes and schools. Do they take us for fools? This is a waste of taxpayer money and an insult to all of us who worked in good faith at our meetings.

“When we raised safety concerns about students being on the tracks going to the football field or to lunch, we were told the trains cannot stop and if someone were killed it would be their fault for trespassing. Students will still be at risk simply by walking across a sidewalk crossing and there they will not be trespassing.

“I was extremely disappointed to find that the SWLRT-DEIS was also a sham. Instead of a new study, the same faulty results were once again used to disprove our need for mitigation or co-location. Even though studies have clearly shown the MN&S is not suitable for the reroute and that co-location is a cheaper and more viable alternative, the powers that be inexplicably insist on going through on the MN&S in St Louis Park.

“We do not want this hideous reroute through the middle of our city for which we have worked so hard to gain model city status as a top 100 city in the country to live. We are very disappointed by this process, which took so much of our time and energy, and we will continue to fight this egregious ‘mistake’.”

Joe LaPray (Sorenson Neighborhood) and Jami LaPray (Safety in the Park): “Almost fifteen years ago we got involved in the effort to stop the proposed freight rail re-route. We started small, writing letters to our elected officials and commenting during the scoping of the SWLRT. Each time we commented we were ignored or told the relocation of freight will make someone else’s life easier. We vowed to continue to work toward a resolution that would not cost us our safety and home.

“When the PMT was formed we both volunteered to take part. The idea that we might finally be heard was wonderful. We were told the PMT members would have input on the design of the proposed re-route . We believed that even if we did not get everything we wanted, at least our ideas would be part of the design and life would be better for all of St. Louis Park. From the beginning this was not the case. Questions we asked either went unanswered or if answered after weeks of waiting the answers were cursory. We were told during the August 26, 2010 PMT meeting where in the process mitigation would be discussed and considered. In good faith we worked hard to reach out to our neighbors and compile a list that was not frivolous (we wanted things like bushes and sound barriers) we submitted that list to Kimley-Horn the engineering firm writing the EAW. When the EAW was finally published the list we worked hard to compile was not even a footnote in the EAW document.

“Other information gleaned during the PMT process that is pertinent to our concern was also left out of the EAW document and subsequently left out of the SWLRT-DEIS. For Example: during one of the meetings, Joseph asked, Bob Suko General Manager of the TC&W Railroad a question about the ability of a loaded unit train to stop should an obstacle be in an intersection near the Dakota and Library Lane intersections. The answer was “no” they could not stop.

“In the end it can only be concluded that the PMT process was designed to fulfill the duty of government agency to hold public meetings. Nothing else came from the process.”

Thom Miller (Safety in the Park): “The entire PMT process was clearly not designed for public input, but rather for the county ‘check the box’ that they had held public meetings. Each meeting included a rather heated exchange between the facilitators and members on the re-route issue because the facilitators tried to shut down any such discussion.”

The DEIS fails to mention the 2011 April 17 and 28 freight re-route listening sessions that were held by the city of St. Louis Park. Hundreds of St. Louis Park residents voiced their opposition to the freight reroute. Those comments should be included as part of the DEIS. These comments are especially valuable considering the freight issue discussion was excluded from the DEIS scoping process. Video of the listening sessions can be found at <http://vimeo.com/23005381> and <http://vimeo.com/23047057>.

12.2.1

SATETEA-LU Section 6002 states:

“(1) PARTICIPATION- As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in defining the purpose and need for a project.

“(4) ALTERNATIVES ANALYSIS-

“(A) PARTICIPATION- As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in determining the range of alternatives to be considered for a project.

“(B) RANGE OF ALTERNATIVES- Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project.

“(C) METHODOLOGIES- The lead agency also shall determine, in collaboration with participating agencies at appropriate times during the study process, the methodologies to be used and the level of detail required in the analysis of each alternative for a project.

“(D) PREFERRED ALTERNATIVE- At the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives in order to facilitate the development of mitigation measures or concurrent compliance with other applicable laws if the lead agency determines that the development of such higher level of detail will not prevent the lead agency from making an impartial decision as to whether to accept another alternative which is being considered in the environmental review process.”

Hennepin County purposely kept the freight issue out of the SW LRT scope despite multiple requests from the City of St. Louis Park, the City of St. Louis Park School Board and the public. They clearly were not following the SAFETEA-LU directive to involve the public and participating agencies as early as possible. In fact, they did quite the opposite. The reroute was purposely excluded from the SW LRT scope so that Hennepin County could keep its agenda to remove the freight from the Kenilworth Corridor. The preferred alternative was developed to a much higher level of detail than LRT 3A-1 (co-location). Hennepin County has made every effort to keep co-location off the table. By the time the FTA forced Hennepin County to include co-location in the scope of the DEIS, so much progress has been made on the SW LRT project that it is impossible for the Met Council to make an impartial decision on the reroute verses co-location. The Met Council is not seriously considering co-location because a vote on the LPA has already occurred. The LPA selection process must be reopened with the freight issue included in order for an impartial decision to be made.

12.2.2

The Section 106 review process is an integral component of the National Historic Preservation Act (NHPA) of 1966. Section 106 of the NHPA requires each federal agency to identify and assess the effects their actions will have on historic resources. The process requires each federal agency to consider public views and concerns about historic preservation issues when making final project decisions. The ultimate goal of Section 106 is to seek agreement among these participants regarding preservation matters arising during the review process. At the time that the Section 106 notification letters were sent out, the potential reroute of freight was not considered part of the SW LRT project. The Section 106 review process should be done with the potential reroute of freight included.

12.3.1

From the initiation of the Draft EIS process in the spring of 2008, Southwest Transitway project staff have been collecting public comments and filing a public comment database specifically designed for the project. Currently, this database contains more than 1,000 comments provided by approximately 250 commenters. The database excludes any comments regarding the freight issue because the freight issue was not part of the SW LRT scope prior to Sept, 2011. The LPA selection process must be redone with the freight issue included so that public input and an unbiased decision about the LPA can be obtained.

12.3.2

In this section the FTA and the Metropolitan Council state that they will continue to meet with interested parties and stakeholders throughout the NEPA process. This section describes Metropolitan Council developed Communications and Public Involvement Plan (CPIP) which recognizes the need to communicate with the public. The CPIP's goals are:

1. Develop, maintain and support broad public understanding and support of the project as an essential means to improve our transportation system and maintain regional competitiveness.
2. Build mutual trust between the Metropolitan Council, its partners and the public by creating transparency through information sharing and regular, clear, userfriendly, and two-way communication about the project with community members, residents, businesses and interested groups in the corridor.
3. Promote public input into the process by providing opportunities for early and continuing public participation and conversation between the Metropolitan Council and the public.
4. Maintain on-going communication with project partners and ensure that key messages are consistent, clear and responsive to changing needs.
5. Inform elected officials and funding partners of the project and status to ensure clear understanding of the project, timing and needs.
6. Provide timely public information and engagement to ensure that the project stays on schedule and avoids inflationary costs due to delays.

The Metropolitan Council has failed reaching any of these goals in regards to individuals concerned with the freight issue. Because the freight issue was excluded from the vast majority of the SW LRT scoping period, Safety in the Park has attempted to set up a conference call between the Met Council, the FTA and the Safety in the Park co-chairs. Safety in the Park believes that this conference call would not make up for the exclusion of the freight issue for the majority of the SW LRT scoping period but would be a small step towards helping the FTA and Met Council understand the public's concerns regarding the potential reroute. Safety in the Park is optimistic that a conference call can be set up in the near future.

APPENDIX H, PART 1:

MN&S Rail Study, March 13 (pages 64-189)

In September 2011, the FTA requested that the SWLRT DEIS include an analysis of the impacts of re-routing the TC&W freight traffic. The FTA also requested an analysis of the co-location of the freight rail with the LPA or 3A such that a full analysis of alternatives would be completed according to the NEPA regulations.

The MN&S Report is the information and data that was used in the analysis of the environmental impacts for the FRR sections.

It is important to note that the information contained within the report is the same data that was presented as the MN&S Freight Study Environmental Assessment Worksheet completed by the Minnesota Department of Transportation, dated May 12, 2011, with collaboration from the Hennepin County Regional Rail Authority. During the 30 day comment period, Safety in the Park!, the City of St Louis Park, local agencies, Canadian Pacific and TC&W Rail companies, and many residents and neighborhood associations commented on the impacts discussed, including a request for further study.

The Minnesota Department of Transportation released a Finding of Facts and Conclusions on June 30, 2011 which listed the projects as a Finding of No Significant Impacts and that the project did not warrant further study as an EIS. The City of St Louis Park and a group of impacted residents and businesses appealed this decision to the Minnesota Court of Appeals, following the guidelines established within the State of Minnesota.

The City Of St Louis Park appealed on the basis of: 1) that the MN&S freight rail project and SWLRT was a connected action; 2) failure to treat the freight rail project as a connected action eliminated the option of including an environmental analysis of co-locating the freight rail and light rail in the Kenilworth Corridor and 3) the MN&S freight rail project as a stand alone project has the potential for significant impacts, requiring an Environmental Impact Statement.

The impacted residents and businesses appealed on the basis that: 1) the EAW violated Minnesota Environmental Protection Act (MEPA) because it fails to consider the SWLRT as a connected and phased action; 2) MN&S Freight Rail Study analysis of Noise and Vibration, and mitigation, is inadequate and 3) the analysis of the project's impacts to safety was inadequate.

After the September 2011 FTA letter and during the appeal process, representatives from Hennepin County requested that the appeals would be dropped. (LaPray Response to the motion to dismiss Jan 10, 2012)

Within two weeks of the scheduled appeal court date, the Office of the Hennepin County Attorney issued a statement dated December 19, 2011 from the Hennepin County Regional Rail Authority that the MN&S Freight Rail Project no longer warranted a separate environmental analysis as a stand alone project. On December 20, the Minnesota Department of Transportation issued a statement proclaiming that MnDot 'vacates' the EAW for the Proposed Freight project. The action of 'vacating' the document was an unprecedented end to an Environmental Assessment Worksheet in Minnesota but it forced the appeal to be dropped because there was no environmental document to appeal. This is a violation of the trust of constituents that governing bodies will act in good faith and without a predetermined objective - an important right within government projects.

It is with this history that the MN&S Report included as supporting documentation for the freight rail reroute must be considered. The MN&S report is the same hard field data that was presented as the MN&S Freight Rail Project EAW. The MN&S report does not include anything significantly different even though the EAW project was in the steps for an appeal, requesting more study of the impacts. It has the same inaccuracies and NEPA, MEPA violations. The SWLRT DEIS usage of this as supporting evidence therefore can only include the same inaccuracies and environmental act violations, partly due to the fact that the request for additional study was ignored by Hennepin County. A significant part of the EAW appeal was the request that the project was studied to the level of an Environmental Impact Statement. This only highlights that the MN&S Report and the included field studies are not to the level of study of an EIS. Yet, this is the information simply inserted into the SWLRT DEIS as an equal study and evaluation.

In addition, the MN&S Report is dated as March 13, 2012 but it is not clear who the report was released to. The staff at the City of St Louis Park were not consulted which highlights that the report did not have full disclosure with impacted stakeholders.

Whenever possible- comments from the EAW or the appeals have been used in this response.

Source for the MN&S Freight Rail Study:

http://mnsrailstudy.org/yahoo_site_admin/assets/docs/FINAL_MNS_Freight_Rail_Study_EAW_05-12-2011.131184329.pdf

Source for the MnDot Finding of Facts and Conclusions

http://mnsrailstudy.org/yahoo_site_admin/assets/docs/MNS_Findings_of_Fact_June302011.187180927.pdf

SAFETY IN THE PARK!

APPENDIX

CHAPTER 1 DOCUMENTS

SAFETY IN THE PARK!

APPENDIX

CHAPTER 4 DOCUMENTS

SAFETY IN THE PARK!

APPENDIX

CHAPTER 5 DOCUMENTS

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CHAPTER 7 DOCUMENTS

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APPENDIX

CHAPTER 10 DOCUMENTS

SAFETY IN THE PARK!

APPENDIX

CHAPTER 12 DOCUMENTS

SAFETY IN THE PARK!

APPENDIX

OTHER SUPPORTING DOCUMENTS

- a. Rail Road comments to the MN&S Freight Rail EAW
http://mnsrailstudy.org/yahoo_site_admin/assets/docs/Railroad_Comments.18891450.pdf
- b. City of St Louis Park appeal
- c. MN&S Freight Rail Study EAW Brief of Relators Appeal, Jami Ann LaPray, et al
- d. Office of Hennepin County letter, dated Dec. 19, 2011
- e. MnDot Resolution, dated Dec. 20, 2011
- f. LaPray Response to the motion to dismiss Jan 10, 2012
- g. April 18, 2011 SEH DRAFT Technical Memo #4 - Comparison of the MN&S Route & The Kenilworth Route.
[Key findings from SEH DRAFT Technical Memo # 4](#)
http://www.stlouispark.org/webfiles/file/community-dev/techmemo_4.pdf



Karin Miller

12/31/2012 01:44 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject DEIS

To whom it may concern:

I am writing in regard to the SWLRT-DEIS and the proposed freight rail reroute through St. Louis Park. You know the strong arguments against the freight rail re-route, the numerous errors contained within the DEIS, and the many important points left out of the DEIS. And so, I am hopeful that you will listen to the thousands of St. Louis Park residents voicing their concerns.

Where is the common sense in greater numbers of faster trains traveling through backyards and next to schools, around blind corners and on tracks designed for light usage? From the outset, this project is void of common sense.

Moreover, where is the concern for the safety of students and families? I sincerely hope it resides in you and that you care more about people than ramrodding through a project that is based on flawed thinking and an erroneous document.

How will you as leaders feel when -- if the reroute is approved -- inevitably, people are injured or killed due to derailments or other train-related problems inherent in this reroute. How will you live with your decision? (According to the FRA, from January 2012 through October 2012 in the United States alone, more than 600 people have been killed due to train accidents/incidents.)

I oppose the freight rail re-route as outlined in the SWLRT DEIS. In short, the reroute is an inherently flawed project that will create an unsafe and unlivable situation for our children and our families.

Sincerely,

Karin B. Miller

**GARY KATI SIMONS**

12/31/2012 02:04 PM

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Southwest Transit LRT

Thank you for providing an opportunity to comment on the proposed LRT from Eden Prairie to downtown Minneapolis. And thank you for providing a very comprehensive environmental impact statement. It is clear that considerable time and effort has gone into the analysis and publication of this review.

I am an Eden Prairie resident who commutes daily to work in Bloomington. I am also a frequent user of the Regional trail between Eden Prairie and the Uptown area, mostly for evening or weekend biking.

My comment is around the need for additional transit options between Eden Prairie and downtown. The morning commute going East on either 494 or Crosstown (62) is very congested. Travel speeds seldom reach 50 mph and are more commonly slow and go or stop and go. A slight reduction in traffic levels can substantially improved the commute speed. This was evident during the depths of the recession in 2009, when traffic volume dropped about 5% and speeds increased significantly. Since then the traffic has been building and despite major road renovations (Crosstown commons and 494/169 interchange), the commuting speeds continue to fall. The proposed LRT is clearly a potential solution to redirect some of the traffic during peak commute times. I don't know if the current analysis takes into account the improved travel time on 494/crosstown if some of the vehicle trips are redirected to the LRT, but if it does not, it should.

The no build option doesn't appear to predict the costs associated with additional lanes for the Crosstown or 494. With increasing population and trips from the Southwest metro to downtown, it would seem likely that additional lanes would eventually be needed to alleviate the impending gridlock. Given the limited land available on Crosstown between Highways 169 and 35W, the cost to complete such a project would be substantial. The opposition to such a project would also be significant.

I encourage the Met Council to proceed with the Southwest Transit LRT. This community needs to continue to improve its transit options. Relying on roads alone, whether for cars or buses, is not sufficient. As our population and vehicle trips increase, we will need to have many options for transportation. Incorporating LRT into the metro area's infrastructure is a move in that direction. LRT would also provide an important reverse commute capability that doesn't exist today.

Regards,
Gary Simons



William Pentelovitch

12/31/2012 02:30 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Comments on Southwest Transitway DEIS

Dear Project Manager: Attached to this email please find a letter containing the comments of William Z. Pentelovitch and Vivian G. Fischer to the Southwest Transitway Draft Environmental Impact Statement.

William Z. Pentelovitch
Vivian G. Fischer, MD

December 28, 2012

Hennepin County
Housing, Community Work & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South
Suite 400
Minneapolis, Minnesota 55415

*Re: Comments on the Southwest Transitway Draft
Environmental Impact Statement*

Dear Project Manager:

Please accept these comments from the undersigned on the Southwest Transitway Draft Environmental Impact Statement ("DEIS"). For frame of reference, our home on Park Lane has approximately 75 feet of frontage on the south side of the Kenilworth Channel, approximately halfway between the railroad bridge crossing the channel (to the east) and Cedar Lake (to the west). We have resided in the home for just over 29 years.

We are aware that the Minneapolis Park & Recreation Board ("MPRB") has submitted its own Comments to the DEIS, and having reviewed them we are in agreement with the following sections of the MPRB's Comment Letter: Opposition to Co-Location alternative; section 1.2 (Section 4(f) analysis); section 1.3 (Design Character); section 1.4 (Trail access, use, and maintenance); section 1.5 (Noise and Vibration); section 1.6 (Visual appeal); section 1.7 (Safety); the entirety of section 7 (Intersection

with West 21st Street); the entirety of section 8 (Kenilworth Channel, Bridge); the entirety of section 9 (Cedar Lake Parkway-Grand Rounds); and the entirety of section 10 (Park Siding Park). We take no position on the remaining sections of the MPRB Comment Letter.

In addition, we offer the following brief comments for your additional consideration:

1. Section 3.4.5.3 of the DEIS states that potential long term effects may occur at the Kenilworth Lagoon/Channel, but that those issues will be addressed during preliminary engineering. We are very concerned that construction activities and the vibrations of over 200 trains per day passing over the Kenilworth Channel may cause further deterioration of the wooden retaining walls along the north and south banks of the Channel between the existing railroad bridge and Cedar Lake. The retaining walls are currently in a severely deteriorated condition and, as a result, severe erosion is occurring behind the walls which is causing significant amounts of soil and debris (leaves) to enter the Channel; moreover, the erosion is exposing and damaging the root systems of many of the trees along the channel, several of which are already in danger of falling across the channel. This presents a safety hazard to the thousands of people who kayak and canoe through the channel each week during the summer, and the hundreds who ski skate through the channel in the winter. Preliminary engineering studies should consider the impact of construction activities and vibration on the deteriorated Channel retaining walls and consider how to prevent and/or remediate the deterioration and erosion.

2. The intersection where the current rail line and Kenilworth trail intersect Cedar Lake Parkway is congested and dangerous. Adding over two hundred train crossings per day there at grade would only worsen congestion and present heightened safety concerns. Elevating the LRT over Cedar Lake Parkway would successfully address both problems, in our opinion. However, elevating the LRT over Cedar Lake Parkway would also create noise and visual pollution issues which would be unacceptable to the neighborhood and users of the Ground Rounds, and which would almost certainly have an immediate and negative effect on property values. There appears to have been no consideration given to the harm that will be caused to real estate values and tax collections if the LRT were to be elevated rather than placed at or below grade. Park Lane, which only has 25 houses, has perhaps the densest concentration of valuable residential real estate in the

City of Minneapolis. The 25 houses on Park Lane, and the two adjacent houses on Burnham Road with Cedar Lake frontage, are collectively assessed for 2012 at just under \$34 million, and generate real estate taxes for Hennepin County, the City of Minneapolis, Special School District # 1 and the MPRB in excess of \$670,000 per year. Those values and the accompanying tax revenues, will likely be seriously impaired by elevating the LRT over Cedar Lake Parkway. For that reason, we support the MPRB's alternative proposal of lowering the tracks below grade in an open trench. Alternatively, and preferably, we would support tunneling the LRT beneath the Kenilworth Trail Corridor. Either of those approaches would avoid the visual and noise pollution of elevated tracks, the safety and congestion problems of a grade level crossing, and --- in all likelihood --- actually increase property values in the Park Lane and adjoining neighborhoods, since under those circumstances we believe that the LRT would be a valuable amenity rather than an eyesore and a nuisance.

Thank you for considering these comments.



William Z. Pentelovitch



Vivian G. Fischer, MD

Mayor R.T. Rybak
Council Member Lisa Goodman
County Commissioner Gail Dorfman
State Senator Scott Dibble
State Representative Frank Hornstein
Representative Keith Ellison
Senator Amy Klobuchar
Senator Al Franken



Peder Knutsen

12/31/2012 02:48 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Kenilworth Corridor

My name is Peder Knutsen. I live at . I have many objections to a fast, loud, hi speed transit that will be in close proximity. I worry about the safety of my children who often walk up to Cedar Lake Beach, and this requires a track crossing. I worry about the incessant noise from trains passing and from warning bells.

I worry about the disruption to our serene Kenilworth Lagoon. Thousands of kayaks and paddle boards make the trek into Cedar Lake every year from Lake of the Isles, and frequent, noisy high speed transit will ruin this resource. Instead of a peaceful nature experience, the channel will turn into a big city thoroughfare.

In short, I have all of the 'not in my backyard' concerns (noise, safety issues, lowered property values), but I also believe that options presented thus far will utterly ruin the natural resource of the park that comprises the border zones of Cedar Lake and Lake of the Isles.

The only solution that makes sense to me is to consider a tunnel. Others with more knowledge and experience are drafting tunnel solutions that will also be submitted. This is the only way to preserve this resource.

If light rail does go through, and it does not run underground, I fear we will have ruined a precious resource for future generations.

Thank you for considering the tunnel option.

Peder Knutsen

Sent from my iPhone



Lynn Blumenthal

12/31/2012 02:56 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Comments to the SW Transitway DEIS

December 31, 2012

Hennepin County

Hennepin County Housing, Community Works & Transit

ATTN: Southwest Transitway

701 Fourth Avenue South

Suite 400

Minneapolis, MN 55402

Dear Project Manager:

Please consider the following comments on the Draft Environmental Impact Statement (DEIS) for the proposed Southwest LRT, specifically as it relates to the Kenilworth Corridor

SECTION A / General Comments & Concerns:

1. While the DEIS recognizes that “portions of the land between Cedar Lake and Lake of the Isles are very high sensitivity,” the DEIS puts no particular focus on the Kenilworth Corridor.

2. Instead, the environmental assessment is spread more-or-less evenly across the 15 miles of the proposed transit way (the “study area”). An

exception is the Freight Rail Relocation Segment, which receives much attention in terms of its potential impact on residents in St. Louis Park. This is not to fault an emphasis on the relocation analysis. It is simply to draw a contrast between the different levels of data gathering and technical analysis.

3. The entire study area is viewed as “dominated by urban land use.” This perspective comes across particularly clearly for the Kenilworth Corridor, in direct contrast with the perspective of the Minneapolis Park and Recreation Board. The MPRB, for example, views the Kenilworth Regional Trail as an area focused on “serenity, habitat restoration, minimal development and passive recreation.” Nor is the urban-land-use perspective consistent with the fact that the DEIS identified fourteen federal or state-listed species and native plants within one mile of the proposed transit way. Ten of the species and native plants are found in Segment A of the transit way (primarily the Kenilworth Corridor), which is significantly more than is found in any other segment. No adverse environmental impact is noted with respect to any of the ten species. Little-to-no analysis is offered to support this conclusion.

4. Few measures are proposed to mitigate the potential adverse environmental impacts of the project, and nearly none that are of a specific nature. For example, the DEIS notes that “the impact of replacing an existing bridge over the channel that connects Cedar Lake and Kenilworth Lagoon could be substantial because of sensitive receptors traveling the lagoon.” However, no mitigation measures are set out in the DEIS. Instead, the bridge design, bank treatment and aesthetics for the new bridge are to be addressed later, *after* the Final Environmental Impact Statement (FEIS) has been approved.

5. The DEIS sees the habitat as typically of low quality, and states that the native habitats are mostly concentrated in areas other than the Kenilworth Corridor. Only 2.5% of Segment A is said to have native habitat, something that strikes me as an understatement. The DEIS does note, however, that increased habitat fragmentation “could be expected from the construction

of required safety/security barriers to separate the light rail tracks from adjacent bicycle/pedestrian trails,” which could be mitigated “through the use of wildlife underpasses.” This is one of the few specific mitigation measures proposed in the EIS, and seems to run counter to the determination that there is little to mitigate.

6. The DEIS is required to analyze the cumulative impact of reasonably foreseeable future developments. This is also true for the potential indirect effects that may occur in the future. For example, the stated intent of LRT stations is to precipitate development on nearby property. The environmental effects of that future development, when added to the impact of the LRT, may have a significant environmental impact. However, no analysis of the potential cumulative or indirect effects of the Southwest LRT within the Kenilworth Corridor was conducted. Instead, it is simply stated that those effects could be controlled by existing regulations, primarily those of the City.

SECTION B / Proposed Overpass Bridge

1. The DEIS acknowledges that the proposed LRT bridge over Cedar Lake Parkway (CLP) “would have a substantial [visual] impact on this historic landscape.” A similar long-term architectural impact is acknowledged. However, further consideration of these impacts is deferred to the “Section 106 consultation process.” This is a federally mandated collaboration process. The City and MPRB are parties to the process. Any resolution of the bridge proposal is likely to occur after the approval of the DEIS and therefore unacceptable.

2. Separate from these acknowledgements, Cedar Lake Parkway (CLP) is a part of the Grand Rounds Historic District, which is eligible for the National Register of Historic Properties (NLRP).

3. Because of Cedar Lake Parkway’s eligibility for the NRHP and because the SW LRT project has and will receive federal funding, the DEIS identifies Cedar Lake Parkway as a “property” under Section 4(f) of the U.S.

Department of Transportation Act of 1966. Section 4(f) is intended to prevent the conversion of historic sites, parks, recreation areas and wildlife and waterfowl refuges to transportation uses, except under certain limited circumstances. For purposes of Section 4(f), the prohibition applies whenever the protected property is directly incorporated into a project or the project is so proximate to a protected property that it results in an impact that causes substantial impairment to the property's use or enjoyment (so-called "constructive use"). Substantial impairment occurs when the protected attributes of the property are substantially diminished. Exceptions to the prohibition arise when there is no feasible and prudent alternative to the use of the property and the action included all possible planning to minimize harm to the property resulting from the use.

4. For an unstated reason(s), the DEIS concludes that the proposed LRT overpass is neither a direct or constructive use of the historic attributes of Cedar Lake Parkway. Therefore, the DEIS finds that there is no Section 4(f) prohibition applicable to the construction of the bridge. The DEIS contains no analysis of the proposed bridge's proximity to park property as an independent basis for finding a constructive use under Section 4(f).

5. Further, the DEIS does not make any assessment of the potential noise impact of elevating the transit way nor the visual intrusion of the elevated transit way to nearby residents or to bike/pedestrian trail users.

6. Finally, the DEIS has no analysis of potential measures to mitigate the visual and noise impact caused by trains traveling across the proposed overpass nor any assessment of the impact of alternatively tunneling the transit way underneath the Parkway. While the MPRB did conduct a preliminary assessment of a trenched LRT underpass, no reference was made to a below grade crossing in the DEIS.

For the above reasons, the "adequacy" of the analysis and conclusions in the DEIS relating to the proposed LRT overpass is highly questionable and subject to challenge.

SECTION C: Noise/vibration issues:

1. FTA noise impact criteria are based on land use and existing noise levels. The Federal Transportation Agency (FTA) has three land-use noise categories: Category 1 is for land where quiet is an essential element of its use; Category 2 are residences and buildings where people normally sleep; Category 3 are institutional land uses such as schools, libraries and churches. The parkland to the west of the Kenilworth Corridor is shown as a Category 3 land use in the DEIS. The residential properties to the east and west of the Corridor are shown as Category 2. The Minneapolis Park and Recreation Board (MPRB) has objected to the characterization of its parkland as Category 3, believing instead that it is Category 1.

2. Low ambient noise levels cause the impact threshold to be lower. For example, if the existing noise level is 50 dB, then an increase to 55 dB is a severe impact according to FTA standards. If the existing noise level is 55 dB, then the noise level has to increase to 62 dB before the impact is severe. It does not appear as though any direct measurement of existing noise level was taken within the Kenilworth Corridor. The closest location appears to be Kenilworth Place and Upton Avenue South, which is identified as being “representative of noise-sensitive land use in the Kenwood Neighborhood, away from major thoroughfares.”

3. Within Segment A, the DEIS estimates that there are 73 moderate noise impacts and 183 severe impacts. It states “many of the impacts are due to low existing ambient noise levels combined with proximity of residential neighborhoods to the alignment and high speeds of operation.” Other impacts were associated with the warning signal use at the 21st Street station coupled with low ambient noise levels.

4. The DEIS states that noise levels that result in a severe impact presents a compelling need for mitigation. However, the DEIS does not recommend any specific mitigation measures for the Kenilworth Corridor. In fact, the only specific recommendation in the DEIS calls for the use of Quiet Zones

and this is recommended only for the freight rail relocation segment in St. Louis Park.

5. For measuring vibrations, the FTA screening distances for LRT projects are 450 feet for Category 1 land use, 150 feet for Category 2, and 100 feet for Category 3.

6. The DEIS identifies 247 Category 2 vibration-sensitive land uses in Segment A, which are mostly single-family and multifamily residences. The DEIS assessment predicts that there will be 124 potential vibration impacts from the LRT caused by geological conditions (west of Van White station) and increased train speeds.

7. Potential mitigation measures listed in the DEIS include special trackwork, vehicle specifications, ballast masts and floating slabs. The need for and selection of specific measures is deferred until the completion of a detailed vibration analysis, which “will be conducted during the FEIS in coordination with Preliminary Engineering.”

The general observations above relate to a failure of the DEIS to adequately assess the potential environmental, structural and noise/vibration impacts within the Kenilworth Corridor, particularly given its acknowledged environmental sensitivity, and to identify and recommend mitigation measures. These deficiencies should be studied and corrected in the DEIS and require response. The response should not be that these issues will be addressed during the Preliminary Engineering process as that is AFTER the DEIS is approved and does not sufficiently answer the immediate concerns.

Thank you for your time and consideration.

Sincerely,

Lynn Blumenthal

December 31, 2012

Hennepin County
Hennepin County Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South
Suite 400
Minneapolis, MN 55402

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within one mile of the proposed transit way. Ten of the species and native plants are found in Segment A of the transit way (primarily the Kenilworth Corridor), which is significantly more than is found in any other segment. No adverse environmental impact is noted with respect to any of the ten species. Little-to-no analysis is offered to support this conclusion.

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Thank you for your time and consideration.

Sincerely,

Lynn Blumenthal



David Lilly

12/31/2012 03:03 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Southwest Light Rail Corridor Draft EIS.

Southwest Transitway Project Office

Please include and address the following comments and concerns about the DEIS for the proposed LRT corridor along the Kenilworth Trail. At the outset it seems unbelievably shortsighted to potentially wreck one of the most beautiful and unique urban parks in this country. A park that is used and enjoyed by hundreds of thousands of people each year. No amount of mitigation, other than tunneling along the entire length of the Kenilworth Corridor (defined as that section beginning in the south at Cedar Lake Parkway and ending in the north when it reaches Dunwoody Boulevard) will adequately preserve and protect this iconic urban environment. The following concerns are presented in no particular order.

1. **Pedestrian Environment.** Many users of the current Kenilworth Corridor bike and pedestrian trail access the trail from its west side where Washburn Avenue South ends. This is an important and frequently used access point for both pedestrians and bicyclists. Construction of an LRT line with fencing running along both sides of the track will eliminate this access and thereby significantly reduce access to this important parkland trail enjoyed by hundreds if not thousands of bikers, joggers, walkers and dog walkers each day.
2. **Park Access.** Similarly, no provision is made for access to the parkland woods to the west of the proposed LRT line between Burnham Road on the South and the Cedar Lake trail on the North. There are numerous paths entering the woods along this portion of the park that would be shut off to walkers seeking to enjoy the tranquility of an urban woodland. Such a closure would dramatically effect the use pattern of the park.
3. **Migratory Birds.** We have noted that the Kenilworth Trail and in particular the woods to the west of the trail and the channel between Lake of the Isles and Cedar lake plays host every spring to scores of migratory birds and waterfowl. Inadequate provision has been made in the DEIS for mitigation or elimination of the impact on migratory species by an active LRT line.
4. **Nesting Habitat.** The channel between Lake of the Isles and Cedar lake has in the past few years served as a nesting habitat for wood ducks and other varieties of waterfowl. The DEIS does not adequately address the impact of an LRT line on waterfowl habitat.
5. **Wild Animal Behavior.** Over the years we have observed numerous deer, fox, raccoon, woodchuck and coyote that have crossed over the existing Kenilworth Trail from the west into the park to the east bordering the channel between Lake of the Isles and Cedar Lake. An LRT line of the type proposed will disrupt if not curtail natural wildlife movement.
6. **Visual.** The sensitive and almost pastoral quality of the Kenilworth Trail will be completely eliminated by the constant passage of brightly colored LRT cars often with gaudy advertisements that will clash and be discordant with the aesthetics and experience of one of the great urban parks in North America.
7. **Noise.** A particular concern is the use of whistles and bells by LRT trains at grade crossings and on approach to station stops. Mitigation of this type of noise is essential if it is not to destroy the quiet and exclusively residential neighborhood along the corridor. Similarly, train

speed must be kept at a minimum to reduce to the noise generated by wheels turning on tracks, the displacement of air by the train and electric motors running at higher rpm's. Also of concern are the sounds associated with braking and acceleration.

□ **Grade Crossing Gates.** A significant component of noise along the existing Hiawatha corridor which is applicable to the proposed Southwest Corridor is the sounding of bells as a grade crossing gate is lowered as a train approaches. Again, this type of noise is inconsistent with the park and residential setting. Inadequate study or alternatives have been considered.

□ **Vibration.** Adequate provision must be made to eliminate vibration as trains pass through residential neighborhoods. Vibratory impacts vary with subsurface soil conditions and, accordingly, no single solution will be adequate in terms of mitigation.

□ **Bridge over Cedar Lake Parkway.** There is no question that a bridge of the size and height proposed is completely inconsistent with the character of the park and will be completely out of scale in comparison to other nearby structures. If a bridge is used to cross this parkway, the visual impact of creating the necessary grade changes has not been adequately described. Will the rail bed be raised using fill along both the northern and southern approaches or will progressively taller pilings supporting an ever rising concrete deck be utilized? The only way to adequately mitigate is to tunnel under Cedar Lake Parkway.

□ **Bridge Across Channel Connecting Lake of the Isles to Cedar Lake.** The diminutive and historic bridge that is there now is proposed to be replaced by a much larger and aesthetically inappropriate structure. The only feasible mitigation is to tunnel under the channel in order to maintain the character of this portion of the Kenilworth Trail.

□ **2. Surface Parking Not at West Street Station.** Inadequate provision has been made for the additional automobile traffic that will pass through a quiet residential neighborhood. Creating surface parking will destroy a prairie like parcel of land that represents an important element of the neighborhood and will provide screening of a station. There has been inadequate provision or assessment of traffic and parking patterns created by an LRT line.

□ **3. Assessment of Ridership.** The ridership assumptions of the current proposed LRT path completely fail to properly account for increased ridership which would occur should a different routing be selected. A capital investment of this magnitude should serve more Minneapolis residents than the proposed alignment will. It is nice to bring suburbanites into our great city but it should not be done by diminishing the desirable urban aesthetics that makes Minneapolis such a remarkable place. If Minneapolis is to bear the burden of a *suburbancentric* LRT, it should be routed through more densely populated areas and at a minimum should enhance the commercial development already in place. The increased capital cost of running the line through uptown and then into downtown Minneapolis where it would serve a lively commercial center and a diverse population would be offset by increased ridership and enhanced economic vitality.

Sincerely,

David M. Lilly, Jr.

Diane M. Lilly



Laura Knutsen

12/31/2012 03:06 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Fwd: Kenilworth Corridor

Sent from my iPhone

Begin forwarded message

From Cedar Knutsen

Date December 31, 2012, 5:22 PM MST

Subject Kenilworth Corridor

My name is Laura Knutsen, and I live in close proximity to the proposed light rail thoroughfare.

I have reviewed the environmental impact statement, and I have many concerns about the noise and frequency of the trains so close to our homes.

I have three boys who frequently cross the tracks to go the Cedar Lake Beach, and I worry about all the foot traffic that crosses at Cedar Lake Parkway.

I also am very concerned about the trains crossing the Kenilworth Lagoon. The noise and visual clutter will take a wooded and pristine waterway and ruin it forever.

The only option that makes sense to me is to tunnel the corridor. This is the only way I would support the project.

Thanks for your consideration.

Laura Knutsen

Sent from my iPhone



"Lisa Gulbranson"

12/31/2012 03:18 PM

t>

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Safety Concerns Regarding the Freight Rail Re-Route for SW LRT

To Whom It May Concern:

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done. As this action is proposed and described in Chapter 1, Section 1.3.2.3 as rebuilding a little known, lightly used spur line into a main freight rail line, which will initially allow 788% increase of rail car traffic. What the SWLRT-DEIS does not address, but should, are the real world impacts of this action on the affected area.

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with freight rail noise and safety at the High School (Chapters 3, 4, and 9) causes me the greatest concern. The unique noise and safety issues associated with locating main line freight within 35 feet of the High School parking lot and 75 feet from the building are not adequately discussed. When the High School is mentioned the information is dismissive. At no point in the SWLRT –DEIS are the negative impacts the extra freight trains will have on the learning environment and safety of the students at St. Louis Park High School. Before the proposed re-route should even be considered the cost of sufficiently mitigating the impact to St. Louis Park High School need to be evaluated.

Examples of concerns include but are not limited to the following:

- A plan for emergency evacuation of the school should evacuation be necessary when a train is passing
- How will the many classrooms affected by train noise be sound proofed
- How will the students who want to use the new rail bridge to cross Hwy. 7 on their way to school be kept off the bridge.
- How will the added vibration of longer, heavier and more frequent trains be mitigated to the investment the school makes in technology is not lost.
- How will the safety hazards of blind crossings, curves and hundreds of teenagers in close proximity be eliminated
- How will a derailment be prevented so our children's lives are not at risk

None of the mitigation requested by the City of St. Louis Park or the St. Louis Park School Board on behalf of her residents is being considered. This mitigation is not frivolous; it is necessary to maintain the safety, livability and property values for the residents of St. Louis Park.

Signed,



12/31/2012 03:25 PM

Please respond to

"

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Jeffrey Peltola comments on SW Transitway DEIS

Attached please find my comments on the SWLRT DEIS.
Jeffrey Peltola

December 31, 2012

* Via e-mail to swcorridor@co.hennepin.mn.us *

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

Re: Southwest Transitway DEIS Comments (West Lake Station and Vicinity)

To Whom It May Concern:

I am Jeffrey Peltola and live approximately one block south of the proposed West Lake station (

I have been active in my community on transportation issues over the past three years, including extensive participation in the 2010 Minneapolis Station Area Strategic Planning project. Since January 2011 I have mentored five University of Minnesota civil engineering student teams that have analyzed transportation problems around the intersection of Lake St & Excelsior Blvd and explored potential solutions, doing so with considerable community engagement. The final reports and presentations are posted at www.pwpg.org/lake-st-excelsior-blvd/. The fall 2012 projects had the benefit of being informed by the Minneapolis Park & Recreation Board's (MPRB) design charrette for South Isles/North Calhoun, and the walkability workshop organized by Hennepin County staff, both of which occurred in October 2012 (I participated in both).

I testified at the Eden Prairie public hearing on November 29, 2012, and attach those remarks, which are more overarching and philosophical in nature. The comments in this letter focus on the results of the above-mentioned body of work, and implications for the forthcoming preliminary engineering and transitional station area action planning for the West Lake station. In fact, many improvements can and should be implemented well in advance of LRT opening day, even as soon as 2013.

Issues/Problems

Vehicle Traffic:

Existing traffic delays on the major thoroughfares, Lake St (CSAH 25) and Excelsior Blvd (CSAH 3), are frequent and severe. This was well-documented in the spring 2011 study, which is often cited in neighborhood groups' and others' comments on the SWLRT DEIS. That study made several short-term and long-term recommendations that were followed up on in subsequent work.

Pedestrian and Bicycle Environment Unpleasant/Unsafe:

The fact that the existing pedestrian/bicycle environment is unpleasant and at times unsafe was thoroughly documented in the spring 2011 study and the October 2012 walkability workshop.

Lack of North-South Connectivity:

Due to history and geography, the area is dominated by the east-west orientation of the two major roadways (among the highest in volume in Hennepin County) and the old railway lines (now bikeways, to be joined by rail transit). To improve both traffic flow and the pedestrian/bicycle environment, more north-south links within the area are needed. This will be especially important for placemaking in the immediate vicinity of the station itself.

Parking (On- and Off-Street) in High Demand:

Existing parking challenges are also well known in the area. Off-street parking is in high demand, and commercial property owners report the need to tow cars from off-street surface lots. There is concern that the forthcoming LRT station might make the problem worse. The prevailing view in the community is that more parking is needed (the sooner the better), but that there should not be a “park-and-ride” lot or ramp at the West Lake station. The full range of parking options (and combinations thereof) need to be evaluated and openly discussed, including (but not limited to) paid district parking with validation, meters on nearby streets, residential permit parking on surrounding neighborhood streets, as well as additional structured parking. The latter was explored in a fall 2012 student project by evaluating what would be entailed with such a facility at a sample site – existing surface lot space owned by the MPRB on the south side of Excelsior Blvd, shared with the Lake Calhoun Center office building.

Specific Items Needing Preliminary Engineering and Station Planning Attention

Intersection of Excelsior Blvd and 32nd St:

A thorough evaluation of alternatives to improve this intersection is needed. This is especially true in light of recent fatal crashes. An ever-increasing number of turning movements, most notably left-turns by eastbound traffic (particularly come LRT opening day) will need to be handled by this intersection. To do so safely and efficiently, modifications will almost certainly be needed. An in-depth assessment of the appropriateness and feasibility of a modern roundabout at this location will be essential.

Pedestrian Access to and Movement within Station Site and Immediate Vicinity:

This topic is integral to placemaking, in general, which will be critical to the success of the West Lake Station and station area. Improvements in this regard need to be addressed in preliminary engineering and station planning, but implementation should not wait until LRT opening day. The two existing auto-oriented malls pose challenges to making improvements to the pedestrian environment. The advent of a light-rail transit station presents an enormous opportunity. It is now possible to envision and create “two fronts” for this commercial district – the existing auto-oriented one facing high-volume roadways, and a new transit- and pedestrian-oriented one facing the station. The additional spur of land owned by Hennepin County to the south of the station site significantly increases the placemaking potential. It is critical that this parcel be used for a higher purpose (not, for example, a park-and-ride, even “temporarily”).

In City of Minneapolis DEIS comments, it was mentioned that the situation at the W. Lake St bridge is similar to that at 35W & 46th St and the Central Corridor West Bank stations. That statement is incorrect. For the West Lake station, the setting is fundamentally different. The transit station platform(s) for West Lake will be at the same elevation as both ends of the Lake St bridge (on a four corners). Thus it is unnecessary to widen the Lake St bridge to allow for bus stops with stairs and elevators. That actually would be an inferior design, not only in terms of added capital and operation & maintenance costs; the crest of that bridge would be a very unpleasant place to disembark, wait for, and board buses. It is exposed to the elements and looks out over a sea of flat commercial rooftops. It will be far preferable to circulate buses off of Lake St to stops at the same elevation as – and as close as reasonably possible to – the station platform(s). This arrangement would reinforce (rather than detract from) other placemaking measures.

From the north and south sides of the east and west ends of the Lake St bridge, pedestrians should be directed via pathways to an inviting, comfortable, safe and pleasant place surrounding the station site. Creating these pathways should be done sooner rather than later (several years in advance of LRT opening day). Other re-grading and site prep work, informed by preliminary engineering and transitional station area action planning, should also be done as soon as possible. This should include removing the

fence (or significant portions of it) in the area under the Lake St bridge. There already is substantial use of “cow paths” in this area, demonstrating a clear need that should not wait several years to be met.

Additional north-south street and sidewalk connectivity should also be put in place years before LRT opening day, informed by LRT station engineering and planning. A fall 2012 student project explored various options. All should be given thorough consideration in the 2013 PE and TSAAP work. The most important concept for placemaking in the vicinity of the future station is a new city street to connect Abbott Ave S. to Market Plaza passing under the Lake St bridge along the rail authority property boundary (see attached figure). The student project demonstrated sufficient space is available. Such a street could be narrow, without parking, and have a low speed limit (e.g., 15 m.p.h.), and have a sidewalk. It would help enliven the area, provide alternatives for north-south traffic and pedestrian movements, and reduce pressure on the major thoroughfares. It also might have the effect of enhancing the potential for pedestrian- and transit-oriented development to create the additional “front” mentioned previously. This connector street would also provide additional means for circulating buses and vehicles into and out of the station site once LRT is operational.

Traffic Flow Improvements on Lake St and Excelsior Blvd:

Improvements to Lake St and Excelsior Blvd have been a major focus for the five civil engineering student projects, the MPRB charrette, and the County walkability workshop. It has been mentioned several times (as pointed out in neighborhood groups’ and others’ comments) that Hennepin County has no plans to make major capital investments on either County Road in the foreseeable future. Nonetheless, there are well-documented problems that need to be addressed, particularly in light of the forthcoming LRT station.

The student projects examined an array of potential solutions from smaller and inexpensive operational changes to larger more expensive physical infrastructure reconfigurations. The more extensive modifications are discussed here; ones that can and should be implemented quickly are discussed below.

The spring 2011 project – in addition to small-scale items – explored a variety of ideas and recommended that two options be evaluated further, which was done in the fall 2011 projects. The attached figure shows what a pedestrian-bike bridge might look like, crossing Lake St just east of the W. Calhoun/Dean Parkway intersection. (Another possibility at this location, as suggested during the MPRB charrette, would be to have the Parkway (street and pathways) cross a bridge over Lake St.) The other possibility examined in fall 2011 is eliminating the unusual Lake St & Excelsior Blvd ‘Y’-intersection all together, by creating an underpass/bridge (see attached figure). Both of these capital improvement concepts were shown to be technically and economically feasible.

A lower cost change at the W. Calhoun/Dean Parkway & Lake St intersection was shown at the MPRB charrette. It involves eliminating left-hand turns, and would entail directing such traffic to make a right-turn before reaching the intersection, and to then make the left-turn onto the Parkway either to the north or the south of the intersection. This concept was evaluated in both fall 2012 student projects. Traffic modeling showed that the idea has merit. Another concept shown in the MPRB charrette was to swing W. Calhoun Parkway further to the west from Lake Calhoun immediately south of the Lake Calhoun Center office building. The fall 2012 student work also examined a conceptual structured parking facility at the site of the existing surface lot co-owned by the building and MPRB. The concepts were shown to be compatible with each other (see attached figure). Whether or not a parking structure (alone or with other development) is constructed, a new city street to connect Market Plaza on the south side of Excelsior Blvd, curving to the south of the surface lot, and connecting with W. Calhoun Parkway should be thoroughly considered, especially if eliminating left-turns at the Lake St intersection is pursued. (The fall 2012 student work shows further alterations that would be beneficial to do in tandem.)

Another operational change for the triangular area composed of Market Plaza, Lake St and Excelsior Blvd was studied in fall 2012. The “loop” concept, which would require some geometric adjustments, was shown to improve traffic flow through the area (see attached figure). It certainly has its pros and cons, but something along these lines might be worthy of further exploration if capital funds cannot be allocated to making improvements in this area. The MPRB in its DEIS comments calls for a comprehensive traffic circulation study to be performed for the West Lake Station area (as do other commenters). Such a study would not have to start from scratch, and could build on the five student projects. In addition, the City of Minneapolis has done recent, up-to-date, traffic counts and will be rolling out new traffic signal control systems in 2013, which can also benefit from the student work and can be informed by station area planning.

Several Improvements to Put in Place in 2013:

The MPRB charrette, the County walkability workshop, and the student projects, together, suggest several small improvements that can be teed up quickly and implemented in 2013 (in coordination with station area planning). Done collectively they can have a significant, positive impact for all users, at relatively low cost.

- 1.) Eliminate left-turns from northbound Market Plaza into the Calhoun Commons (Whole Foods) lot (opposite fire station). Eliminate left-turns out of that driveway. Install signage just east of Market Plaza instructing westbound Excelsior Blvd drivers to proceed past Market Plaza to enter Calhoun Commons. Immediately to the west, add a left-turn yield-on-green to the stoplight at the entrance to Calhoun Commons from eastbound Excelsior Blvd.
- 2.) Fill in the curb cut at the northeast corner of the Lake Calhoun Center parking lot, just east of the stoplight at Lake St & Excelsior Blvd, to prevent dangerous bypasses. In this same vicinity, fill in cuts in Excelsior Blvd median to eliminate left-hand crossing turns into the Lake Calhoun Center lot or the gas station. Eliminate the pedestrian crossing at Lake St and Excelsior Blvd. The existing crossing at this unusual, high volume intersection is poorly marked, dangerous, and periodically unnecessarily impedes traffic flow severely. There are nearby alternatives at Market Plaza and W. Calhoun/Dean Parkway that should be improved with enhanced pavement markings, signage, call buttons and countdown timers.

I appreciate the opportunity to comment on the Southwest Transitway (Light Rail Transit) Draft Environmental Impact Statement.

Sincerely,



Jeffrey Peltola

Attachments:

November 29, 2012, Eden Prairie Public Hearing Testimony by Jeffrey Peltola

Figure 1: North-south connector street under Lake St bridge

Figure 2: Conceptual rendering of Y-intersection elimination with underpass/bridge

Figure 3: Schematic of eliminating left-turns at Lake St & W. Calhoun/Dean Pkwy

Figure 4: Schematic of “loop” concept for re-arranging traffic patterns

November 29, 2012, SWLRT DEIS Public Hearing Testimony

I'm Jeffrey Peltola,

Most of my remarks tonight will focus on issues related to the proposed West Lake Station and surrounding area.

A guiding philosophy for the entire Green Line Extension project -- both station planning and preliminary engineering -- should be that transit stations are intended to be ACTUAL PLACES, not merely nodes between modes of transportation.

Ridership -- the number of LRT passengers -- isn't the only indicator of success. The number of PEDESTRIAN TRIPS done in and around the station areas is even more important. They don't pay fares unless they board trains, but they're an integral part of the economic return we're seeking on this type of capital investment. Some of the biggest mistakes and missed opportunities with transit projects have stemmed from losing sight of this. (Think Fairfax County vs. Arlington County, Virginia, if you're familiar with that part of the Washington, DC, area Metro system.)

Around West Lake, I think it's fair to say there's a broad consensus when it comes to the issue of parking: More Parking -- YES (the sooner the better), but Park & Ride (adjacent to the station) -- NO.

There's also a broad consensus that right now there are serious traffic problems, and the bike and pedestrian environment is unpleasant and unsafe.

Near the end of 2010, at the conclusion of the previous Minneapolis station area planning project, a number of us didn't like some of the things in the final document. We got together and submitted about a half dozen comments. While doing so, it was obvious we didn't want to wait several years for LRT to see transportation improvements in our community. Even before Southwest became an Obama Administration "We Can't Wait" project, we were resolved TO GET ON WITH IT.

This led to a U of MN civil engineering student capstone project in Spring 2011, two more Fall 2011, and two more this Fall 2012. So far, five projects, 19 students, and lots of community engagement throughout. (In fact, the projects this fall had the special benefit of community input generated by the Mpls Park Board charrette and the Walkability Workshop Cmsr Dorfman helped organize.) Flowing out of this effort, I'm in the process of founding a new nonprofit called Public Works for Public Good. Check out pwpg.org. All the project material is posted there on the "Lake St & Excelsior Blvd" page.

The pace of work on this large LRT project -- and especially complex West Lake station area -- will accelerate greatly in the coming months. It's essential that the various governmental entities -- their leaders, staff and consultants -- collaborate effectively, in a manner that's transparent to the public. I, along with many others, look forward to being constructive partners.

Figure 1

Concept 3: Looking South



Modified from Bing Maps

Concept 3: Road Split Underneath Lake Street Bridge



Dean Parkway Split

Figure 2

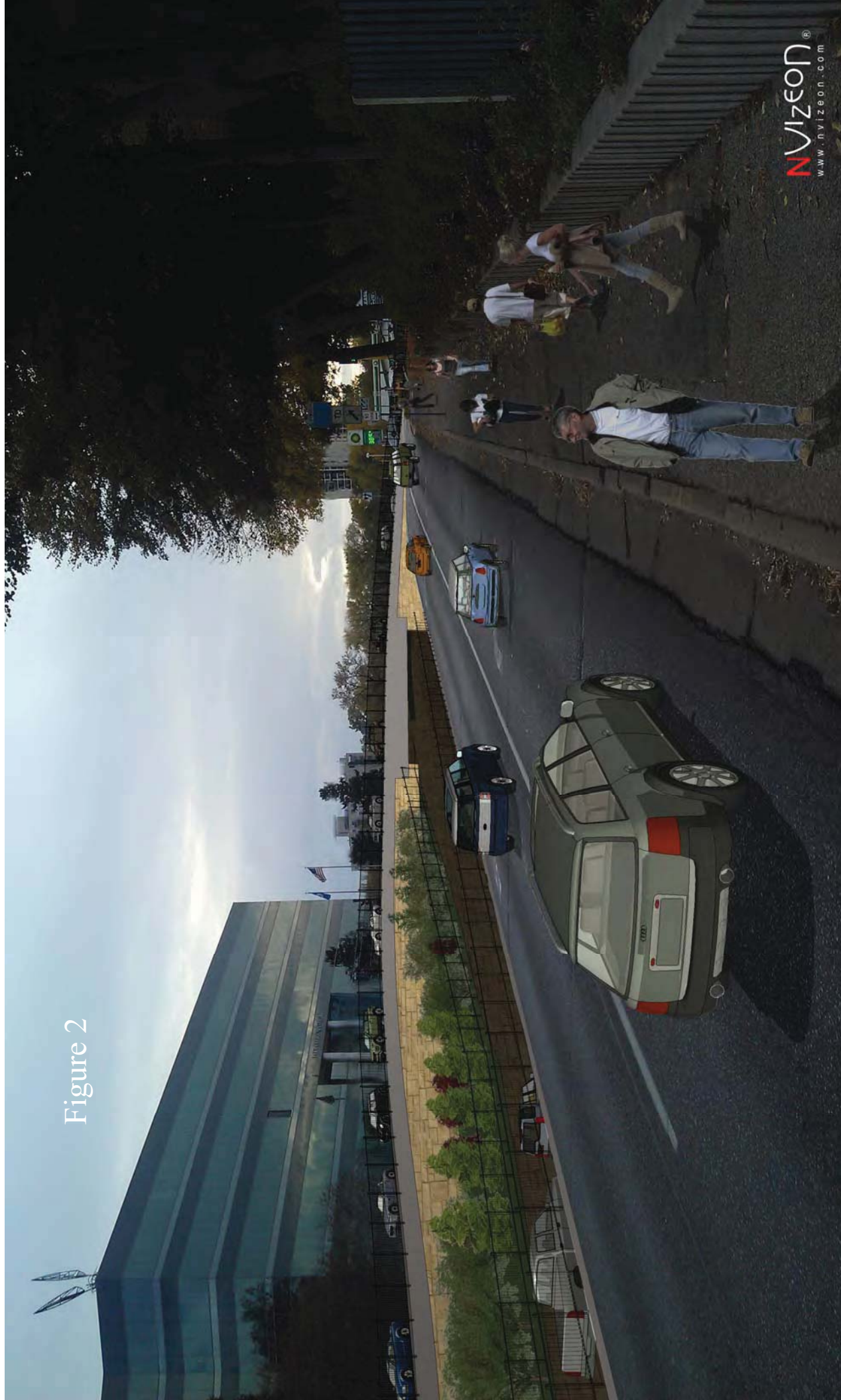
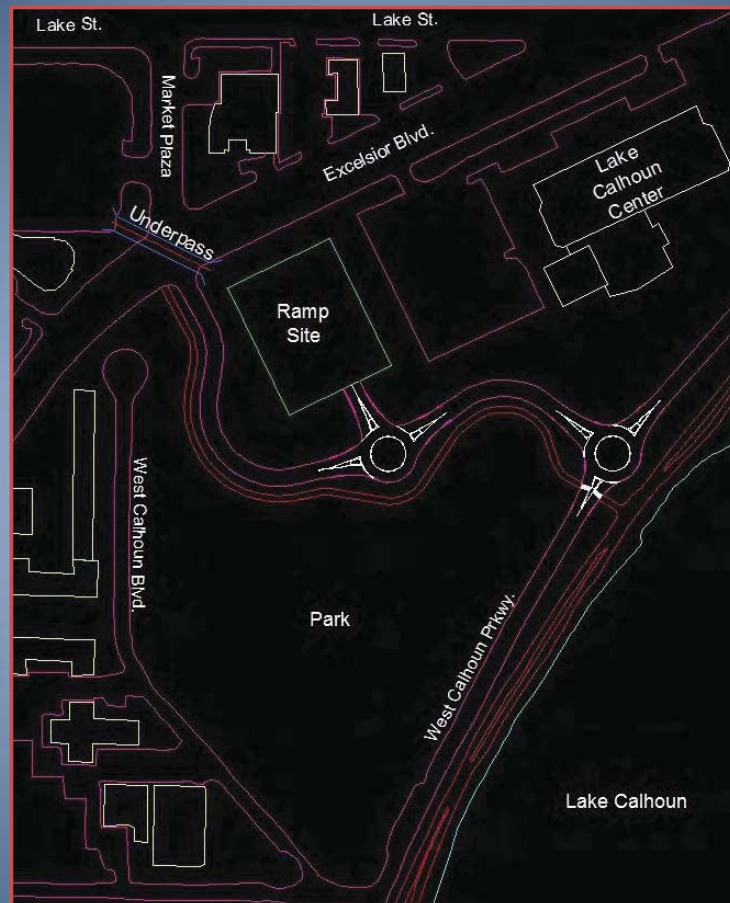


Figure 3

Realignment: Looking West



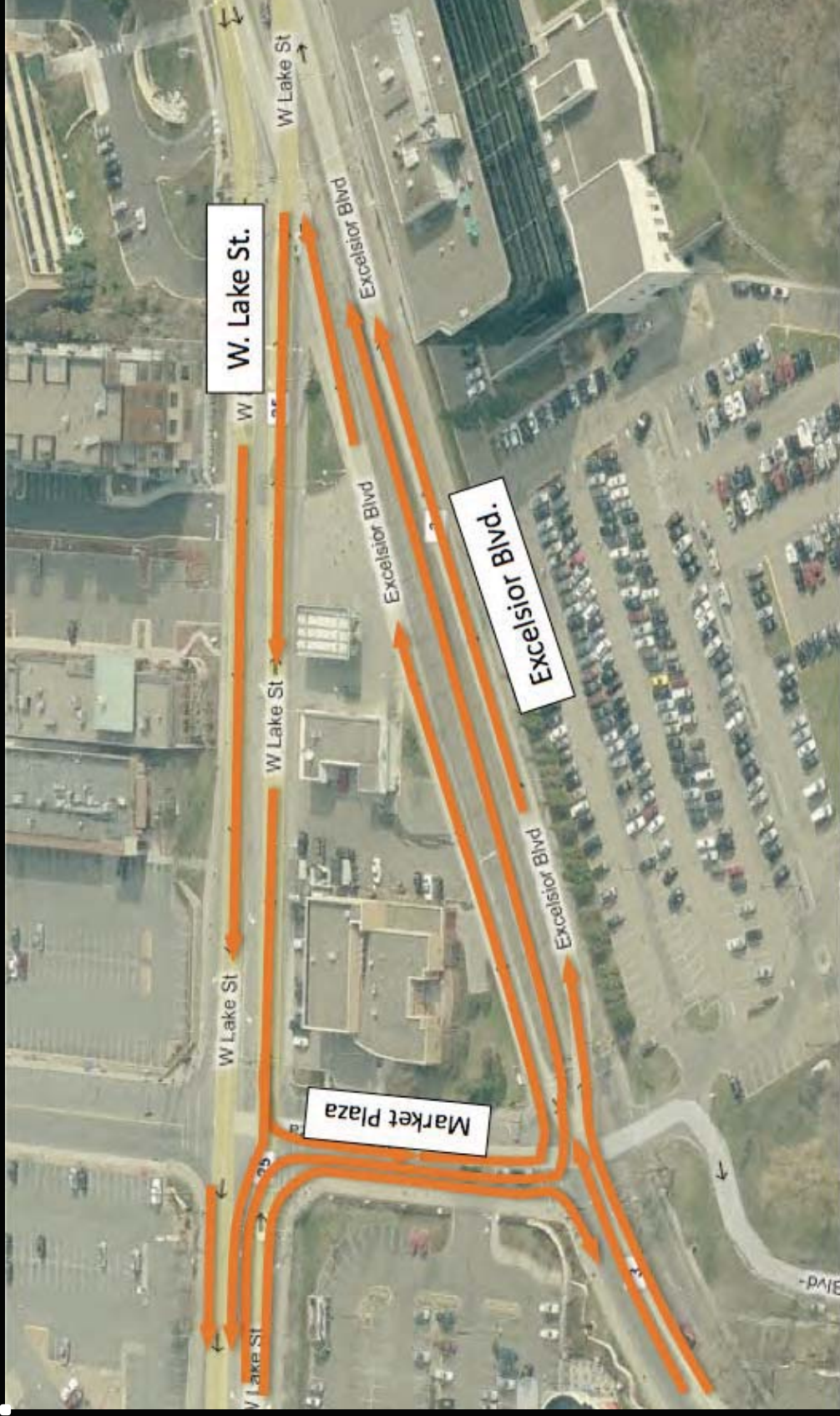
Modified from Bing Maps



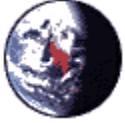
Group 8 Final Presentation

Figure 4

Reconfiguration of 3 Streets into Loop



Modified from Bing Maps



12/31/2012 03:35 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Karin Quick Comments on SW Transitway DEIS

To Whom It May Concern:

I live near the proposed West Lake Station, and appreciate the opportunity to comment on the Southwest Transitway (Light Rail Transit) Draft Environmental Impact Statement.

I have two major concerns:

1. Use of land owned by Hennepin County adjacent to West Lake station site.

Previous planning work has suggested that maybe this parcel should be used for parking by LRT users. That would be a horrible mistake, as such strategically located, valuable land should be used for a much higher purpose. A major priority for new transit capital investments is to better link housing and jobs. Improving transit as well as increasing the supply of affordable housing are also high priorities for Hennepin County. It stands to reason that Hennepin County, where it owns substantial property near a station, should lead the way in creating affordable, life-cycle and supportive housing.

2. Quality of transit service for Minneapolis residents.

Preliminary engineering and construction of SWLRT (Green Line extension) should provide for the flexibility of starting/ending train runs at one or more midway points along the corridor. It would be unfair for Minneapolis residents to contend with boarding packed trains far more frequently than suburban residents. The flexibility to also provide for some express/limited-stop service should also be preserved (which would benefit suburban passengers).

I appreciate your thoughtful consideration of my comments.

Sincerely,

Karin Quick



"David M. Lilly, Jr."

12/31/2012 03:36 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Fwd: Southwest Light Rail Corridor Draft EIS.

Please accept the following as an amendment to our earlier comments re the Southwest Light Rail Corridor Draft EIS:

In the paragraph numbered "1", we refer to current access patterns to the existing Kenilworth trail from its west side from the end of Washburn Avenue South. We should have noted that there are far more people (by a factor of at least 100) that enter the trail from the opposite easterly side using the footpath that begins at the corner of Kenilworth Place and Upton Avenue South.

Sincerely,

Diane Lilly

David M. Lilly, Jr.

Begin forwarded message:

From: David Lilly <[d](mailto:david.lilly@co.hennepin.mn.us)>

Subject: Southwest Light Rail Corridor Draft EIS.

Date: December 31, 2012 3:03:05 PM CST

To: swcorridor@co.hennepin.mn.us

Southwest Transitway Project Office

Please include and address the following comments and concerns about the DEIS for the proposed LRT corridor along the Kenilworth Trail. At the outset it seems unbelievably shortsighted to potentially wreck one of the most beautiful and unique urban parks in this country. A park that is used and enjoyed by hundreds of thousands of people each year. No amount of mitigation, other than tunneling along the entire length of the Kenilworth Corridor (defined as that section beginning in the south at Cedar Lake Parkway and ending in the north when it reaches Dunwoody Boulevard) will adequately preserve and protect this iconic urban environment. The following concerns are presented in no particular order.

1. **Pedestrian Environment.** Many users of the current Kenilworth Corridor bike and pedestrian trail access the trail from its west side where Washburn Avenue South ends. This is an important and frequently used access point for both pedestrians and bicyclists. Construction of an LRT line with fencing running along both sides of the track will eliminate this access and thereby significantly reduce access to this important parkland trail enjoyed by hundreds if not thousands of bikers, joggers, walkers and dog walkers each day.

2. **Park Access.** Similarly, no provision is made for access to the parkland woods to the west of the proposed LRT line between Burnham Road on the South and the Cedar Lake

trail on the North. There are numerous paths entering the woods along this portion of the park that would be shut off to walkers seeking to enjoy the tranquility of an urban woodland. Such a closure would dramatically effect the use pattern of the park.

3. **Migratory Birds.** We have noted that the Kenilworth Trail and in particular the woods to the west of the trail and the channel between Lake of the Isles and Cedar lake plays host every spring to scores of migratory birds and waterfowl. Inadequate provision has been made in the DEIS for mitigation or elimination of the impact on migratory species by an active LRT line.

4. **Nesting Habitat.** The channel between Lake of the Isles and Cedar lake has in the past few years served as a nesting habitat for wood ducks and other varieties of waterfowl. The DEIS does not adequately address the impact of an LRT line on waterfowl habitat.

5. **Wild Animal Behavior.** Over the years we have observed numerous deer, fox, raccoon, woodchuck and coyote that have crossed over the existing Kenilworth Trail from the west into the park to the east bordering the channel between Lake of the Isles and Cedar Lake. An LRT line of the type proposed will disrupt if not curtail natural wildlife movement.

6. **Visual.** The sensitive and almost pastoral quality of the Kenilworth Trail will be completely eliminated by the constant passage of brightly colored LRT cars often with gaudy advertisements that will clash and be discordant with the aesthetics and experience of one of the great urban parks in North America.

7. **Noise.** A particular concern is the use of whistles and bells by LRT trains at grade crossings and on approach to station stops. Mitigation of this type of noise is essential if it is not to destroy the quiet and exclusively residential neighborhood along the corridor. Similarly, train speed must be kept at a minimum to reduce to the noise generated by wheels turning on tracks, the displacement of air by the train and electric motors running at higher rpm's. Also of concern are the sounds associated with braking and acceleration.

8. **Grade Crossing Gates.** A significant component of noise along the existing Hiawatha corridor which is applicable to the proposed Southwest Corridor is the sounding of bells as a grade crossing gate is lowered as a train approaches. Again, this type of noise is inconsistent with the park and residential setting. Inadequate study or alternatives have been considered.

9. **Vibration.** Adequate provision must be made to eliminate vibration as trains pass through residential neighborhoods. Vibratory impacts vary with subsurface soil conditions and, accordingly, no single solution will be adequate in terms of mitigation.

10. **Bridge Over Cedar Lake Parkway.** There is no question that a bridge of the size and height proposed is completely inconsistent with the character of the Park and will be completely out of scale in comparison to other nearby structures. If a bridge is used to cross this parkway, the visual impact of creating the necessary grade changes has not been adequately described. Will the rail bed be raised using fill along both the northern and southern approaches or will progressively taller pilings supporting an ever rising concrete deck be utilized? The only way to adequately mitigate is to tunnel under Cedar Lake Parkway.

11. **Bridge Across Channel Connecting Lake of the Isles to Cedar Lake.** The

diminutive and historic bridge that is there now is proposed to be replaced by a much larger and aesthetically inappropriate structure. The only feasible mitigation is to tunnel under the channel in order to maintain the character of this portion of the Kenilworth Trail.

12. Surface Parking Lot at 21st Street Station. Inadequate provision has been made for the additional automobile traffic that will pass through a quiet residential neighborhood. Creating surface parking will destroy a prairie like parcel of land that represents an important element of the neighborhood and will provide screening of a station. There has been inadequate provision or assessment of traffic and parking patterns created by an LRT line.

13. Assessment of Ridership. The ridership assumptions of the current proposed LRT path completely fail to properly account for increased ridership which would occur should a different routing be selected. A capital investment of this magnitude should serve more Minneapolis residents than the proposed alignment will. It is nice to bring suburbanites into our great city but it should not be done by diminishing the desirable urban aesthetics that makes Minneapolis such a remarkable place. If Minneapolis is to bear the burden of a *suburbancentric* LRT, it should be routed through more densely populated areas and at a minimum should enhance the commercial development already in place. The increased capital cost of running the line through Uptown and then into downtown Minneapolis where it would serve a lively commercial center and a diverse population would be offset by increased ridership and enhanced economic vitality.

Sincerely,

David M. Lilly, Jr.

Diane P. Lilly



Kyla Wahlstrom

12/31/2012 03:41 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Input: on the DEIS-Southwest Transitway Project

Dear Project Review Committee members:

We have lived at ., opposite the Burnham Bridge, for 36 years. We are very concerned about the placement of the LRT line in the Kenilworth Corridor. The only situation worse than that would be to have it co-located with the existing freight rail lines. Except for the few daily 10-minute interludes of the passing freight trains, the Kenilworth Corridor is a place of breathtaking silence. We cannot imagine the noise impacts on that pristine area, full of wildlife and unexpected beauty, in the heart of the city. There is not one neighborhood in the city of Minneapolis more desirable than Kenwood. The value on our home has increased by 10-fold in 36 years, due to the location and the beauty so close at hand. There is no question in our mind that our property values will decrease somewhat with the location of a light rail line within 100 yards of our house.

We fully support the concept of light rail, and when it has been most effective, it allows neighborhoods to remain vibrant because the local residents in an LRT neighborhood have easy, convenient transportation that is needed by them. Having a light rail train run through our neighborhood merely because it is open land or most cost effective, and not because you need to actively engage the local residents to improve the livability of that neighborhood, is incredibly foolish. What is to be gained for our neighborhood to have 260 trains per day running through it? Nothing, really, as the "accessibility" argument for our neighborhood does not hold water.

Having a station area constructed at 21st Street also reveals a lack of thorough investigation. When the Burnham Bridge was re-built some years ago, there was a re-affirmation of the concern for increased traffic in the neighborhood when it was discussed to change the bridge back to being a two-way bridge. Solid thinking prevailed at that time, as it did when the chain of lakes was planned for one-way use, except for Lake Calhoun. Getting to the 21st Street Station will be horribly inconvenient and take anyone out of their way, as they seek to go downtown or to go west. I know this because on a summer day, when I am working in the yard, at least 10-20 cars per day will stop and ask me how to get to the Hidden Beach area of Cedar Lake--they easily get lost or turned around in our neighborhood, where no street is a straight, through-street.

The existing tracks next to the mid-town greenway are exactly located where local residents need and could use light rail service. Instead of relocating 60 homes and destroying existing parkland along the Kenilworth Corridor, why not use existing land that is not parkland? The use of land along Highway 100 from Highway 7 to 394, and then turning east to follow the south frontage road on 394 to the Penn Ave. LRT station would be another alternative, and would take far fewer homes and no parkland. Also, that plan would serve the area of the WestEnd Shops as well.

In sum, solutions other than using the Kenilworth Corridor or, even worse, co-locating the LRT

with the current freight train line, must exist. Please be thoughtful in your decision. The price we will all pay in the long run will certainly reveal how forward-thinking ☐or not☐the decision-makers really were--with no recompense except regret if they fail to do this right.

Sincerely yours,
Kyla and Richard Wahlstrom



Dixie Imholte

12/31/2012 03:44 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Comment with KIAA on Draft LRT Environmental Impact Statement

FROM: Ralph and Dixie Imholte

Comment with KIAA on Draft LRT Environmental Impact Statement

We own a home on 21st Street and Sheridan Ave. As “sensitive receptors” we strongly disagree with the following:

Page 3-117

Four at-grade center-track platforms are proposed for each station in the segment. No sensitive receptors, with the exception of the aforementioned trail users, are located adjacent to the station sites; therefore no additional visual impacts are anticipated.

I have paced off the number of steps from our property line to the existing railroad tracks. It is approximately 100 hundred yards. It is NOT the exception that trail users will only experience impact. We are seriously concerned about the noise that will be generated by an at-grade crossing at 21st Street in that any outdoor ambiance around our home will surely be severely impacted. Trail users are traveling and will come and go thereby creating a temporary impact (a short term and less pleasurable experience within this stretch of the trail). The homes very near any proposed station (such as ours) will be impacted 24 hours a day.

This part of the neighborhood is very busy in the summertime with use of the beautiful nature area to the West of this intersection. Many individuals and families with small children park in the immediate neighborhood and walk across the existing tracks in order to enjoy the beach on Cedar Lake. An at-grade track will present a challenging safety risk to all those traveling to the beach.

Given the amount of money allocated for the design of the Penn Ave. station we strongly recommend that the 21st Street crossing design include below grade track. This would also provide a safer pedestrian access to the Cedar Lake Beach and Park area.

Dixie and Ralph Imholte



Steven Inman

12/31/2012 03:46 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Southwest Transitway DEIS Comments

To Whom it May Concern:

We are writing with respect to the proposed Southwest Transitway LRT. In response to the draft environmental impact statement (DEIS), we would like to raise the following issues:

- Co-location of the light rail and freight rail lines through the Kenilworth corridor.
We share the City of Minneapolis's concerns with respect to co-location of light and freight rail through the Kenilworth corridor. While we generally support the locally-preferred alternative outlined in the DEIS, we will oppose any efforts to co-locate both types of rail through the Kenilworth corridor. In addition to joining all of the concerns raised by the city in its submitted comments, we would also like to note the degree to which co-location will unduly burden the residents near/along the Kenilworth corridor. Specifically, we anticipate that both the construction and operation of freight and light rail will result in permanent noise, vibration, traffic, and park access issues that will not be easily mitigated, and will make crossing the corridor very difficult and dangerous. For those reasons, we strongly oppose co-location of freight and light rail through the Kenilworth corridor, and are willing to pursue all available means of preventing such an approach from being used.
- Parking.
Other than our objection to any co-location of light rail and freight rail, our primary concern regarding the 21st Street station is the parking issue. As station "neighbors," we are concerned about the degree to which the station will make worse an already problematic street parking situation. Currently, the neighborhood already experiences significant parking problems during the summer months, as patrons of Cedar Lake's East Beach routinely fill all available street parking within 3-4 blocks of the proposed 21st Street station. These streets are narrow, residential in nature, and are already heavily used, leading to parking and other related difficulties for neighborhood residents. Our concern is that the light rail stop in the same location will exacerbate a situation where neighborhood residents often find it difficult to park on the streets near their homes, and where non-neighborhood residents congest the narrow, residential streets. While the city opposes any "park and ride" type structures from being used at stations within city limits, we would not be opposed to the existence of a small park and ride or other limited off-street parking option--provided it is accompanied with some manner of aggressively-enforced street parking restrictions. In fact, it is our hope that regardless of whether a park and ride lot is constructed, reasonable neighborhood street parking restrictions will be implemented to mitigate the inevitable parking issues that will result from the 21st Street station's existence.
- Noise and vibration mitigation.
While we understand that some rail noise and vibration is an inevitable byproduct of living near rail lines and/or rail stations, we request that all reasonable noise and vibration pollution mitigation measures (e.g., light rail vehicle speed restrictions; use of floating

platform slabs or equivalent station noise mitigating technologies; limits on type/volume of bells, horns, whistles, etc., used; use of natural sound barriers such pine trees or other landscaping be implemented.

- Proposed bridge over Cedar Lake Road/Trail.

Our final concern is with respect to the proposed rail bridge over Cedar Lake Parkway/Trail. While we agree that an at-grade crossing may not be appropriate for the location, we are concerned about the degree to which a large, overhead structure will disrupt the character of the location and/or access to Cedar Lake and the Kenilworth Trail. If a tunnel or other approach is not feasible, we request that the bridge or other structure be designed to limit any possible negative impact on nearby residents.

Thank you for the the opportunity to comment on the DEIS, and for your consideration.

Regards,

Dr. and Mrs. Steven and Michelle Inman



"Carper, Lynne L"

12/31/2012 04:11 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject SWDEIS comments

Please see attachments

I. Lynne Carper (111)

The information transmitted in this e-mail is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material, including 'protected health information'. If you are not the intended recipient, you are hereby notified that any review, retransmission, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please destroy and delete this message from any computer and contact us immediately by return e-mail.

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St. Louis Park resident

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In its final report in February, the NTSB cited the "inadequate design" of the tanker cars as a factor contributing to the severity of the accident.

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The cost of retrofitting existing tankers is estimated conservatively at \$1 billion and would be shouldered mostly by the ethanol-makers who own and lease the cars. The rail industry points to its improving safety record, but that's little comfort to communities like Barrington, said Village President Karen Darch.

"There's a risk every day of affecting lots of people in one incident," Darch said, "lots of property, but obviously most importantly, lots of people's lives."

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Chad Hayenga

12/31/2012 04:15 PM

To swcorridor@co.hennepin.mn.us

cc

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Subject SW Corridor Comment

Attached you will find my comments that I gave at the St. Louis Park City Hall where 3 county commissioners attended.

I have also pasted it in this email, if you prefer to have it that way.

I received my property tax notice in the mail today. It says that the value of my home has increased in the last year by 3.2% and, because the value of my home has increased, so will my property taxes. I pay my taxes and appreciate a number of the services Hennepin County provides. Most commissioners would probably agree that spending taxpayer's money wisely is of paramount importance. Would you agree? It is my understanding that you could save the taxpayers of Hennepin County around \$120 million by co-locating LRT and the freight trains right where they are, but by re-locating them it will cost about \$120 million. From a dollars and cents perspective, this just doesn't add up.

That being said, I've not complained to my elected officials (not much anyway) when dollars have been spent in ways that I deemed foolish. So for me the financial issue is secondary to some degree. However, the thought of

- [redacted] running a 1 to 1 ½ mile freight train through our community on the MN&S line, is like jamming miles worth of railcars into, what is essentially, a back road or a side street.
- [redacted] while carrying whatever hazardous materials the RR company desires to place on the train cars,
- [redacted] while blocking multiple crossings simultaneously,
- [redacted] with engines running at full throttle to get up the hill,
- [redacted] with tracks well above grade – many residents look up at the RR tracks
- [redacted] with 1300 students and many more staff at the HS – is at best thoughtless and at worst, ruthless

I have two daughters at the HS and another in elementary school. If the powers that be decide re-routing the freight rail on the MN & S is the best option – which would be mind boggling to me – I expect, as I'm sure you would if you were in my shoes, that hundreds of millions of dollars would be spent to assure the safety of SLP HS students and staff as well as the residents that live along the MN & S. The tracks should not be above grade for such a massive train,

especially a train that is within 50 feet of the HS and less than that of dozens of houses. If you are going to move the freight on the MN & S, then create a railway corridor that is at least the width of the Kenilworth corridor and is at grade or below grade to improve the safety of the citizens that live along the line.

My wife and I had no intention of staying in SLP for the 15 years we have been here. We thought we would move after our kids got bigger and we would need more space in our small walkout rambler. However, SLP provided a number of incentives for us to stay: first, the Spanish Immersion program, second, Move up in the park – allowing us to put an addition on our house and third, the commitment to upgrade the quality of life through the many parks and trails throughout the city. The city of SLP has been named multiple times to the list of 100 best cities in which to live in the US. Our HS has consistently been in the top 3 HS in the state of MN. There is a reason for that. SLP does what it needs to do to put their citizens first and holds safety and livability as the highest priority. I am hopeful that you will hear my plea and the pleas of my neighbors and take the safety issues seriously while also putting \$120 million to good use where it is needed most.

Thank you.

Chad Hayenga



12/31/2012 04:24 PM

To swcorridor@co.hennepin.mn.us,

cc

bcc

Subject Comments on LRT

Enclosed is the same letter I sent previously but I have added more homeowners who are concerned with the project. Thank you for listening. Margaret Edstrom

Southwest Transitway Project

Comments on the Environmental Impact Statement

The residents of Minnetonka, living in the Beachside community, on Pompano Drive are responding to the Environmental Impact Statement on the Southwest LRT and are expressing our concerns on the impact to our neighborhood, our homes and our investment in our homes from the proposed crossing of the LRT line at the intersection of the Smetana and Feltl Roads. Our homes are extremely close to the proposed crossing and we have concerns about the noise that will emanate from that crossing as well as the ecological impact on the surrounding area.

The LRT at the above intersection of Smetana and Feltl Roads at grade level will cause interruptions in an already busy traffic flow and will create noise from train alarms, sounding every 7.5 minutes during the day and also frequently at night. We will hear the train alarms from our homes when the windows are open and when we are on our decks. Constant noise from the trains will also frighten the wildlife in the wetland area that is adjacent to the proposed crossing and that separates our homes from the proposed crossing. We purchased our homes for many reasons, including the quiet, the woods, and the wildlife that surrounds us.

We are also concerned about the rerouting of Feltl Road and the most likely need to cut down the trees near the crossing, which currently provides us with a sound buffer to the traffic on Smetana, Feltl and Opus in general. If the LRT must go through our neighborhood we would like to see the trees and wetland preserved to maintain our ambiance, our silence and our enjoyment of the wildlife, which are some of the reasons we purchased our homes.

As homeowners we would appreciate you allowing us input on all aspects of the LRT project as it pertains to our neighborhood and investment. We are especially concerned with the rerouting of Feltl Road and the preservation of our wooded wetland and wildlife. Please keep us informed and we welcome your inquiries about our opinions on the development of the project at the intersection of Smetana and Feltl Roads.

Signed by the following residents:

Margaret Edstrom,
(contact person)

Barbara Faegre,

Sally Shaw,

Janet Rasmussen,

Victoria Dunn,

Chris Torberg,

Andrew and Lois Peacock,

Linda Hagmeier,

Joanne Strate,

Marian Wolf,
Carrie Carlson,

David Wolf,



"Claudia Johnston"

12/31/2012 04:26 PM

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Comments on the Southwest Light Rail Transit (SWLRT) -
Draft Environmental Impact Statement (DEIS)

December 31, 2012

John Madison and Claudia Johnston-Madison

To Whom It May Concern:

We are writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) published in regard to the SWLRT Project which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The SW DEIS concludes that relocating freight to the MN&S in St. Louis Park is the best alternative. However, the data provided throughout the document does not support that decision. This is not the first time that Hennepin County has provided this type of documentation. The Draft Environmental Impact Statement is supposed to be an objective, in-depth study. In large part, it appears to be a repackaging of the Environmental Assessment Worksheet that was published two years ago which the Minnesota Department of Transportation vacated after a legal appeal by the City of St. Louis Park.

It appears that whole sections of the previous EAW were cut and pasted into the SW DEIS which is supposed to be a federal-level document. Since federal money is involved in the funding of SWLRT project, it is our opinion that Hennepin County should be replaced by an independent body on the federal level who would review the entire SWLRT process from beginning to end.

We have concerns with many of the assumptions made in this document. However, the following comments are of the greatest concern to us:

Vibration (4-117) Hennepin County has not conducted adequate and appropriate noise and vibration analysis anywhere along the MN&S. The assumption stated in the SWLRT-DEIS that the increase in vibration is insignificant is incorrect. The DEIS underestimates the effects of vibration because only the immediate train traffic is considered and not the additional traffic that is likely to occur. Currently trains travel on the MN&S for approximately two hours a month. If the re-route occurs there will be 232.5% increase in train related vibration each a month. Not only will the duration of vibration increase, but also the amount of vibration will increase because of the longer, heavier trains.

Quiet Zones (ES-11) In addition to the lack of adequate noise and vibration analysis, there is a huge concern about the safety hazards associated with a quiet zone with regard to the increased size, number, speed and frequency of trains past the high school. The additional safety issue that is not addressed in the DEIS is regarding lack of visibility that a train conductor would have around the curves (especially by the high school) to be able to view

obstructions on the tracks and stop in time.

The DEIS offers the statement that creating a quiet zone will end all of the noise issues. This assumption is incorrect for the following reasons:

1. A quiet zone is not a sure thing.
 - a. Implementation could be denied by the school board because the building of a quiet zone will limit access to the Senior High School.
 - b. Locomotive engineers are compelled to blow the horn if they perceive a dangerous situation. What kind of responsible person would drive a train through a series of blind crossings, past several schools without blowing the horn?
2. Quiet zones do not limit locomotive noise
 - a. Multiple locomotives will be necessary for pulling a fully loaded train up the .86% grade across Highway 7 (the new interconnect).
 - b. Multiple locomotives laboring with long trains will make more noise than the locomotives that currently use the MN&S.
3. Train wheels on curves squeal; the tighter the curve the greater the squeal.
4. Bells on crossing arms in a quiet zone will ring the entire time a train is in the crossing. The school board has already gone on record saying that current train traffic today (one train in the morning and one train in the afternoon) already cause a disruption in the classrooms on the east side of the building.

The reasons the MN&S should not be used as a main rail line include the following:

- Multiple grade level crossings within close proximity cuts off traffic from the area.
- Medical emergency response hindered when crossings are blocked – only one fire station has emergency medical response.
- Tight Curves. Derailments are more likely to occur on curves than on straight track. (The route in Minneapolis is straighter and has fewer inclines).
- Hazardous materials are being carried on the rail line without sufficient right of way.
- Proximity to St. Louis Park schools, homes and businesses – many are closer than the length of a rail car.
- Number of pedestrians who transverse crossing every day.
- Cost of re-routing trains through St Louis Park is greater than co-locating the freight in Minneapolis.



Angela Berntsen

12/31/2012 04:28 PM

Please respond to
Angela Berntsen

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject SLP resident's comment

To whom it may concern,

As a resident of St Louis Park for the last eleven years, I'm deeply concerned about the threats to run freight rail traffic through our city and through the middle of our high school campus. It seems the single minded desire to expand light rail is clouding the judgement of those involved in making this enormous decision that will have everlasting effects on the city of St Louis Park. Can anyone honestly say it's a "win-win" situation to divide up our city with hundreds of speeding trains on tracks that are completely inappropriate for the types of trains that would be re-routed? Can anyone honestly say it's a win for us to have freight trains mere feet from our high school? Do you honestly think that anyone in their right mind would move to a city that has an undesirable high school, with trains rattling the windows, vibrating the building and endangering the students as they try to navigate around the campus? Would you? Seriously, if the high school becomes undesirable, people WILL NOT MOVE to St Louis Park, and those of us with school aged children will leave for cities that care more about their children, and take our tax dollars with us. And once people deem a city undesirable to live in, property values will drop and the downward spiral will begin.

There are so many other issues besides the high school, such as trains blocking emergency vehicles, blind intersections, noise pollution, trains passing through people's backyards....these reasons have been expressed many times in the last year by other residents of St Louis Park at city council meetings and public forums.

The so-called "studies" that have been done have been riddled with errors and inaccuracies. They need to be redone looking at all of the different options that were initially dismissed for reasons that were later found to be inaccurate. And where is the money for mitigation? If you are honestly going to consider re-routing this freight traffic, there needs to be large sums of money for mitigation and it needs to be considered as part of the whole project.

Please please please don't let the desire for light rail blind you to the extremely serious fallout that would occur to my beloved city of St Louis Park.

Thank you,
Angela Berntsen

**Chad Hayenga**

12/31/2012 04:30 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject SW Corridor Concerns

Perhaps the need to change the fabric of an entire neighborhood is necessary for the greater good, however thoughtful consideration must be taken before that happens. I suggest to you that thoughtful consideration has not happened as Hennepin county has attempted to disrupt thousands of people's lives with little to no consideration for the impact. The DEIS is really a joke, if it weren't so serious. How does one look at the impact of Light Rail Transit through the affluent Kenilworth corridor (a freight corridor designed to handle a lot of freight) in one way but not analyze the exact same impacts of the other option (the MN&S line through St. Louis Park)? You'll need to ask the people responsible for putting the report together. All I am asking for is a side-by-side, apples-to-apples comparison with significant mitigation costs included. The DEIS does not do this.

Chad Hayenga



Lisa Tanner

12/31/2012 04:30 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Comments on SW corridor DEID

Dear Project Manager:

Thank you for the opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway (LRT) project. Our family has a strong interest in this project as residents of the Cedar Lake Isles Dean neighborhood. We are property owners of land adjacent to Cedar Lake Regional Park and active users of the Kenilworth Regional Trail, the Cedar Lake Regional Trail, the Grand Rounds National Scenic Byway and the Minneapolis Chain of Lakes Regional Park. We have chosen to live, raise our children and operate small businesses in this area directly adjacent to the proposed Southwest LRT line because of the existing scenic, serene nature of the area and also the parks and access to the amenities of uptown and downtown Minneapolis.

We value our ability to bike rather than drive for many of our day-to-day activities such as grocery shopping, going to the park, shopping in Uptown and Calhoun Commons, participating in local Park Board sports, attending Twins games etc. We also highly value and use the lakes and canals for recreational activities year round. The Kenilworth Regional Trail is important connection for us and our children to neighboring Kenwood and Lake Calhoun. We also rely on Cedar Lake Parkway for access in and out of our neighborhood by car and for vital services such as fire and police.

We have reviewed the DEIS for the LRT project and have specific concerns regarding the design of Segment A that we would like to see addressed in the Final Environmental Impact Statement (FEIS) and the final engineering and design if the Southwest Transitway is ultimately constructed. We would also like to state that we are opposed to the co-location alternative.

Concern: LRT noise, light, vibration and visual appeal – We are very concerned about the impact of the increased noise, light and vibration on residents, park lands, trails and users due to the high number of trains that will travel along the Kenilworth Regional Trail. The FEIS must address mitigation for light, noise and vibration to ensure that the serene, natural environment of the corridor is maintained. We are very concerned that the DEIS views this section of the corridor as Category 3 – Urban use. We agree with the Minneapolis Park and Recreation Board's (MPRB) assessment that this section of the corridor shouldn't be categorized as Category 3 land use, but rather categorized as Category 1 use. We consider this a natural, peaceful and unique sanctuary in the middle of a more busy urban area. We believe the DEIS has misunderstood the very nature of the Kenilworth Corridor. It is also worth noting that Cedar Lake area is more natural, peaceful and quiet than the other Minneapolis city lakes. We are very concerned that a frequent train crossing at the south end of the lake will permanently alter the setting of Cedar Lake.

We do not support an overhead bridge over Cedar Lake Parkway as it will only further spread the sound and light across broader area of neighborhood and create an eyesore that is not at all in character of the current neighborhood and park land. It will also create a significant barrier which will isolate those of us who live on the west side of the tracks.

Concern: Safety, Traffic Flow at Cedar Lake Parkway - As I mentioned above, the Kenilworth Regional Trail and Cedar Lake Parkway are critical transit ways for our neighborhood. We are concerned about the safety of those of us that use the trails for daily commuting and recreation. We would like to see more details in the FEIS on how trail users will be able to safely enter and exit the Kenilworth Regional trail on foot or on bicycles. We are also concerned about the traffic levels at the critical crossing at Cedar Lake Parkway. During the summer months, this intersection is already backed up both East and West. This is a concern for us for many reasons including ability for emergency vehicles to provide adequate response times and access to our neighborhood, air quality standards can be met and also general flow of traffic can move at a reasonable rate. We are specifically concerned that these standards cannot be met with an “at grade” crossing at Cedar Lake Park. We feel that the only solution to address all of our concerns with regard to the Cedar Lake Parkway crossing is a tunnel or trench as proposed by the Minneapolis Park and Recreation Board in their response to the DEIS.

Concern: Use of Waterways –The use of the canal between Lake of the Isles and Cedar Lake is an important and valuable recreational corridor. We want to make sure that the wildlife, water quality, as well as the safety of recreational users of this channel is respected during and after construction. We would like to see more details in the FEIS on how this critical connection by water used by recreational users and wildlife will be preserved.

Minneapolis has a long history of providing outstanding park and recreation services to residents and visitors. The parks, lakes and trails make up an important part of the culture, beauty and appeal of our city. We enjoy living here because of the parks and trails and enjoy sharing our parks with guests from the entire metropolitan area. We don’t feel that the DEIS has done enough to ensure that this project protects and preserves the culture, vibrancy and beauty of the city – as it is much of the reason people not only live here but it is also why those riders of the LRT will want to visit our city!

Doug and Lisa Tanner



Terry Saario

12/31/2012 04:38 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

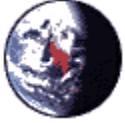
bcc

Subject Proposed Kenilworth intersection bridge

To whom it may concern:

We are among the oldest residents (90 & 89) in the impacted area for the light rail project. We are not anti-transit and are clearly not experts in planning but the common sense of our many years tells us that the proposed bridge over the congested intersection is an unsightly and bad idea. We love this area and don't need the additional noise, nightlight, and ugliness of the proposed bridge. Can't this be accomplished by going underground as other cities in the world have done?? Thank you for your interest. Dr. Oliver and Jeannette Peterson

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Chris Homsey

12/31/2012 04:45 PM

Please respond to
Chris Homsey

To "swcorridor@co.hennepin.mn.us"

<swcorridor@co.hennepin.mn.us>

cc Trent Waite <trentwaite@yahoo.com>

bcc

Subject DEIS comment from 3166 Dean Court, MPLS

Please see the attached document with comments regarding the Draft Environment Impact Statement (DEIS) for the Southwest LRT project.

Thank you,

Christine Homsey

Trent Waite

Draft Environmental Impact Statement Comment – Southwest Transitway Project 12/31/2012

Our comments are specific to the following section of the proposed LRT route: **from the point at which the tracks turn into the Kennilworth Corridor (after leaving the proposed Lake Street station near Whole Foods Market in Minneapolis) to the crossing at Cedar Lake Parkway.**

We are residents of the townhomes in the Calhoun Isles Condominium Association; our townhome (and bedroom window) directly faces the existing freight rail tracks that run through the Kennilworth Corridor.

Our main concerns/comments are as follows:

- 1) **Need to mitigate noise arising from frequency and early morning/late night hours of the train:** Currently, the existing freight train passes our house only a few times a day (and rarely during sleeping hours), and most times we do not find it bothersome. However, the LRT train will be traveling by our house/complex every 3.5 minutes during peak hours and will operate 20 hours a day, so we expect it to have a significant impact on our and our neighbors' overall quality of life, safety, and ability to rest/sleep. We request that the final design and mitigation approaches take these concerns into account.
- 2) **Plans for the crossing at Cedar Lake Parkway:** Our neighborhood streets (Cedar Lake Parkway and Dean Parkway) are often very congested during rush hours, and when the existing freight train crosses Cedar Lake Parkway, traffic gets very backed up. The proposed solution of having a "flyover" bridge would increase noise and aesthetic concerns because the train would need to ramp up well before the bridge.
- 3) **Exploration of a tunnel option:** At this point it does not appear that a tunnel option has been seriously explored. Although it would be a costly option, a tunnel may be a much more elegant solution to addressing the noise, vibration, and aesthetic concerns of our neighbors. Most of the design ideas that have been currently explored (by Hennepin County or individual neighborhoods) including bridging or trenching require much mitigation and many workarounds such as rerouting and/or raising streets and bike trails. Please take the long view and choose an approach that keeps our neighborhoods and parks great places to be. When considering future livability and the costs associated with numerous workarounds and mitigation, a tunnel may be a viable option.

The Calhoun Isles Condominium Association has also submitted a much more detailed response to the DEIS, and we also share the concerns expressed in the Calhoun Isles document.

Thank you for taking the time to read and consider our comments.

Christine Homsey, homeowner –
Trent Waite, homeowner –



Louise Kurzeka

12/31/2012 04:49 PM

>

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Comment on SWLRT DEIS

To Whom It May Concern:

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done. As this action is proposed and described in Chapter 1, Section 1.3.2.3 as rebuilding a little known, lightly used spur line into a main freight rail line, which will initially allow a 788% increase of rail car traffic. Having grown up in the same home I live in now, I know firsthand how light the rail traffic use was on the spur line even in the 1960's. What the SWLRT-DEIS does not address, but should, are the real world impacts of this action on the affected area.

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with freight rail trains blocking street crossings (6-38 and 39) causes me the greatest concern. The SWLRT-DEIS says the blocked crossings will not cause significant travel or safety issues. I live just two blocks from one of those major crossing at Library Lane and Lake St. so I am very familiar with the issues both for residents safety, emergency vehicle delays and normal traffic problems, especially since the tracks cross at a diagaonal at this intersection. To the consultant sitting miles away the increase may seem insignificant, but to residents who must travel the area the 580% increase in blocked crossing time is unacceptable.

A supposed benefit of the proposed re-route is explained in chapter 1, pages 11 and 12 of the SWLRT-DEIS. According to the document Twin City and Western (TCW) freight trains will regularly travel north of St. Louis Park into Golden Valley, Crystal and New Hope. When the trains travel north they will have to cross Cedar Lake Road; however, no data is given for the impact of this blocked crossing.

Issues about blocked crossings not dealt with in the SWLRT-DEIS include, but are not limited to the following:

- Effects of multiple blocked crossings on residents' ability to move freely about their neighborhood
- Amount of time it takes congestion to clear once a train has passed.
 - Making turns from one street to another with backed up traffic
 - Pedestrian safety as traffic clears
- Possibility that trains will be going slower than the "worst case scenario" in the EAW – Trains often stop at McDonald's for train crews to have a break. When they resume travel they will NOT be going 10 mph.
- Medical response times can be affected
 - Narrow side streets will be blocked with waiting automobiles
 - Only one fire station has medical response
- When train volumes increase what will be done to alleviate auto traffic congestion
 - Particularly at Lake St and Library Lane which conveys all the exiting high school vehicle traffic as well as 15 or more school busses each school day at 3:10pm.

None of the mitigation requested by the City of St. Louis Park on behalf of residents such as myself is being considered. This mitigation is not frivolous; it is necessary to maintain the safety, livability and property values for the residents of St. Louis Park.

Louise Kurzeka



Shelley Fitzmaurice/Walter
Duffy <

12/31/2012 04:59 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject RE: Comments on the SWLRT DEIS

DATE: December 31, 2012

TO: Hennepin County

Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415

RE: Comments on the Southwest Transitway DEIS

Dear Project Manager:

We respectfully submit the comments and concerns regarding the SWLRT DEIS.

If you have any questions please contact us at this email address or the address noted below.

Thank-you for your consideration.

Sincerely,

Walter Duffy and Shelley Fitzmaurice

COMMENTS ON SWLRT DEIS

A. Introduction

We are long-term residents of Minneapolis who own a single-family residence on Burnham Road near the intersection of Cedar Lake Parkway and Burnham Road. We and our children frequently walk and bike in this area and, like thousands of others, appreciate and enjoy the surrounding green spaces, parkland, Cedar Lake, and the walking and biking trails that make up the historic Grand Rounds. We have lived in our home for over thirty years and have a direct interest and concern related to the decisions made in connection with building and operating the Southwest Light Rail Transit (the “SWLRT”) through the Kenilworth Corridor. The following comments focus on the 3A alternatives discussed in the Draft Environmental Impact Statement (the “DEIS”).

B. Deficiencies of the DEIS

(1) General DEIS Deficiencies

In our opinion the DEIS is alarmingly deficient in its failure to adequately address and discuss all viable alternatives for the SWLRT crossing at Cedar Lake Parkway including (i) crossing at grade, (ii) crossing on an elevated bridge, and (iii) crossing using a below grade trench or tunnel with one or more overpasses and trail configurations. The DEIS is also inadequate for its lack of a “Legal and Regulatory Analysis” for each section of the DEIS. Further, the DEIS completely ignores the MEPA and EQB Environmental Review Rules which require that an environmental review address all state environment noise standards; and the DEIS inadequately addresses mitigation measures to reduce both severe and moderate noise impacts along the SWLRT route.

(2) Recommendations for the Final EIS

(a) **Chapter 2.0 Alternatives Considered**

In the Final EIS, a section should be added to Chapter 2.0 that describes three sub alternatives within Alternative LRT 3A for the SWLRT crossing of Cedar Lake Parkway. The alternatives to be studied would be: (1) crossing at grade; (2) crossing on an elevated bridge; (3) crossing using a below grade trench with one or more overpasses and trail configurations. These three sub alternatives should then be studied in Chapter 4.0 Environmental Effects and other appropriate chapters of the Final EIS.

(b) Chapter 4.0 Environmental Effects

In the Draft EIS, Sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, and 4.10 have an analysis section titled "Legal and Regulatory Overview." Sections 4.7, 4.8, 4.9, and 4.11 do not. In the Final EIS, a Legal and Regulatory Overview analysis section should be added to those sections in which it is missing.

(c) Chapter 4.0, Section 4.7 Noise

Minnesota has a set of noise standards that are completely ignored in the Section 4.7 noise analysis. MEPA and the EQB Environmental Review Rules require that an environmental review address all state environmental standards. Therefore, the Final EIS should be supplemented by providing a complete noise analysis based on the State noise standards. This analysis should identify any areas where state noise standards will be violated and mitigation measures to eliminate the violations. Or, if effective mitigation measures are not available, then the scope of any required noise waiver should be described.

(d) Chapter 4.0, Section 4.7, Subsection 4.7.6 Long-Term Mitigation

This subsection inadequately addresses mitigation measures to reduce both severe and moderate noise impacts along the SWLRT route. Almost the entire subsection treats noise mitigation along the freight rail relocation, not the hundreds of moderate and severe noise impacts along the SWLRT route. No mitigation measures, other than Quiet Zones, are even identified. And the Quiet Zone discussion focuses on the freight rail relocation route, not the SWLRT route. In the Final EIS, all possible mitigation noise mitigation measures should be identified and evaluated for their effectiveness along the entire SWLRT route.

C. Discussion of Specific Concerns

(1) Taking of Park Board and/or Private Property:

The DEIS contains several vague comments about the "permanent use" of property owned by the Minneapolis Park and Recreation Board (the "MPRB") and private homeowners. We understand this to mean that certain properties will be taken by eminent domain. The DEIS does not specifically identify what properties would be taken but, based on conversations and information from other concerned citizens, we fear that a portion of the small beach on the southeast shores of Cedar Lake (the "Beach") is in jeopardy of being permanently taken from the MPRB to accommodate a wider Cedar Lake Parkway. For example, page 11-3 of the DEIS, with reference to the SWLRT Option 3A (no co-location), indicates four properties, including .81 acres of Cedar Lake Park might potentially be permanently used.

This Beach is a lovely place frequented by many families. Its small size makes it attractive for families of small children who live in the surrounding neighborhoods because it does not have the size or parking availability to make it a target for large crowds. It is also used as an access point for boaters who bring their kayaks and canoes to the Beach to access Cedar Lake. Taking any part of it will significantly detract from its usage and charm.

Additionally, sections of the DEIS note that under the SWLRT Option 3A-1 (which contemplates co-location of both the SWLRT and the existing freight train usage along the Kenilworth Corridor (the “Co-location Alternative”), the DEIS states that three private residences on Burnham Road would be taken. (See page 3-34 of the DEIS.) No street addresses are given but the homes are described as the first three single-family homes north of Cedar Lake Parkway along Burnham Road. Our home is the second such home. This has created a cloud of uncertainty over these homes and has put their owners in a state of limbo. Given this uncertainty it would seem unlikely that any of these homes could be sold for many years, affecting the ability of the owners of these properties to make life decisions (such as retirement, downsizing, or sale of their homesteads due to health issues or death). Additionally, it creates a disincentive for any of these homeowners to expend any monies to improve, maintain and enhance their homes while the possibility of a permanent taking remains.

We do not think that the DEIS adequately addresses any potential taking of public roads or parkland or private property, either temporarily as a result of construction, or permanently as a result of operation of the SWLRT through the Kenilworth Corridor. The final DEIS should more specifically describe any such potential taking and specifically address the environmental impact of such.

(2) Co-Location of Freight Trains:

For all the reasons noted in the DEIS, we agree that co-location of the existing freight trains with the SWLRT would not be advisable. As noted in the DEIS, and below, the SWLRT itself imposes negative environmental impacts. The Co-location Alternative only serves to exacerbate and magnify them.

(3) At-Grade Crossing of the SWLRT at Cedar Lake Parkway:

Again, for all the reasons noted in the DEIS, we agree that an at-grade crossing of the SWLRT, even without co-location, would not be advisable. Such a crossing would significantly and negatively impact the flow of traffic on Cedar Lake Parkway, which is owned by the MPRB and which is part of the historic Grand Rounds. Cedar Lake Parkway is an important connecting roadway between the Cedar Lake Park neighborhood and the Lake of the Isles neighborhood and the Calhoun Lake neighborhood. The numerous stops required by over 300 daily SWLRT estimated crossings would discourage and disrupt pedestrian, bike and vehicle passage between these neighborhoods. Additionally, it would significantly increase existing

safety concerns for pedestrian, bicyclists, and motor vehicles at this crossing. It would also contribute to significant air pollution from cars that would be idling at the crossing whenever the SWLRT was crossing.

If an at-grade crossing is still being considered as a viable alternative, the DEIS must be significantly enhanced to address safety concerns, regulations of the Federal Transportation Authority, and the increased potential for noise, air and light pollution.

(4) Comments and Concerns about the DEIS Preferred Solution:

We were encouraged that the conclusion of the DEIS was to recommend a solution that did not involve either co-location of freight trains or an at-grade crossing over Cedar Lake Parkway. However we do **not** support the solution proposed by the DEIS. Other viable alternatives should be studied and addressed in the final DEIS.

The solution endorsed by the DEIS is to construct an aerial bridge over Cedar Lake Parkway for the SWLRT and a photo was included of the type of bridge contemplated. While we were pleased to see some creative thinking on this issue, we do not believe that such a solution adequately addresses the negative environmental impacts of running the SWLRT over Cedar Lake Parkway. The DEIS does acknowledge that "Cedar Lake Parkway is a contributing element of the National Register eligible Grand Rounds Historic district" and the constructed elements of the bridge "would have a substantial impact on this historic landscape." (See, page 3-116 of the DEIS.) The DEIS goes on to state that "this issue will be addressed during "Section consultation." We believe that this issue is too important not to be further considered and addressed in the final DEIS, together with alternative solutions as discussed below that are not currently considered in the DEIS.

The proposed aerial bridge, as evidenced by the photo example at Photo 3.6-6, is a visually unattractive concrete and steel structure, inconsistent with other Grand Round bridges (such as the bridge to the north where Cedar Lake Parkway intersects with France Avenue) with no proposed architectural design or landscaping elements to enhance its visual appearance or mitigate sound and light pollution. Light rail transit trains passing over this bridge (estimated to be over 300 times within a 24 hour period), many after dark, will create noise, vibrations, and light pollution for the many residences in close proximity, including private single-family homes, townhomes, and apartment buildings on both sides of the proposed bridge, adjacent to Cedar Lake Parkway. With respect to our own home, two bedrooms will directly face the bridge and the sound and lights of all these LRT trains will significantly impact the ability to continue to use these rooms as sleeping rooms. The DEIS notes that visual impacts such as visual intrusion and privacy may be substantial "where vegetation or landscape buffers do not exist." (See page 3-117 of the DEIS.) It seems doubtful that any vegetation or landscape buffers would be possible to mitigate these effects for those residences closest to the aerial bridge

including, without limitation, our home on Burnham Road, due to the proposed height of the aerial bridge.

Based on information in the DEIS the overall height of the aerial bridge is estimated to be between 40 feet and 43 feet (which includes 18 feet for the LRT trains). This puts the LRT trains at a height that will amplify their sound and light and make them visible to residents of the neighborhood well beyond those adjacent to the SWLRT as well as to boaters and other recreational users of Cedar Lake. The height of this proposed structure may also violate the Minneapolis Shoreline Overlay Ordinance, which prohibits structures of more than 35 feet or two and a half stories above grade around the chain of lakes.

We refer you to additional and more specific comments set forth in the DEIS comments submitted by a coalition of local neighborhood associations including Cedar Isle Neighborhood Association (our neighborhood association), West Calhoun Neighborhood Association, Kenwood Isles Area Association, Calhoun-Isles Condominium Association and Cedar Lake Shores Homeowners Association (herein, the "Local Neighborhood Association Comments"). We are in agreement with most comments and specifically endorse the recommendation therein that a tunnel or trench would be a better solution to the Cedar Lake Parkway crossing.

(5) The MPRB Proposed Alternatives for the Cedar Lake Parkway Area:

We have also seen and reviewed the proposed alternatives recommended by the MPRB in its Comments on the DEIS, as discussed and illustrated in Section 9 and Appendix A to the MPRB's Comments. These alternatives are, in our opinion, vastly superior to the proposed aerial bridge. They contemplate either a cut and cover tunnel, or an open trench, to be constructed under a slightly elevated Cedar Lake Parkway. However, the environmental impacts of none of these alternatives have been addressed in the DEIS. We believe they must be seriously studied and addressed because they provide cost-effective and viable alternatives that will minimize the environmental impacts of the SWLRT at this crossing.

With respect to the MPRB alternatives, we support those that (a) do not involve any partial or complete taking of private residences, particularly those on Burnham Road (such as our own home), and (b) do not contemplate a rerouting of any biking or walking trails to the North of the proposed SWLRT. With respect to the latter, we believe one proposed MPRB alternative contemplates such a rerouting. We believe that other MPRB alternatives contemplate making trail connections that would connect the MPRB Cedar Lake Parkway existing trails to the Kenilworth existing trails which are South of the proposed SWLRT. A connection to the South would be preferable from a cost perspective (no or minimal rerouting required) and from the perspective of avoiding a rerouting that would position any new trail, or trails, too close in proximity to the single-family residences on Burnham Road.

Our preferred MPRB alternatives are those alternatives that contemplate a trench within which the SWLRT would pass, below grade, with an elevated Cedar Lake Parkway crossing over such trench. The design and construction of a trench and elevated parkway road would need to address related safety issues but we believe appropriate solutions are available. It is our opinion that an elevated Cedar Lake Parkway, with a trench for the SWLRT, would make the existing intersection of pedestrian and bike trails with the Cedar Lake Parkway significantly safer than it is today. Furthermore, running the LRT in a trench will minimize the noise of all trains, the light pollution of trains running after dark, and, possibly, even the vibration effects. This solution also better lends itself to architectural designs more consistent with the Grand Rounds and should allow more space for creative and more effective landscape and vegetative mitigation. Further, the economics of the MPRB's trench alternatives should be cost-competitive with the aerial bridge solution proposed in the DEIS.

The alternatives proposed by the MPRB contemplate a realignment of Burnham Road with access to Burnham Road shifting from the north of the existing freight rail tracks to the south of the proposed SWLRT. This would mean that three homes on Burnham Road, including our home, may have more limited access than currently, and they may need to be given a new "Park Lane" address as they will become part of that roadway. However, we find this significantly more preferable than the proposed aerial bridge in the DEIS, assuming that no realigned road, trail or track would interfere with the use and access to our home. Specifically, we would not favor any realignment that would move any road or trail closer to our house than the current alignment of Burnham Road. Any greater proximity would have negative environmental, safety and privacy impacts on our home and those of our immediate neighbors, contributing to diminished enjoyment and value.

Finally, rerouting and moving the current Burnham Road – Cedar Lake Parkway intersection would eliminate an extremely dangerous intersection. Over the forty years of residing near this intersection we have observed many accidents (and near misses) at this intersection as bicyclists follow the Cedar Lake Parkway trail and turn from the Kenilworth trail to the Cedar Lake Parkway trail at this intersection. Not only is visibility poor for motorists on Burnham Road, but many motorists on Cedar Lake Parkway ignore the "Pedestrian Crossing" and "No Left Turn" signs; and many bicyclists regularly ignore road safety rules and cross both Cedar Lake Parkway and Burnham Road without stopping, looking or providing appropriate right-of-way to pedestrians and motor vehicles. Adding either an at-grade crossing of the SWLRT, or an aerial bridge that will reduce visibility at this intersection, would make this intersection less safe and could potentially violate federal safety regulations while the MPRB proposed alternatives are designed to increase safety at this critical intersection of roads, trails, and light rail.

D. Summary

In closing, we urge that maximum consideration be given to choosing a final solution that will minimize the environmental impacts on the homes and neighborhoods that the SWLRT will travel through. We believe that better solutions have been offered by the MPRB and that those alternatives offer substantially improved solutions to the negative environmental impacts of either an at-grade crossing or the DEIS aerial bridge option offered for the SWLRT crossing of Cedar Lake Parkway.

While the SWLRT will economically benefit business and development interests in the cities of Eden Prairie and Minneapolis, we respectfully request that the governmental decision makers choose a design that will do the “least amount of harm” to the historic urban parkland, lakes, trails and neighborhoods in Minneapolis that the SWLRT will pass through, preserving the maximum benefit for both inhabitants of the affected neighborhoods and the thousands of metro-wide users of these parks, lakes and trails. The MPRB proposed alternative involving a trenched SWLRT with a raised Cedar Lake Parkway over the trench meets the criterion of creating the least amount of harm and should be addressed in the final environmental impact report.

Respectfully Submitted,

Walter Duffy and Shelley Fitzmaurice

**"Alan Winner"**

12/31/2012 05:13 PM

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Draft DEIS

I strongly support the SWLRT project, as I believe it is essential to the future economic and social welfare of suburban living and work within the Twin Cities metropolitan community.

I do not believe current plans in Eden Prairie for stations at the Southwest Station and near Technology Drive and Emerson are both viable as proposed. One or the other should have adequate pedestrian, bicycle and motor vehicle access and parking facilities to accommodate ridership. Personally, I believe condemnation of some Eaton property and at Southwest Station to add to the existing parking structure could serve this need and avoid another station at Technology and Emerson. Alternatively, the Technology and Emerson area could be realigned to the east of Costco and near Gander Mountain property to develop the necessary parking and access for pedestrians (via shuttles or pedestrian motorized covered walkways), bicycles and vehicle parking by encouraging Costco and Gander Mountain operations to allow short term parking for LRT riders (1-3 hours maximum), and omit the Southwest Station access point.

Thank You.

Alan Winner



Brian Bajema

12/31/2012 05:14 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject SW LRT Draft Environmental Impact Statement (DEIS),
comments:

We own a home on Benton Boulevard in Minneapolis with a backyard that is aligned with the Kenilworth bike path between Cedar Lake and Lake of the Isles. After reading the draft environmental-impact statement and attending meetings held by both the Cedar Isles Dean Neighborhood Association and Minneapolis Park & Recreation Board, we have several concerns surrounding the impact of the Southwest Light Rail project on our health, home, and neighborhood. Given that the preferred Southwest light-rail route would take 250+ trains per day through our neighborhood and within approximately 50 yards of our personal residence, we have concerns with respect to:

1. The health impacts on our family of having high voltage lines within such a close proximity to our residence. What studies have you done or are you planning to complete that address the short and/or long term consequences and subsequent health effects of living in such a close proximity to this type of high voltage infrastructure? Especially on children as we have a two year old.
2. The vibration associated with the construction and operation of the light rail. What are the short and long term effect(s) on the infrastructure of our home? Additionally, we have a swimming pool within 20 yards of the proposed light rail tracks and are concerned about the effects on its infrastructure as well.
3. The noise associated with the high number of trains coming through our neighborhood and within such a close proximity to our residence. Given the proposed at-grade solution, my understanding is that the trains would be required to sound their horn as they approach Cedar Lake Parkway to alert vehicle and pedestrian traffic. This would result in a significant amount of horns/whistles/bells per day given the outlined train schedule. Given my experience riding a bicycle on the Hiawatha trail and the noise that is generated by the light rail trains on this route, the noise pollution/impact this would cause in both our residence and neighborhood will be significant. I understand there is also a 42-foot-high flyover bridge that has been proposed as an alternative. This would put the light-rail tracks near eye level with our residence's main floor and would elevate the trains above our back yard taking away our privacy.
4. The light generated from the trains. With 250+ trains scheduled to run from dawn until midnight, we are concerned about the privacy and health effects associated with the light pollution in our residence and neighborhood.
5. Safety concerns of having 250+ trains per day coming through a residential neighborhood. Given the population density and traffic patterns in our neighborhood, statistically speaking there will be an elevated number of accidents and a delay in the response time of emergency services. What statistical information is available on the number of accidents and delays in the response

time of emergency personnel we should expect in our neighborhood if/when this project is approved?

□. Impact on the number of people who use the □enilworth bike path for commuting and recreation. Given the noise and safety issues of operating such a large number of trains right next to a bike path, we believe this will actually deter many people from using the bike path. Current commuters may choose to drive their vehicle to work while recreational users may choose to go elsewhere. What studies are available or will you be conducting to get accurate user feedback?

□. In order to move this project forward, we understand that the current freight traffic would have to be relocated within St. Louis Park which would negatively impact residents there, adding additional congestion to an already busy area.

□. We believe the property value of our home as well as those in the neighborhood (reducing property tax revenues) would be negatively impacted as this light-rail route would fundamentally impact the current character of our beautiful, quiet urban setting significantly diminishing our neighborhood as a desirable place to live.

In addition to the health, noise, vibration, light, safety, and financial issues, we are also concerned about how the light-rail through our neighborhood would fundamentally alter the urban green space that surrounds a highly developed residential and recreational area. There are good reasons why light rail is usually not built through highly developed residential and recreational areas. □nless our concerns and those of our neighbors are addressed, we believe a new route should be chosen. If the project cannot address the issues and/or becomes no longer economically feasible, the project should be abandoned.

Brian and Cyndi Bajema



Steven Thiel

To swcorridor@co.hennepin.mn.us

cc "<

bcc

Subject Response to the DEIS

To whom it may concern,

Attached are our comments regarding the DEIS for the SW LRT.

Steven Thiel & Jonathan Pribila

Southwest Light Rail Transit Way - Draft Environmental Impact Statement Response Letter

The Southwest Light Rail Transit Way will significantly impact the people that live along the entire length of its path, the wildlife and vegetation along the proposed route, and the people who use the bike and pedestrian paths along the tracks. The Cedar-Isles-Dean and Kenwood neighborhoods that line the Kenilworth corridor will likely experience the largest impact because the homes and parkland are in close proximity to the proposed route.

The primary purposes of the DEIS are (i) to identify the potentially significant environmental impacts of the proposed transit way, (ii) to identify and analyze the reasonable alternatives, and (iii) to identify measures that would mitigate the significant environmental impacts of the proposed project, including both the construction-related and long-term impacts.

The primary aim of this response is to minimize the impact that the light rail will have on commuters and residents along the railway as well as the surrounding wildlife and environment. The observations below relate to a failure of the DEIS to adequately assess the potential environmental impacts within the Kenilworth Corridor, particularly given its acknowledged environmental sensitivity, and to identify and recommend mitigation measures. These deficiencies should be corrected in the FEIS.

1. KENILWORTH CORRIDOR

While the DEIS recognizes that “portions of the land between Cedar Lake and Lake of the Isles are very high sensitivity,” the DEIS puts no particular focus on the Kenilworth Corridor. Instead, the environmental assessment is spread more-or-less evenly across the 15 miles of the proposed transit way (the “study area”). An exception is the Freight Rail Relocation Segment which receives much attention in terms of its potential impact on residents in St. Louis Park. This is not to fault an emphasis on the relocation analysis. It is simply to draw a contrast between the different levels of data gathering and technical analysis. Given the high sensitivity of the portions of land along the Kenilworth Corridor and the significant number of residents that will be affected, it deserves the same level of attention.

2. NOISE AND VIBRATION

The entire study area is viewed as “dominated by urban land use.” This perspective comes across particularly clearly for the Kenilworth Corridor, in direct contrast with the perspective of the Minneapolis Park and Recreation Board. The Federal Transportation Agency (FTA) noise impact criteria are based on land use and existing noise levels. The FTA has three land-use noise categories: Category 1 is for land where quiet is an essential element of its use; Category 2 are residences and buildings where people normally sleep; Category 3 are institutional land uses such as schools, libraries and churches.

The park land to the west of the Kenilworth Corridor is either shown as a Category 3 land use in the DEIS or is not characterized. The residential properties to the east and west of the Corridor are shown as Category 2. This parkland has been inappropriately characterized. The MPRB, for example, views the Kenilworth Regional Trail as an area focused on “serenity, habitat restoration, minimal development and passive recreation.” Based on the MPRB definition, the Kenilworth Corridor should be classified as Category 1 land use because it consists of “buildings or parks where quiet is an essential element of their purpose.” The noise and vibration analysis needs to be recalibrated in light of the adjacent parkland being appropriately identified as Category 1 land use.

There are also problems with the methodology used to determine noise and vibration impact. It does not appear as though any direct measurement of existing noise levels was taken within the Kenilworth Corridor. The closest location appears to be Kenilworth Place and Upton Avenue South, which is identified as being “representative of noise-sensitive land use in the Kenwood Neighborhood, away from major thoroughfares.”

Using the current, but incorrect categorization system outlined in the DEIS, 3, Within Segment A, the DEIS estimates that there are 73 moderate noise impacts and 183 severe impacts. It states that “[m]any of the impacts are due to low existing ambient noise levels combined with proximity of residential neighborhoods to the alignment and high speeds of operation.” Other impacts were associated with the warning signal use at the 21st Street station coupled with low ambient noise levels. The DEIS states that noise levels that result in a severe impact present a compelling need for mitigation. However, the DEIS does not recommend any specific mitigation measures for the Kenilworth Corridor. In fact, the only specific recommendation in the DEIS calls for the use of Quiet Zones and this is recommended only for the freight rail relocation segment in St. Louis Park.

Several options for noise mitigation need to be clearly outlined prior to FEIS. Specifically, a tunnel option in which the light rail is below the current grade through the Kenilworth corridor should be fully evaluated and included in the FEIS. The increased cost of tunneling should be thoroughly and thoughtfully evaluated relative to the substantial improvement in noise pollution between west lake station and 21st street. This short segment is narrow and extremely close to housing units. Mitigation through large berms or sound barriers, which have been used along the Hiawatha Line, are likely not going to be possible because of the very limited space available.

In addition to the housing units affected, users of the Grand Rounds bike and pedestrian trail will experience a significant change in the level of ambient noise because of the frequency of the train. The effect of increased noise on these users of the Kenilworth trail are completely omitted from the analysis in the DEIS since the Kenilworth trail was not identified as a Category 1 land use. These trails are immediately next to the rail with little or no space for mitigation. What are the plans to mitigate the noise to the recreation trails immediately adjacent to the proposed railway? Specific plans for appropriate noise mitigation need to be included in the FEIS.

Furthermore, the impact on the number of bikers and pedestrians that use the Kenilworth trail has been significantly underestimated. According to the DEIS, bicycle and pedestrian counts were performed in September (6.3.1.4). As everyone in Minneapolis knows, the bike and pedestrian trails receive much higher use during the summer months. These counts need to be obtained several times per day during the summer months to accrue data that will allow for a realistic summer time average.

3. LIGHT POLLUTION

The DEIS fails to address, in any fashion, the impact that the ambient light from the rail will have. The current freight rail adds little light to the surrounding wildlife areas and homes. The proposed light rail will run many times an hour and frequently at night. The change in ambient light levels along the Kenilworth corridor will be significant and will disrupt the serenity of the neighborhood. What are the proposed mitigation measures for this light pollution? Running the train below grade or tunneling the train through this highly sensitive area would mitigate this light pollution.

4. WILDLIFE AND NATURAL HABITAT

The perspective of the DEIS on urban-land-use is inconsistent with the fact that the DEIS identified fourteen federal or state-listed species and native plants within one mile of the proposed transit way. Ten of the species as well as native plants are found in Segment A of the transit way (primarily the Kenilworth Corridor), significantly more than are found in any other segment. From personal experience, bald eagles and peregrine falcon are routinely seen along the Kenilworth Trail. No adverse environmental impact is noted with respect to any of the ten species listed in the DEIS and there is little-to-no analysis offered in the DEIS to support this conclusion.

Moreover, the DEIS sees the habitat as typically of low quality, and states that the native habitats are mostly concentrated in areas other than the Kenilworth Corridor. The DEIS claims that only 2.5% of Segment A is said to have native habitat. While this may be technically true, it vastly underestimates the area of vegetation and woodlands adjacent to the proposed route. In addition, by the DEIS' own claim, within 1 mile of the proposed route, Segment A contains tamarack swamp and a bat colony which are

considered high quality or unique natural communities. No mitigation is proposed for the effect of the light rail on these unique communities.

The DEIS does note that increased habitat fragmentation “could be expected from the construction of required safety/security barriers to separate the light rail tracks from adjacent bicycle/pedestrian trails,” which could be mitigated “through the use of wildlife underpasses.” This is one of the few specific mitigation measures proposed in the DEIS, and seems to run counter to the determination that there is little to mitigate.

5. KENILWORTH CHANNEL AND BRIDGE

The historic water connection between Cedar Lake and Lake of the Isles remains a defining characteristic of the Minneapolis Chain of Lakes Regional Park. The 1913 Kenilworth Channel is part of the Grand Rounds Historic District that is eligible for the National Register of Historic Places. It is critical to preserve the historic nature of the Channel.

In addition, The Kenilworth Channel was central to creating the Minneapolis Chain of Lakes and provides a critical connection between Cedar Lake and Lake of the Isles. Trail access is necessary for people as is year-round channel access for both people and wildlife. It is also a critical link in the City of Lakes Loppet (winter ski race) and City of Lake Tri-Loppet.

According to the DEIS (3.6.3.3) ...the bridge design, bank treatment, and aesthetics for the new facility and the potential replacement or modification of the existing pedestrian bridge would have a substantial effect on this historic landscape... In addition, (3.4.5.3)...Potential long-term effects may occur at the following properties: Kenilworth Lagoon/Channel, Grand Rounds (potential effects of the construction of new bridge structures within the historic district; the design and footprint of these structures may affect the banks of the historic channel and may affect the district's overall feeling and setting). While the DEIS notes that these issues will be addressed during preliminary engineering, it is essential that the historic nature of the channel and recreational access between the Lake of Isles and Cedar Lake must be maintained.

Few measures are proposed to mitigate the potential adverse environmental impacts of the project, and nearly none that are of a specific nature. For example, the DEIS notes that “[t]he impact of replacing an existing bridge over the channel that connects Cedar Lake and Kenilworth Lagoon could be substantial because of sensitive receptors traveling the lagoon.” This has a significant impact on several aquatic federally and state listed species including the Black Sandshell (mollusk), Pugnose Shiner (fish), and Least Darter (fish). Despite identifying these concerns, the DEIS offers no specific mitigation measures.

In addition, by the DEIS' own account, the area between Cedar Lake and Lake of the Isles is considered a zone of very high sensitivity to pollution of the water table system. The current bridge is constructed of creosote soaked wood pylons. Creosote is a known carcinogen and its use is monitored by the Environmental Protection Agency. Will the necessary reconstruction of this bridge address the creosote pylons that extend into the canal connecting Cedar Lake and Lake of the Isles?

No mitigation measures are set out in the DEIS to address these concerns. Instead, the bridge design, bank treatment and aesthetics for the new bridge are to be addressed later, *after* the Final Environmental Impact Statement (FEIS) has been approved. These need to be addressed prior to the FEIS and need to minimize the affect on water pollution and these federally and state listed aquatic life.

6. INDIRECT EFFECTS OF LTR

The DEIS is required to analyze the cumulative impact of reasonably foreseeable future developments. This is also true for the potential indirect effects that may occur in the future. For example, the stated intent of LRT stations is to precipitate development on nearby property. The environmental effects of that future development, when added to the impact of the LRT, may have a significant environmental impact. However, no analysis of the potential cumulative or indirect effects of the Southwest LRT within the

Kenilworth Corridor was conducted. Instead, it is simply stated that those effects could be controlled by existing regulations, primarily those of the City.

7. CEDAR LAKE PARKWAY INTERSECTION

LRT BRIDGE OPTION

The intersection of cedar lake parkway and the proposed light rail transit way are a source of significant controversy and represent significant safety issues for the vehicular traffic on Cedar Lake Parkway and bike and pedestrian traffic on the pathways. For these reasons the intersection of the proposed transit way and Cedar Lake Parkway needs to be carefully considered.

The DEIS acknowledges that the proposed LRT bridge over Cedar Lake Parkway (CLP) “would have a substantial [visual] impact on this historic landscape.” A similar long-term architectural impact is acknowledged. However, further consideration of these impacts is deferred to the “Section 106 consultation process.” This is a federally-mandated collaboration process. The City and MPRB are parties to the process. Any resolution of the bridge proposal is likely to occur after the approval of the FEIS.

Separate from these acknowledgements, Cedar Lake Parkway (CLP) is a part of the Grand Rounds Historic District, which is eligible for the National Register of Historic Properties(NLRP). Because of Cedar Lake Parkway’s eligibility for the NRHP and because the SW LRT project has and will receive federal funding, the DEIS identifies Cedar Lake Parkway as a “property” under Section 4(f) of the U.S. Department of Transportation Act of 1966. Section 4(f) is intended to prevent the conversion of historic sites, parks, recreation areas and wildlife and waterfowl refuges to transportation uses, except under certain limited circumstances. For purposes of Section 4(f), the prohibition applies whenever the protected property is directly incorporated into a project or the project is so proximate to a protected property that it results in an impact that causes substantial impairment to the property’s use or enjoyment (so-called “constructive use”). Substantial impairment occurs when the protected attributes of the property are substantially diminished. Exceptions to the prohibition arise when there is no feasible and prudent alternative. This is clearly not the case since the DEIS discussed several other alternate routes that do not disrupt the Grand Rounds Historic District.

For an unstated reason(s), the DEIS concludes that the proposed LRT overpass is neither a direct or constructive use of the historic attributes of Cedar Lake Parkway. Therefore, the DEIS finds that there is no Section 4(f) prohibition applicable to the construction of the bridge. The DEIS contains no analysis of the proposed bridge’s *proximity* to park property as an independent basis for identification as a constructive use under Section 4(f). The explicit reason(s) as to why the proposed LRT overpass is neither a direct or constructive use of the historic Cedar Lake Parkway must be clearly identified and explained in the FEIS.

Further, the DEIS does not make any assessment of the potential noise impact of elevating the transit way nor the visual intrusion of the elevated transit way to nearby residents or to bike/pedestrian trail users. This needs to be fully evaluated in the FEIS. It is also unclear whether the proposed bridge would violate Minneapolis’ shoreline ordinance restricting the height of permanent structures close the city’s lakes. This needs to be addressed in the FEIS

Finally, the DEIS has no analysis of potential measures to mitigate the visual and noise impact caused by trains traveling across the proposed overpass. Clear mitigation measures need to be fully detailed in the FEIS.

AT GRADE CROSSING OPTION

The intersection of Cedar Lake Parkway and the Kenilworth Trailway is heavily travelled by both cars, pedestrians, and cyclists. This creates two problems: 1. Safety for all users of the intersection. 2. Traffic delays. The DEIS acknowledges the problems with a grade crossing and have proposed a grade separated crossing as an alternative.

In 2011, according to the Metropolitan Council's annual visit estimates, Kenilworth Regional Trail had approximately 624,400 visits and the Chain of Lakes Regional Park had 5,122,900 visits. This is significantly higher than the DEIS estimates. Once again, extrapolating bike usage for a 2 hour period in September, fails to reflect the extremely high usage that the trail receives in the summer. This intersection, particularly in the peak of summer, is already very dangerous and has resulted in a number of accidents.

Cedar Lake Parkway is heavily travelled particularly at rush hour. It represents one of three ways out of the Cedar Isles Dean Neighborhood and the most direct west exit from the neighborhood. Lake of the Isles and Dean Parkway are the only other options. Given the high degree of pedestrian and vehicular traffic, this intersection is already dangerous and in the summer can result in significant delays. In fact, the DEIS estimates that it will degrade the intersection to a D, E or F status. South of the intersection, traffic would likely back up along the west end of Cedar Lake Parkway and extend on to Dean Parkway. It would block the vehicular traffic exiting Benton Blvd and limit access to the Excelsior Blvd. North of the intersection, it would also limit access to Burnham Road. Further, such impacts are inconsistent with one of the basic design characteristics of the Grand Rounds: a continuous recreational driving experience. Please see the above discussion of Section of 4(F) prohibition of direct or constructive use of the historic attributes of Cedar Lake Parkway.

A grade crossing would also increase the noise and air pollution at this intersection due to the high frequency of trains that will cross here. For an at-grade crossing, high levels of track, bell, and whistle noise would significantly diminish the quality of experience in adjacent parkland and along the trails. Frequent traffic delays for train crossings are expected to diminish air quality for park and trail users.

The frequent closing of the intersection would cause significant delays in fire, police, and emergency medical response to residences, park facilities, and beaches. Given the limited numbers of ways in and out of the Cedar Isles Dean neighborhood, this could significantly limit access of emergency services to these residents. In addition, due to the proximity of South Cedar Lake Beach, timely emergency medical access across this intersection is critical.

The effects of adding LRT into this intersection would result in frequent delays for parkway and trail users along Cedar Lake Parkway, and create visual obstructions. Both of these impacts would significantly diminish the quality of experience for parkway, park, and trail users. Further, such impacts are inconsistent with one of the basic design characteristics of the Historic Grand Rounds: a continuous recreational driving experience.

TUNNELING TRENCHING OPTION

The DEIS acknowledges that there are fundamental safety, vehicular and pedestrian traffic concerns with an at grade crossing at Cedar Lake Parkway. The MPRB has recommended tunneling or trenching the transit way underneath the Parkway. While the MPRB did conduct a preliminary assessment of a trenched LRT underpass, no reference was made to a below grade crossing in the DEIS. In fact, the DEIS does not even mention tunneling or trenching the transit way. Tunneling or trenching the transit way is a very valid alternative and one generally favored by the residents of the Cedar Isles Dean neighborhood who would be primarily affected by the proposed light rail.

For the above reasons, the "adequacy" of the analysis and conclusions in the DEIS relating to the proposed Cedar Lake Parkway is severely lacking.

8. 21st STREET STATION

The DEIS identifies the 21st Station as a "park and ride" site with parking for 100 vehicles and 1000 daily LRT boardings. There was no assessment of the traffic flow associated with parking at the site. Nor was

there a site plan showing the location of the parking lot. Both of these issues need to be addressed in the FEIS.

The MPRB believes that the western most track is on park land adjacent the proposed station. If this is true, the DEIS needs to conduct a Section 4(f) analysis regarding the use of park land. No such analysis has been undertaken. The DEIS does state that the land ownership adjacent the station is complicated and that additional survey work may be necessary.

Separate from the track location, the proposed station and associated parking lot could constitute a constructive use of the adjacent park land. The DEIS does not address this issue specifically. Instead, the DEIS makes a general statement that there are no constructive uses of Section 4(f) protected property within the Kenilworth Corridor. If Section 4(f) does apply, a feasible and prudent alternative is to forgo the station entirely or at least the parking component.

In addition, no analysis was conducted as to whether the proposed station and parking lot would comply with the requirements of the City's Shoreland Overlay District, particularly those governing storm water runoff and point and non-point source discharges of pollutants.

The DEIS acknowledges that the implementation of LRT service and stations along Segment A (mostly the Kenilworth Corridor) "would likely result in some land use change surrounding the stations..." No assessment was done of the cumulative impact of those changes nor was any mitigation proposed to protect the natural character of the area surrounding the proposed station. The City/HCRRA Design Team recommended only minimum infrastructure at the 21st Street station with no development at all on adjacent property. This recommendation is not included in the DEIS as a mitigation measure.

In conclusion, the DEIS addresses several specific environmental and economic impacts of the Southwest Light Rail. However, it fails to recognize that the proposed Southwest LTR will fundamentally change the character of the Kenilworth corridor. Most of the residents chose to live here because of the privacy, the park-like setting, and the proximity to nature and recreation trails. The DEIS assumes that the Kenilworth corridor is dominated by urban land use because of the presence of the freight train but it fails to recognize the significant impact that conversion to light rail traveling over 200 times a day at speeds of 50 miles an hour would have. While the DEIS begins to address some of these concerns, it is severely flawed and does not adequately address protecting the environment (Goal 3, DEIS) and preserving and protecting the quality of life (Goal 4, DEIS) along the Kenilworth Trail. There are flaws in the assumptions made within the DEIS, the methodology used to determine the environmental impact, and most profoundly in the lack of specific mitigation proposed for all of the areas of environmental concern.

Thank you for allowing us to submit our comments. We look forward to hearing your response to each of these concerns.

Jonathan Pribila and Steven Thiel



"Irene Elkins"

12/31/2012 05:21 PM

Please respond to

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Please consider my comment below re: DEIS for SWLRT project

To Whom it May Concern at Hennepin County Housing, Community Works and Transit:

As a resident of St. Louis Park, I am contacting you about a subject of great concern: the proposed freight rail reroute through St. Louis Park to make room for the SWLRT project in the Kenilworth Corridor. While I understand the desire not to lose federal funding for light rail transit, **the DEIS does not take seriously the enormously negative impact the reroute could have on the quality of life in St. Louis Park, nor is the amount or feasibility of mitigation fully taken into account.** Although it doesn't appear that the tracks in my neighborhood would be directly affected by the reroute, for those who would be, I can't imagine there's much that could be done to properly mitigate around the very narrow corridor surrounding the tracks, unless it involved buying many homes, since few people would be able to sell under those circumstances or recoup their home's former value. **There are also significant errors in the DEIS**, which indicates that Cedar Lake Parkland can't be used for transit co-location without violating Federal environmental laws, yet county land records show that the current Kenilworth freight rail line already lies in the parkland in question.

Frankly, it's hard not to wonder if the "colocation" alternative to the reroute is not receiving sufficient consideration because the more affluent areas around the Kenilworth Corridor are being given preferential treatment. Purchasing homes or businesses around the "pinchpoint" in the Kenilworth Corridor so that freight rail and light rail could coexist in that much more appropriate space would seem to have an impact on far fewer people than rerouting the trains. Dave McKenzie, a consultant hired by the St. Louis Park City Council, thought it was possible to co-locate both freight and light rail in the Kenilworth corridor. If that's somehow not viable, surely there's another solution that wouldn't be so damaging to the quality of life in SLP than the proposed reroute, but there's a strong sense among residents paying attention to this issue that other solutions aren't being seriously considered.

Finally, I can't believe anyone who's spent much time near St. Louis Park High School and seen where those tracks are located (very close to school entrances/exits) would believe that it's safe to reroute a bunch of fast-moving trains past the only public high school in St. Louis Park. Having a lot of train traffic run so close to the high school would also greatly interfere with the learning environment, as my 11th grade daughter has said that everything tends to stop when a train goes by, but now that happens only twice a day at most, and the trains are short and slow-moving. Rerouting would also create a real traffic bottleneck, around the high school, limiting its accessibility, were trains to go through frequently.

As appealing as the idea of having light rail may seem, **if it greatly damages the desirability of living in St. Louis Park or elsewhere in Hennepin county, I think that Hennepin County officials will be doing a huge disservice to the communities they serve.** Thanks you for considering my point of view.

Sincerely,
Irene Elkins

**Marnie Jacobsen**

12/31/2012 05:33 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject DEIS Public Comment

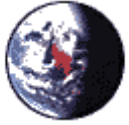
I strongly support the Kenwood Isles Area Association response to the SW Transitway DEIS.

I have thought the whole idea of running the line through this area is terribly misguided, and the idea of a station near the narrow, winding streets of this residential neighborhood makes no sense to me. I think there will be relatively few passengers & great disturbance, not to mention the increased safety issues that already are a big concern near Hidden Beach.

I live very close to the current rail line, & I also frequently use the Kenilworth Bike trail. I am especially concerned with the impact of noisy trains running at all hours and the destruction of the naturalness of the area. I find it terribly depressing even to contemplate.

I urge the highest level of mitigation be performed so that this neighborhood is not destroyed.

Marnie Jacobsen



Lori Schmeling

12/31/2012 05:33 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject SW Light rail

We are deeply concerned about the noise, vibration and pollution of the SW light rail system. We know the city needs a light rail system for it's future growth. Our concern is the negative impact building a bridge would have in an area of the city that has natural landscape and beauty. The city has chosen the least expensive option instead of the routes which were more populated assuring higher usage of the system. Worse, it seems there is no concern of the environmental impact along the proposed route.

Part of what makes our city unique is it's parks, paths and natural beauty. If the city refuses to change the current proposed route, then we strongly believe a tunnel is the best option at this intersection, not only for environmental reasons, but to uphold the beauty and integrity of our city!

Sincerely,

Lori and David Schmeling



12/31/2012 07:43 PM

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Please reconsider segment

Please reconsider the proposed SW LR route on how it should enter Mpls and go downtown.

The current proposal has several elements that should sway the decision to use the greenway or other path and not go through Cedar Lake/Kenwood.

The Regional Parkland has been so successful that adding the LRT will hurt the use and enjoyment of the area.

Having 250 trains go by each day is going to decrease the value and tax revenue of a very profitable neighborhood for Mpls.

Either a fly-over bridge or a tunnel at the Cedar Lake Parkway would be extremely expensive and will not add to rider-ship.

The placement of a station at W. 21st street is ridiculous at best, mind boggling to say the least. How many riders will it pick up and where will those cars park???

The Excelsior/ Lake St area is already over used and can not handle any more traffic. We have lived in this neighborhood for over 35 years and the back-up on Highway 25 (aka Hiway 7) going east and Lake St going west is significant currently. More riders, and thus parkers, will make this a horrible area. This will take away from the value of the properties, the revenue of the stores in Calhoun Commons and Calhoun Village.

There are much more densely populated areas and more diverse incomes if the route would go through the midtown greenway.

Please reconsider with an open mind the true cost of destroying the regional park, the Cedar Lake beach area and the stations at areas that can not support the parking of cars at the level needed to make the line successful. Please look at how much more good it would do to use the next alternative route through the greenway!!!!

Some say this decision has already been made, but I am hopeful that the bright minds of those working on this project will look carefully at the true and long term soft costs of running the line through Cedar Lake area.

Thank you for your time.
Nora Whiteman



Elizabeth Kilburg

12/31/2012 08:26 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject SWLRT

We have been long-term supporters of public transit and welcome our community's development of LRT connections of the suburban metropolitan area and the Minneapolis core.

As residents of the Cedar Isles Dean neighborhood, we have an interest in the proposed SouthWest LRT. In particular we have concerns about the intersection of the light rail track and Cedar Lake Parkway. The current rail crossing in conjunction with the Grand Round bike and pedestrian pathway, as well as the parkway, already presents a dangerous confluence of traffic. The addition of the number of LRT crossings that you propose will make this intersection far too congested and a tragedy waiting to happen. We have also seen the proposed overpass, which is visually offensive and would be a major eyesore to the historic Grand Round, the gem of Minneapolis. The lakes and the connecting lagoon as well as the Grand Round are prized and heavily used by the citizens of Minneapolis and the entire metropolitan area.

We feel that the overpass is an unacceptable option aesthetically and the at-grade crossing is dangerous. We have had the opportunity to review the Minneapolis Park Board's response and their proposal for a below-grade crossing. The option that is safe, seemingly not more expensive, and the least destructive of the historic Grand Round, Cedar Lake, and surrounding parkland is without question below grade with either a trench or tunnel.

Elizabeth Kilburg

Louisa Castner



Doreen Pearson

>

12/31/2012 09:19 PM

To "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Comment on DEIS SWLRT

From:

Doreen Pearson

To whom it may concern,

In understanding what I do know about the SWLRT it appears the processes followed by our own Hennepin County Commission has been flawed in the very least, corrupt is probably more accurate. I won't bore you with the facts as many comments have already detailed them better than I could.

My concern is the re-routing of large freight rail from the Kenilworth corridor, where they currently operate, to a small rail line here in St. Louis Park. This little rail line operating on average of 8-10 car trains 3 to 5 times a day going less than 15 mph is currently what we know and accept. We already have a concern for our schools near the rail line (5) with the current rail. To think that freight rail 10 times the size is even being considered is ludicrous. There are many more negative impacts to our community, as in homes near the tracks, our local merchants affected, decline in value of homes and business's, and safety. Albeit mitigation is not there, it should be, this re-route should not be an option. Period.

While sitting in at a session in the government building downtown Minneapolis two elderly gentlemen spoke that they thought the current SWLRT is not looking to the future. This thinking has some merit. It appears the current SWLRT is only for the business commuter, from Eden Prairie to downtown Minneapolis there are no stops of places of interest only stops for commuters. The negative impact on the environment clearly out weighs the positive of SWLRT as is currently designed.

It would be most beneficial to bring this back to the drawing board.

Kind regards,
Doreen



Karen Hroma

12/31/2012 10:06 PM

Please respond to
Karen HromaTo "swcorridor@co.hennepin.mn.us"
<swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Southwest LRT - Public Process - Chapter 12 DEIS

Chapter 12 shows Hennepin County's biggest failure – the deliberate exclusion of the freight issue from the entire DEIS scoping period and LPA selection process. Chapter 12 discusses 57 events and various other attempts to involve the public. You will see that the public concerned with the freight issue was deliberately excluded from the process at every single one of these 57 community events/meetings. It is necessary that the LPA discussion be reopened to allow public input.

CHAPTER 12 – PUBLIC AGENCY COORDINATION AND COMMENTS:

12.1.1

The statement is made that the public and agency involvement process has been open and inclusive to provide the opportunity for interested parties to be involved in planning. Stakeholders had an opportunity to review and comment on the analysis and results at major milestones reached during the course of the study. The program was conducted in a manner consistent with National Environmental Policy Act (NEPA) and Section 106 regulations.. This statement is completely false considering the public concerned about the freight rail re-route issue.

NEPA 1500.2(d) states that the leading agency must encourage and facilitate public involvement in decisions which affect the quality of the human environment.. This regulation was clearly ignored in regards to the potential freight rail re-route issue. Hennepin County did not encourage and facilitate public involvement concerning this issue. Hennepin County did not allow the opportunity to review and comment on the analysis and results at major milestones reached. In fact, Hennepin County refused attempts for public comments and concerns regarding the freight rail issue at all of the outreach meetings prior to September 2, 2011. This included major milestone including the selection of the LPA. Because of the deliberate exclusion of the freight issue, the LPA selection process must be reopened and reexamined allowing public input to become part of the process.

12.1.1.2

CAC Process – After the proposed re-route was added to the SWLRT project Safety in the Park was added to the Community Advisory Committee of the SWLRT. The CAC group had a reputation of being well run, open minded and inclusive. Our wish was to explain that our opposition to the re-route is not (as has been heralded by the county) to be anti-LRT. We wanted it known that our concern is simply that our county and state governments are misusing a piece of infrastructure and in doing so creating an unlivable, unsafe

environment for a significant segment of the population.

Instead of listening to our concerns the leadership of the CAC committee took the highly unusual step of changing the CAC Charter that had just been accepted by the committee. The original charter allowed for alternate members to take part in meetings as long as the leadership was notified in advance of the alternates attendance. (Appendix 12) The new charter rescinded the rights of alternates. Making it impossible for residents to be adequately represented.

12.1.1.4

Table 12.1–1 lists meetings of 42 Neighborhood, community and business groups where Southwest Transitway information was presented. The discussion of the freight issue was deliberately excluded from all 42 of these events.

12.1.1.5

Since the DEIS was launched, three additions of the Southwest Newsline were published and distributed. The freight issue was deliberately excluded from all three publications.

12.1.1.6

Table 12.1–2 lists 15 community events where staff attended southwest materials were distributed. The opportunity to learn about the freight issue or discuss the freight issue was deliberately excluded from every one of these 15 community events.

12.1.1.8

Information about the freight issue was deliberately excluded from the southwesttransitway.org website prior to Sept, 2011.

12.1.2

None of the articles on SW LRT listed in Table 12.1–4 included the freight issue. Table 12.1–5 lists media outlets contacted to run stories about the SW LRT project. None of the media outlets were contacted by project staff and asked to run a story about the freight issue.

12.1.3

Twenty–five public meetings and open houses were held at locations within the Southwest Transitway project corridor to provide information to affected and interested communities and parties. The primary purpose of these meetings was to inform of the public about the study's process and to give all interested parties an opportunity to provide input, comments, and suggestions regarding the study process and results. The opportunity to provide input, comments and suggestions regarding the freight issue was deliberately excluded from each and every one of these 25 meetings.

12.1.3.1

The scoping process is designed to inform the public, interest groups, affected tribes, and government agencies of the Draft EIS and to present the following items for comment:

1. Purpose and need for the project;
2. Alternatives to be studied; and
3. Potential social, economic, environmental, and transportation impacts to be evaluated.

The freight issue is the most controversial issue of the SW LRT project. The freight issue has the greatest potential social, economic and environments negative impacts yet it was not included during the vast majority of the SW LRT scoping process. The freight issue was deliberately excluded after multiple requests to include it in the scoping process. A specific and formal request from the City of St. Louis Park was made on October 14, 2008 to include the freight issue under the scope of the SWLRT DEIS. (Appendix 12.1) The St. Louis Park Public Board of Education made a similar request on November 3, 2008. (See Appendix 12.1) The NEPA Implementation Office of Enforcement and Compliance Assurance wrote a letter dated November 6, 2008 that stated the impacts and contributions to the existing transportation network including freight/industrial, automotive, pedestrian, and bicycle modes should be fully presented in the DEIS..(Appendix 12.3) Despite all of these requests, the freight issue was denied inclusion in the DEIS scope prior to Sept 2, 2011. The reason for this exclusion is unknown and not published in the DEIS.

12.1.3.2

The discussion of the freight issue was deliberately excluded from all three of the open houses held on May 18, 2010, May 19, 2010 and May 20, 2010.

12.1.5

The only opportunity the public was given by Hennepin County to discuss the freight rail re-route was at the PMT meetings discussed in section 12.1.5. However, any discussion of possible alternatives to the re-route (co-location) or the freight re-route's connection with SWLRT was strictly forbidden at these PMT meetings. In addition, the vast majority of PMT members and St. Louis Park community were not satisfied with the PMT process. The last PMT meeting included a public open house where over 100 St. Louis Park citizens attended and expressed their outrage regarding the PMT process. The comments made at the open house need to be part of the DEIS since the freight issue was excluded from all other opportunities for public input. The open house can be viewed at <http://vimeo.com/17945966>

The following are comments made by PMT members to provide an overview of the severe shortcomings of the PMT process.

Kathryn Kottke (Bronx Park): .The 'process' was very frustrating because the questions I asked were not answered. In addition, during the open session residents were allowed to ask questions, but they were openly ignored; at some points, Jeanne Witzig, who facilitated

the meetings, would simply respond, 'Next?' after residents had asked a question. Any discussions about SW LRT or possible alternatives to the reroute were not not allowed.

.Perhaps most frustrating was that we were asked to list our mitigation requests, but when the engineers had completed their work, they not only ignored every single mitigation request we had made, but they added mitigation we openly rejected such as a quiet zone by the high school and the closure of the 29th street at-grade crossing. Instead of making the reroute safer, Kimley-Horn planned for welded rails that would enable trains to run faster through a very narrow corridor..

Karen Hroma (Birchwood Neighborhood): .The PMT meetings were held only so Hennepin County can check a box and claim that they gathered .public input.. The experience was frustrating and insulting. Several questions of mine went unanswered. None of the Birchwood residents' mitigation requests were given consideration. In fact, quite the opposite happened. Although the Birchwood residents very specifically asked that the 29th Street intersection remain open, the PMT concluded that the 29th Street be closed and that is was considered .mitigation.. When the PMT wanted to discuss possible alternatives to the re-route we were told that this was not the appropriate time or venue to discuss..

Marc Berg (Birchwood Neighborhood):

Jake Spano (Brooklawns Neighborhood Representative) and current St. Louis Park Council Member): .I do not support increasing freight rail traffic through St. Louis Park or the rerouting of freight rail traffic North through the city until it has been proven that there is no other viable route. To do this, we need objective, honest assessments and an acceptance of mitigation requests by the people of the St. Louis Park. What was presented during the Project Management Team (PMT) process was lacking in all three of these areas..

Claudia Johnston (City of St. Louis Park Planning Commission): .PMT meetings were conducted to get input from cities, residents and businesses impacted by the SWLR and rerouting freight. The document that was produced from those meetings . the EAW . completely ignored the input of those stakeholders. Therefore the conclusion is that Hennepin County never had any serious intention of working with those stakeholders and used that process to complete one of their required goals which was to conduct public meetings. Hennepin County has continued to withhold information from public authorities like the Met Council, Regional Rail Authority and the FTA by producing documents like the EAW and the DEIS that contain false information..

Lynne Carper (Lake Forest Neighborhood):

Kandi Arries (Lenox Neighborhood): .I participated in the PMT as a concerned resident of Lenox neighborhood. The PMT was 'pitched' as a chance to problem solve and discuss issues openly. It became apparent though that the PMT was a poster child for government decisions that are made at the top, regardless of the input of the residents and the people

impacted. Questions were asked by residents during the open forum but no answers were given. Input was given to the consultant staff by PMT members but responses were rare, if at all. Major changes were implemented by the county and the engineer– the lose of the southern connection and change of the cedar lake bike trail to a bridge. These changes were just implemented without the input of the members. The PMT was the forcing of the county wishes regardless of the resident concerns. Shameful..

Jeremy Anderson (Lenox Neighborhood): "I participated in the PMT meetings as a representative--along with Kandi Arries--of the Lenox neighborhood. Together, we solicited many pages of comments and suggestions for remediation, and submitted that information to the County. Everything we submitted was summarily ignored. At every turn, the County pretended that the changes THEY wanted were the ones which we had submitted, and that we had never submitted any suggestions. When questions were asked, the answer given by the representatives of the county was: 'this meeting is not to address that question.' -- it didn't matter WHAT the question was. My time was wasted, every citizen who attended had their time wasted, and the County wasted a significant amount of money on a consultant who did nothing other than look confused or defer to a representative of the county. I have never experienced anything so frustrating in my years of dealing with government at all levels. I have learned from this process that Hennepin County does what Hennepin County wishes, regardless of what the citizens say. I would expect government like this in a Monarchy, an Oligarchy, or some sort of despotic Dictatorship. Behavior such as this from a supposedly representative government is absurd, shameful, and should not in any way be encouraged. The irregularities around the EAW and DEIS are so massive, so coordinated and so mind-boggling as to suggest fraud and graft on a quite noticeable scale. The County has continually dodged funding questions, and whenever a number is suggested which looked unfavorable to the freight reroute, that number has magically been declared a typo at a later date. It is my suspicion that if the proposal were shown to violate several of Newton's Laws, that Hennepin County would declare that Newton had been incorrect in his fundamental discovery."

Lois Zander (Sorenson Neighborhood): .As a member of the PMT and representative of the Sorensen Neighborhood, I was able to see first hand how the public process was manipulated to make it look as though our neighborhood concerns were actually going to be considered in making a determination about the re-route. Prior to the meetings, PMT representatives were asked to get input from their neighborhoods regarding mitigation, should the reroute go through St Louis Park. In good faith, a neighborhood meeting was called and a list of concerns and possible mitigations was put together. This process put me in the position of getting our hopes up that our position would be heard, just to be dashed when exactly zero mitigations were revealed in the final document. I then needed to go back to my neighbors with this unhappy news and an explanation as to why I bothered them in the first place.

.During PMT meetings, faulty results were given as proof we needed no mitigation for

vibration, noise and safety. For example: an "expert" took a reading next to the current small train as it passed along the MN&S. He had beautiful charts and graphs all proving the noise was below any level of concern and therefore did not need to be mitigated. This certainly does not represent the noise of the mile long 2 or 3 engine train which will be passing through our neighborhood and by our schools. The same ploy was used to prove to that vibration would not be a concern to our homes and schools. Do they take us for fools? This is a waste of taxpayer money and an insult to all of us who worked in good faith at our meetings.

.When we raised safety concerns about students being on the tracks going to the football field or to lunch, we were told the trains cannot stop and if someone were killed it would be their fault for trespassing. Students will still be at risk simply by walking across a sidewalk crossing and there they will not be trespassing.

.I was extremely disappointed to find that the SWLRT-DEIS was also a sham. Instead of a new study, the same faulty results were once again used to disprove our need for mitigation or colocation. Even though studies have clearly shown the MN&S is not suitable for the reroute and that co-location is a cheaper and more viable alternative, the powers that be inexplicably insist on going through on the MN&S in St Louis Park.

.We do not want this hideous reroute through the middle of our city for which we have worked so hard to gain model city status as a top 100 city in the country to live. We are very disappointed by this process, which took so much of our time and energy, and we will continue to fight this egregious 'mistake'..

Joe LaPray (Sorenson Neighborhood) and Jami LaPray (Safety in the Park): .Almost fifteen years ago we got involved in the effort to stop the proposed freight rail re-route. We started small, writing letters to our elected officials and commenting during the scoping of the SWLRT. Each time we commented we were ignored or told the relocation of freight will make someone else's life easier. We vowed to continue to work toward a resolution that would not cost us our safety and home.

.When the PMT was formed we both volunteered to take part. The idea that we might finally be heard was wonderful. We were told the PMT members would have input on the design of the proposed re-route . We believed that even if we did not get everything we wanted, at least our ideas would be part of the design and life would be better for all of St. Louis Park. From the beginning this was not the case. Questions we asked either went unanswered or if answered after weeks of waiting the answers were cursory. We were told during the August 26, 2010 PMT meeting where in the process mitigation would be discussed and considered. In good faith we worked hard to reach out to our neighbors and compile a list that was not frivolous (we wanted things like bushes and sound barriers) we submitted that list to Kimley-Horn the engineering firm writing the EAW. When the EAW was finally published the list we worked hard to compile was not even a footnote in the EAW document.

.Other information gleaned during the PMT process that is pertinent to our concern was also left out of the EAW document and subsequently left out of the SWLRT-DEIS. For Example: during one of the meetings, Joseph asked, Bob Suko General Manager of the TC&W Railroad a question about the ability of a loaded unit train to stop should an obstacle be in an intersection near the Dakota and Library Lane intersections. The answer was .no. they could not stop.

.In the end it can only be concluded that the PMT process was designed to fulfill the duty of government agency to hold public meetings. Nothing else came from the process..

Thom Miller (Safety in the Park): .The entire PMT process was clearly not designed for public input, but rather for the county 'check the box' that they had held public meetings. Each meeting included a rather heated exchange between the facilitators and members on the re-route issue because the facilitators tried to shut down any such discussion..

The DEIS fails to mention the 2011 April 17 and 28 freight re-route listening sessions that were held by the city of St. Louis Park. Hundreds of St. Louis Park residents voiced their opposition to the freight reroute. Those comments should be included as part of the DEIS. These comments are especially valuable considering the freight issue discussion was excluded from the DEIS scoping process. Video of the listening sessions can be found at <http://vimeo.com/23005381> and <http://vimeo.com/23047057>.

12.2.1

SATETEA-LU Section 6002 states:

.'(1) PARTICIPATION- As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in defining the purpose and need for a project.

.'(4) ALTERNATIVES ANALYSIS-

.'(A) PARTICIPATION- As early as practicable during the environmental review process, the lead agency shall provide an opportunity for involvement by participating agencies and the public in determining the range of alternatives to be considered for a project.

.'(B) RANGE OF ALTERNATIVES- Following participation under paragraph (1), the lead agency shall determine the range of alternatives for consideration in any document which the lead agency is responsible for preparing for the project.

.'(C) METHODOLOGIES- The lead agency also shall determine, in collaboration with participating agencies at appropriate times during the study process, the methodologies to be used and the level of detail required in the analysis of each alternative for a project.

.'(D) PREFERRED ALTERNATIVE- At the discretion of the lead agency, the preferred alternative for a project, after being identified, may be developed to a higher level of detail than other alternatives in order to facilitate the development of mitigation measures or

concurrent compliance with other applicable laws if the lead agency determines that the development of such higher level of detail will not prevent the lead agency from making an impartial decision as to whether to accept another alternative which is being considered in the environmental review process..

Hennepin County purposely kept the freight issue out of the SW LRT scope despite multiple requests from the City of St. Louis Park, the City of St. Louis Park School Board and the public. They clearly were not following the SAFETEA-LU directive to involve the public and participating agencies as early as possible. In fact, they did quite the opposite. The reroute was purposely excluded from the SW LRT scope so that Hennepin County could keep its agenda to remove the freight from the Kenniworth Corridor. The preferred alternative was developed to a much higher level of detail than LRT 3A-1 (co-location). Hennepin County has made every effort to keep co-location off the table. By the time the FTA forced Hennepin County to include colocation in the scope of the DEIS, so much progress has been made on the SW LRT project that it is impossible for the Met Council to make an impartial decision on the reroute verses colocation. The Met Council is not seriously considering colocation because a vote on the LPA has already occurred. The LPA selection process must be reopened with the freight issue included in order for an impartial decision to be made.

12.2.2

The Section 106 review process is an integral component of the National Historic Preservation Act (NHPA) of 1966. Section 106 of the NHPA requires each federal agency to identify and assess the effects their actions will have on historic resources. The process requires each federal agency to consider public views and concerns about historic preservation issues when making final project decisions. The ultimate goal of Section 106 is to seek agreement among these participants regarding preservation matters arising during the review process. At the time that the Section 106 notification letters were sent out, the potential reroute of freight was not considered part of the SW LRT project. The Section 106 review process should be done with the potential reroute of freight included.

12.3.1

From the initiation of the Draft EIS process in the spring of 2008, Southwest Transitway project staff have been collecting public comments and filing a public comment database specifically designed for the project. Currently, this database contains more than 1,000 comments provided by approximately 250 commenters. The database excludes any comments regarding the freight issue because the freight issue was not part of the SW LRT scope prior to Sept, 2011. The LPA selection process must be redone with the freight issue included so that public input and an unbiased decision about the LPA can be obtained.

12.3.2

In this section the FTA and the Metropolitan Council state that they will continue to meet with interested parties and stakeholders throughout the NEPA process. This section describes Metropolitan Council developed Communications and Public Involvement Plan (CPIP) which recognizes the need to communicate with the public. The CPIP's goals are:

1. Develop, maintain and support broad public understanding and support of the project as an essential means to improve our transportation system and maintain regional competitiveness.
2. Build mutual trust between the Metropolitan Council, its partners and the public by creating transparency through information sharing and regular, clear, userfriendly, and two-way communication about the project with community members, residents, businesses and interested groups in the corridor.
3. Promote public input into the process by providing opportunities for early and continuing public participation and conversation between the Metropolitan Council and the public.
4. Maintain on-going communication with project partners and ensure that key messages are consistent, clear and responsive to changing needs.
5. Inform elected officials and funding partners of the project and status to ensure clear understanding of the project, timing and needs.
6. Provide timely public information and engagement to ensure that the project stays on schedule and avoids inflationary costs due to delays.

The Metropolitan Council has failed reaching any of these goals in regards to individuals concerned with the freight issue. Because the freight issue was excluded from the vast majority of the SW LRT scoping period, Safety in the Park has attempted to set up a conference call between the Met Council, the FTA and the Safety in the Park co-chairs. Safety in the Park believes that this conference call would not make up for the exclusion of the freight issue for the majority of the SW LRT scoping period but would be a small step towards helping the FTA and Met Council understand the public's concerns regarding the potential reroute. Safety in the Park is optimistic that a conference call can be set up in the near future.

Karen Hroma

2025-01-10 10:00 AM



12/31/2012 11:57 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Re: SW Lightrail DEIS

To Whom It May Concern,

My name is Susan Urban and my family and I live in St. Louis Park. We have been following the discussions regarding the SW Light Rail DEIS with great interest. While there has been a significant amount of evaluation, we do not feel the DEIS has fairly addressed all the freight rail alternatives, specifically, the freight rail co-location (3A-1). Relocating the added freight rail traffic through the heart of St. Louis Park's middle class neighborhoods and high school campus is not only unsafe, but will forever change the cohesive nature of our city, as well as degrade the economic viability here. Simply by looking at a St. Louis Park map and the existing neighborhoods, it's plain to see the freight rail line will travel through the heart of the largest section of middle-class housing. In addition, while trains are passing through, there will be six major roadways that will be choked off creating a disrupted flow of all city traffic. There is also the issue of the damage the vibrations will cause to our high school buildings that will eventually make the integrity of the buildings unstable. Insecure schools are targets for vandalism & theft. I believe this single factor alone will result in a decline of parents' desires to send their students to St. Louis Park schools. None of these economic impacts, nor the ripple effects, have been addressed nor has any mitigation plan been devised for how any of these effects could be lessened, let alone eliminated.

Speaking personally, we have lived in the Birchwood neighborhood for over 15 years. We have loved our time here & until the freight rail concerns, we never imagined ourselves leaving St. Louis Park. Sadly, we are now having this discussion. While we would love to stay here, the housing options will be very limited if the proposed freight rail plan goes through. Houses in areas not as directly affected are either too expensive or a step down. There really are very few options. We are also very concerned about our daughter attending the high school with the proposed location of the freight rail. The DEIS as it stands today does not consider these very real impacts on the city & we feel there will be a resulting mass exodus of middle class families leaving the city in the near future.

We hope it is realized that the DEIS has not fairly evaluated or represented the freight rail options. If this is to happen to our beautiful city, as it appears is likely, we sincerely hope you will work tirelessly to ensure the impact of it all is minimized as much as is humanly possible.

Thank you,

Susan Urban

Mary Scarbrough Hunt

To swcorridor@co.hennepin.mn.us

cc

12/31/2012 11:58 PM

bcc

Subject Personal Experience of "Environmental Impact"

I want to let you know how seriously the rerouted freight rail has impacted my home, and no one has addressed that. THAT constitutes "environmental impact" to me.

What are you going to do to mitigate future damage and remedy existing damage?

Photos will follow.

Mary Scarbrough Hunt



12/31/2012 11:58 PM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Comments on LRT

Please enter the following comments into the record for the Southwest Light Rail Transit Line:

I have no doubt that the Southwest Light Rail Transit Line (SWLRTL) will be built, but I want to add my opinion that it is a huge waste of taxpayer dollars.

One of the main arguments for building the SWLRTL is that it will be funded by "federal money". If we don't spend it someone else will. Federal money is not free money. It doesn't fall from Mars. It's taxpayer money. It's money we paid in taxes and it's money that people in Tampa, Los Angeles, Houston, Chicago, and cities throughout the U.S. paid in their taxes. They'll get the bill for our wasteful spending and we'll pay for their wasteful spending. Thinking like this is prevalent among politicians and bureaucrats. It's the reason this country is technically bankrupt. The "gold shovel and hard hat" crowd will spend and spend without restraint just to feed their egos and put their name on public projects. Taxpayers no longer want to be taxed on their hard-earned money so that public officials can strut and preen their way through a ground-breaking ceremony.

SWLRTL is expensive by any measure. We are told \$1.5 billion. How often does a public works project come in within budget? Look at the Lowry Bridge. What will be the total cost of SWLRTL? \$2 billion? \$3 billion? This does not even include the operational costs that the taxpayers will need to cover each and every year in the decades ahead. Already a \$100 million error has been found, but we're told that doesn't really change anything. It's only \$100 million.

SWLRTL is depicted almost like a Disney-esque monorail, silently threading its way through the city. Nothing is further from the truth. Have you seen and heard the Hiawatha Line with its ugly steel towers and cables? Like the Hiawatha Line, a wide swath of land will be clear-cut and denuded the length of the route. Thousands of trees and green space will be replaced by concrete walls that will soon be covered with graffiti. This is not a Disney monorail. It's big, it's loud, it's earth-shaking, and it's ugly. If you want an urban feel added to Eden Prairie then this rail line is for you. And don't forget the two years of construction when roads and highways will need to be closed and detoured for the building of tracks, bridges, and tunnels. Once it's completed we can look forward to traffic delays at numerous "at-grade" intersections as empty train cars rumble by.

We're told that LRT is the future. It is? Rail is an old technology. It pre-dates the automobile. Cars have steering wheels. So do buses. That's why it makes more sense to improve and add to bus service instead of spending billions on a primitive technology that is forever fixed in one route. We're told that LRT is supported by the majority of people in Eden Prairie. Yes, the first impression is that LRT seems "fun" or interesting. And who wouldn't want it if someone else (federal dollars) is paying for it? Anyone can design a survey that shows support for LRT, but when people hear of the reality their opinion changes. We are told the business community and Chambers of Commerce are big supporters. I seem to remember a local Chamber of Commerce being vocally opposed to the Indoor No-Smoking Act. I think they lost their credibility with that one. I haven't heard from one small business owner in the area who is for SWLRTL. Large companies have gone on record as supporters, but many of their executives will tell you privately that they are personally against it and think it's a waste. But they realize their companies need to look progressive and forward thinking. It's difficult to do that by saying "no". Many also fear the wrath of government for speaking out against something that government is so intent on implementing.

Many of the biggest supporters of SWLRTL are the social engineers that cringe at the sight or thought of us driving our cars and having the freedom to move about at will and on our own schedule. They know what is best for us and would rather load us into cattle cars at predetermined times as they send us to

work and home. A recent editorial in the Tribune spoke of social equity being the major reason for supporting SWLRTL.

We are told that our residential property values will drop in Eden Prairie without SWLRTL. Nearly any real estate agent will laugh at that opinion, yet it is commonly stated as fact.

We are told that SWLRTL is necessary to supply transit for the 10,000 jobs expected to be created in the region. We are also told that SWLRTL will create 10,000 jobs due to its construction and nearby redevelopment. Which is it? One of the above or both? Different sources cite different scenarios. Let's not forget that both are projections. The Metropolitan Council recently observed that some of their projections on job growth and population made only a couple of decades ago were way off the mark. Projections are not a guarantee of what will happen in the future, and they are often incorrect. Only a few years ago we were told that telecommuting was the wave of the future and that Eden Prairie office space was overbuilt. "Community leaders" were wringing their hands over what to do with Eden Prairie's oversupply of commercial space. The "office" was becoming obsolete as more and more of us would work from home. Why should we believe certain projections and "studies" that are at a total contradiction with other projections and studies? There are studies and interpretations of studies that can be used to support both sides of most any argument. SWLRTL supporters continually cite only those studies that back their side and ignore other data. Don't forget that studies backed the Big Dig in Boston, studies helped design the original 35W Bridge, and studies placed a Wal-Mart in the middle of Nicollet Avenue in Minneapolis. While we're at it, let's look at some of the studies that show that commuter rail spreads gang violence and influence.

Any redevelopment at the transit stations is going to be similar to what we see at the Southwest Transit Station -- some fast casual restaurants, a coffee shop, and maybe an apartment. Are those part of the 10,000 jobs that are cited? This is not redevelopment. This is displacement. It only means we'll stop at a Caribou near the transit station instead of the one we used to stop by near our home. Those are all pleasant places to eat, but they are not office or technology parks featuring world-class research and innovation. SWLRTL is not going to bring the southwest metro area into the forefront of world economic development as some have suggested.

I was speaking with a representative of the Chinese government who is a specialist in economic development. He asked me if I had heard that light rail was being considered for the southwest metro area and Eden Prairie. He thought it was funny. He asked if we had plans to transport peasants to the big city. He couldn't believe that it was even being considered, as he said it's essential for both ends of a transit line to either have a large population or an importance as a destination. Eden Prairie has neither. Minneapolis to St. Paul makes sense for light rail. Minneapolis to the airport and Mall of America makes sense too. Although for both of these examples he said they would not be perfect candidates because the routes are too short and the speeds too slow. We have existing infrastructure plus cars and buses to do the same thing. He mentioned that he heard of the SWLRTL when visiting with an economic development person associated with the Minneapolis to St. Paul line. When he questioned the need for SWLRTL she became very defensive and her demeanor changed completely.

It's clear that the bureaucracy that has been constructed by the Metropolitan Council around the evaluation of SWLRTL acts to promote the building of the line. And who can blame the employees? They'd be out of a job if the line is not built, so they have a personal interest in making sure that it is not stopped or even criticized.

As an owner of multiple commercial properties in Eden Prairie I would stand to profit from redevelopment near the transit stations. But as a taxpayer I won't stand silent and see public officials (un-elected public officials in the case of the Metropolitan Council), wastefully spend taxpayer money.


Reed Swensen

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name: 

You can sign the petition at

SafetyInThePark.com

You can comment via email to

swcorridor@co.hennepin.mn.us

The comment period ends on **December 31, 2012**

To Whom It May Concern:

Comment #562

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

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I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name: Joan MEATH

You can sign the petition at

SafetyInThePark.com

You can comment via email to

swcorridor@co.hennepin.mn.us

*The comment period ends on **December 31, 2012***

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Thank you,

Name: Curtin Board

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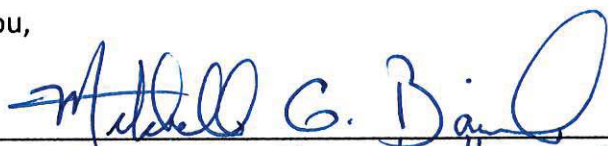
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Thank you,

Name:

Joanie Levinsohn

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Thank you,

Name: Laura Rae Hedlund

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Thank you,

Name: Karla Lambert

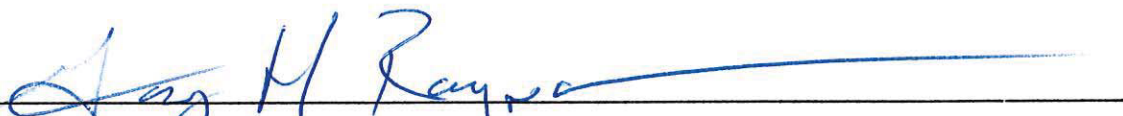
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Thank you,

Name: _____

A handwritten signature in blue ink, appearing to read "Dan H. Rayner", is written over a horizontal line.



SW LRT COMMENTS
701 FOURTH AVENUE S
SUITE 400
MPLS, MN 55415



To Whom It May Concern:

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

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Thank you,

Name: BILL WENDLANDT

DEC 31 2012

BY: _____

To Whom It May Concern:

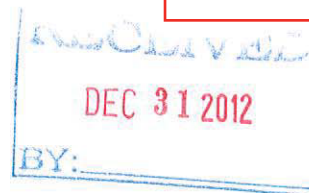
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Thank you,

Name: Pat Quinn



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I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school-children, our local businesses, and our residents.

Name: *Jerry M. Vasquez* *Jerry Vasquez*

DEC 31 2012

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I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school-children, our local businesses, and our residents.

Name:

Terri Spencer



SOUTHWEST TRANSITWAY

DRAFT ENVIRONMENTAL IMPACT STATEMENT COMMENTS

Prepared By:

Safety in the Park
safetyinthepark@gmail.com
St. Louis Park, MN 55416

*THIS COVER SHEET TO BE PAIRED UP WITH SAFETY IN THE
PARK'S COMMENTS. THIS IS BEING ATTACHED TO SHOW THE
PHYSICAL ADDRESSES OF THE CO-CHAIRS IF NEEDED. SEE BELOW*

December 28, 2012

Thom Miller, Co-Chair
Safety in the Park

December 28, 2012

Jami LaPray, Co-Chair
Safety in the Park

DEC 31 2012

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Name: _____

Welda Schipper

AND

CRAIG SYLVESTER

PATRICIA KAY LIEN

DEC 31 2012

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Name: _____

Christa Sack

DEC 31 2012

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Name: Natalie Johnson

DEC 31 2012

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Name: Elwood Knowles

Elwood H Knowles



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Name: Deborah Novatney

Not only are you putting the safety of our students in harm way but you are taking away their right to learn in a quiet school building with out the freight train noise at their doorstep!!

RECEIVED
DEC 31 2012

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Name: Ladanna + George Reynolds

DEC 31 2012

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Name: _____

Margaret Wenner

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Name:

Judy Seckerus Bonnie Seckerus

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Thank you,

Name: _____

Dawn Fish & Lorne Brunner



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Thank you,

Name: NATHAN WILLENBRING

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Thank you,

Name: _____Jennifer Willenbring_____

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Paige Presthsldt



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Name: Amu Fokun



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Duke Fokuo

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Thank you,

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Renée Beltrand

A

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Sean O'Donnell

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Thank you,

Name:

Jennie Hedlund

Jennie Hedlund

Dear Southwest Transitway
Project Planners,

MY NAME IS

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
PRESERVED AND EXPANDED. I ALSO
WANT LOW-INCOME PEOPLE, IMMI-
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SINCERELY,

Estimados Dirig
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QUIERO QUE PRESERVEN LAS VIVIEN-
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ATENTAMENTE,

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MI NOMBRE ES

Jorge Cruz

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PRESERVED AND EXPANDED SO THAT WE
CAN CONTINUE LIVING HERE. I ALSO
WANT LOW-INCOME PEOPLE, IMMI-
GRANTS AND PEOPLE OF COLOR TO BEN-
EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Ramiro Hernandez

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN MI COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
DAS ECONOMICAS Y QUE CONSTRUYAN
MAS PARA PODER SEGUIR VIVIENDO
AQUI. TAMBIEN QUIERO QUE LA GEN-
TE DE BAJOS RECURSOS, LOS INMI-
GRANTES Y LA GENTE DE COLOR SE
BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON MY COMMUNITY. I
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SINCERELY,

D E I S C O M M E N T

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Maria E Perez H

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
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Maria E Perez H

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Project Planners,

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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Ernesto Velasco G.

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
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ECONOMICO.

ATENTAMENTE,

Dear Southwest Transitway
Project Planners,

MY NAME IS

[Handwritten signature: Anthony]

I LIVE IN THE CITY OF HOPKINS. I
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ATENTAMENTE,

D E I S C O M M E N T

Dear Southwest Transitway
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Estimados Dirigentes del
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MI NOMBRE ES

[Handwritten signature: Melina Sanchez Martinez]

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ECONOMICO.

ATENTAMENTE,

[Handwritten initials]

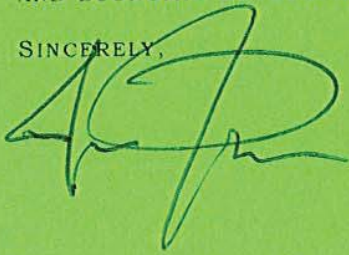
Dear Southwest Transitway
Project Planners,

MY NAME IS

Moses Poreseo

I LIVE IN THE CITY OF HOPKINS. I
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D E I S C O M M E N T

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ECONOMICO.

ATENTAMENTE,

Dear Southwest Transitway
Project Planners,

MY NAME IS

Joshua Satre

I LIVE IN THE CITY OF HOPKINS. I
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Joshua Satre

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Dear Southwest Transitway
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Estimados Dirigentes del
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MI NOMBRE ES

Felipe Marin Adaya

VIVO EN LA CIUDAD DE HOPKINS. A
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ECONOMICO.

ATENTAMENTE,

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

Mania Beltrán Ayala

I LIVE IN THE CITY OF HOPKINS. I
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Estimados Dirigentes del
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MI NOMBRE ES

Maria L Arias

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ECONOMICO.

ATENTAMENTE,

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

Ido

I LIVE IN THE CITY OF HOPKINS. I
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SINCERELY,

Ido Mohammed

Estimados Dirigentes del
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SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Elena Arias

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ECONOMICO.

ATENTAMENTE,

Elena Arias

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

Oscar Ramirez

I LIVE IN THE CITY OF HOPKINS. I
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SOUTHWEST LRT ON MY COMMUNITY. I
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SINCERELY,

Oscar Ramirez

Estimados Dirigentes del
Southwest Transitway,

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ECONOMICO.

ATENTAMENTE,

Dear Southwest Transitway
Project Planners,

MY NAME IS

Martin Apaez E

I LIVE IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON MY COMMUNITY. I
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Estimados Dirigentes del
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MI NOMBRE ES

Martin Apaez Espino

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D E I S C O M M E N T

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Delino P

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MI NOMBRE ES

Armando Arpista

VIVO EN LA CIUDAD DE HOPKINS. A
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Estimados Dirigentes del
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MI NOMBRE ES

Gerardo Cruz

VIVO EN LA CIUDAD DE HOPKINS. A
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MI NOMBRE ES

Jose Rodriguez

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ATENTAMENTE

D E I S C O M M E N T

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MI NOMBRE ES

Hector Ponce

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ECONOMICO.

ATENTAMENTE

Dear Southwest Transitway
Project Planners,

MY NAME IS

David Hiserodt

I LIVE IN THE CITY OF HOPKINS. I
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Estimados Dirigentes del
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MI NOMBRE ES

Antonio Arroyo

VIVO EN LA CIUDAD DE HOPKINS. A
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ATENTAMENTE,



Dear Southwest Transitway
Project Planners,

MY NAME IS

Alfredo H. H.

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GRANTS AND PEOPLE OF COLOR TO BEN-
EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT

SINCERELY,



Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN MI COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
DAS ECONOMICAS Y QUE CONSTRUYAN
MAS PARA PODER SEGUIR VIVIENDO
AQUI. TAMBIEN QUIERO QUE LA GEN-
TE DE BAJOS RECURSOS, LOS INMI-
GRANTES Y LA GENTE DE COLOR SE
BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

I LIVE IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON MY COMMUNITY. I
WANT TO SEE AFFORDABLE HOUSING
PRESERVED AND EXPANDED SO THAT WE
CAN CONTINUE LIVING HERE. I ALSO
WANT LOW-INCOME PEOPLE, IMMI-
GRANTS AND PEOPLE OF COLOR TO BEN-
EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Isidro Gallardo

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
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QUIERO QUE PRESERVEN LAS VIVIEN-
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GRANTES Y LA GENTE DE COLOR SE
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ECONOMICO.

ATENTAMENTE



Dear Southwest Transitway
Project Planners,

MY NAME IS

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EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Marcos Vega

VIVO EN LA CIUDAD DE HOPKINS. A
MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN MI COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
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MAS PARA PODER SEGUIR VIVIENDO
AQUI. TAMBIEN QUIERO QUE LA GEN-
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GRANTES Y LA GENTE DE COLOR SE
BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
PRESERVED AND EXPANDED. I ALSO
WANT LOW-INCOME PEOPLE, IMMI-
GRANTS AND PEOPLE OF COLOR TO BEN-
EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Omar Peña

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN LA COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
DAS ECONOMICAS Y QUE CONSTRUYAN
MAS. TAMBIEN QUIERO QUE LA GEN-
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SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

Dear Southwest Transitway
Project Planners,

MY NAME IS

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
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GRANTS AND PEOPLE OF COLOR TO BEN-
EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

Domingo Rosas

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN LA COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
DAS ECONOMICAS Y QUE CONSTRUYAN
MAS. TAMBIEN QUIERO QUE LA GEN-
TE DE BAJOS RECURSOS, LOS INMI-
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

Frankie

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
PRESERVED AND EXPANDED. I ALSO
WANT LOW-INCOME PEOPLE, IMMI-
GRANTS AND PEOPLE OF COLOR TO BEN-
EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

Frankie

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

10101 OA

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN LA COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
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MAS. TAMBIEN QUIERO QUE LA GEN-
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

Dear Southwest Transitway
Project Planners,

MY NAME IS

John Wright

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
PRESERVED AND EXPANDED. I ALSO
WANT LOW-INCOME PEOPLE, IMMI-
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EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,



D E I S C O M M E N T

John Wright

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

Dear Southwest Transitway
Project Planners,

MY NAME IS

Mark Tangleo

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
PRESERVED AND EXPANDED. I ALSO
WANT LOW-INCOME PEOPLE, IMMI-
GRANTS AND PEOPLE OF COLOR TO BEN-
EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

Mark Tangleo



Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

Dear Southwest Transitway
Project Planners,

MY NAME IS

Carlos Feltz

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
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EFIT FROM NEW LIVING WAGE JOBS
AND ECONOMIC DEVELOPMENT.

SINCERELY,

[Redacted Signature]

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN LA COMUNIDAD.
QUIERO QUE PRESERVEN LAS VIVIEN-
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

AMAMENTE,

D E I S C O M M E N T

Dear Southwest Transitway
Project Planners,

MY NAME IS

PABLO TAPIA

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
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AND ECONOMIC DEVELOPMENT.

SINCERELY,

[Signature]

[Redacted Signature]

Estimados Dirigentes del
Southwest Transitway,

MI NOMBRE ES

TRABAJO EN LA CIUDAD DE HOPKINS.
A MI ME IMPORTA EL IMPACTO DEL
SOUTHWEST LRT EN LA COMUNIDAD.
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BENEFICE DE NUEVOS TRABAJOS CON
SALRIOS JUSTOS Y EL DESARROLLO
ECONOMICO.

ATENTAMENTE,

Dear Southwest Transitway
Project Planners,

MY NAME IS

Jayla Montano B

I WORK IN THE CITY OF HOPKINS. I
CARE ABOUT THE IMPACT OF THE
SOUTHWEST LRT ON THIS COMMUNITY.
I WANT TO SEE AFFORDABLE HOUSING
PRESERVED AND EXPANDED. I ALSO
WANT LOW INCOME PEOPLE, IMMIGRANTS
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SINCERELY,

Estimados Dirigentes del
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MI NOMBRE ES

Jayla Montano B

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BENEFICE DE NUEVOS TRABAJOS CON
SALARIOS JUSTOS Y EL DESARROLLO
ECONOMICO.
ATENTAMENTE,

D E I S C O M M E N T

DEC 31 2012

BY:

SW Transitway

DEIS Comments

From ISAIAH

46 Individual Comment Letters

RECEIVED
DEC 31 2012

To Whom It May Concern:

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name: Rachel Raz

DEC 31 2012

To Whom It May Concern:

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

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I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name: _____

Marlene Kirk



To Whom It May Concern:

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The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name:

MARK BERG



Mary Scarbrough Hunt

01/01/2013 12:00 AM

To undisclosed-recipients;;

cc swcorridor@co.hennepin.mn.us

bcc

Subject Fwd: additional damage (cracks in garage floor)

-----Original Message-----

From: Mary Scarbrough Hunt <

To: mcamilon

Sent: Wed, Nov 28, 2012 5:08 pm

Subject: additional damage (cracks in garage floor)

I have attached additional photos showing damage done to my home by the constant vibration from the freight trains. This set consists of photos of the garage floor.

What were minor cracks when I bought the house 6 years ago (minor enough to not be mentioned by the home inspector)--are now major--extending the entire width of the floor and significantly deeper (indicating sinking). The cracks did not change until the freight rail traffic was rerouted to the east-west line 2 blocks south of my home.

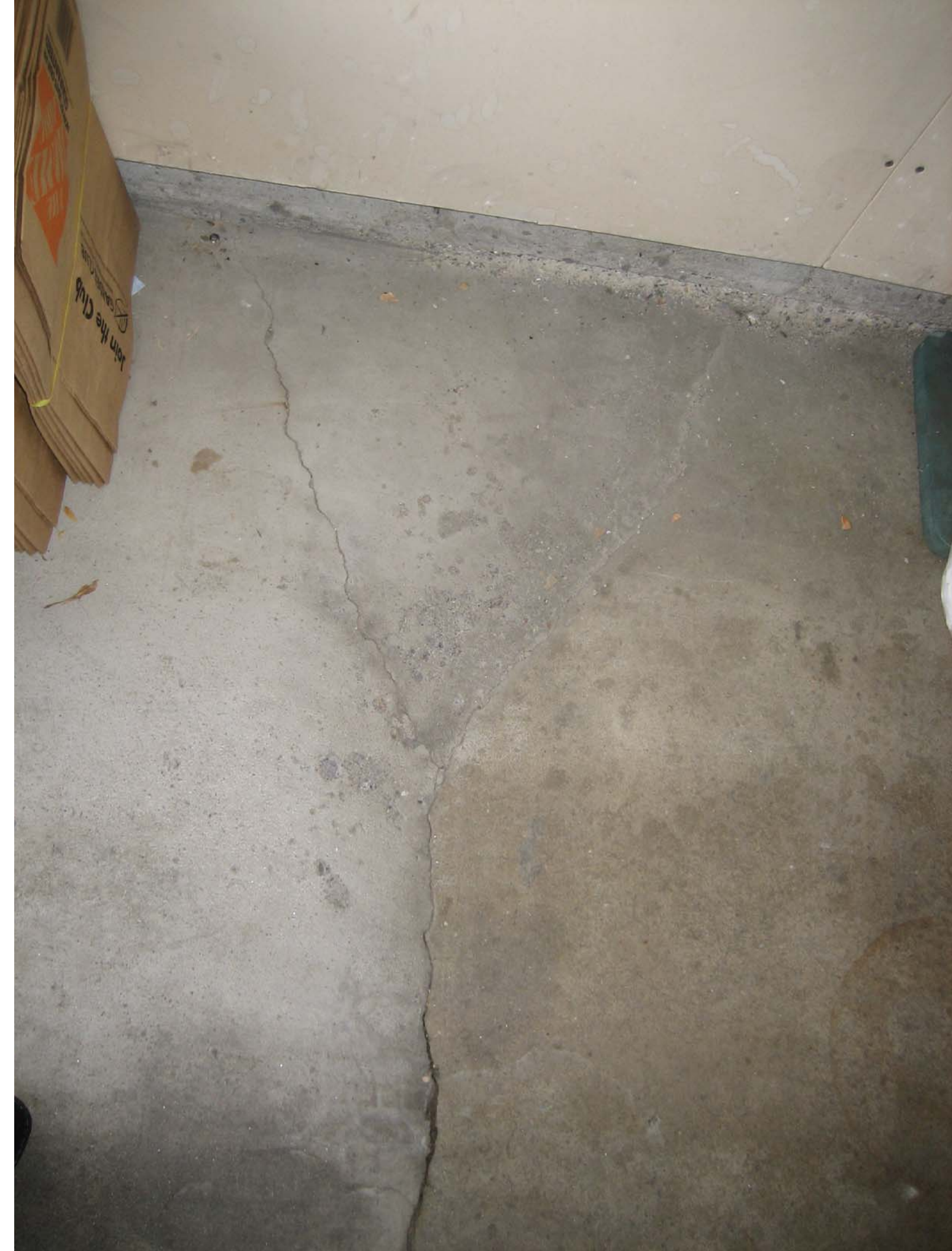
Given that this and all the other damage only started within the last two years or so--roughly the point in time at which the freight rail was rerouted to the Wayzata substation line two blocks south of my property--it is obvious that the heavy trains are the cause. can only be due to the constant shaking of the house.

I will also send this to Julia Ross, my City Council representative.

Please let me know what you can do.

Thanks,

Mary Hunt









Mary Scarbrough Hunt

01/01/2013 12:03 AM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Fwd: Further damage to foundation from heavy, constant freight trains

-----Original Message-----

From: Mary Scarbrough Hunt <

To: mcamilon

Sent: Wed, Nov 14, 2012 5:23 pm

Subject: Further damage to foundation from heavy, constant freight trains

[Mary Scarbrough Hunt](#)











Mary Scarbrough Hunt

01/01/2013 12:13 AM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Fwd: more pix of house damage fm trains

Attached are more photos of house damage from the constant shaking of house from heavy freight trains. Though this set may seem trivial, they are but a selection of the extensive damage done to my house inside and out, and are further proof of the constant stress my house has undergone since the freight trains were rerouted 2 blocks south of my house.

I forgot to take photos (but I will) of other things like a light that suddenly appeared one day on the floor of my porch--obviously shaken loose from the constant vibration. It has to be quite significant to do that.

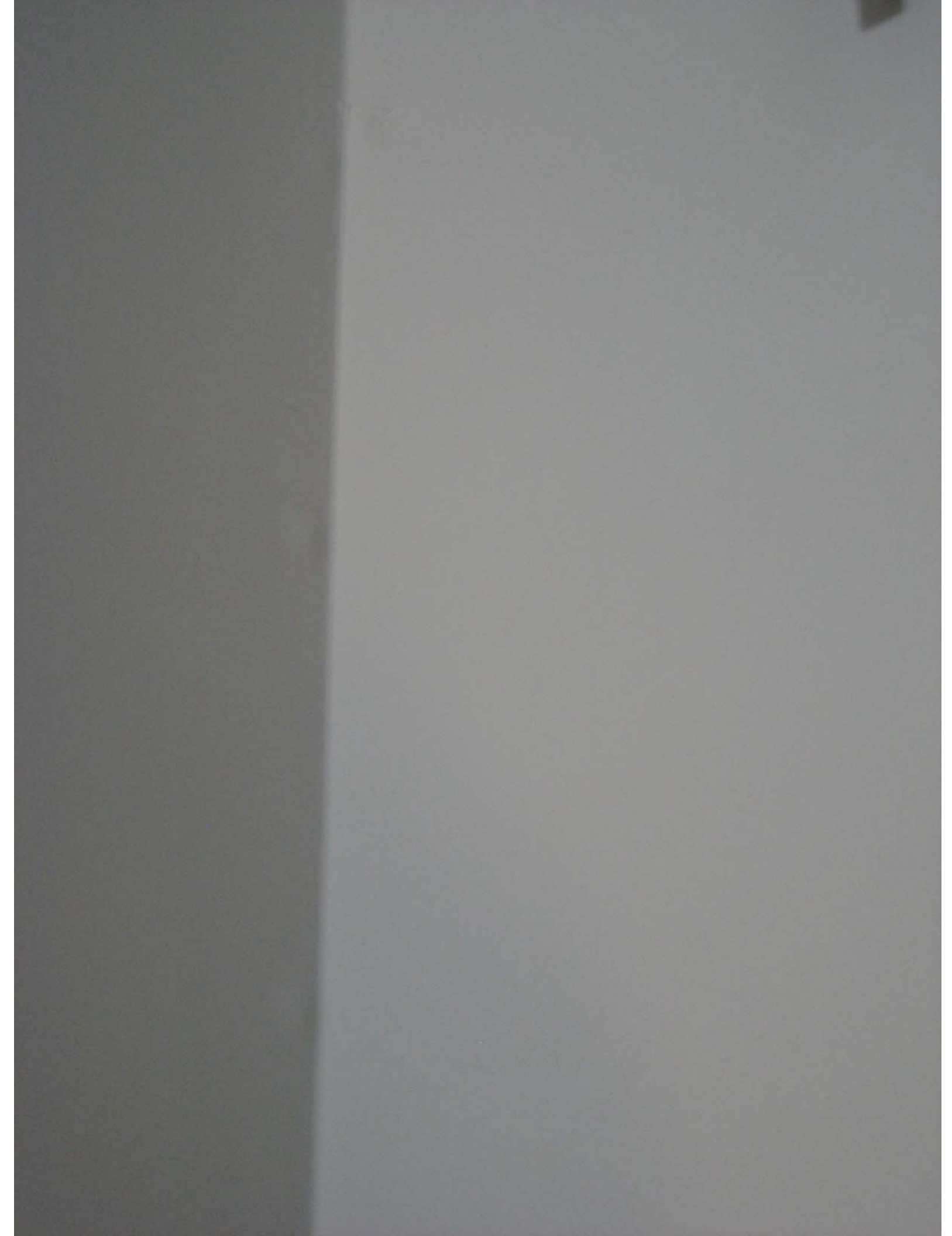
Other cracks I did not photograph (but will) include the window frames that have cracked apart in the room shaken the hardest, wood frames that I caulked and painted (several coats) in 2007. Again, only serious vibration could do such damage. The window frames in the kitchen--on the same side of the house (south) as the MBR--also are cracked all along the frame. The grout around the stainless steel sink cracked completely away and the

kitchen counter has sunk about 1/4" below the sink.

NO ONE can tell me all this damage is coincidental.

I want you to hold the rail companies responsible for all the damage they have caused. I hold YOU equally responsible for letting them get away with this.











Mary Scarbrough Hunt

01/01/2013 12:15 AM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject Fwd: Further damage to house fm freight trains (

Photos showing the separation of front landing from exterior brick and the sinking of the front step and separation from the sidewalk. The crack has become noticeably bigger over the past two years, and the front landing separation crack is new within the past year.











01/01/2013 04:01 PM

To <swcorridor@co.hennepin.mn.us>

cc

bcc

Subject Don't damage the lakes and park!

I have a unique perspective on the SW Corridor; as a homeowner in the CIDNA neighborhood and a landowner on Nicollet Mall and 9th St.)

The beauty of the lake and the regional park can not be allowed to be decreased by 250 trains a day going to and from downtown. Keep this area the way it is so that the real estate taxes, home values and livability can remain high in the Cedar Lake and Kenwood area. The rider ship will not be worth the cost.

If there was not a reasonable alternative to going between W. Lake St. and Penn Ave, then for the good of the metro area the line would need to go there. BUT there are other alternatives that would work better, and have more riders.

I don't feel that the full true cost of destroying the regional park, sending a LRT through an area that is not high density and does not have sufficient ground space for parking is being calculated.

I fully believe in light rail transit, but it has to be done correctly so that we don't destroy one area just to save Eden Prairie riders a few minutes more on the train.

Sincerely,

Tom Rush

SWcorridor/Hennepin
Sent by: Adele C
Hall/PW/Hennepin

To
cc
bcc
Subject Fw: Southwest LRT - Smetana, Mtka Crossing

01/16/2013 03:24 PM

From: Joanne STRATE
To: Gail Dorfman <gail.dorfman@co.hennepin.mn.us>,
Date: 12/30/2012 11:06 AM
Subject: Southwest LRT - Smetana, Mtka Crossing

Gail Dorfman -

If we have to have a crossing on a very dangerous, steep road adjacent to upper income residential townhomes, woods, and St. Theresa which is travelled frequently by ambulances then at the very least we need the following:

A couple of my neighbors want me to send you a response as it relates to the progression of the 3A line and the PROPOSED Smetana Crossing on the border of Hopkins & east Minnetonka....we are 3 of the 114 units which will be effected with severe noise & vibration as cited by the DEIS study. I have already responded various times regarding this & other issues. I feel it's all in vain and it's politics as usual. I plan to investigate the legal Minnetonka noise levels as well. With that information, I'll probably contact WCCO-TV's reality check so the Met Council & company can't hide the true facts of the matter. Just so happens I work at a TV station and have contacts in the industry. If this waste of tax payer dollars continue and the line remains as the recommended 3A, then we need a QUIET ZONE. Per page 4-88 of the study, Pompano Drive residents are Segment 3, category 2 and it's noted there are 114 severe impacted units. **The Quiet Zone for the Smetana Crossing should be no train whistles and no post-mounted horns on the gates. To protect the citizens, we need only 4 quadrant gates with a median barrier.** A train passing every 7:30 will be impossible to live with and no one can sit outside or open their windows, or sleep normally during 5a-1a. Would you want to live here????? OUR PROPERTY VALUE WILL SUBSEQUENTLY DECREASE, NOT INCREASE AS SOME HAVE BLATANTLY LIED TO US. Don't know if we could even get a buyer for our units!!!

Joanne Strate,
Marion & David Wolf,
Austin Miller & Kylie Otte,

Joanne Strate

SWcorridor/Hennepin
Sent by: Adele C
Hall/PW/Hennepin

To
cc
bcc
Subject Fw: SW LRT

01/16/2013 03:25 PM

Gail Dorfman

From:
To: <gail.dorfman@co.hennepin.mn.us>
Date: 12/29/2012 06:00 PM
Subject: SW LRT

Ms Dorfman,

The following comments are my response to the SW LRT DEIS. I hope you will support our attempt to influence design and engineering improvements to the current, underwhelming and unsatisfactory scheme illustrated in the Draft Environmental Impact Statement.

Thank you,

Damon Farber

1. Chapter 3, Page 3-34, Segment A stipulates that under the co-location Option (LRT 3A-1) three homes on Burnham Road will be taken ("permanently used"). According the DEIS (Chapter 3, page 3-34, Segment A) those homes are" the first three single family homes north of Cedar Lake Parkway along Burnham Road". As many as 57 town homes north of the West Lake Station are also slated for removal. In addition there will be "disturbance" to parkland on the east side of Cedar Lake to accommodate a realigned Burnham Road where it intersects with Cedar Lake Parkway.

Comment:

I questioned this at the November 13, 2012 open house/public hearing and both the Hennepin County and its engineering representative stated that it was an error that three homes on Burnham Road were to be taken. Rather two homes on Burnham Road (2650 and 2642) and one home on Park Lane (42) were the single family homes being considered for removal under the co-location scenario. There is no text describing any taking of private property on Burnham Road or Park Lane under Option LRT 3A, which assumes that

the freight train would be moved to St Louis Park.

2. Chapter 11, Page 11-3 of the DEIS indicates 4 properties, including .81 acres of Cedar Lake Park potentially used permanently.

Comment

Is the .81 acres of park land referenced on page 11-3 the corner north of Cedar Lake Parkway and west of Burnham Road at Cedar Lake Park

In that same table on page 11-3 under the LRT 3A Option it appears that only one property and the historic channel are to be “used” permanently.

Comment:

Is that "one property" a reference to 2650 Burnham Road or is it a reference to Cedar Lake Park? Neither the project engineer nor Hennepin County Community Works and Transit can confirm the addresses in either option. This needs to be clarified. Which properties are being alluded to in the DEIS for Options LRT 3A-1 and LRT 3A?

2. Chapter 4, Environmental effects regarding vibration.

Comment

In October of this year I sent a note to the MPRB and to SW Transit/Hennepin County Community Works asking for detailed information regarding design options for how the intersection of Cedar Lake Parkway with the Kenilworth Trail might be handled. I also asked for more definitive data on noise and vibration testing specific to that crossing. I was referred to the DEIS which it seems to me does not adequately address these aspects in enough detail to allow for reasonable conclusions. I appreciate that the Final EIS will be less general and have a more detailed scope with greater insight into site specific issues and adverse impacts of the LRT upon affected properties neighborhoods. The Hiawatha LRT corridor can prove a substantive, quantifiable example of what we along the Southwest LRT corridor might expect. As such, any references that addressed real construction and real resultant influences related to social, environmental and transportation impacts along the Hiawatha LRT corridor will be especially helpful for the layman to better understand and anticipate the impacts that will result from both construction and implementation along the SW Kenilworth LRT Corridor.

Vibration both during the construction process and after project completion may have serious ramification on nearby properties. I am obviously

concerned about potential structural impacts and cracking to my home at 2650 Burnham Road which is at the corner of Cedar Lake Parkway and Burnham Road, during construction and following project completion. I respectfully request that you provide vibration readings/documentation for all the same locations identified above to ascertain if vibration, along with noise, might be shown from a quantifiable, historical perspective.

3. Chapter 4, page 4-84, 4.7.3.4 summarizes the sound exposure levels used in southwest transitway detailed noise analysis.

Comment

This does not adequately address existing conditions. Quantitatively what is the current noise/decibel level at the intersection of Burnham Road with Cedar Lake Parkway? I assume that decibel readings were taken before, during, and after construction of the Hiawatha Line. For the purpose of comparison what was the noise level - prior to and following completion - inside and outside structures 100 ft and 150 ft from the center line of the Hiawatha LRT at East 32nd and East 53 Streets. Along Hiawatha berms, landscaping (noise cannot be mitigated by plantings) walls and a combination of the two were used. However, that is not possible at crossings. So again, it seems reasonable to ask for real, empirical, historical data to be provided that illustrates noise levels along the Hiawatha corridor at key intersections. Also there are two elevated bridges, one at East 28th and a second that crosses Hiawatha at Crosstown Hwy 62. Will you please provide the same before and after data for those two locations in case an LRT overpass is the final design solution at the Cedar Lake Parkway crossing?

The very thought of bells, whistles and sound emanating from the train as it crosses the historic Grand Rounds System at Cedar Lake Parkway, speeds through passive regional parkland, and imposes itself on the sensitive neighborhoods that abut the Kenilworth Corridor in Segment A is difficult to comprehend

4. Page 4-8 of the DEIS notes that there will be 198 trips between 7 am and 10 pm, 60 LRT trips between 10 pm and 7 am, 48 LRT trips between 6 am and 9 am and another 48 trips between 3 pm and 6:30 pm with speeds ranging from 20 to 50 miles per hour.

Comment

Are the 104 trips between 6:00 am and 9:00 am and 3:00 pm and 6:30 pm in addition to the 258 trips between 7:00 am and 10:00 pm and 10:00 pm and 7:00 am or are they included in that total.

According to a 4/20/2010 technical memo by HDR Engineers, the LRT train will cross Cedar Lake Parkway every 3.75 minutes under the LRT 3A option. Will you please confirm this? Will you please confirm the gates will be down no longer than 30 seconds for each of the 258 or f the 354 trips? What is the design speed of the LRT if it is at grade where it crosses Cedar Lake Parkway? What is the speed if the LRT is elevated above Cedar Lake Parkway. Will you confirm that the bells at crossings will occur no longer than 5 seconds for each of the 354 crossing and will the train horn blast in addition?

Please provide specific answers to each of these questions if the co-location Option(LRT3A1) is selected and if that option is selected exactly how many total freight trains per day should be expected and and at what times of day or night are they anticipated.

5. Chapter 6 notes that vehicular circulation was modeled based upon traffic counts for Cedar Lake Parkway and Burnham Road taken on February 16, 2010 .

Comment

It was determined that pedestrians, were not to be modeled ue to “low pedestrian counts”. This seems shortsighted. Would this same conclusion have been reached had the counts been taken almost at any time during the spring, summer or fall seasons when there is increased vehicular flow and much higher pedestrian traffic and bicycle movement along both Cedar Lake Parkway and the Kenilworth Bike Trail – both of which support a significant volume of pedestrians and bicyclers who use these two avenues for recreation and commuting? Have counts been taken that are not illustrated in the Draft EIS that might support a reassessment of the value and importance of the pedestrian and bicyclist.

The LPA with its flyover bridge proposed in the conceptual engineering plans would not have impacts upon any sensitive receptors.

Comment

The bridge example in photo 3.6-6.where the LRT bridges over Cedar Lake Parkway is completely unacceptable from an aesthetic, historic, sound. Nothing could be worse as a solution except an at grade crossing. From a safety standpoint there can be no question that an at-grade crossing is the least desirable solution. Bikers and pedestrians are regularly being hurt. An at grade crossing is unsafe as my wife can allude to after having been sent to the hospital for stitches after a major fall at the intersection of Cedar Lake Parkway with the railroad tracks.

Not enough study is reflected by the DEIS to adequately address the impact to wildlife, visual and aesthetic character, materials selection, and noise

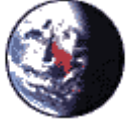
Any design solution eventually selected the engineers needs to be significantly more sensitive and must incorporate an historic recall and reference to other bridges in the Cedar, Isles, Dean neighborhoods that are integral to the Historic Grand Rounds and Parkway System. Also, a very significant concern beyond those identified above and in the DEIS is the visual impact of a band of light emanating from the LRT train windows from dusk to dawn as the LRT streaks along the Kenilworth Corridor. Light trespass is a very real environmental impact that has not been addressed in the DEIS and it should be.

Recently the MPRB, its consultant and a citizen advisory committee (CAC) proposed a middle ground solution where the LRT tracks begin to recede into a trench from a point north of the West Lake Street station to a point south the 21 Street Station. The historic Cedar Lake Parkway would arch over the recessed tracks from east of Cedar Lake Park and the Beach to meet grade on the east side of the proposed LRT trough. There are, to be sure, still pedestrian/ bike/auto and LRT conflicts where the tracks, Cedar Lake Parkway, Kenilworth Bike Trail and walking paths converge, but such a solution which would keep the LRT "low" and the Parkway with its more pedestrian aspects "higher" seems like a reasonable compromise that could, with some creative engineering and design, allow all properties to remain, address many traffic and safety concerns, and respond to myriad environmental issues within a fiscally responsible approach. This is the creative type of thinking, conceptualization and approach that ought to be considered and endorsed.

Finally, serious consideration must be given to a tunnel Option for the LRT rather than a bridge or at-grade crossing at Cedar Lake Parkway. New, updated and modified economic data has just been added to the DEIS. Please advise why no analysis has been assigned to a tunnel / LRT underpass solution. I recognize that it is more expensive, including the need for to work outside the current ROW, but it is technically possible and the most environmentally friendly solution.

Respectfully submitted,

Damon and Becky Farber



Kathy Spraitz

01/03/2013 08:28 AM

To swcorridor@co.hennepin.mn.us

cc

bcc

Subject DEIS Response

To whom it may concern:

I submitted the enclosed document during the DEIS scoping period. I do not see that it has been addressed; instead, it appears that in Chapter 3 (pages 3-117), the DEIS actively disregards the visual impact of a proposed station in the vicinity of this significant contemporary architectural structure and private home.

The citation reads: "Four at-grade center-track platforms are proposed for each station in the segment. No sensitive receptors, with the exception of the aforementioned trail users, are located adjacent to the station sites; therefore, no additional visual impacts are anticipated."

Thank you for your reconsideration.

I can be reached at this e-mail address or by phone, , if there are any questions.

Discussion Piece for LRT Impact Statement
Lazor FlatPak House, Minneapolis, Minnesota
October 2008

Anyone familiar with the Kenwood neighborhood can articulate one of its most compelling attributes: its broad array of beautifully maintained, lovingly restored and architecturally relevant historical homes situated adjacent to both parklands and a bustling downtown.

What may be a well-kept secret about this Minneapolis enclave: **Kenwood is also the site of what *Newsweek* magazine called, “the first revolution in American housing in decades”.** The private property at _____ is both home to the family, and living laboratory, of Charlie Lazor, an award-winning player in modern design.

(Charlie is a founding partner of both Blu Dot furniture company and the FlatPak prefab housing system. He is a Cass Gilbert Professor in Practice at the University of Minnesota School of Architecture and has served as a fellow at the MIT Media Lab for the Simplicity Program and at the Design Institute. He graduated with a Masters Degree in Architecture from Yale University.)

Lazor did not in fact invent the concept of prefab housing. The rise of 20th century assembly line manufacturing gave rise to the ideas that houses could be mass-produced just like other consumer products. Thinkers, academics and inventors ranging from Thomas Edison, Le Corbusier, Buckminster Fuller and Frank Lloyd Wright have all experimented with the concept.

Why, then, is Lazor’s FlatPak system considered a compelling contribution to the history of prefab housing? First, Lazor’s experience as founder and designer for Blu Dot furniture dovetailed with a technological trend: software and high tech tools that helped refuel thinking and an overall resurgence in interest/mid century modern architecture. He also correctly anticipated consumer interest and developed an architectural concept that would democratize access to well-designed space. And, his sensibility about efficient production processes provided a new way to think about building houses: one that is decidedly more ‘green’, from manufacturing to flat packaging delivery to on-site production to future renovations at the housing site.

So, the timing was right. **But why is FlatPak, versus other, current explorations of prefab housing, considered an important innovation in contemporary architecture thinking?** According to Andrew Blauvelt, Architectural and Design Curator at the Walker Art Center, FlatPak’s innovation is its use of a panel system. FlatPak’s base unit is an eight-foot wide, one story tall panel, providing a great flexibility using pre-fabricated components. To build a FlatPak house, the panels – which can serve as walls, floors, or a roof – are articulated on a simple grid. The combination of advanced technological manufacturing combined with an intentionally simple design execution

represents a fundamental point of difference and, more simply put, an architectural innovation.

Lazor's thinking and design drew fast attention within architectural and museum communities, as well as from the mainstream press (see attached articles.) A FlatPak prototype was a centerpiece of the museum show, "Some Assembly Required", which emanated from the Walker Art Center and traveled to the Smithsonian Cooper-Hewitt Design Museum and the Los Angeles County Museum of Art. A film about FlatPak is currently part of the "Home Delivery: Fabricating the Modern Dwelling" show at New York's Museum of Modern Art. His work has also been exhibited at Centre Georges Pompidou. And, in September, the Flat Pak prototype was re-built as a permanent installation in the Minneapolis Sculpture Garden, where it will serve as a Visitor Center as well as an academic study of this touch point in contemporary architectural thinking.

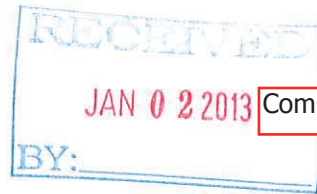
Why is FlatPak important to the neighborhood, and to anyone considering the impact of LRT running thru the Kenilworth corridor? The easy answers may be: the site at 21st and Thomas represents a family's home. And, because of its architectural importance, the family has generously opened its home to community members, in the form of countless non-profit fundraising events, and to national and worldwide media, museum curators and architecture scholars.

Those visitors are experiencing not only the FlatPak system, but also the neighborhood green space. It is an integral part of this architectural story. No review of the FlatPak home bypasses the obvious: Lazor situated the home and designed it quite literally to work with the green space around it. Every panel of the house anticipates not only human living patterns, but how light, greenery and environment interacts with the home. The reciprocal is true as well: the home's color and wood choices pay particular respect to its natural surrounding.

The beauty of the Kenilworth corridor and the innovation of the FlatPak house are inextricably linked.

Those engaged in planning the LRT, which may indeed pass through the Kenilworth channel area, would do well to consider its impact – and the impact of the planned LRT stop at 21st Street -- on this home and its site. With a nod to those who had the foresight to preserve the area around Frank Lloyd Wright's homes, and Darien, Connecticut's acknowledgment of the future potential of the Philip Johnson Glass House, LRT planners will protect a genuine asset of the Kenwood community if it is able to do so.

Note: This document is meant to add flavor to the LRT impact discussion about relevant properties – both historical and contemporary – in the Kenwood neighborhood. It is not meant to represent the Lazor family; rather, to provide a perspective from the arts and architectural community in hopes contemporary architecture will be considered alongside the beautiful historical heritage of the neighborhood.



Comment #610

To Whom It May Concern:

I am writing in response to the SW LRT Draft Environmental Impact Statement (DEIS),

Thank you for thoughtfully reading and taking my comments into consideration.

I am a person who believes in Light Rail and the possibilities of mass transit. Over the past few weeks I have heard many concerns about the proposed SWLRT and from news stories, thought that perhaps they were concentrated only to one set of residents, or it was perhaps only one city, that was having a problem with this plan.

As I read, and listened more intently I learned that there are many problems posed in this plan of light rail and they are not localized to one neighborhood or community or city.

This is what I understand to be some of the problems but not all.

THE DEIS WAS PRINTED AND RELEASED WITH A 100 MILLION DOLLAR TYPO.

HENNEPIN COUNTY DID NOT NOTIFY THE SURFACE TRANSPORTATION BOARD (STB) OF THE PUBLICATION OF SWLRT DEIS.

THE REROUTE WILL INCREASE FREIGHT TRAFFIC ON MN&S BY 788%; TRAINS WILL BE LONGER, HEAVIER, AND LOUDER THAN EVER BEFORE

THERE ARE 5 SCHOOLS WITHIN A ½ MILE OF THE RE ROUTE PLAN IN ST. LOUIS PARK.

SANTORINI'S RESTAURANT, A COMMERCIAL HEATING/AIR CONDITIONING COMPANY, STEVE'S AUTO WORLD, BMO BANK BUILDING AND COSTCO ALL IN EDEN PRAIRIE HAVE EXPRESSED OPPOSITION TO THIS PLAN AND SOME HAVE THREATENED LAWSUITS BECAUSE THEIR CONCERNS HAVE BEEN REPEATEDLY IGNORED.

THERE IS A TYPO ON PAGE 355; STATING THERE ARE 175 PARKING SPACES 44 SPACES EXIST ACCORDING TO LOCAL BUSINESSES.

ISSUES OF VIBRATION IMPACTS HAVE NOT BEEN STUDIED ALONG THE RE-ROUTE IN ST. LOUIS PARK

RE-ROUTE FREIGHT TRAFFIC WILL INCREASE THE SPEED LIMIT FROM 10 MPH TO 25 MPH; FREIGHT TRAINS WILL TAKE AT LEAST A MILE TO STOP.

ST. LOUIS PARK RESIDENTS WERE DISTINCTLY TOLD NOT TO CONSIDER THE RE-ROUTE WHEN VOTING ON THE LPA. THEREFORE, IT IS QUITE POSSIBLE THAT IF THE RE-ROUTE WAS INCLUDED IN THE SCOPING AS THE FTA INSISTS IT SHOULD HAVE BEEN THE ENTIRE LPA MAY HAVE CHANGED

THE DEIS STUDY IS INHERENTLY FLAWED BECAUSE HCRRA AND ITS ENTITIES ARE PAYING CONSULTANTS FROM LARGE FIRMS OUTSIDE OF THE IMPACTED AREA TO PROVIDE INFORMATION IN THE DEIS BUT THE DATA SHOULD BE GATHERED BY PEOPLE AND COMPANIES THAT WILL BE DIRECTLY IMPACTED BY THE SWLRT.

THE DEIS OMITTS THE FACT THAT COUNTY LAND RECORDS SHOW THAT THE CURRENT FREIGHT RAIL LINE ALREADY LIES IN THE CEDAR LAKE PARKLAND.

AT THE EDEN PRAIRIE LISTENING SESSION,
A RESIDENT VOICED HIS CONCERN ABOUT 9 ACRES HIS FAMILY DONATED TO THE STATE OF MINNESOTA WHICH WERE TO REMAIN PRESERVED AND PROTECTED. THE SWLRT WILL DIRECTLY IMPACT THIS PRESERVED AREA. PETER MCLAUGHLIN SPOKE UP AND WANTED THIS PERSONS NAME AND INFORMATION AFTER THE LISTENING SESSION. INDICATING THAT ANOTHER IMPORTANT POINT WAS MISSED IN THE WRITING OF THE DEIS.

AND FINALLY,

RECENTLY IN ST. LOUIS PARK, COUNCIL MEMBER, ANNE MAVITY SINCERITY FOR HER SAINT LOUIS PARK CONSTITUENTS CAME INTO QUESTION. WHEN IT WAS POINTED OUT THAT HER FULL – TIME POLICY AIDE POSITION FOR COMMISSIONER GAIL DORFMAN, A LEADER ON THE HCRRA BOARD AND MAIN DRIVER OF THE RE-ROUTE IN SLP, DIRECTLY CONFLICTS WITH HER ELECTED COUNCIL MEMBER POSITION.

SHE WAS ASKED BY SEVERAL RESIDENTS TO RECUSE HERSELF FROM THE ENTIRE RE-ROUTE DISCUSSION DUE TO THIS CONFLICT OF INTEREST.

I must report that initially, I was fighting for just my neighborhood, and my city. But now my perspective has broadened enough to know that multiple problems exist with the SWLRT along the entire line. It is clear to me that these issues have not been properly and fairly addressed.

Until a more balanced fair unbiased plan is proposed, I oppose the SWLRT as it is outlined in the DEIS.

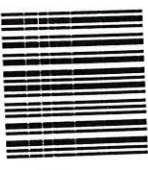
I also oppose the Freight rail re-route as outlined in the SWLRT DEIS. I believe that it will create an unsafe and unlivable situation for local residents, businesses and school children.

Thank you.


Karen Scott

OF ENVELOPE TO THE RIGHT
PRESS FOLD AT DOTTED LINE
CERTIFIED MAIL™

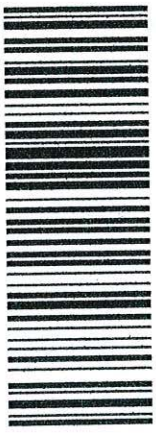
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REQUESTED

Hennepin County Housing, Community Works and Transit
Attn: Southwest Transitway
701 Fourth Ave. S., Suite 400,
Minneapolis, MN 55415

JAN 02 2013

BY:

To Whom It May Concern: (crossings)

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done. As this action is proposed and described in Chapter 1, Section 1.3.2.3 as rebuilding a little known, lightly used spur line into a main freight rail line, which will initially allow a 788% increase of rail car traffic. What the SWLRT-DEIS does not address, but should, are the real world impacts of this action on the affected area.

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with freight rail trains blocking street crossings (6-38 and 39) causes me the greatest concern. In the SWLRT-DEIS we are told the blocked crossings will not cause significant travel or safety issues. To the consultant sitting miles away the increase may seem insignificant, but to residents who must travel the area and rely on quick responses from emergency vehicles the 580% increase in blocked crossing time is unacceptable.


A supposed benefit of the proposed re-route is explained in chapter 1, pages 11 and 12 of the SWLRT-DEIS. According to the document Twin City and Western (TCW) freight trains will regularly travel north of St. Louis Park into Golden Valley, Crystal and New Hope. When the trains travel north they will have to cross Cedar Lake Road; however, no data is given for the impact of this blocked crossing.

Issues about blocked crossings not dealt with in the SWLRT-DEIS include, but are not limited to the following:

- Effects of multiple blocked crossings on residents' ability to move freely about their neighborhood
- Amount of time it takes congestion to clear once a train has passed.
 - Making turns from one street to another with backed up traffic
 - Pedestrian safety as traffic clears
- Possibility that trains will be going slower than the "worst case scenario" in the EAW – Trains often stop at McDonald's for train crews to have a break. When they resume travel they will NOT be going 10 mph.
- Medical response times can be affected
 - Narrow side streets will be blocked with waiting automobiles
 - Only one fire station has medical response
- When train volumes increase what will be done to alleviate auto traffic congestion

None of the mitigation requested by the City of St. Louis Park on behalf of her residents is being considered. This mitigation is not frivolous; it is necessary to maintain the safety, livability and property values for the residents of St. Louis Park.

Name: _____





To Whom It May Concern: (safety)

I am writing in response to the Southwest Light Rail Transit (SWLRT) - Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done. As this action is proposed and described in Chapter 1, Section 1.3.2.3 as rebuilding a little known, lightly used spur line into a main freight rail line, which will initially allow a 788% increase of rail car traffic. What the SWLRT-DEIS does not address, but should, are the real world impacts of this action on the affected area.

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with Safety (3-132 and 133) causes me the greatest concern. Only a passing reference to safety and the proposed re-route is mentioned in the SWLRT-DEIS; however there are many features about the MN&S, which make it undesirable as a freight, rail main line. The reasons the MN&S is an unsafe main rail line include, but are not limited to the following:

- Multiple grade level crossings
- Proximity to St. Louis Park schools, homes and businesses - many are closer than the length of a rail car
- Number of pedestrians who transverse crossing every day
- Permeable soil under MN&S
- Medical emergency response hindered when crossings are blocked - only one fire station has emergency medical response (page 80)
- Tight Curves. Derailments are more likely to occur on curves than on straight track
- Hazardous materials are being carried on the rail line without sufficient right of way.

None of the mitigation requested by the City of St. Louis Park on behalf of her residents is being considered. This mitigation is not frivolous; it is necessary to maintain the safety, livability and property values for the residents of St. Louis Park.

Name: Joyce Kautz

JAN 02 2013

To Whom It May Concern: (Noise/vibration)

I am writing in response to the Southwest Light Rail Transit (SWLRT) - Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done. As this action is proposed and described in Chapter 1, Section 1.3.2.3 as rebuilding a little known, lightly used spur line into a main freight rail line, which will initially allow a 788% increase of rail car traffic. What the SWLRT-DEIS does not address, but should, are the real world impacts of this action on the affected area.

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with Noise (3-93 and 94) and Vibration (4-117) causes me the greatest concern. The SWLRT-DEIS underestimates the effects of vibration for because it considers only the immediate traffic increase from the re-route and not additional traffic that is likely to occur. Currently trains travel on the MN&S for approximately two hours a month. If the re-route occurs there will be a minimum of 6 hours and 39 minutes or a 232.5% increase in train related vibration will occur each a month. Currently, all vibration and its negative impacts occur five days a week during regular business hours. In the future vibration will occur on weekends and nights as well as during business hours. Not only will the duration of vibration increase, but also the amount of vibration will increase with longer, heavier trains. The assumption stated in the SWLRT-DEIS that the increase in vibration is insignificant is incorrect. Listed below are reasons why the assumptions are incorrect:

We are also led to believe that creating a quiet zone will end all of the noise issues. This assumption is incorrect for the following reasons:

1. A quiet zone is not a sure thing.
 - a. Implementation could be denied by the school board because the building of a quiet zone will limit access to the Senior High School
 - b. Locomotive engineers are compelled to blow the horn if they perceive a dangerous situation. What kind of responsible person would drive a train through a series of blind crossings, past several schools without blowing the horn?
2. Quiet zones do not limit locomotive noise
 - a. Multiple locomotives will be necessary for pulling a fully loaded train up the .86% grade if the new interconnect.
 - b. Multiple locomotives laboring with long trains will make more noise than the locomotives that currently use the MN&S
3. Trains traveling west will need to use their breaks to maintain a slow speed going down grade and through curves
4. Train wheels on curves squeal; the tighter the curve the greater the squeal.
5. Bells on crossing arms in a quiet zone will ring the entire time a train is in the crossing.
6. Because there are currently no trains at night, even one night train means diminished livability.

None of the mitigation requested by the City of St. Louis Park on behalf of her residents is being considered. This mitigation is not frivolous; it is necessary to maintain the safety, livability and property values for the residents of St. Louis Park.

Name: _____

Joyce Kautz



To Whom It May Concern: (DEIS is not Objective)

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done. As this action is proposed and described in Chapter 1, Section 1.3.2.3 as rebuilding a little known, lightly used spur line into a main freight rail line, which will initially allow a 788% increase of rail car traffic. What the SWLRT-DEIS does not address, but should, are the real world impacts of this action on the affected area.

Riddled with phantom assumptions, unsubstantiated assertions, and inexplicable omissions, the DEIS is not a serious attempt to consider the effect of the proposed re-route.

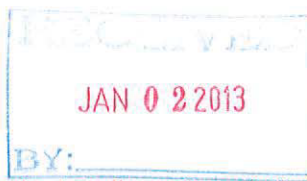
Chapter 1 of the DEIS states that without the re-route the TC&W's only options for moving its freight will be to access the MN&S tracks by use of the notorious switching wye in St. Louis Park, or to transfer cargo from railcars to highway trucks. The unstated assumption behind this statement is that the current route used by the TC&W will be severed. Presenting the either/or assumption for the switching wye or highway trucks creates the illusion of a fait accompli, when in fact the TC&W's current route through the Kenilworth corridor is a viable alternative.

Unsubstantiated assertions include the depiction in the DEIS that the historical character of the Kenilworth corridor (Chapter 3, page 58) would be compromised by its continued use for freight train traffic. The Kenilworth corridor was the home to not just railroad tracks, but an entire railroad yard for over one hundred years, beginning long before the current homes in the area were built.

Inexplicably omitted from the DEIS is how the re-route would be funded (Chapters 5 and 8). The re-route must be considered as part of the SWLRT and even without mitigation construction of the interconnect and upgrading the tracks on the MN&S to handle the heavier traffic is estimated to cost \$125,000,000, money that was not originally included in the projected cost of the SWLRT, but the projected budget for the SWLRT has not been adjusted to recognize the added expense. Also, missing from the cost estimates are the costs for maintaining the interconnect structure after it is built.

None of the mitigation requested by the City of St. Louis Park on behalf of her residents is being considered. This mitigation is not frivolous; it is necessary to maintain the safety, livability and property values for the residents of St. Louis Park.

Name: Joyce Kautz



To whom it may concern: (The process to choose the Locally preferred Alternative was flawed)

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done.

Besides my general concerns about the SWLRT-DEIS, I am particularly concerned with Chapter 12 (Public and Agency Coordination and Comments). NEPA 1500.2(d) states that the leading agency must “encourage and facilitate public involvement in decisions which affect the quality of the human environment.” This regulation was clearly ignored in regards to the potential freight rail re-route issue. Hennepin County did not “encourage and facilitate” public involvement concerning this issue. In fact, Hennepin County refused attempts for public comments and concerns regarding the freight rail issue at all of the outreach meetings listed in table 12.1-1 and all of the community events listed in table 12.1-2. Public comments regarding the freight issue were denied at the 2008 Oct 7, 14, and 23 scoping meetings and the comment period that followed as listed in section 12.1.3.1. Public comments regarding the freight issue were refused at the 2010 May 18, 18 and 20 open houses. Most importantly, public comments regarding the freight issue were denied during the entire LPA section process. This included all of public hearings listed in section 12.1.4.1. In summary, all public comments regarding the freight rail issue were denied at all of SWLRT’s major milestones leading up to the DEIS. Worse, the public was not made aware of the significant environmental impacts caused by SWLRT and the potential freight re-route because the freight issue was not discussed at any of the SWLRT meetings leading up to the DEIS. The only opportunity the public was given by Hennepin County to discuss the freight rail re-route was at the PMT meetings discussed in section 12.1.5.

However, any discussion of possible alternatives to the re-route (co-location) or the freight re-route’s connection with SWLRT was strictly forbidden at these PMT meetings. Lastly, the DEIS fails to mention the 2011 April 17 and 28 freight re-route listening sessions that were held by the city of St. Louis Park. Hundreds of St. Louis Park residents voiced their opposition to the freight re-route. Because those opposed to the re-route have been denied comment during the entire SWLRT planning process leading up to the DEIS, the freight rail issue needs to be dropped or significant more work needs to be done on the alternative studies and public outreach.

Thank You,

Name: Joyce Kautz

To Whom It May Concern: Noise and vibration

JAN 02 2013

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In detail, the re-route will allow a 250% increase in trains and a 650% increase of rail cars traffic. The increase of freight exposure will directly and negatively impact the community health and cohesion of the neighbors adjacent to the tracks. In addition, there will be negative impacts to the school system and educational quality within St Louis Park, including the decreased safety of students at the High School.

Besides my general concerns about the freight rail re-route, the section of the SWLRT DEIS that describes the noise and vibration has flawed methods and conclusions. The vibration and the noise measurements were done with current MN&S traffic. It is important to note that the re-routed freight will be longer, more frequent, and include more locomotives per train.

Vibration, Chapter 4.8.4: The conclusion that vibration will have no insignificant impacts is incorrect. Vibration impacts will be longer in time and the total amount will increase with the heavier freight and additional locomotives.

Noise, Chapter 4.7.5:

Quiet zones: The DEIS fails to describe the real world issues with the quiet zone. The SLP Senior High is both bookended by two blind curves and has athletic facilities on both sides of the tracks. The operating rail company, TC&W, has stated in a public document that it has safety concerns with a quiet zone due to the proximity of the tracks to schools, residents, and businesses. It will be impossible to design a quiet zone that will be both safe for the area while maintaining access for the adjacent Senior High school and local businesses. The quiet zone is listed as mitigation for noise impacts but it is a mitigation that is not supported by the neighborhoods, school board, or the operating rail companies.

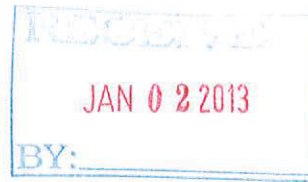
A quiet zone will not eliminate all noise impacts and the assessment fails to measure other sources:

- a. the rail to wheel curve squeal from the tight interconnect curve
- b. the additional noise of the locomotives as it throttles up both the southern interconnect ramp and grade change at the northern connection,
- c. trains traveling west will need to use their brakes to maintain a slow speed going down grade and through curves
- d. diminished livability from the introduction of night freight traffic
- e. the amount of time exposed to the noise impacts of the stationary crossing bells will increase significantly due to increase in train numbers.

The re-routing of freight will negatively impact the safety, livability, and community cohesion of residents, students, and communities. The SWLRT DEIS does not adequately describe the impacts and as such, the freight reroute should not be given any further consideration as a option.

Name: _____

Joyce Kautz



Comment #612

To Whom It May Concern:

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name: _____

Barbara Nelson



Comment #613

To Whom It May Concern:


I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The proposed action of re-routing freight is described in Chapter 1, Section 1.3.2.3. The MN&S Spur tracks are a lightly used spur line within a high density urban, residential setting and directly adjacent to the St Louis Park Senior High. The current freight occurs five days a week, Monday- Friday, during normal business hours. The proposed action of re-routing freight would introduce mainline traffic and the community, residents, and students will be exposed to longer, heavier trains during weekends, evenings, and nighttime. In fact, the re-route will allow a 788% increase in the number of rail car traffic in this area. The increase of freight exposure will directly and negatively impact community health, cohesion of the neighborhoods adjacent to the tracks and educational quality within St Louis Park Schools. In addition, there will be negative impacts to the community at large. These impacts include but are not limited to, increased noise and vibration, increase in diesel fumes from laboring locomotives, loss of mobility with when multiple crossing are blocked simultaneously, decreased safety for home owners and students at the High School, decreased access to small businesses and a decrease in tax base caused by lower property values in the affected area.

I oppose the freight rail re-route as outlined in the SWLRT DEIS. I believe it will create an unsafe and unlivable situation for our school children, our local businesses, and our residents.

Thank you,

Name:

 Mark Scott

JAN 02 2013

Telephone: _____ E-Mail: _____

To Whom It May Concern: (property values)

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done. As this action is proposed and described in Chapter 1, Section 1.3.2.3 as rebuilding a little known, lightly used spur line into a main freight rail line, which will initially allow a 788% increase of rail cars traffic. What the SWLRT-DEIS does not address, but should, are the real world impacts of this action on the affected area.

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with loss of property value in the re-route area should be in Chapter 9: Indirect Impacts, but it is not, and this causes me great concern. The SWLRT-DEIS does not mention the impact of re-routed freight trains from a main line freight corridor to a bridge line on property values of the re-route area. Freight rail re-routes are not exclusive to Minnesota and the cost of the re-routes to residents has been documented. For example, according to an article in a 2001 issue of The Appraisal Journal bringing additional freight rail traffic to an area will negatively affect properties 250' feet from the rail tracks by 5-7%. All of the properties along the MN&S are well with in 250'. Based on this article one can conclude that property values along the MN&S will drop more than 7%. Two major questions arise that are not addressed in the SWLRT-DEIS. First, what happens to the tax base of St. Louis Park when the drop in value is realized? Second, how are property owners who lose value because of this government action going to be compensated for their loss? It is unreasonable for the Hennepin County to ask any resident to pay a higher price for the benefits of light rail than others.

Name: _____

Joyce Kautz

To Whom It May Concern: (safety at the high school)

RECEIVED
JAN 02 2013
BY:

I am writing in response to the Southwest Light Rail Transit (SWLRT) – Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done. As this action is proposed and described in Chapter 1, Section 1.3.2.3 as rebuilding a little known, lightly used spur line into a main freight rail line, which will initially allow 788% increase of rail car traffic. What the SWLRT-DEIS does not address, but should, are the real world impacts of this action on the affected area.

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with freight rail noise and safety at the High School (Chapters 3, 4, and 9) causes me the greatest concern. The unique noise and safety issues associated with locating main line freight within 35 feet of the High School parking lot and 75 feet from the building are not adequately discussed. When the High School is mentioned the information is dismissive. At no point in the SWLRT –DEIS are the negative impacts the extra freight trains will have on the learning environment and safety of the students at St. Louis Park High School. Before the proposed re-route should even be considered the cost of sufficiently mitigating the impact to St. Louis Park High School need to be evaluated.

Examples of concerns include but are not limited to the following:

- A plan for emergency evacuation of the school should evacuation be necessary when a train is passing
- How will the many classrooms affected by train noise be sound proofed
- How will the students who want to use the new rail bridge to cross Hwy. 7 on their way to school be kept off the bridge.
- How will the added vibration of longer, heavier and more frequent trains be mitigated to the investment the school makes in technology is not lost.
- How will the safety hazards of blind crossings, curves and hundreds of teenagers in close proximity be eliminated
- How will a derailment be prevented so our children's lives are not at risk

None of the mitigation requested by the City of St. Louis Park or the St. Louis Park School Board on behalf of her residents is being considered. This mitigation is not frivolous; it is necessary to maintain the safety, livability and property values for the residents of St. Louis Park.

Name:

Laura Kautz

To Whom It May Concern: (closing 29th street)



I am writing in response to the Southwest Light Rail Transit (SWLRT) - Draft Environmental Impact Statement (DEIS) published in regard the SWLRT which includes the proposed freight rail re-route in St. Louis Park, Minnesota.

The current SWLRT-DEIS has significant flaws and the planned re-route idea either needs to be dropped completely or a great deal more study must be done. As this action is proposed and described in Chapter 1, Section 1.3.2.3 as rebuilding a little known, lightly-used spur line into a main freight rail line, which will initially allow a 788% increase of rail car traffic. What the SWLRT-DEIS does not address, but should, are the real-world impacts of this action on the affected area.

Besides my general concerns about the SWLRT-DEIS, the portion of the report dealing with the closing of the 29th street crossings (Chapter 3/p. 135) causes me the greatest concern. Residents from the Birchwood neighborhood requested on behalf of the Birchwood neighborhood that the grade crossing at 29th Street stay open. According to page 135 of the DEIS the 29th street crossing is being closed as a mitigation measure. However, the closing of the crossing will not benefit the neighborhood; it will, in fact, jeopardize residents because it will make emergency vehicle access difficult—if not impossible—during winter months due to narrowed streets.

None of the mitigation requested by the City of St. Louis Park on behalf of her residents is being considered. This mitigation is not frivolous; it is necessary to maintain the safety, livability and property values for the residents of St. Louis Park.

Name: Joyce Kautz



Comment #622

Draft Environmental Impact Statement Comment Form**Southwest Transitway Project**

Federal and state environmental rules require that an Environmental Impact Statement (EIS) be prepared for the proposed Southwest Transitway project. The EIS process includes the preparation of a Draft Environmental Impact Statement (DEIS), which must be made available for public review and comment.

The DEIS discusses: (1) the purpose and need for the project; (2) the alternatives considered; (3) the impacts of these alternatives; and (4) the agencies and persons consulted.

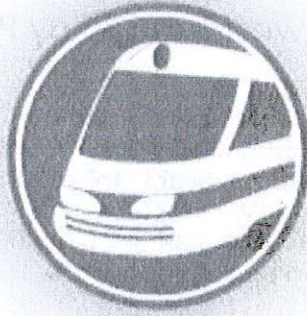
Comments on the DEIS will be accepted through December 11, 2012. All comments must be received by that date. Please include a return mailing address with all comments.

Public hearings on the DEIS will be held in November 2012. To learn more about the hearings, please visit www.southwesttransitway.org

It is my personal opinion that the historic fabric of Kenwood would be destroyed if the plan to TEAR DOWN 90 homes to provide space for the co-location of the light rail traffic and the freight traffic, as well as for park and ride parking for commuters here in Kenwood. This historic area should be preserved. The trails for walkers and bikers should be preserved for our citizens. Our Lake of the Isles area serves to attract nature lovers of all ages. Kenwood has preserved a unique and valuable urban environment. The home-owners here have done this for over a century. The proposed tear downs & co-location would destroy this.

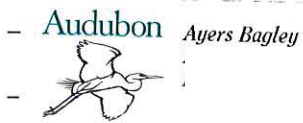
Name: MRS. MARIAN BAGLEY

Thank you!



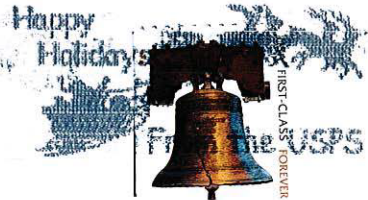
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transitway

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MINNEAPOLIS MN 554

31 DEC 2012 PM 5 L



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

55415184300



Fold here

Catherine and George Puzak



Comment #624

December 30, 2012

Hennepin County
Housing, Community Works & Transit
ATTN: Southwest Transitway
701 Fourth Avenue South, Suite 400
Minneapolis, MN 55415
via US mail and email to swcorridor@co.hennepin.mn.us

Re: Comments on the Southwest Transitway Draft Environmental Impact Statement

Dear Project Manager:

Please accept these comments on the Draft Environmental Impact Statement (DEIS) for the Southwest Transitway (LRT) project. The comments first address freight rail and LRT track siting issues. Subsequent comments discuss specific Minneapolis locations within the corridor.

Consistent with the DEIS recommendation, freight rail should be rerouted from the Kenilworth Corridor to a different freight rail corridor. Operating both freight and light rail in the Kenilworth Corridor would irreparably harm natural green space. It would destroy sixty homes. It would also eliminate highly used non-motorized recreational and commuter trails. By rerouting freight rail, the outcome of preserving this tranquil, park-like corridor and water channel may be achieved.

Outcomes of LRT track siting: LRT tracks should be placed to preserve as much open space as possible for people, wildlife, and nature. LRT tracks should also allow as much space as possible for mitigation on both sides of the LRT line, especially where residential properties are on both sides of the corridor. These outcomes produce two recommendations.

First, north of Franklin Avenue and below the Kenwood water tower, LRT tracks should hug the base of Kenwood bluff. This design places the tracks on the east side of the corridor. It makes trails and paths into a continuous loop around Cedar Lake without rail obstruction. This "cutting the corner" design would shorten the route and travel time to downtown Minneapolis. The base of Kenwood bluff would absorb noise and vibrations. Most importantly, it would achieve the outcome of preserving open space ("Conservancy") between the SW LRT, the north-east corner of Cedar Lake and the Burlington Northern rail line for people, wildlife, and nature.

Second, between Franklin Avenue west and west Lake Street, LRT tracks should be sited in the center of the corridor. This placement would allow space for mitigation on both sides of the SW LRT line, where it is in closest proximity to peoples' homes.

Comments on Specific Minneapolis Locations

1. Cedar Lake Regional Trail and SWLRT Crossing Area

Outcome: The Cedar Lake Regional Trail, Kenilworth Trail and Cedar Lake pathway should provide a continuous uninterrupted loop around Cedar Lake similar to the loop trails around Lake of the Isles, Lake Calhoun, and Lake Harriet. If the Kenilworth Trail remains east of the LRT tracks, trail users will be forced to cross tracks where 250 LRT trains/day will be passing. Trail users circulating Cedar Lake should have the same safe, efficient, and pleasant experience offered by the regional paths around the other three lakes in the regional trail system. If the Cedar Lake or Kenilworth trails cross the SW LRT line, the trails should be grade-separated from the LRT line.

2. Intersection of West 21st Street and SW LRT tracks

Outcomes: Uninterrupted access to east Cedar Lake beach and to homes on the 2000 block of Upton Avenue South. Station design should enhance safety for Cedar Lake Park users and local residents. Cedar Lake Park and the surrounding corridor should maintain their “up-north” feel. They are quiet spaces with multiple layers of vegetation—grasses, bushes, and trees. An estimated 250 LRT trains/day will mar the tranquil, green setting of this area. Tunneling or trenching LRT tracks and land bridging over them would best mitigate the visual and noise pollution caused by LRT service in this area.

3. Kenilworth Channel and Bridge

Dredging the Kenilworth Channel helped form the Chain of Lakes as a historic and regional amenity. **Outcome:** People and wildlife that are experiencing this area should enjoy naturally occurring lights and sounds. **This location is unique in its lack of artificial light.** No street-grid lighting is located here, due to the expanse of lake water, park land, and open space. Headlights from LRT trains during dark hours would forever change the character and night sky experience of this unique urban space.

4. Cedar Lake Parkway-Grand Rounds

Outcome: Preserve the integrity of the Grand Rounds National Scenic Byway by maintaining the ambiance, views, and park experience at south end of Cedar Lake and Beach. An LRT bridge of Cedar Lake parkway is insufficient. It would spread noise and block views. It would also be visually jarring and inconsistent with the park setting. Tunneling or trenching LRT under Cedar Lake Parkway would minimize the adverse effects at this unique intersection.

Outcome: Provide a continuous, safe, and pleasant trail experience for Kenilworth Trail users at Cedar Lake Parkway. The Kenilworth Trail should be grade-separated from traffic on Cedar Lake Parkway-Grand Rounds. If the trail is on the west side of the LRT tracks, it could directly connect to the South Cedar Beach and provide a continuous trail loop onto the Cedar Lake Pathway at South Cedar Beach. Going south after crossing Cedar Lake Parkway, the trail could use a landbridge to ramp over a depressed LRT line. The Kenilworth Trail would switch to the east side of the LRT tracks, providing access to Park Siding Park and then continue south to intersect with the Midtown Greenway.

Conclusion

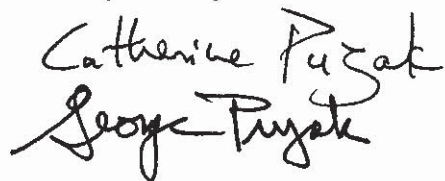
Given the Kenilworth Corridor's value as a critical greenspace and waterway connector and as a non-motorized recreational and commuter pathway, LRT impacts must be substantially mitigated. Minneapolis has a history of mitigating impacts from rail traffic. A nearby example is the 2.8 mile east-west depressed rail trench from Cedar to Hennepin avenues. More recently, Minneapolis built a tunnel for new LRT service at the airport. These examples should apply to any LRT routing through Kenilworth.

One component of the mitigation should include a rail tunnel from Lake Street to Franklin Avenue or to I-394. The length would be approximately one mile. The tunnel would go under Cedar Lake Parkway, the Kenilworth Channel, and West 21st Street. The tunnel would resurface in the open space below Kenwood Hill and the historic water tower.

A tunnel in Kenilworth is essential to mitigate the impacts of 250 daily LRT trains in this sensitive corridor. A tunnel would follow Minneapolis' precedent of rail trenching. It would minimize traffic congestion at Cedar Lake Parkway, a **National Scenic Byway**, and at West 21st Street. Most importantly, the tunnel would help preserve natural assets of regional and state significance—the Kenilworth greenspace, the Minneapolis Chain of Lakes Regional Park, and Cedar Lake Park Wildlife and Nature Preserve.

An LRT route connecting Minneapolis to southwest Hennepin County is a 100-year decision. The environmental impacts of LRT service must be carefully considered. Substantial and meaningful mitigation must be designed, funded, and implemented for the SW LRT line to achieve its full potential.

Thank you for your consideration.

The image shows two handwritten signatures in black ink. The top signature is 'Catherine Puzak' and the bottom signature is 'George Puzak'. Both are written in a cursive, flowing style.

Catherine and George Puzak

HENNEPIN County
Housing, Community Works + Transit
Attn: Southwest Transitway
701 4th Ave. South, suite 400
Minneapolis, MN 55415

